

**UNITED FEDERATION OF
SPECIAL POLICE AND
SECURITY OFFICERS, INC**



**CONSTITUTION AND
BY-LAWS**

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UNITED FEDERATION OF SPECIAL POLICE AND SECURITY OFFICERS INC
A NATIONAL UNION**

MISSION STATEMENT

We are the United Federation of Special Police and Security officers Inc., a National union; we are dedicated to improving the lives of our members and their families by achieving better wages and working conditions for our members. We seek to be a stronger union to build power for ourselves and to protect the people we serve. Our vision as a union is to achieve dignity for our members, where their work is fulfilling and fairly rewarded.

ARTICLE I---NAME

This organization shall be known as the United Federation of Special Police and Security Officers Inc. a national union and shall consist of an unlimited number of local units and the membership thereof. It shall be referred to in these by-laws as the "Federation"

ARTICLE II----DURATION

This organization shall have perpetual existence and shall not be dissolved as long as there are a sufficient number of units to support its continued existence

ARTICLE III---PURPOSES AND OBJECTIVES

The objective of the Federation shall be to promote the welfare of its members to further enhance their wages, benefits and other terms and conditions of employments and to aid them in their need for mutual benefits and protection and improvement of their social and financial conditions. To strive through unity to promote greater acknowledgement of its member's professionalism and through active participation to endorse, support and propose legislation beneficial to its members in its nature and to vigorously oppose any legislation contrary to the member's best interest. To organize and unite all men and women eligible for membership, to advance and strengthen their right to collective bargaining and to strengthen and safeguard this Federation by every lawful means so that it may carry out its purposes, objectives and obligations.

ARTICLE IV-----GOVERNANCE

This constitution and by-laws are the supreme law of the Federation and shall govern in all respects the activities of the Federation and its officers and employees as well as all units and can only be amended by two thirds majority vote of the membership. The Board of Directors shall be empowered by a two thirds vote of the membership to make interim changes to this Constitution and By-Laws applicable to conform to any applicable laws.

ARTICLE V---MEMBERSHIP

Section 1: Eligibility for membership shall be restricted to those active or retired, armed or unarmed security guards, security couriers, public safety officers, law enforcement officers, peace officers, special police officers, detention counselors, custodian officers, or other employees that are charged with the custody, protection and or transportation of people or property or as supervisors with the orderly administration of such security services who are employees in the United States of America under any of the separate laws of either the United States or any of its states and other appropriate groups of employees not specifically enumerated in this article whose employment is of such a type and nature that it is the same or similar to work frequently performed by security guards or security employees. Employees within such classifications shall be eligible for the types of membership defined in the following sections of this Article.

Section 2:

- A. Dues for active members of the Federation, who are also members of a bargaining unit of the Federation shall be designated by the Board of Directors and authorized by a majority of the delegate body at an annual meeting. These dues shall entitle such active member to representation for the purposes of collective bargaining, to all legal services as set forth in the Federation legal plan and to all voting rights as set forth in these By-Laws.
- B. Employees who are included in a bargaining unit of the Federation and as such receive the benefits and protections of such bargaining unit membership and who elect not to become a dues paying member of the Federation shall pay each pay period to the Federation a contract maintenance fee which shall be an amount equal to the amount paid by an active Federation member under Section A. The contract maintenance fee is equal to the amount paid by an active Federation member under Section 2 A so as to reflect the services rendered to and benefits received by all members in the bargaining unit This maintenance fee shall entitle such nonmember to representation for the purposes of collective bargaining and to all employment related legal services as set forth in the Federation Legal Plan.

Non-member bargaining unit employees shall have no voting rights except as set forth in Article VIII of these By-Laws

Section 3: Dues for active and retired members who are not covered members of a bargaining unit of the Federation participating in the Federation Legal Plan shall be twenty-six (\$26) dollars annually. Such active and retired members shall be entitled to all voting rights as set forth in these By-Laws

Section 4: No assessments shall be levied upon the members of the Federation in addition to the herein provided for except where the fiscal solvency of the Federation is threatened. Any such assessments shall be divided equally among all Federation members

Section 5: Member and membership in good standing shall mean one who pays all lawful dues and other fees or assessments as documented within these By-Laws.

ARTICLE VI---OFFICERS

Section 1: The officers of the Federation shall consist of a President, Vice President and a Secretary/Treasurer

Section 2: The President shall be the Chief Executive Officer of the Federation. He shall preside over all meetings of the Federation. He shall be responsible for the general management of the Federation and ensure that all orders and resolutions of the members are implemented. He shall insure that all other officers, agents and employees perform their duties. He shall set all salaries of all officers and employees of the Federation. The President shall have the authority to act in the best interest of the Federation and designated units and have the power to execute all documents and bind the Federation and/or designated units to collective bargaining agreements. He shall decide all questions of interpretation under the constitution and By-Laws. The President shall establish departments, employ persons and purchase services to further the needs and interest of the federation and the membership. The President shall assign to the Board members of the Federation duties and responsibilities necessary to carry out the goals of the Federation. The President at his discretion may appoint an Executive Director to function as the chief operating officer of the Federation as he deems necessary.

Section 3: The vice president shall perform such function and duties as the President shall authorize. If a vacancy occurs in the office of the president the Vice president shall assume the office and duties of the President.

Section 4: The Secretary/Treasurer shall have the care and custody of all funds and securities of the Federation. He shall deposit all funds of the Federation in such banks authorized by the Board of Directors. He shall sign and execute all contracts in the name of the Federation when countersigned by the President and authorized by the Board of Directors. He shall sign all checks, drafts, notes and orders or payment of money which will be countersigned by the President in an amount that is \$6,000 or more. He shall at all reasonable times exhibit the books and accounts of the Federation to any Director or member upon request by said persons. He shall at the Annual Meeting present an audit of the accounts in writing to the Board of Directors said accounting shall be by a Certified Public Account. He shall keep a written account of all meeting of the Board of Directors and maintain the minutes of these meeting at the Federation offices.

ARTICLE VII---BOARD OF DIRECTORS

Section 1: The Board of Directors of the Federation shall meet in Executive session at least every three (3) months, at a time and place designated by the President. Every Federation member shall have the right to attend these meetings and to express views and/or opinions upon any business before the Board.

Section 2: All members of the Board of directors shall have one (1) vote, except that members of the Board may grant in writing another member of the Board authorization to act as their proxy to vote in their stead in all matters necessitating a vote at a board meeting which the granting Board member is unable to attend. Provision of such a proxy will be considered as if the granting Board member were in attendance at the meeting, for the purpose of establishing that a quorum is present

to conduct Federation business. A roll call vote may be required on all items that necessitate a vote.

Section 3: Except for reasonable cause a member of the Board shall not be absent from more than three (3) consecutive meeting of the Board. If no cause is found, then the Board member's office shall be declared vacant.

Section 4: A special meeting of the Board may be called at the request of the President or by a majority vote of the Board or 2/3 two thirds vote of the membership. The Board shall adopt and from time to time amend the By-Laws of the Federation. The Board will develop policy for the Federation as may be required and will assist the President and other officers as requested.

- a. When a special meeting is called it shall be held within 20 days of the notice of the meeting
- b. A special meeting shall be held only to deal with the matters that arise on an emergency basis and whose disposition cannot wait until the next scheduled meeting
- c. When a special meeting is called only the matter that cause the emergency for which the meeting was called can be discussed, no other matters can be raised at this special meeting

Section 5: Members of the Board of Directors shall receive a salary and/or expenses reasonably necessary for the operation of the Federation

Section 6: Roberts's rules of order shall guide the federation in all matters not outlined in these By-Laws

ARTICLE VIII--ELECTIONS

Section 1: Officers and directors shall serve a term of four (4) years. The Board of Directors shall consist of the President, Vice President Secretary/Treasurer and six (6) Directors. All officers and board of directors must be a retired police officer/law enforcement officer or must have a current security officer registration or authorization card issued from the state or other governing municipality in which they reside.

Section 2: Elections, conducted by the election committee, will be held every four years at the annual meeting which will be held in June. The election committee will be independent of and not comprised of any members of or candidates for the Board of Directors of the Federation. An election notice will be sent by mail or electronically in the first week of April to the last known address or email of each member in good standing with the Federation. Any member who at the time of nomination has been in good standing with the Federation for a minimum of the previous consecutive 24 months is eligible to be a candidate for any office. Candidates are limited to seeking only one office in each election year and no member unit may have more than one-member candidate on the ballot. Candidates for office must submit an authorized nomination form in a timely manner to be included on the ballot. All ballots received in a timely manner will be opened and counted by the election committee at the annual meeting.

Section 3: Elections will be held during the month of June. A plurality vote of the Federation members casting ballots shall be necessary for a candidate to be elected to the Board of directors.

Section 4: A Federation member shall be entitled to vote upon completion of one year as a dues paying member of the Federation

Section 5: If a vacancy occurs on the Board of Directors, or within the business agents the President shall appoint a candidate to fill the vacancy for the remaining term of office.

Section 6: Any and all Directors shall only be removed, with cause, by a vote of two thirds majority of the Federation membership.

Section 7: Business agents shall be appointed by the President or his designee on an annual basis in September of each year and shall hold a term of one (1) year. Business agents shall not exercise any executive or policy making authority or responsibility

Section 8: Business agents shall at the annual meeting recommend policy for the following year to the Board of Directors. Business agents shall have other duties as may be delegated by the President.

ARTICLE VX-COLLECTIVE BARGINING AGREEMENTS

Section 1: The primary negotiator shall forward a copy of all collective bargaining agreements negotiated by the Federation to each member directly affected by such agreement and shall maintain at the Federations principle office copies of any such agreements made and received by the Federation. Copies shall be made available for inspection by any member or employee whose rights are affected by said agreement

Section 2: Should the Federation negotiate a collective bargaining agreement for a member unit the agreement shall not become final and binding until ratified in accordance with the By-Laws of the Federation. The proposed agreement shall be presented to the members of the unit covered by the agreement at either a meeting, electronically, or by mail to the last known address on file with the Federation for the purpose of review and ratification. Included in this communication will be ratification ballot which will be completed by the member and returned to a designated location either in person at a ratification meeting, by mail to a designated address, or electronically to a secure and designated email address. A deadline for receipt of all ballots will be included in the communication. Once the deadline is met all ballots will be tallied to determine the result of the ratification vote. A majority of the members of the unit voting shall be required to ratify the contract. In the case of a tie the President of the Federation or his designee will have the right to cast the vote necessary to ratify the contract. If the collective bargaining agreement fails to be ratified the negotiating team will request to continue to bargain with the company in an attempt to achieve a satisfactory agreement. Should the employer present their best and final offer then a strike vote will be taken in accordance with Article X of these By-Laws. If a strike is not authorized by the membership of the unit in question, then the employer's best and final offer shall be accepted and the contract will be signed by the President of the Federation.

Section 3: When called upon to negotiate a contract for a member unit the Federation shall receive approval of the units steward as to any contract demands to be presented to the employer. If there is no designated steward for a unit then the primary negotiator will schedule a members meeting to discuss and determine the contract demands.

Section 4: At the discretion of the President all first unit contracts can be approved by the Board of Directors and executed by the President or his designee on behalf of the unit's members.

ARTICLE X ----STRIKES

Section 1: The Federation shall not call for condone, assist or encourages a strike, walkout or slowdown or job action by a member unit where such activity is prohibited by the law of the employer's jurisdiction or prohibited by a fully executed collective bargaining agreement. Where a strike is not prohibited the Federation will only call a strike of the member unit where approval is received by two thirds majority vote of the membership from the unit in question.

ARTICLE XI----SAVINGS CLAUSE

Section 1; any changes or amendments of the By-Laws requires two thirds majority of the votes cast by the Federation membership to become effective. Any change or amendment to the By-Laws, proposed by the Federation members shall be first submitted in writing to the Secretary/Treasurer at least 90 days prior to the Annual Meeting.

Section 2: The Secretary/Treasurer shall distribute proposed By-Law changes or amendments to the Federation members with recommendations of the Board of Directors at least sixty days prior to the Annual meeting. Distribution will be made either by mail or electronically with an accompanying ballot for the proposed change or amendment. The executed ballots must be received by the Secretary/Treasurer five (5) days prior to the Annual meeting. Ballots shall be counted at the annual meeting and the vote shall be announced to the members at the said meeting.

Section 3: The Federation can only be dissolved upon two thirds (2/3) majority vote of the Federation membership.

ARTICLE XII----BY-LAWS

Section 1: The above by-laws are established effective September 1995 and as amended January 1999, January 2005, March 2008 and June 2016

Secretary/Treasurer