

# **Constitution**

## **Article I**

### **Name and Affiliation**

#### **Section 1: Name of Organization**

The name of this organization shall be Jackson County Sheriff's Employees Association (JCSEA).

#### **Section 2: Name of Reference**

References in this constitution to "Association" shall refer to the Association as set forth in Section I above.

## **Article II**

### **Objectives**

#### **Section 1: Objectives**

The objective of this association shall be:

- A. To unite into one association and labor organization all Deputy Sheriffs and Support Personnel (all non-sworn, non-managerial employees) eligible for membership, regardless of religion, creed, color, national origin, race, age, sex or handicaps.
- B. To foster cooperation among affiliated organizations.
- C. To obtain for them all the rights to which they are entitled.
- D. To secure improved working conditions and other economic advantages through organization, through legal and economic means, and through other lawful methods.
- E. To promote beneficial civil services legislation and career service in government.
- F. To provide research and educational services and activities designed to assist members and affiliates.
- G. To promote the improvement of methods and procedures.
- H. To foster and maintain among members of this Association the highest standards of professionalism and devotion to duty.
- I. To promote public respect for, and understanding of, the law and problems of law enforcement.
- J. To engage in cultural, civic, legislative, political, fraternal, educational, charitable, welfare, social and other activities that further the interests of the Association and its membership, directly or indirectly.
- K. To engage in community activities that will advance the interests of this organization and its members in the community and in the nation, directly and indirectly.
- L. To protect and preserve the Association as an institution and to perform its legal obligations.

**Section 2: Pursuit and Attainment of Objectives**

It is recognized that the problems with which this Association will encompass will be a broad spectrum of economic, political and social objectives set forth above as this Association may determine from time to time; we, therefore, determine and assert that the participation of the Association, individually or with other organizations, in this pursuit and attainment of objectives set forth herein is for the benefit of this Association and its members.

**Article III**

**Membership**

**Section 1: Eligibility**

Any full time employee of the Jackson County Sheriffs Department shall be eligible for membership in this Association, except the elected department heads and classified staff personnel. Departmental probationary employees are eligible for membership in this Association.

Temporary employees are eligible for membership when meeting the criteria found in the Association's contract.

**Section 2: Maintenance and Good Standing**

Every member of this Association who has fulfilled the requirements for membership shall be a member in good standing provided such member has not voluntarily withdrawn from membership, has not become ineligible for continued membership, or has not been suspended or expelled as provided by this Constitution. Members who fail to pay their dues or assessments within the periods prescribed in this Constitution will be considered delinquent and subject to automatic suspension from membership. Members who are delinquent, under suspension, or otherwise not in good standing are not entitled to any voice or vote in this Association. Any active member of this Association that is inducted into or activated with the armed forces may continue to be carried as an active member of this Association with payment of their dues or other assessments waived until such member is relieved from active duty with the armed forces.

**Section 3: Retention of Membership**

Any member in good standing or former officer of this Association shall retain their active membership in this Association.

**Section 4: Honorary Membership**

For the meritorious service to this Association for distinguished public service, persons may be elected to honorary membership by this Association. Such a member shall entail no payment of initiation fees, dues or other charges, and shall convey no voice or vote in the affairs of this Association. Such memberships are subject to revocation for good cause.

**Section 5: Membership of Retirees**

Retired members may be entitled to membership in this Association but shall not be carried as active members.

**Section 6: Forfeiture of Eligibility For Membership**

Any person who knowingly joins, or actively supports an organization that has an aim at the overthrow of the government of the United States by force and violence shall forfeit his eligibility for membership. Any member charged with having joined or supported such organization shall be entitled to a hearing and to have all appeal rights provided for in this Constitution.

**Section 7: Acceptance of Ineligible Members Prohibited**

This Association shall not accept dues payments from any individual who does not meet the eligibility requirements set forth in this article.

**Section 8: Readmission After Expulsion**

No person who has been expelled from membership in accordance with the provisions of this Constitution may be admitted membership in or employed by this Association for one year following such expulsion and may thereafter be admitted to membership or offered such employment only after approval of this Association's membership at a regular meeting.

**Section 9: Membership Obligation**

Each new member shall subscribe to the membership obligations contained in the Association's Constitution.

**Section 10: Non-members**

If a member of the bargaining unit refuses to join the Association, he or she will be assessed his or her fair share of the cost of negotiating and maintaining the Collective Bargaining Agreement. This amount will be determined by the Executive Board after an independent auditor has examined the Association's detailed budget for the year. The accounting must designate the amount of funds which are clearly used for ideological purposes, those which are clearly to be used for the cost of negotiating and maintaining the contract, and those which are not clearly in either category. This accounting must also include all funds sent to state or national affiliates.

The Association will then inform the employer to deduct from the non-members the amount equal to all funds not clearly used for ideological purposes. The Association will then place into escrow the amount which is not clearly either for ideological purposes or for negotiating or maintaining the Collective Bargaining Agreement. The amount which is clearly to be used for negotiating or maintaining the contract may be used immediately by the Association. The amount in escrow can only be used for non-members have had an opportunity to register their objections by utilizing the appeal process described below.

All non-members shall be provided with a copy of the budget along with an explanation of the amount of dues to be deducted from their paychecks. They will be provided with a copy of the procedures described in this article whereby they may register their objections to the amount deducted.

**Article IV**

**Rights of Participation**

**Section 1: Participation**

Every member in good standing of this Association shall have the right to attend any regular or special meeting and participate in its deliberations and voting, and to express at such meeting his views upon candidates in an election of the Association or upon any business properly before the meeting, subject, however, to such reasonable rules as this Association shall establish pertaining to the conduct of its meeting including its right to enforce reasonable rules governing the responsibility of every member to this Association as an institution and prohibiting conduct which would interfere with this Association's performance of their legal or contractual obligations.

**Section 2: Assembly**

Members shall also have the right to meet and assemble freely with other members and express their views, arguments or opinions; provided, however, that in so doing they are not guilty of misconduct.

**Section 3: Grievances**

All grievance duties shall be the responsibility of the Executive Board. A grievance shall be defined as any dispute between labor and management cognizable under the contract between the Association and Jackson County. The procedure shall be set forth in the current contract between the Association and Jackson County. In addition to the steps set forth in Article XIV of the grievance procedure of the contract, the Executive Board will operate under the following rules:

Before step four (4) of the contract is entered the member wanting the assistance of help from the Association shall appeal, in writing, to the Executive Board. The Executive Board will determine by vote, the validity of the grievance, after due investigation.

Appeal of this decision may be made to the Association at a regular or special meeting called by the aggrieved as set forth in Article VIII Sections 1 and 2 of this Constitution.

There will be an indefinite amount of money to assist in the legal defense of any member suspended or dismissed for reasons believed to be unjust, and any other grievance found by the body at large to be warranted.

**Article V**

**Officers, Nominations and Elections**

**Section 1: Titles and Terms of Office**

The Executive Board of this Association shall be composed of a President, three Vice-Presidents, a Secretary, a Treasurer and a Parliamentarian.

Elections shall be held during the month of October.

The new officers will take office on November 1.

Members of the Executive Board shall hold office for no more that two years and until the election and installation of their successors, unless removed from office as provided in the Constitution and By-laws of the Association.

**Section 2: Method of Nomination and Election**

All members in good standing shall be given a least fifteen days advance notice, in writing of the date, time and place at which nominations shall be made, and the date, time and place at which elections shall be held, and balloting shall be conducted as to afford all members a reasonable opportunity to vote. Any member in good standing is eligible 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 the election of Association officers. The candidate receiving a majority of the ballots cast shall be declared elected. If no candidate receives a majority of ballots cast, the balloting shall continue until there is a majority vote.

Absentee ballots shall be made available to those members in good standing, who may unable to vote, because of sickness, vacation, or other departmental authorized leave. It shall be the member's responsibility to request an absentee ballot. Ballots will be received from the Secretary.

Members of the Executive Board will be elected from the following classifications as follows: two members from Patrol/Investigations, three members from Corrections, and one each from Corrections and Patrol/Investigations Support Personnel. Each board member shall also act as the shop steward for their classification.

The elected representatives will meet and elect officers of the Executive Board from amongst themselves.

**Section 3: Eligibility for Office**

Any member in good standing shall be eligible to be a candidate for office in this Association.

**Section 4: Rights of Candidates**

Every candidate for office shall have the right to request distribution of campaign literature, by mail or otherwise, to all members in good standing, at the candidates own personal expense. A candidate for office includes a candidate for membership on the Executive Board. There shall be no discrimination in favor of or against any candidate with regard to the use of membership lists.

**Section 5: Use of Funds Prohibited in Elections**

The funds received by this Association through initiation fees, dues or assessments or otherwise, shall not be contributed or applied to promote the candidacy of any person in the election of officers of this Association.

This section does not prevent the expenditure from Association funds for notices and necessary expenses to conduct elections.

**Section 6: Elections Committee**

The President shall appoint an Elections Committee that shall be responsible for establishing election procedure and distributing and tabulating the ballots. Each candidate for office shall be entitled to appoint on observer who shall be permitted to witness the manner of distribution and

casting ballots and attend the meeting of the Election Committee at which the votes are tabulated.

**Section 7: Ballots Preserved**

The ballots and all other records of an election shall be preserved by the Secretary for three (3) months following such an election.

**Section 8: Vacancies in Office**

When an office becomes vacant by reason of death, resignation or removal of the incumbent, the Executive Board shall post the vacancy, no later than thirty days from the date the office is vacated, to the affected division. That division will elect a successor to the vacant office.

**Section 9: Obligations**

Every officer shall, upon assuming office, subscribed to the Duties of Officers contained in Article VI of the Association Constitution.

**Article VI**

**Duties of Officers**

**Section 1: Order of Succession**

The following is the order of succession for the Association for temporary absence from office:

1. President
2. First Vice-President
3. Second Vice-President
4. Third Vice-President
5. Secretary
6. Treasurer
7. Parliamentarian

**Section 2: President**

It shall be the duty of the president to preside at all meetings of the Association and at the meetings of the Executive Board, when present. The president shall be the executive head of the Association. The president shall be a member ex officio of all committees. The president shall appoint such committees as may be provided for in this Constitution and such special committees as may be authorized by the Association. Together with the treasurer or secretary, the president shall sign all orders, property and checks (over \$2000.00) drawn. The president shall enforce strict observance of the Constitution of the Association. The president shall have general , supervision of the activities of the other officers and the chairpersons of committees.

The president shall discharge on behalf of the Association such duties as may be imposed upon him by applicable law including the execution and filing of any reports to federal or state authorities, and the president shall cause to be maintained by the Association such reports as the law requires to be kept in support of reports filed by it. In the president's absence, the Executive Board may elect a temporary president.

In the event that the president is unavailable or incapacitated, the office will be filled in order of

succession.

**Section 3: Vice Presidents**

The vice-presidents shall assist the president in such a manner as the president may determine. The vice-presidents shall bear the title of First Vice-President, Second Vice-President and Third Vice-President. If the office of president becomes vacant, the first vice-president shall be acting president until the office of president is filled by election.

**Section 4: Secretary**

The secretary shall have custody of all documents, records, books, official seal and local charter papers belonging to the Association except as may be provided by this Constitution, which shall be retained by the Association. The secretary shall keep an accurate record of the meetings of the Association and of the Executive Board.

The secretary shall attest all official documents with his/her signature. The secretary shall conduct the correspondence of the Association promptly. The secretary shall maintain and keep a current and accurate official list of members in good standing.

The secretary shall discharge on behalf of the Association such duties as may be imposed upon the secretary by applicable law including the execution and filing of any reports to federal and state authorities and the secretary shall cause to be maintained by the Association such records as the law requires to be kept in support of the records filed by it.

**Section 5: Treasurer**

The treasurer shall receive all money due to the Association from whatsoever source and shall disburse that same. Such disbursement shall be by check that shall also be signed by the secretary and treasurer, for over the amount of \$250.00 but less than \$2000.00.

The treasurer shall maintain and keep a current record of members with their dues payments, assessments, and all financial transactions promptly and accurately entered. The treasurer shall be prepared to exhibit receipts and vouchers upon the audit of the treasurer's books.

The treasurer may draw checks with only the treasurer's signature for amounts less than \$250.00. The treasurer will provide the president with a written monthly report that reflects the previous month's expenditures.

**Section 6: Parliamentarian**

The parliamentarian shall be responsible to see that each meeting is in respectful manner and in accordance with the Association Constitution.

**Section 7: Executive Board**

It shall be the duty of the Executive Board to exercise general supervision and control of the invested funds and property of the Association. It shall have the authority to act in the name of the Association during intervals between meetings with such acts being subject to the confirmation by the membership at the next regular meeting of the Association. It shall provide for an annual financial report to be made available to the members. 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. Each member of

the Executive Board, except the President, shall have one vote. The Executive Board President shall only vote in the event of a tie so as to establish a majority. Each Executive Board member shall be a member of the negotiating team. Executive Board members are responsible for assisting members in their classification during the grievance process.

**Section 8: Authorization for Association Representation**

Except to the extent specified in the Constitution, no officer of the Association shall have power to act as an agent for or otherwise bind the Association in any way whatsoever. No member or group of members or other group of persons shall have the power to act on behalf of or otherwise bind the Association except to the extent specifically authorized in writing by the president and the Association or by Executive Board of this Association.

**Article VII**

**Initiation Fees. Dues and Assessments**

**Section 1: Assessments**

Assessment of dues shall be determined by two-thirds of the membership present at any regularly scheduled meeting. Only one increase and one decrease in assessed dues will be permitted between January 1 and December 31 of any given year.

**Section 2: Assessment Vote**

Increases in rates of dues or assessment shall require notice of such proposed increases to be given to the members in good standing at least thirty days in advance of the date on which the vote for such increases occur. The proposed increase shall become effective upon a majority vote of the members in good standing at a regular meeting.

**Section 3: Dues payment**

Dues shall be payable monthly through the regular payroll deduction system. Patrol, Investigations, and Corrections dues shall be \$30.00 per month, all other classification's dues shall be \$20.00 per month. A change in dues may occur at the needs of the Association

**Article VIII**

**Meetings**

**Section 1: Regular Meetings**

Regular meetings of this Association shall be held once a month and to be announced at least ten days prior to the scheduled meeting date.

**Section 2: Special Meetings**

Special meetings may be called by the president, vote of majority of the Executive Board, or by petition filed with the president by thirty (30) percent of the membership of the Association. All members in good standing shall be notified in writing of such special meetings at least seven (7)

days prior to the same. The notice shall state the business to be considered at such meeting and no other business than that stated shall be in order at such meeting.

Executive Board meetings will be held on an "as needed" basis. These meetings may be closed session, at the discretion of the Executive Board.

**Section 3: Quorum**

A quorum for any meeting of this Association, either regular or special meeting, shall be those members in good standing who are present.

**Section 4: Rights of Members**

Every member in good standing shall have the right to attend any meeting and to participate in such meeting in accordance with the recognized rule set forth in the manual of parliamentary procedure adopted by this Association. Members shall conduct themselves in such a manner as not to interfere with the legal or contractual obligations of this Association.

**Section 5: Order of Business**

- |   |                       |
|---|-----------------------|
| 1. Calling meeting to order               | 7. President's report |
| 2. Roll call of officers                  | 8. Committee reports  |
| 3. Reading of minutes of previous meeting | 9. Old business       |
| 4. Financial reports                      | 10. New business      |
| 5. Communications and bills               | 11. Good and welfare  |
| 6. Admission of new members               | 12. Adjournment       |

**Article IX**

**Amendments**

This Constitution may be amended by two-thirds vote of the members present at a regular meeting, provided that each member in good standing is notified in writing of the proposed amendment at least fifteen (15) days in advance of the meeting at which the vote will be taken in.

**Article X**

**Disbursement of Association Funds**

Upon disbandment of the Jackson County Sheriff's Employees Association, the funds will be equally divided amongst all active members employed with Jackson County Sheriffs Department for more that five (5) years in good standing.