

**NVSUA**

**CONSTITUTION**

**and**

**BY-LAWS**

**NVSUA By-Laws  
Approved by Membership  
March 28, 2018**

# **CONSTITUTION**

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**Nobscot Valley Softball Umpires Association**

# **Constitution**

## **Article One – Identity**

The name of this association is Nobscot Valley Softball Umpires Association (NVSUA).

## **Article Two – Jurisdiction**

The primary area of this association encompasses the state district #5, as defined by USA Softball of Massachusetts.

## **Article Three – Purpose**

The primary purpose of this association is to:

- Section 1** Provide competent certified USA Softball umpires and quality officiating for affiliated leagues, tournaments, softball programs and MIAA.
- Section 2** Promote quality officiating and standards to develop knowledgeable umpires, through rules interpretation, clinics on mechanics, and discussions, as prescribed-the USA Softball.
- Section 3** Provide an ongoing educational program and environment for members to improve the image and quality of softball officiating.
- Section 4** Recruit, train and assist new umpire candidates, within the guidelines of the USA Softball program.
- Section 5** Establish and maintain liaison with associations of the national USA Softball organization, and other affiliated softball programs and associations.

## **Article Four – Officers**

The officers of this association consist of a President, Vice-President, Secretary, Treasurer, Umpire in Chief (UIC), Assistant UIC, Chief Assigner, Registrar and Past President.

- Section 1** The President serves a two-year term.
- Section 2** The Vice-President serves a two-year term.
- Section 3** The offices of Secretary and Treasurer can be combined into Secretary-Treasurer, to serve a three-year term. Otherwise, each officer individually will serve three years.
- Section 4** The Umpire in Chief (UIC) will be appointed by the President and approved by the Executive Board. There can be an Assistant UIC that must be approved by the Executive Board.
- Section 5** The Chief Assigner serves a two-year term.
- Section 6** The Registrar works with USA Softball and USA Softball of Massachusetts to register the umpires each year. The Registrar is appointed by USA Softball of Massachusetts.
- Section 7** These officers, and the immediate Past President, form the Executive Board.

If a member of the Executive Board becomes unable to perform their duties the Executive Board will appoint a temporary replacement.

#### **Article Five – Members**

The association consists of certified USA Softball umpires and other eligible persons.

**Section 1** Certified USA umpires each year must complete the National USA Softball Exam and score at least 70%, pay required annual dues, as outlined in the by-laws, and be members in good standing. They are registered each year with USA Softball, and enjoy the benefits of USA Softball membership. Members are required to have email capability for communication and access to the Arbiter website for assignment purposes.

**Section 2** Other interested persons are eligible to be members of NVSUA, as defined in the by-laws.

**Section 3** All members of the association are required to attend a minimum of greater of at least 2 out of 3 (66 $\frac{2}{3}$ %) or 3 out of 4 (75%) of the meetings each year, including the rules interpretation, and any special meeting set aside, such as for the purpose to vote on amendments or changes to this constitution and its by-laws. Timely notification must be approved by the President for any absence.

**Section 4** The Executive Board has the right to decide on the good standing of any member, for violation of any of the articles of this constitution and its bylaws, or any other negligent act deemed punishable by the Executive Board. This power is absolute, and the decision of the Executive Board stays final, and can only be overturned by the Executive Board itself, or a two-thirds vote of the entire NVSUA voting membership. Any member not voting will be considered an abstention, and will not be counted towards the two-thirds requirement.

**Section 5** All members have the right of appeal, submitted in writing to the Executive Board.

**Section 6** Members are not employees of NVSUA, the Chief Assigner, or any other assigner. They provide their services to officiate softball as independent contractors.

#### **Article Six – Appointed Positions**

The NVSUA President will appoint the following positions. These positions are as follows:

1. Web Master – Updates and maintains the NVSUA website [www.nvsua.com](http://www.nvsua.com) and is appointed by the Executive Board for a 2 year term.
2. UIC – Serves at the discretion of the Executive Board
3. Assistant UIC – Serves at the discretion of the Executive Board

The NVSUA Executive Board must approve these positions.

The Registrar is appointed by USA Softball of Massachusetts. The Registrar works with USA Softball and the USA Softball Massachusetts to register the umpires each year.

#### **Article Seven – Amendments and Changes**

Proposed amendments or changes to this constitution and its ensuing by-laws can and will be acted upon at a special meeting, called for such purpose. Such amendments or changes must be submitted by email to the Executive Board, fourteen (14) days prior to the date of the special meeting, and all members must be notified by email at least seven (7) days prior to this meeting. A affirmative two-thirds vote of those present will constitute a majority to pass or adopt any proposed amendment or change.

# By-Laws

## Duties of Officers

**Section 1** The President presides at all meetings, preserves order according to Roberts Rules of Order, as may be amended, appoints committees, and transacts other such business as rightfully pertains to the office and the well-being of NVSUA. The President is an ex-officio member of all committees. This office will receive an annual stipend of \$150.00, for the performance of duties.

**Section 2** The Vice-President presides in the absence of the President, with full powers as pertains to the President. If, for any reason, the President vacates the office, the Vice-President assumes the position, until such time as a special election meeting to replace the vacated office. This office will receive an annual stipend of \$150.00, for the performance of duties.

**Section 3** The duties of the Secretary are to keep record of all association meetings and no records to be released without Executive-Board approval, to post all notices required to the membership, provide a directory of the membership at-large, and to perform the usual duties conferred upon the office. The Secretary shall receive and update all changes to the Constitution and By-Laws. This activity after the bylaw committee meets and recommends changes. These proposed changes are to be posted on the website for the membership to review and approve at a regular meeting or a special meeting. Once approved the secretary will make the updates after the approval meeting and send to the webmaster for posting. This process should be done annually.

Minutes from general meeting will be posted before next general meeting.

Minutes from any executive board meetings must be sent to board members within 10 days after the meeting. This office will receive an annual stipend of \$150.00.

**Section 4** The duties of the Treasurer are to keep all monies and financial records of the association, collect dues and any penalty fees, pay bills and debts for the association, provide a financial report to the membership each year, or as called upon by the association, and any other fiscal duties and interactions. This office will receive an annual stipend \$150.00.

**Section 5** The offices of Secretary and Treasurer can be combined into Secretary-Treasurer, and will be responsible for the duties outlined in Sections 3 and 4 immediately above. Each office will receive an annual stipend of \$150.00 for the performance of duties, or \$300.00 combined.

**Section 6** The Umpire in Chief (UIC) and Assistant Umpire in Chief (UIC) provides up-to-date rule changes at a rules interpretation meeting each year, and at other meetings, and rules on all questions pertaining to softball rules. In the event of a dispute on a ruling, the UIC will contact appropriate authority as necessary to resolve the issue. The Umpire in Chief (UIC) provides the direction for all certified association umpires regarding enforcement of rules and officiating.

**Section 7** The Chief Assigner is responsible for overseeing that all USA league, tournament, or other softball games, falling within the jurisdiction of the association are duly assigned, and that all members of the association, wishing to umpire, are appropriately assigned. The Chief Assigner may approve sub-assigners to assist with the responsibilities of the position. These are the only persons authorized to assign USA games within the jurisdiction of the association, and no one will undermine this authority. The Chief Assigner must also have USA Softball Massachusetts approval yearly. A list of Sub-Assigners will be submitted by the Chief Assigner to USA Softball Massachusetts for review. The Chief Assigner and all Sub-Assigners must use an automated scheduling tool. If Sub Assigners are unable to use the scheduling tool they must submit their assignments to the Chief Assigner who will input the assignments into the scheduling system.

**Section 8** The Chief Assigner, and sub-assigners, should receive an assigning fee, to be paid by the league, tournament or local organization. Chief Assigner must negotiate fees set by board membership. If the fee is deemed too much, then the games will be shortened in length. The fee structure must be approved by 2/3 vote of those present at the meeting when it is presented.

**Section 9** The Registrar is responsible for member umpire compliance for proper registration of board certified umpires to USA Softball of Massachusetts and USA Softball and other duties associated with the office.

**Section 10** The NVSUA President will receive an annual stipend of \$150.  
The NVSUA Vice-President will receive an annual stipend of \$150.  
The NVSUA Secretary will receive an annual stipend of \$150  
The NVSUA Treasurer will receive an annual stipend of \$150  
The NVSUA Offices of Secretary and Treasurer if combined will receive a annual stipend of \$300.  
The NVSUA Web Master will receive an annual stipend of \$150.  
The NVSUA Registrar will receive an annual stipend of \$175.  
The NVSUA Chief Assigner will receive an annual stipend of \$175

## **Privileges of Membership**

### **All members shall work for the betterment of the NVSUA.**

**Section 1** Members are entitled to the rights and benefits of membership in the association, as outlined in this constitution and its by-laws. Any members who feel that their rights have been violated, may write the Executive Board, detailing their grievances. The Executive Board will decide on such matters.

**Section 2** Only certified (active) USA Softball umpires of the membership, 18 years or older, and in good standing, have the right to vote on association matters. All other (inactive) members retain the right to stay up-to-date on rules, officiating and matters before the association, but are not voting members of the association. This includes certified (active) USA Softball umpires, who are not yet 18 years of age.

**(a) Active Members** –USA Registered and working games are Active Members. \* A USA Softball registered umpire who meets all monetary obligations to USA Softball of Massachusetts and NVSUA imposed by the voting body and complies with the constitution and bylaws of the association shall be considered a member in good standing.

**(b) Inactive Members** - Any member in "good standing" may request "Inactive" status by submitting a written request to the president of the NVSUA prior to April 1. *"Inactive " status will only be granted for one (1) season.* Inactive Members will be required to pay ½ NVSUA annual dues. Refresher class required after 2 yrs.

**(c) Honorary Members** - Any member who has retired from the NVSUA board or to any person that has demonstrated his/her support to the betterment of softball. This form of membership must be approved by a majority vote of the members present at a regular or special meeting. Honorary members shall carry no voting privileges and may not hold office, although honorary members are welcome to attend meetings and to speak on matters of interest to them. No dues are required based on this status.

**(d) Dual Association Member** – Those umpires who join NVSUA as a secondary board will pay \$35.00 NVSUA dues plus current Arbiter fee per year for membership.. These members will have both voting privileges and ability to be assigned games

**Section 3** Certified umpires are entitled and insured to work USA Softball games assigned by the Chief Assigner, or any of the sub-assigners of the association. Additionally, they may work any sanctioned USA Softball games.

**Section 4** Certified umpires are entitled to work scholastic softball games, with the limitations that first and second -year officials are discouraged to work at the High School Varsity level, and umpires not yet 18 years of age should not work at a level higher than 8<sup>th</sup>-grade middle school.

**Section 5** Certified umpires have the right to wear the ASA uniform, display ASA on their hat, and to display the national ASA emblem on their uniform until-USA Softball states otherwise. Certified umpires have the right to wear the USA uniform, display USA on their hat, and to display the national USA

emblem. When officiating any game of softball, umpires should be attired in the uniform currently prescribed by USA Softball, USA Softball of Massachusetts and the MIAA. It is important that when working with a partner, umpires be dressed similarly, including color and style.

**Section 6** Certified umpires should not (knowingly) work with any umpire who is not a certified umpire of USA, any of its affiliated bodies, or a recognized softball umpires organization of the MIAA.

**Section 7** Certified umpires are invited to attend the candidate classes at any time, at no charge, as a refresher. Second year umpires are strongly encouraged to attend the New Candidate classes at no charge.

**Section 8** All association members in good standing and active status have the privilege to serve on any committee of the association, formed for the benefit of the association and USA as a whole, as determined by the Executive Board, or at the request of the membership at-large. (Such committees could include, but are not limited to, Membership, Ethics, Social, By-Laws, and Education and Training.) The President retains the right to appoint the person to head up any such committee, or any persons to serve on any such committee.

**Section 9** An umpire shall not accept an assignment that they cannot fulfill. Turn back of accepted assignments must be done no later than 24 hours before the assignment. An umpire may ask the assigner if they can get a replacement if less than 24 hours. (no guarantee), if not the umpire must go to the assignment. Failure to do so would result in Executive Board review and may result in a fine of the assigned game fee and possibly additional penalties. Umpires do not send a replacement.

**Section 10** The following may result in fines equal to a game fee and penalties after review by the Disciplinary Committee with recommendations to the Executive Board without a show of just cause in writing;

1. Any conduct that brings discredit or adversely reflects on the NVSUA or its members.
2. Tardiness to games no matter what level of play.
3. Umpire not showing up for a game.
4. Not making the attendance requirement.
5. Failure of not being in proper uniform.
6. Offending the Member Privacy rule.
7. Offending the Social Media Policy

## **Dues and Fees**

**Section 1** Dues are assessed each year for the members of the association. Dues must be paid by the date set by the treasurer which will be no later than the 1<sup>st</sup> meeting for that year, or will be assessed a late fee of \$10. Also no games will be assigned until the dues are paid. The Executive Board retains the right to recommend an immediate increase in the annual dues as presented to and voted on, and approved by the membership at-large.

**Section 2** Certified umpires of the association must register with USA Softball. The annual non-refundable fee and processing fee for that year to register with USA Softball must be paid directly to USA Softball. NVSUA dues for that year will be paid to NVSUA.

**Section 3** Certified umpires not yet 18 years of age are required to pay USA Softball registration fee and NVSUA dues for that year. These dues include the annual fee to register with the USA Softball.

**Section 4** Inactive members and other interested non-voting persons are required to half of NVSUA annual dues.

**Section 5** Current-year NVSUA dues are non-refundable after the first meeting of the season, at the discretion of the Executive Board.

**Section 6** Any persons forgoing dues are subject to suspension from the association, and request for reinstatement is at the discretion of the Executive Board, and is assessable for late fees and penalties per review of the Executive Board.

**Section 7** Any person wishing to work MIAA sanctioned games is subject to the rates assessed by the MIAA. These fees are additional and are not covered in the association dues, including the fee to be a member of the MIAA, and the cost to be insured for such games.

**Section 8** Non-scholastic rates are determined by negotiations between the assigners and the league administrators and tournament organizers.

**Section 9** It is recommended that association umpires will work games at the prescribed fees as authorized by the NVSUA Chief Assigner.

**Section 10** First year (New Candidates) will pay 50% of NVSUA annual dues. First year umpires are required to pay training costs as established by the NVSUA Executive Board in addition to their dues.

**Section 11** Dual Association members where NVSUA is not their primary will pay 1/2 current NVSUA dues of \$35.00 plus current Arbiter fees

## Meetings

Each year the association is required to conduct the following meetings:

**Section 1** There will be a mandatory rules interpretation meeting to keep members up-to-date on changes.

**Section 2** There will be a meeting set aside for the USA Softball Examination review. The exam will be taken online by the umpire prior to the review meeting. The results provided to the Chief Assigner. Those not achieving 70% will not be assigned games. The umpire can retake the test and if 70% is achieved he/she will be assigned games.

**Section 3** Each year there will be an election, as necessary. Such meeting will be held by May 1 at the latest, to elect officers to serve for the following term, beginning November 1 of that year.

**Section 4** Classes are held for candidates seeking USA Softball umpire certification, and NVSUA membership. These classes include classroom discussion, the national USA examination, and a field mechanics clinic.

**Section 5** A special meeting can be called by the President. Members must be notified at least seven days in advance of such meeting, stating in writing the time, location and specific purpose of the meeting. Any such meeting, assembled for a specific reason, will be restricted to that specific purpose.

**Section 6** The membership may also determine the need for a special meeting. In this case, at least ten active members must notify the Executive Board with their written request, specifying the purpose of the special meeting. The President will schedule a date for the special meeting within ten days of notification.

**Section 7** A one-third attendance of the voting membership will constitute a quorum at any regular or annual meeting, and attendance greater than one-half the voting membership at any special meeting, for the transaction of business that requires a vote be taken.

**Section 8** Except for a change in its Constitution or By-Laws, which requires a two-thirds vote, a simple majority of the voting membership present will be sufficient to carry out any motion before the association.

## Annual Budget

The Officers of NVSUA shall be responsible for:

Submission of a proposed annual budget for approval by the general membership. The proposed budget shall be submitted by the Officers of NVSUA before the initial general membership meeting. The proposed budget shall consist of specific recommended line items for expenditure and a recommended discretionary funds line item. Approval/disapproval of these expenditures will be voted on at the initial general membership meeting. Disbursement of Association funds will come from the current NVSUA funds. Changes to the budget must be approved by a vote of the general membership. A sum of \$100.00 petty cash for incidental items shall be included in the budget.

## **Provisional Membership**

**Section 1** Candidates who successfully complete the class and pass the USA Softball exam become provisional members of the association, upon payment of proper dues, for a period of two years.

**Section 2** Provisional members, 18 years of age or older, have full voting rights on association matters.

**Section 3** Provisional members are eligible to officiate scholastic softball games at the sub-varsity level, and all approved USA softball games, as appropriate.

**Section 4** Provisional members are strongly recommended to not work scholastic softball games at the High School Varsity level, unless they can verify that they already have a minimum of five years experience at a similar level with another recognized softball association or organization.

**Section 5** Upon successful completion of the provisional period, certified umpires of the association, 18 years of age or older, are eligible to umpire High School Varsity games.

**Section 6** Violation of these provisional restrictions jeopardize the status of the provisional member, as decided upon by the Executive Board, and may result in suspension.

## **Caveat**

The NVSUA Constitution and its By-Laws are a work in progress, therefore as the game of softball is continually changing, to stay current with the times. It is recognized that this document requires continuous upgrade, and it is emphasized that all members are encouraged to review and contribute to maintaining this document as a viable instrument of this association.

This document also serves as a guideline to the members of the association to be knowledgeable of its contents and to strive to abide by what is set forth therein, as a way to improve themselves as USA Softball umpires, and to improve the image of themselves, the association and USA Softball as a whole.

## **MEMBER PRIVACY**

The personal information given to the executive board (known as the board) is used for **softball** only. This information will not be given out to an individual or organization for individual or organizational or corporate gain. The personal information is distributed to USA Softball and USA Softball of Massachusetts as required. Any other requests will be reviewed by the board for approval. If the board determines a vote of approval by the membership is needed for distribution of personal information other than for softball, the board will request a vote by a special meeting or email using valid email addresses.

The board expects the membership to follow the above guide lines as well. If a member uses the membership roster to contact an individual member or the entire membership for

anything not pertaining to NVSUA softball or softball itself and tries to attain personal gain from, without written permission from the individual who was contacted or the board, such use will be subject to the following disciplinary action.

The offending member will be suspended at the time the misuse is reported to the board. The offending member will be required to come before the board to state their case and for possible reinstatement in good standing.

From the time the board is informed of the misuse by the offending member all assignments leagues and tournaments will be returned to the Chief Assigner or the USA Softball of Massachusetts assigner for state tournaments or the USA Softball assigner for national tournaments and no assignments will be available until the offending member is reinstated and in good standing with the NVSUA board.

## **Social Media Policy**

All Members are prohibited from posting anything on social media – direct or implied– that could be viewed as negative, critical, or derogatory with reference to the NVSUA, any member, or any league or group the NVSUA serves.

Posting critical comments on officiating on a social media platform is prohibited by any member of the NVSUA. Much like professional sports, college sports, or MIAA (Massachusetts HS sports), commenting on officiating via any media platform (print, electronic, social or otherwise) is not allowed. And suspensions are given out for any such activity by the above groups.

Offending this guideline will result in fines and or penalties upwards to and including expulsion from the board, after review by the Disciplinary Committee with recommendations to the Executive Board. The Executive Board has the final decision.

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