

## **BY - LAWS**

### **ARTICLE I - MEMBERSHIP**

**Section 1.** Petitioner for active, associate or auxiliary membership in this Association or Coastal Florida PEA shall submit an application in writing to the Board of Directors. The application must bear the signature of an Association member who attests to the applicant's eligibility. The applicant shall be granted membership on the first Tuesday of the month, after the application is received by the Board of Directors.

**Section 2.** The Board of Directors shall have the power to determine the eligibility of an applicant and shall have the power to disapprove an applicant in accordance with Article IX or Article XII of the By-Laws.

**Section 3.** "Member in good standing" is hereby defined to be a member who has paid all dues and assessments levied by the Association, or who is not more than sixty (60) days in arrears of such payments and is on payroll deduction for dues payment purposes in his/her Agency. If member is employed by an agency which does not have payroll deduction for dues payment purposes, member must make initial payment before he/she may be considered a "Member in good standing."

**Section 4.** Any member, delinquent or suspended, as provided in Section 3. of this Article, may be reinstated and restored to good standing by the payment of all past dues, and in addition thereto, payment of all dues and assessment for the whole of the current year in which the reinstatement is made in addition to a \$5.00 delinquency fee.

**Section 5.** The Board of Directors of this organization shall have the power to fix the rate of dues of the membership and initiation fee, if any, for the membership and at any regular meeting or special meeting of the Association providing notice has been given that a dues change will be considered at said Board Meeting. Honorary and Life members shall not be required to pay dues.

**Section 6.** Any member, all dues having been paid, may withdraw his/her membership by notice, in writing, to the Board of Directors.

**Section 7.** The Board of Directors may, by a two-thirds vote at any meeting of the Board, expel any member for just cause, provided, however, said member shall be given five (5) days notice and allowed the opportunity of appearing before the Board of Directors at its next meeting following notice.

**Section 8.** Membership shall not be denied to any person based solely on sex, color, religion, age, nationality or creed.

**Section 9.** Only active and life members, as described in Article III of the Constitution, shall have the right to hold office within the Association.

**Section 10.** Only active members and Coastal Florida PEA bargaining unit members, as described in Article III of the Constitution shall have the right to vote in this Association.

Amended 09-17-15

### **ARTICLE II – SENIOR VICE-PRESIDENT**

**Section 1.** The Senior Vice-President shall act on behalf of the President in the absence of the President upon the consent of the President.

**Section 2.** The Senior Vice-President shall perform such other duties as may be ordered by the President and the Board of Directors.

**Section 3.** The Senior Vice-President may be assigned portfolios consisting of committees, subcommittees and/or projects by the President and shall be responsible for the functioning of the projects under such portfolios.

**Section 4.** He/she shall be an active member of the Coastal Florida PBA as described in Article III, Section 2 (a) and (g) of the Constitution.

**Section 5.** He/she shall be from an agency with a CFPBA collective bargaining unit at the time of his/her election.

Amended 09-17-15

### **ARTICLE III - VICE-PRESIDENT OF MEMBERSHIP**

**Section 1.** The Vice-President of Membership shall in conjunction with the President, work to organize new bargaining units and increase membership in current collective bargaining units.

**Section 2.** He/she shall insure that the Membership Representative is providing service to their members and insure that the membership is receiving the proper service within their local bargaining unit.

**Section 3.** He/she shall serve a chair of any committee established by the President in conjunction to members' service or organizing.

**Section 4.** He/she shall assist with and oversee the production of all newsletters published by the Association.

**Section 5.** He/she shall carry out any other duties assigned by the President or at the direction Board of Directors.

**Section 6.** He/she shall be an active member of the Coastal Florida PBA as described by Article III, Section 2 (a) and (g) of the Constitution.

**Section 7.** He/she shall be from an agency with a CFPBA collective bargaining unit at the time of his/her election.

Amended 09-17-15

### **ARTICLE IV - VICE-PRESIDENT OF LEGISLATIVE PROGRAMS**

**Section 1.** The Vice-President of Legislative Programs shall under the direction of the President oversee the drafting of, introduction of and tracking of all legislation matters sponsored by the Association.

**Section 2.** He/she shall chair all screening committees in the absence of the President.

**Section 3.** He/she shall carry out any other duties assigned by the President or at the direction of the Board of Directors.

**Section 4.** He/she shall be an active member of the Coastal Florida PBA as described in Article III, Section 2 (a) and (g) of the Constitution.

**Section 5.** He/she shall be from an agency that has a CFPBA collective bargaining unit at the time of his/her election.

Amended 09-17-15

### **ARTICLE V - VICE PRESIDENT FOR CFPEA**

**Section 1.** The Vice-President for CFPEA shall perform the duties of the Vice-President of Membership and the duties of the Vice-President of Legislative Programs for the CFPEA.

**Section 2.** He/she shall carry out any other duties assigned by the President or at the direction of the Board of Directors.

**Section 3.** He/she shall be a member of a Coastal Florida PEA, a division of the Coastal Florida PBA, collective bargaining unit in order to serve in this position as outlined in Article III, Section 2 (h) of the Constitution.

**Section 4.** He/she shall be from an agency that has a CFPEA collective bargaining unit at the time of his/her election.

Amended 06-16-03

#### **ARTICLE VI - SECRETARY/TREASURER**

**Section 1.** The Secretary/Treasurer shall maintain minutes of Association meetings and ensure that all business records, other than financial records, are properly maintained by the Association.

**Section 2.** He/she will also ensure that documents required to be filed with various governmental agencies are filed in a timely and proper fashion.

**Section 3.** He/she shall have the responsibility of maintaining an accurate mailing list of the general membership.

**Section 4.** He/she shall perform other duties as assigned by the Board of Directors or the President.

**Section 5.** He/she shall furnish surety bond in the amount specified by the Board of Directors at the Association's expense.

**Section 6.** He/she shall submit the Association's financial records to a certified public accountant.

**Section 7.** He/she shall ensure that financial documents required to be filed with various governmental agencies are filed in a timely and proper fashion.

**Section 8.** He/she, along with the President, shall sign all checks for disbursement of funds.

**Section 9.** The Treasurer shall perform other duties as assigned by the Board of Directors or the President and in the absence of the President, he/she shall exercise the powers and duties of that office.

**Section 10.** He/she shall be an active member of the Coastal Florida PBA as described in Article III, Section 2 (a) and (g) of the Constitution.

**Section 11.** He/she shall be from an agency with a CFPBA bargaining unit at the time of his/her election.

Amended 09-17-15

#### **ARTICLE VII - MEMBERSHIP REPRESENTATIVES: MEMBERSHIP, ELECTIONS, DUTIES AND RESPONSIBILITIES**

In addition to those duties, responsibilities and provisions related to the Board of Directors as set forth in the Coastal Florida P.B.A. Constitution, the following By-Law provisions shall apply. Where a conflict between these By-Laws and the Constitution may arise, it is understood that the Constitutional provision shall govern.

**Section 1. MEMBERSHIP:** In addition to the Officers, the Board of Directors shall consist of Representatives from each agency which the Coastal Florida P.B.A. and the Coastal Florida PEA, a division of the Coastal Florida PBA, has existing members, in the following way:

A. Membership Representatives will be elected for a three-year term and each Representative will have the same authority. If during this three-year term, a Representative resigns his post or is removed from office, then the President shall have the same authority to appoint a new Representative for the remainder of the term of office. The number of Membership Representatives will be determined by the number of members per agency as follows:

- 1). One (1) Membership Representative for agencies with a minimum of 20 members up to fifty (50) members or an agency with a collective bargaining unit but less than 20 members;
- 2). One (1) Membership Representative shall be allocated for every fifty (50) members beyond the first fifty (50) members.

B. Alternate/Appointed Representatives: Representatives may from time to time need additional members to serve as "Alternate/Appointed Representatives" within their agency.

If Alternate/Appointed Representatives are to be added to the Board of Directors, the Representatives will have approval by the Board of Directors. Such approval will be decided on such matters as: size of the agency, location of substations or districts, needs of members within the agency, etc. The Alternate/Appointed Representative after approval of the Board will be appointed by the Membership Representatives and serve on the Board of Directors the same period as the Membership Representatives.

The Membership Representative will have full authority representing his agency while the Alternate/Appointed Representative will have this authority only when the Membership Representative is not available.

Amended 8-28-10

**Section 2. ELECTIONS:** All Membership Representatives defined and set forth in Section A. above, will be elected by the membership, in the same election cycle as the Executive Committee, from the individual agency either by a mail-in vote or by an on-sight election. The procedure will be determined by the Executive Committee.

If a mail-in vote is utilized, all members will have a fourteen-day time period to make their nominations for the open position(s) as set forth in a notice of nomination to be posted at the agency. Nominations will be accepted from the general membership of that agency. Upon the closing of nominations, ballots will be forwarded to each member for their vote. The enforcement of the deadlines for nominations and the forwarding of completed ballots will be set out in the rules of the election.

Once the deadline is set and all the votes are cast, the appropriate number of candidates receiving the largest amount of votes will be the elected Representative(s) in the order in which they finished until all open positions are filled.

**Section 3. BOARD OF DIRECTORS VOTING:** At any Board of Directors meeting, as called by the President or otherwise convened, the Membership

Representatives from each agency will be present to vote on the business of the Association. Each Officer and Membership Representative will have one (1) vote. In those situations where a Membership Representative is not present, then the Alternate/Appointed Membership Representative will have one (1) vote.

All votes taken in this Association shall be decided by the required number of votes cast by those members present and voting following proper notice of the meeting.

A quorum of the Board of Directors shall be those members responding to a notice of a Board of Directors meeting, which shall be provided no less than ten (10) days prior to the meeting.

Votes once cast may not be changed if such votes would affect the outcome of an issue. Proxy and absentee voting is prohibited. If a Board member is present at a meeting he/she must vote on all issues unless a conflict of interest has been announced prior to discussion on the issue.

Amended 06-16-03

### **ARTICLE VIII - EXECUTIVE COMMITTEE**

**Section 1.** The Executive Committee as described in Article V, Section 1, of the Constitution, shall have the power to disapprove any expenditure or expenses of the Association upon a unanimous vote other than salaries and benefits for employees.

**Section 2.** In the event of an emergency, when the President chooses not to use the emergency powers given him by the Constitution, the President may call the Executive Committee into session and they shall have the power to act in the name of the Board of Directors.

**Section 3.** The Executive Committee may be called to session by the President to act as the planning arm of the Board of Directors. All decisions as a result of these planning sessions shall be subject to approval of the Board of Directors.

**Section 4.** The Executive Committee shall have the authority to invest the funds of the Association under the same restrictions as an Executor or Trustee under the laws of the State of Florida.

Amended 06-16-03

### **ARTICLE IX - NOMINATION AND ELECTION OF OFFICERS**

**Section 1.** Beginning in December 1985, and every three (3) years thereafter, elections of officers for the Associations shall be held in the following matter.

At the Quarterly Board meeting to occur in either September or October of an election year, the Secretary/Treasurer shall announce commencement of the 30 day qualifying period for nominations to

Amended 07-18-09

the Executive Committee which will end at the close of business 30 calendar days after the announcement. If the 30th day is a day when the business office is closed, then qualifying will end at the close of business on the next normal business day. All members seeking office shall deliver to the Secretary/Treasurer at the Association's office a nomination form signed by ten (10) members of the Board of Directors.

At a mandatory meeting of the Board of Directors, to be called by the President and held in November of each election year, the President shall announce all candidates that qualified for an office of the Association.

In order to be eligible for nomination to the office of President, a member must have completed three (3) years of service on the Executive Committee and must have served as a member of the Association's Board of Directors within 24 months prior to being nominated. In order to be eligible for nomination to the other offices of the Executive Committee, a member must have completed one (1) year of service on the Board of Directors and must have served as a member of the Association's Board of Directors within 24 months prior to being nominated.

**Section 2.** If, after nominations are accepted at the November Board of Directors meeting set forth in Section 1. above, there are two (2) or more nominees for one office, then fifteen (15) days prior to a mandatory Board of Directors meeting to be held in December of the election year, the Secretary shall mail to each elected Membership Representative who is on the Board of Directors and is in good standing, a ballot containing the names of all persons properly nominated for that office. Those persons receiving the largest number of votes for each office shall be elected for a three-year term.

A. The results of the election shall be handled at the December Board of Directors meeting of each election year. The formal installation of the newly elected Officers shall be carried out at the January meeting following the election period.

**Section 3.** In the event of a death, resignation, suspension or expulsion or for any reason a vacancy occurs in any Executive office, such vacancy shall be filled by the President with the approval of the Board of Directors. In case of a vacancy in the office of President, the Secretary/Treasurer shall succeed to the office of President to fill the temporary vacancy for a period of time not to exceed 90 days. Within that 90 day period, the Executive Committee shall meet to elect a permanent successor from the Executive Committee to fill the vacancy of the President and that person shall serve for the remainder of the current term. For the purposes of this section, the candidate shall be a current member of the Executive Committee and eligible to hold the Office of the President.

**Section 4.** Any Officer or Membership Representative, who shall fail to attend three (3) consecutive meetings of the Association without a legitimate excuse, shall forfeit his/her office and the vacancy shall be declared by the President. When the Officer involved is the President, the vacancy shall be declared by the Vice-President. Upon the inaction of the proper Officer to declare a vacancy due to unexcused absences, any member of the Board of Directors may place the motion to create a vacancy and it shall require a majority vote of the Board of Directors to carry. Vacancies thus created shall be filled as outlined in Section 3. of this Article.

Amended 07-18-09

## **ARTICLE X - DUES, FEES AND ASSESSMENTS**

**Section 1.** The annual dues for members of the Association shall be set by the Board of Directors. Effective January 1, 2016, dues shall increase in the amount of \$.50 (fifty cents) per month, for a total of \$6 (six dollars) per year. This increase shall be continued annually in \$.50 (fifty cents) per month increments unless and until action is taken by the Board of Directors to suspend, halt or otherwise discontinue the process of automatic annual increases

**Section 2.** The Board of Directors at any regular meeting may approve an assessment and/or dues structure change of all members providing that the Board of Directors was provided ten (10) days prior notice that such assessment would be considered.

Amended 09-17-15

## **ARTICLE XI - PENALTIES**

**Section 1.** Any member of this Association whose personal conduct is such that reflects discredit upon the Association or upon his/her agency can be suspended or expelled from the membership by a majority vote of the Board of Directors.

**Section 2.** No Membership Representative or Officer of the Board of Directors shall be entitled to vote on any business of the Association if said person is currently suspended or has been removed pursuant to the provisions of Section 1. above. No P.B.A. member shall be entitled to vote who is expelled by the Association.

Amended 06-16-03

## **ARTICLE XII - ENDORSEMENTS**

The Board of Directors of the Association, after recommendations of the screening committee and/or the President, shall have the exclusive authority to endorse candidates for local, county and district offices and may authorize the conducting of polls of the general membership concerning the performance of political candidates and public office incumbents and may announce the results of such polls. The Board of Directors may delegate this authority to the screening committee and or the President.

Amended 06-16-03

## **ARTICLE XIII - MEMBERSHIP BENEFITS**

From time to time, membership benefits will be considered by the Board of Directors who will set policy on providing such benefits to the members.

Amended 06-16-03

## **ARTICLE XIV - GRIEVANCES**

**Section 1.** Any member who has a grievance against another member of this Association, group of members of this Association, or the Association itself, may request a hearing in front of either the Executive Committee or the Board of Directors by submitting his/her grievance in writing to the President within 30 calendar days of the event giving rise to the grievance or the member becoming aware of the incident giving rise to the grievance. Grievances filed after 30 calendar days shall be considered untimely and shall not be heard. The president shall then present the grievance to the Executive Committee or the Board of Directors, whichever is specified by the grievant for consideration. If the grievant elects to go through the Executive Committee, the Executive Committee shall render a decision within 30 days of receipt of the grievance. If the grievant is not satisfied by the response of the Executive Committee, he/she may appeal that decision within 30 days to the Board of Directors. The grievance will be placed on the agenda for the next Board of Director's meeting. The action of the Board of Directors with respect to the member's grievance shall be the final remedy from within the Association. Any action shall not be imposed until all appeals are exhausted.

**Section 2.** Any member of this Association who voices criticism of another member, group of members or the Association itself, without first seeking recourse through the provisions of Section 1. of this Article, shall be subject to suspension of membership or expulsion from the Association. Any member who violates these provisions for grievances will be summoned before the Board of Directors for a hearing, and it shall be their duty to exonerate him/her, issue a warning to him/her, suspend his/her membership or expel him/her from membership in the Association.

Amended 11-10-07

## **ARTICLE XV - LEGAL AID DEFENSE**

In order to provide legal counsel to the members of this Association, the Board of Directors shall adopt a legal defense benefit policy.

Amended 06-16-03

## **ARTICLE XVI - DUES REIMBURSEMENT**

**Section 1.** All elected members of the Board of Directors shall be eligible to have his/her membership dues reimbursed by the Coastal Florida P.B.A. while he/she is holding office in accordance with policy adopted by the Board of Directors.

Amended 06-16-03

## **ARTICLE XVII - AMENDMENTS**

**Section 1.** Any amendment to these By-Laws shall be governed by those provisions set forth in Article XI of the Constitution.

Amended 06-16-03