

CONSTITUTION

AND

BY-LAWS

of the

**Corpus Christi Professional Fire Fighters
Association**

Local 936

International Association

of Fire Fighters

Revised 2002

Affiliations:

International Association of Fire Fighters

Texas A.F.L.-C.I.O

Coastal Bend Labor Council

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ARTICLE 1

Name and Objects

Section 1. Name

This organization shall be known as the Corpus Christi Professional Fire Fighters Association, Local 936.

Section 2. Local Union

References in this Constitution and By-Laws to "Local" or "Local Union" shall be made to the Local as set forth in Section 1, above; and references to "Association" or "International" shall be made to the International Association of Fire Fighters. References to "State" or "State Association" shall be made to "The Texas State Association."

Section 3. Governing Provisions

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 General President, the resolutions, decisions and directives of the Executive Board or Officers of the Association, when made in conformity with authority granted by the Constitution and By-Laws of the Association, and the resolutions adopted and policies governing this local. This union, its officers, representatives and members shall be bound by the State Association's interpretations, decisions, and directives, and resolutions and policies established by the delegates at such conventions. Article XIII of the Constitution and By-Laws of the International Association is recognized as providing the basic rules governing this local.

Section 4. Object

This Local Union is dedicated to raising the dignity of our profession, encouraging the establishment of schools of instruction for imparting knowledge of modern and improved methods of fire fighting and prevention, keeping its members informed of all new local, state, and national laws and regulations pertaining to the fire service; and finally, to continually strive for the upgrading of both working and living standards of all its members.

ARTICLE 2

Strikes

Local 936 shall abide by the Texas State Law relating to labor, Chapter 143, Municipal Civil Service, Local Government Code 143.087.

ARTICLE 3

Organization Non-Partisan

This organization shall be non-partisan, and shall not be used for the dissemination of partisan principles.

ARTICLE 4

Membership

Section 1. Eligibility

The membership of the Local shall be composed of the entire uniformed force of the Corpus Christi Fire Department that has the inclination to become members of their own free will. Any person of good moral character who at the time of making application is engaged in service within the jurisdiction of this Local 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. Sponsorship

Applications for membership must be presented by a member in good standing in this local to the Chairperson at any regular meeting. Applications must be signed by the applicant and forwarded to the Treasurer. A motion must be approved by two-thirds majority vote of the members present and voting at one regular meeting.

Section 3. Application for Membership

Application for membership in Local 936 need not be accompanied with the specified fees and dues, however, an applicant must, after being accepted, make arrangements with the Treasurer or the presiding officer of such meeting, to pay such dues as required by Section 4 of this article, until a dues deduction form is turned into the Corpus Christi Fire Department payroll clerk, applicant will not

be considered a member in good standing. Applicant will be sworn in at the earliest convenience.

Section 4. Initiation Fees

Initiation fees shall be established by the membership of the local union, the established proportion of which must be paid to the Association as heretofore provided in Article VIII, Section 3 and Article XIII, Section 4 of the IAFF Constitution and By-Laws. This fee shall be paid to the IAFF on behalf of the new member by the Local.

Section 5. Dues

The monthly dues shall be established by the membership of Local 936 at a Special Meeting in compliance with the Local Constitution and By-Laws, Article 10, Sec. 1. The dues will be established at 1.40% of the base pay of a Firefighter I, first step, to be in compliance with the IAFF and the TSAFF. The dues shall be sufficient to cover the necessary expenses of the Local's business. Dues shall be paid bi-weekly by each member. Dues shall be paid by payroll deduction and kept current or the member will be considered not in good standing. Local 936 considers its fiscal year from January 1 to December 31.

Section 6. Reinstatement Fees of Past Member

Reinstatement fees, if any, shall be established by the membership of the local union, the established proportion of which must be paid to the Association for each returning member as heretofore provided in Article VIII, Section 4 and Article XIII, Section 4 of the IAFF Constitution and By-Laws. The applicant will have to be accepted by a two-thirds (2/3) majority at a regular meeting. All delinquent dues and assessments owed this union must be paid before a member can be reinstated, as well as a new application card and payroll deduction card completed and turned into the Corpus Christi Fire Department payroll clerk. Past members will have ninety (90) days of union body acceptance of the new constitution and by-laws to reapply and become a member in good standing without having to pay back dues. After the ninety (90) grace period, any past member wishing to rejoin as a member in good standing will have to pay all back dues owed from when they withdrew.

Section 7. Increase in Rates of Initiation Fees, Reinstatement Fees, Dues and Assessments

Increases in rates of initiation fees, reinstatement fees, dues, and assessments require notice of such proposed increase to be given the members in good standing at least thirty days in advance of the date set for a vote. On the date set, the proposed increase shall be voted on in one of the following ways:

1. By a majority of the members in good standing, by secret ballot, at a regular or special meeting.
2. By majority vote of the members in good standing in a referendum conducted by secret ballot.

Section 8. 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 regular or special meeting.

Section 9. Definitions

Collective Bargaining Agreement - Only members in good standing shall have the right to vote in the ratification of the Collective Bargaining Agreement.

Delinquent Members - Members who fail to pay their monthly dues or assessments by the fifteenth 15th day after such dues are payable, shall be notified by the Local officer whose duty that 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 a vote in the Local or in the affairs of the IAFF.

External Audit – shall be conducted by an outside firm once every three years and reported to members at the regular monthly meeting after the audit is completed.

Honorary - For meritorious service to this Local or for distinguished public-service, persons may be elected to honorary membership by a majority vote of the body at a regular meeting. Such membership shall entail no payment of initiation fees, dues or other charges, and shall convey no voice or vote in the affairs of the Local Union. Such memberships are subject to revocation for good cause. An honorary member may attend regular meetings and function of this Local.

Internal Audit – Shall be conducted by a committee of not less than three members, which shall be appointed by the Executive Board every year and reported to members at regular monthly meeting after audit is completed. This committee shall not include anyone who has the authority to sign for any financial accounts of this local.

Majority - An excess of over one-half of all votes cast. A Run-off election is required if a candidate does not receive more than half of all votes cast.

Members in Good Standing - Membership in good standing includes any person who has fulfilled the requirements for membership in this local union and who has not voluntarily withdrawn, become ineligible of continued membership, or has 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.

Plurality - An excess of votes over those for any other candidate.

Regular Meeting – will be held each month on two consecutive days in order that every member shall have an equal opportunity to attend or vote.

Reinstatement of Members - The applicant will have to be accepted by 2/3 majority at a regular meeting. All delinquent dues, fees and assessments owed this union must be paid before a member can be reinstated as per Article 4, Section 5 of the Constitution and By-Laws.

Separation - is defined as caused by termination, resignation, retirement or death from service.

Retention of Membership upon Separation from Service – When any member in good standing becomes 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 be issued a withdrawal card in accordance with Article XIII, Section 5 of the I.A.F.F. Constitution and By-Laws; provided, however, that a member who is duly elected as an officer of the Association, or elected or appointed as a representative of or to an affiliated labor organization, shall retain active membership in said local union; provided further, however, that any active member of a local union or other subordinate body of this Association 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 of said union with 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 a lay-off 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 he/she shall enjoy all rights of active membership except the right to vote in the local union on collective bargaining agreements. Any officer or member of a local union or other subordinate body of the International Association, which ceases to exist because of anti-union action, as a result of which such officer or member is prevented from engaging in fire fighting or related service, may retain their membership by the payment of per capita tax and other assessments to a local union in the same District or to a state or provincial association that permits such membership. A former member holding a valid withdrawal card will not be charged a reinstatement fee upon reentry into the organization.

Retired Active Member is to be defined for the Local as:

1. A retired active member is able to sit on committees for lobbying and voting at committee level only.
2. A retired active member will not be able to vote in elections, special meetings or regular meetings of the Local. A retired active member will not be allowed to hold an elected position in the Local.

3. A retired active member may not vote on collective bargaining agreements or membership.
4. A retired active member may not represent the Local by voice or behavior away from the Union Hall without endorsement from the Executive Board and the membership of the Local.
5. If for any reason such member should violate, jeopardize or shed undue light on the Local by not following the definitions provided in this section, such member may be fined, suspended or expelled by the Executive Board and the membership by a two-thirds (2/3) majority vote at a regular meeting or special meeting called for such purpose.
6. Members who have retired from this union or have otherwise withdrawn as members in good standing, may be allowed to return to this local union within 90 days as a retired active member.
7. Retired active members are required to pay one-half (½) per capita to the IAFF.

Special Committees – shall consist of members who are appointed to a committee to accomplish a specific task, then dissolved when their final reports are submitted.

Standing Committees - any committee elected by the body or appointed by the president and shall serve for a definite period of time. Every matter referred to a standing committee must be reported out before the end of the administration of which it is a part.

ARTICLE 5

Officers and Elections

Section 1. Officers

The elected officers of Local 936 shall consist of a President, a 1st Vice-President, a 2nd Vice-President, a Recording Secretary, a Treasurer, a Sergeant-at-Arms, a Parliamentarian, a Reporter, three Trustees and ten Union Stewards. The Executive Board shall consist of all elected officers of this local, with the exception of all Union Stewards. A quorum of six Executive Board members shall be required to hold an Executive Board meeting.

Section 2. Annual Budget

The Treasurer or designee shall prepare an annual budget and present it to the membership at the regular meeting during the month of February for approval by members. Any motion amount exceeding budget estimates must be approved by two-thirds vote of the Executive Board.

Section 3. Good Standing

Only members who have been in good standing for at least one year shall be eligible for office in this Local. A person can only be a candidate for one office.

Upon acceptance of a nomination by an incumbent to another office, said incumbent shall relinquish the present office upon installation of the new officer at the regular meeting in January of next year.

Section 4. Membership Lists

Every candidate for office shall have the right to request the use of membership lists for the purpose of distributing 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 or similar governing body (for example, the IAFF). There shall be no discrimination in favor of or against any candidate with regard to the use of membership lists.

Section 5. Nomination and Election Rules

Nominations for offices of this local shall open at the regular meeting of October: The nominations for officers shall be limited to the regular monthly of October, and only candidates nominated from the floor shall be eligible to run for office. Elections will be held at the following regular meeting in the month of November. Run-off elections shall be held at the regular meeting in December. The newly elected officers and trustees shall be installed by the highest outgoing officer present at the regular meeting in January. If all incumbents are re-elected, the highest officer present at that meeting will install all other incoming officers. New officers shall assume their duties immediately after their installation. They shall serve until the election and installation of their successors or until they are relieved of their duties as provided by this Constitution and By-laws. It shall be the duty of the incoming president to see that all incoming officers take the oath of office.

Section 6. Prohibition of Union Funds for Election

No funds received by this Local through dues or assessments or otherwise shall be contributed or applied to promote the candidacy of any person in elections of officers. This section does not prevent the expenditures from Union 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 7. Nomination Committee

The president shall appoint a Nominating Committee of not less than three members in good standing at least thirty (30) days prior to the general election each November. It shall be the duty of the Nominating committee to verify acceptance of the nomination by each candidate and the status of his/her membership.

Section 8. Nominations and Elections

Method of nomination and elections - All members in good standing shall be given at least fifteen (15) days advance notice, in writing, of the date, time and place at which nominations shall be held and the date, time, and place at which elections shall be held. Any member in good standing may nominate eligible members for office. Election shall be by secret ballot even though only one candidate is nominated for a given office. There shall be no voting by proxy in any election of local union officers. The candidate receiving the majority of votes shall be declared elected.

Absentee voting for the general election in November will only take place at the Union Hall during regular business hours for five (5) business days prior to the election. (Saturday and Sunday are not considered regular business days.)

All elections of the Local, the ratification of the Collective Bargaining contract and the amendment of the Constitution and By-laws will take place at the Union Hall.

Section 9. Election Committee

The president shall appoint an Election Committee consisting of three members, which shall be responsible for distributing and tabulating the ballots, or electronic results. Each candidate for office shall be entitled to appoint an 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 10. Election Results

The results of all elections shall be announced as soon as all ballots are counted, if ballots are utilized.

Section 11. Election Ballots

Ballots and all other records of this local shall be preserved by the Treasurer for one year.

ARTICLE 6

OFFICER DUTIES and RESPONSIBILITIES

Section 1. Officer Duties

Before entering upon the duties of their respective office, the newly elected officer shall subscribe to the obligations as provided in the Manual of Common Procedures for the use of local unions of the International Association of Fire Fighters.

Section 2. Vacancy Appointments

Should any officer absent himself/herself from three (3) regular meetings in one year without a reasonable excuse, (the Executive Board shall make the decision as to excused or unexcused absence) the position shall be declared vacant and it shall be the duty of the President to order an election to fill such vacancy. The President shall appoint an officer to serve until an election can be held.

Section 3. Termination of Officers

Upon the death, resignation or cause for removal of any officer, it shall be the duty of the President or presiding officer at the next regular meeting after such death, resignation or removal, to order an election to fill such vacancy. The President or presiding officer shall appoint an officer during such period to those positions with all rights as if he had been elected.

Section 4. President

Duties of the President: The President shall discharge on behalf of the Local Union 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. He/she shall cause to be maintained by the Local Union such records, as the law requires to be kept in support of reports filed by it. It shall be the duty of the President to suspend a member for non-payment of dues.

It shall also be the duty of the President or his/her designee to preside at all meetings of the Local and to enforce a strict observance of the Constitution and By-laws, and exact a rigid adherence and compliance with the rules and customs of the Local. He/she will also see that all officers perform their duties as prescribed by the By-laws.

He/she shall appoint all committees not otherwise provided for, subject to the approval of the members of this Local.

He/she shall direct the Recording Secretary to call a special meeting within fifteen (15) days of receiving an application in writing, signed by seven members in good standing in the Local. In the case of an emergency, special approval of a majority of the Executive Board members may authorize him/her to call such special meetings.

He/she shall draw upon the Treasurer and sign all other papers requiring his/her signature and perform such other duties as the Local may direct. The President shall serve a term of two years. If re-elected, there shall be no limit to the number of consecutive terms in which he/she may serve. The President, as well as all other elected officers, may be removed from office as provided in Article 8, Section 1 of the Constitution and or Article 1, Section 19 of the By-Laws. By virtue of his/her office the President shall be a delegate to all

conventions approved by the members at one regular meeting and shall be the spokesperson for all delegations.

Section 5. 1st and 2nd Vice President

1st Vice-President shall render to the President such assistance as required of him/her on the affairs of this Local. In the absence of the President, the 1st Vice-President shall take his/her place. He/she shall have the same powers as the President at the meetings and in the interim. He/she will be the Corresponding Executive Officer. He/she shall serve for a period of one (1) year or until the election and installation of a successor or until relieved of duties as provided in Article 8, Section 1 of the Constitution and or Article 1, Section 19 of the By-Laws. He/she will also perform any other duties as may be assigned by the President or the Executive Board.

2nd Vice-President shall render to the President such assistance as is required of him/her in the affairs of this Local. In the absence of the President and the 1st Vice-President, he/she shall take their place. He/she shall have the same powers as the President at the meetings and in the interim. He/she shall serve for a period of one (1) year or until the election and installation of a successor or until relieved of duties as provided in Article 8, Section 1 of the Constitution and or Article 1, Section 19 of the By-Laws. He/she will also perform any other duties as may be assigned by the President or Executive Board.

Section 6. Recording Secretary

It shall be the duty of the Recording Secretary to keep a true and correct record of all meetings of this Union and Executive Board. A record of all amendments to the Constitution and By-Laws will also be kept in a book provided for that purpose. He/she shall conduct all correspondence pertaining to his/her office and signed by the President, and, send out all notices of meetings. His/her duties include five categories: (1) Planning, (2) Record keeping, (3) Correspondence, (4) Communications and (5) Certification of members' attendance. He/she shall perform other duties as the President or Executive Board may from time to time designate.

At every regular meeting and Executive Board meeting, he/she should have the following documents and materials, being familiar with their contents to find anything being governed by this material upon request: (1) The minutes (2) The IAFF Constitution and By-Laws, (3) This Local's Constitution and By-Laws and (4) The Manual of Common Procedures.

He/she shall, after each election of officers, present a list of same to all other affiliations of this Union. He/she shall serve for a period of one year or until the election and installation of a successor or until relieved of his/her duties as provided in Article 8, Section 1 of the Constitution and or Article 1, Section 19 of the By-Laws.

Section 7. Treasurer

The Treasurer shall discharge, on behalf of this local Union such duties as may be imposed upon him/her by applicable laws, including the execution and filing of any reports to Federal or State authorities. He/she shall cause to be maintained by the local Union such records as the law requires to be kept in support of records filed by it.

He/she shall be responsible for all money due the Union in which he/she shall enter the amount of all money received and all money expended each month. He/she shall have a day book and enter all daily receipts and expenditures; shall have a membership book with the names of all members in it and shall enter all payments made by each. He/she shall pay all warrants drawn on the Treasury when properly signed; shall make an itemized statement of all disbursements and report same in regular meetings of the Union; shall submit the books to the majority of the Board of Trustees on demand; shall preserve the election ballots for a period of one year; and shall be the Custodian of the Official Seal.

The Treasurer and all other officers and employees of the Local who handle funds or property of this Local shall be bonded in such amounts as may be required by the Board of Trustees and the General Secretary/Treasurer, in compliance with applicable law, the first \$2,500 of which will be covered by the IAFF. If additional bond is necessary, the Local shall pay the additional premium. The Local shall have sufficient bond to cover at least ten (10%) percent of its current liquid assets. He/she shall require a travel and expense voucher properly filled out and signed by the member(s) using Union funds. A receipt of overpayments must be presented upon return for expenses to be honored.

The Treasurer will serve for a period of two years or until the election and installation of a successor or until relieved of duties as provided in Article 8, Section 1 of the Constitution and or Article 1, Section 19 of the By-Laws. He/she will also perform any other duties as may be assigned by the President or Executive Board.

Section 8. Trustees

Duties of the Board of Trustees - The Board of Trustees shall consist of three members. Each member of the Board shall serve a period of three (3) years, with a new Trustee being elected each year.

The Board of Trustees with the assistance of the Treasurer shall have the books of this Local externally audited every third year and internally audited each year an external audit is not conducted. The Board of Trustees shall make sure in all cases where any funds of this Local are established that two signatures must be present before a money transaction can be completed. Under no condition will they allow one member to control any fund.

A newly elected Trustee will be accompanied by a transient from the old administration no later than January 15th, who shall witness the change of signatures for banking purposes.

He/she shall serve (his/her term) for a period of three years or until the election and installation of a successor or until relieved of duties as provided in Article 8, Section 1 of the Constitution and or Article 1, Section 19 of the By-Laws. He/she will also perform any other duties as may be assigned by the President or Executive Board.

Section 9. Sergeant-At-Arms

The Sergeant-at-Arms shall have charge of the door. He/she shall also assist the President or the presiding officer in preserving order when called upon to do so. He/she shall take charge of all property of the Local and perform such other duties as may be directed from time to time by the President or the Executive Board.

He/she shall serve for a period of one year or until the election and installation of a successor or until relieved of duties as provided in Article 8, Section 1 of the Constitution and or Article 1, Section 19 of the By-Laws.

Section 10. Reporter

Duties of the Reporter - The Reporter shall be responsible for compiling and editing of the news of Local 936. All news, before being presented to the media must be approved by the President and/or the Vice President(s).

He/she shall report on any subject, as directed by the President. He/she will be responsible for distributing a newsletter at least once per quarter. He/she will also perform any other duties as may be assigned by the President or Executive Board.

He/she shall serve a period of one year, or until the election and installation of a successor or until relieved of duties as provided in Article 8, Section 1 of the Constitution and or Article 1, Section 19 of the By-Laws.

Section 11. Parliamentarian

Duties of the Parliamentarian - It shall be the duty of the Parliamentarian to inform the Presiding Officer of the correct law on any parliamentary question that might arise.

He/she shall obligate himself to make a thorough study of the Atwood's Rules of Parliamentary Procedures, this Constitution and By-Laws, and the International Constitution and By-Laws, or the governing manual of this local.

He/she shall serve a period of one (1) year or until the election and installation of a successor or until relieved duties as provided in Article 8, Section 1 of the Constitution and or Article 1, Section 19 of the By-Laws. He/she will also perform any other duties as may be assigned by the President or Executive Board.

Section 12. Union Stewards

Duties of Union Stewards - Union Stewards shall be liaison between the membership, and the Union Officers and Chief Officers of the Fire Department. It shall be the responsibility of the Stewards to inform the member(s) of his/her options in regards to his/her responsibilities to the Local and the Fire Department. It shall be the responsibility of the Steward to aid in mediation with Union Officers in order to resolve grievances and transmitting information in regard to policy, procedures, and the contract.

The Union Steward shall also be responsible in encouraging participation in the affairs of Local 936 and in the membership of new candidates and other non-union members.

Union Stewards shall familiarize themselves with the contract, Civil Service rules and regulations, By-Laws, policies, past practices, grievance procedures, legal rights, workers compensation and retirement provisions.

A Union Steward shall serve for a period of one (1) year or until the election and installation of a successor or until relieved of duties as provided in Article 1, Section 8 of the Constitution and or Article 1, Section 19 By-Laws.

Section 13. Building Management

The Board of Trustees or their designees shall oversee the management of the Union Hall.

Section 14. Executive Board

The Executive Board shall consist of the President, Treasurer, 1st Vice President, 2nd Vice Presidents, Recording Secretary, Sgt.-At-Arms, Parliamentarian, Reporter and three (3) Trustees 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 meetings of the Local. It shall provide for an annual 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.

ARTICLE 7

Committees

Section 1. Committees

All special committees shall be appointed by the President, if no volunteers, and shall be composed of not less than three members in good standing. They shall serve for a period of the elected officers or until discharged.

Standing committees shall be elected by the members at a regular meeting or appointed by the president and shall serve for a definite period time as set forth in Article 4, Section 7. The elected or appointed committee will elect its own chairman at its first meeting. (Standing committees – i.e., Collective Bargaining Committee on proposals for contract).

Section 2. Duties of the Nominating Committee

The duties of the Nominating Committee shall be to interview all nominees as to their willingness to accept the office, and to check their qualifications with the Treasurer and the Recording Secretary, after which this information will be presented to the members before the balloting.

Section 3. Executive Board Attendance

Individuals may request to attend any meeting for the purpose of speaking to the membership. This request must be approved by a majority of the Executive Board. Local 936 may request individuals to speak at any meeting on subjects, which may be beneficial to our local.

ARTICLE 8

Misconduct, Trials, and Appeals

Section 1. Misconduct

Any member charged with misconduct as defined in Article 15 of the IAFF Constitution and By-Laws shall be served with written specific charges as required in Article 16 of the IAFF Constitution and By-Laws and be given a reasonable time to prepare his/her defense and afforded a hearing as provided in Article 17 of the IAFF Constitution and By-Laws.

Section 2. Appeals

Appeals may be made in accordance with Article 18 of the IAFF Constitution and By-Laws. Such appeals must be filed with the General President of the IAFF within 30 days of the action to be appealed.

ARTICLE 9

Discrimination for Union Affiliation

Section 1. Non-Discrimination

This Union shall not tolerate any discrimination, harassment, or intimidation against any of its members because of his/her affiliation. The Executive Board of this union shall take any action deemed necessary to stop such discrimination, harassment or intimidation.

Section 2. Duty to Represent Members

In case of contemplated action for infractions of rules and regulations of the Corpus Christi Fire Department, Rules and Regulations of the Civil Services Commission or provisions embodied in Chapter 143 as amended are filed on any member of this Local in accordance with the contract it shall be the duty of the President and Executive Board of the local to make a thorough investigation of said charges and if it be established that said charges be false, magnified, or in any way appear to be personal, or to have developed through some personal differences having no bearing upon the efficiency of the department, the Executive Board shall render a decision after such investigation and a legal counsel for the purpose of defending said charged member shall be employed at the expense of the local; therefore, if charges be filed against a member, he/she shall be considered innocent until proven guilty. This counsel will be furnished only at the request of the charged member. This request must be in writing and shall state all charges or alleged infractions of rules and regulations.

ARTICLE 10

Special Meetings

Section 1. Special Meetings

The Constitution may be amended by a two-thirds (2/3) vote of those present at a "special meeting" called for amending the Constitution and By-Laws of this Local, provided that the amendments to be voted on have been presented and filed with the Recording Secretary and posted for fifteen (15) days prior to the meeting at which the vote is taken.

Section 2. International Association Approval of Constitution and By-Laws

Any proposed amendments, revisions or modifications to this Constitution or By-Laws shall be submitted for approval by the International President prior to printing or issuance after first being adopted by membership.

Section 3. Petitions

Any member in good standing may bring before this Local a valid petition if signed by at least two-thirds (2/3) of members in good standing. In this instance the President and Executive Board must allow the petition to stand.

ARTICLE 11

Delegates

Section 1. Nomination and Election Qualification for Delegates and Alternates

All delegates and alternates of this union to conventions of the International Association of Fire Fighters or the Texas State Association of Fire Fighters shall be elected by secret ballot by the members of this Local at a regular meeting. In order for members to vote they must be in good standing. The nominated delegates or alternates must also be in good standing and must have attended at least six (6) of the previous twelve (12) regular meetings. Nominations of delegates or alternates shall be at a regular meeting at least two (2) months prior to scheduled conventions. No International Officer of the Association shall be eligible to be a delegate or an alternate from this union, but such officer shall be a delegate-at-large at the International Association Convention by virtue of his/her election as an International Officer, also no State Association Officer shall be eligible to be a delegate or an alternate from this union, but such officer shall be a delegate-at-large at any Texas State Association Convention by virtue of his/her election as State Association Officer. Election of delegates to conventions shall be by plurality vote. In the case of emergency (time limitations) the Executive Board may choose delegates to attend, provided all other rules other than the election at a regular meeting apply. In accordance with IAFF Constitution and By-Laws Article XIII, Section 15 this "emergency (time limitations)" clause does not apply to delegates and alternates to the IAFF convention. Selection of delegates and alternates to the IAFF convention must be elected by secret ballot vote of the members in good standing of the local union.

Section 2. Delegates and Responsibilities

Delegates to the convention shall accept instructions from the membership as voted by a majority of members present at a regular meeting not less than 30 days prior to the date of the convention. After returning from the convention, the delegates shall give a full report to members of this union on the first regular meeting after returning. Arrangements to get off from the Fire Department for delegates and alternates shall be on an individual basis or through the efforts of this union, unless voted to do so by the membership at a regular meeting.

Section 3. Reimbursement for Expenses to Conventions

The cost paid to delegates shall be based on single accommodations for each delegate, as determined by brochures from the convention site or nearby hotels, motels or other facilities, which will not inconvenience the delegation. The number of cars, meals, mileage allowance (to and from the convention site is as determined by an official U. S. Road Map) and gratuities (i.e., taxi fare, tips, etc.) shall be determined by the members present at a regular meeting of this local. Delegates who feel that the total expenditures are not enough may appeal to the Executive Board or to the membership for extra money at or before the next

regular meeting. Extra money may be approved by a majority vote at the same meeting that the total expenditures are voted on.

Section 4. Delegates-Coastal Bend Labor Council

The duties of the delegates to the Coastal Bend Labor Council shall be to attend all regular and special meetings of that Association, and use their best efforts to further the interest of Local 936 and its members. All delegates must be active members of Local 936.

ARTICLE 12

Audits and Financial Reports

The books and accounts of Local 936 shall be audited prior to the first of May annually, and a report of the audit shall be forwarded to the General Secretary/Treasurer with the seal of Local 936 not later than June 1st. Local union books and accounts are subject to audit at any time by the General Secretary/Treasurer; he/she shall have full access to all financial records and membership lists of Local 936.

ARTICLE 13

Gender Equivalency

Whenever any words are used in this Constitution and By-Laws in the masculine gender, they shall be construed as though they were also in the feminine and neuter gender in all situations when they would so apply.

BY-LAWS

ARTICLE 1

Section 1. Meetings

Seven (7) members in good standing shall constitute a quorum. Regular meetings shall be held each month at a time and date designated in advance.

Section 2. Special Meetings

Special meetings shall be called by the President, upon the request of seven (7) members in good standing. This request shall be in writing; stating the

object for which the meeting is called. Members must be notified in writing at least five (5) days in advance of any special meeting. Such notice must include the time, date, place and purpose of the Special Meeting. In case of an emergency the President may call such a meeting with the approval of a majority of the Executive Board. Notification shall be by bulk mailout.

Section 3. Reprimand, Suspension or Expulsion

Any member who shall betray or abuse any of the transactions of Local 936 may be reprimanded, suspended or expelled as a Trial Board of Local 936 may so direct.

Section 4. Home Rule

Home rule will be observed at all times.

Section 5. Sanctions and Removal

Any member who shall offend against the Local Constitution and Bylaws or obligations he/she has taken as a member or officer of Local 936 shall be subject to the International Association Constitution and Bylaws.

Section 6. Rights of Members

Every member in good standing shall have the right to attend any meeting and to participate in such meetings in accordance with the recognized rules set forth in the Manual of Parliamentary Procedure adopted by Local 936. Members shall conduct themselves in such a manner as not to interfere with the legal or contractual obligations of the International Association or Local 936.

Section 7. Ignorance of the Law

Ignorance of the Constitution and By-Laws of Local 936 will not be considered as an excuse in any case.

Section 8. Amendments

All lawful amendments or alterations to the Constitution and Bylaws made hereafter shall be applicable to members in the same manner as if such laws were herein inserted.

Section 9. Resolution Amendments

Resolution amendments to the Constitution and By-Laws and charges against any member(s) or officer(s) must be made and presented in writing, otherwise they shall not be considered.

Section 10. Reinstatement

Any member being expelled or by voluntary withdrawal from Local 936 for any cause whatsoever, cannot be reinstated, but must come in as a new member and must be voted on for approval and payment of back dues as per Article 4, Section 5 of the Constitution.

Section 11. Candidacy and Voting Rules

No member shall be nominated for the candidacy of an office or shall serve on any committee; nor shall he/she be allowed the right to vote on any question if he/she is not in good standing.

Section 12. Assessment

No involuntary assessment can be levied by Local 936 for any purpose other than liquidating the liabilities of Local 936 or as sanctioned by the International Association office for the International benefits.

Section 13. Amendments

Any issues not covered by the Constitution and By-Laws must be presented to the members at one regular meeting as all members present may have a chance to vote.

Section 14. Violence

No violence whatsoever will be tolerated at any union function, regardless of reason. Persons committing acts of violence shall be held accountable as per Article 8, Section 1 of the Constitution and or Article 1, Section 19 of the By-Laws.

Section 15. Discrimination

Any member that agitates or provokes another member by insult against race, religion, sex, political or personal convictions on any matter will be subject to the same penalty as the person who uses violence.

Section 16. Intoxication

Any member or visitor who is under the influence of intoxicating beverages or drugs and is intoxicated past the state of reasonableness will be asked to leave and must leave in order to protect fellow members; any member who is agitating another with or without profanity, but to the state where violence may occur will be asked to leave. Absolutely no alcoholic beverages will be carried into the meeting while it is in session. When a member is found in such violation, he/she will be asked to leave the Hall by the Sgt.-at- Arms.

Section 17. Removal

Any officer elected to a position in this Union may be removed from office by a vote of two-thirds (2/3) of the members present at a special meeting called for that purpose.

ORDER OF BUSINESS

1. OPENING

- 2. ROLL CALL OF OFFICERS**
- 3. READING OF MINUTES**
- 4. APPLICATION FOR MEMBERSHIP**
- 5. INITIATION OF CANDIDATES**
- 6. RECEIPT OF DUES AND ASSESSMENTS**
- 7. FINANCIAL REPORT**
- 8. REPORTS OF OFFICERS AND COMMITTEE**
- 9. UNFINISHED BUSINESS**
- 10. COMMUNICATIONS AND BILLS**
- 11. GOOD AND WELFARE**
- 12. NEW BUSINESS**
- 13. CLOSING**