

# Hennepin County Sheriff's Deputies Association

## By Laws

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### Article I

#### NAME

The name of this organization shall be Hennepin County Sheriff's Deputies Association.



### Article II

#### PURPOSE AND OBJECTIVES

The purpose of this organization shall be:

##### Section 1.

To provide for the common defense and to promote the general economic and social welfare of the members to improve wages, hours and all other conditions of employment.

##### Section 2.

To organize as members, the licensed law enforcement officers of the Hennepin County Sheriff's Office, for the purpose of collective bargaining and to act as the exclusive representative and bargaining agent of its members and to deal with their employer concerning grievances, terms and working conditions in accordance with the Public Employment Labor Relations Act of 1971, as amended.

### Article III

#### MEMBERSHIP AND DUES

##### Section 1.

All persons regularly employed in a position covered by the Bureau of Mediation Services unit determination are eligible for members in this Association.

##### Section 2.

The membership year shall be from January 1st through December 31st.

##### Section 3.

Application for membership shall be made on a standard application form containing a valid authorization for payroll deduction of dues.

##### Section 4.

The monthly membership dues of the Association shall be determined by the Association Board of Directors subject to veto by two thirds majority of the general membership.

**Section 5.**

Membership dues shall be paid through payroll deduction. Any person paying dues through regular payroll deduction shall, for as long as such person continues to pay through such deduction method, be considered in good standing.

**Section 6.**

A member suspended under Section 5 may be reinstated to membership in the Association on payment of all dues in arrears, or upon payment of a reinstatement fee, as determined by the Association executive board. Each case will be handled on an individual basis.

**Section 7.**

Only members shall have the right to vote and hold office in the Association.

**Article IV**

**MEETINGS**

Meetings of the Association shall be held as follows:

**Section 1.**

Regular meetings of this Association shall be held by-monthly (odd numbered months) at a time and place to be determined by the membership or the Association executive board.

**Section 2.**

Special meetings may be called by the Association president, the Association executive board, or by petition filed with the president or a member of the executive board for the president, signed by a minimum of one third of the Association membership. The petition shall state the nature of business to be conducted at the special meeting.

**Section 3.**

A quorum for the executive board meeting shall be a simple majority of the executive board.

**Section 4.**

A quorum for general membership meetings shall consist of:

- A.** For any regularly scheduled bimonthly meeting a quorum shall be those members present.
- B.** For any special meeting a quorum shall be those members present if adequate notice has been given to the full membership through notices posted two weeks in advance on the Union Bulletin boards, or through mailed notices.

**Section 5.**

Business of the Association may be conducted at any meeting of the Association subject to the following conditions:

- A.** No business of the Association may be moved or voted on unless one of the following conditions exist:
  - 1.** The matter was on an agenda posted two weeks prior to the meeting on the Association bulletin boards.

2. The motion is made at a regularly scheduled meeting and voted on at the next regularly scheduled meeting.

## **Article V**

### **OFFICERS, NOMINATIONS AND ELECTIONS**

#### **Section 1.**

The officers of this Association shall be: president, vice-president, recording secretary, secretary treasurer, sergeant at arms, and stewards. The number of stewards shall be determined by mutual agreement of the Association and Hennepin County Labor Relations. The above officers shall be elected to a two year term of office which term commences immediately upon election and continues until their successors enter upon their duties. In addition there shall be three elected trustees. Trustees shall be elected to three year terms on a staggered basis. All officers indicated in this section shall constitute the Association executive board.

#### **Section 2.**

Nominations shall be made at a regular or special meeting of the Association. At least fifteen days advanced notice shall be given the membership prior to the nominations meeting. A nomination committee may be appointed or elected to make nominations, but whether or not such nomination committee is used, nominations shall be permitted from the floor at the nomination meeting. All regular elections shall be conducted in the month of November of the even year.

#### **Section 3.**

To be eligible for office, a member must be in good standing for one year prior to the election.

#### **Section 4.**

Officers shall be elected by secret ballot vote, and the balloting shall be conducted so as to afford all members a reasonable opportunity to vote. At least fifteen days advanced notice shall be given the membership prior to the holding of the election.

#### **Section 5.**

Vacancies in office shall be filled for the remainder of an unexpired term by the president. In the event of a vacancy in the office of president, the vice president shall become president.

## **Article VI**

### **DUTIES OF OFFICERS AND THE EXECUTIVE BOARD**

#### **Section 1.**

The President shall:

- A. Preside at all meetings of the Association and of the Executive Board.
- B. Be a member of all committees except election committees.
- C. Countersign all checks drawn against the funds of the Association.

- D.** Appoint members of all standing committees and all special committees of the Association subject to approval of the Executive Board.
- E.** Report periodically to the membership regarding the progress and standing of the Association and regarding the President's official acts.
- F.** Appoint the chief contract negotiator and negotiating team members and serve on the negotiating team.
- G.** Act in the capacity of steward.
- H.** The president shall be paid an annual fee set by the Executive Board.

**Section 2.**

The Vice-President shall:

- A.** Assist the president in the work of the president's office.
- B.** In the absence of the president, or in the president's inability to serve, preside at all meetings and perform all duties otherwise performed by the president.
- C.** Upon approval by the Association executive board be authorized to act as cosigner of checks drawn on the Association funds.
- D.** The vice-president shall be paid an annual fee set by the Executive Board.

**Section 3.**

The Recording Secretary shall:

- A.** Keep an accurate record of the proceeding of all membership meetings and of all executive board meetings.
- B.** Carry on the official correspondence of the Association, except as otherwise directed by the executive board.
- C.** Perform other such duties as the executive board may require.
- D.** The recording secretary may not necessarily be a member of the Association as defined in Article III, Section 1. In those instances when the individual is a nonmember he/she may not cast a vote at either membership or executive board meetings.
- E.** The Recording Secretary shall be paid an annual fee set by the Executive Board.

**Section 4.**

The Secretary-Treasurer shall:

- A.** Receive and receipt for all the monies of the Association.
- B.** Deposit all monies so received in the name of the Association in insured banks or credit unions selected by the executive board.
- C.** Prepare and sign checks for such purposes as are required by the constitution or are authorized by the membership or the executive board.
- D.** See that nonmembers who are in the bargaining unit have a "Fair Share" of dues deducted from their pay by the employer and deposited in the Association's accounts.
- E.** Keep an accurate record of receipts and disbursements and shall at general membership meetings submit to the membership a monthly operating statement of the financial transactions of the Association since the previous meeting. Receipts and disbursements reports shall cover all funds of the Association.

- F.** Act as custodian of all properties of the Association.
- G.** Prepare an annual budget for approval by the executive board and then the membership. Each budget shall contain itemized estimated receipts and expenditures.
- H.** The secretary-treasurer shall be paid an annual fee set by the Executive Board.

**Section 6.**

The Sergeant at Arms shall:

- A.** Preserve order on the floor of the general membership meeting as the chair may direct.
- B.** Take roll call of membership meeting if called for the chair.
- C.** Remove nonmembers as required and directed by the chair.

**Section 7.**

The Executive Board shall:

- A.** Be the governing body of this Association except when meetings of the Association are in session.
- B.** Decide on all matters affecting the policies, aims and means of accomplishing the purposes of the Association not specifically provided for in this Constitution or by action of the membership at a regular or special meeting.
- C.** Meet at the call of the president, or a majority of the members of the board and on the opposite months of the regular membership meetings.
- D.** Report on all actions taken by the board to the general membership at the next following meeting.
- E.** A majority of the executive board shall constitute a quorum.
- F.** Make or cause to be made, at least annually, a review of the finances of the Association. This will include the finances concerning any health and welfare, pension, insurance or other benefit programs covering members of this Association and shall report to the general membership the results of any such review.
- G.** Evaluate the merit of all grievances and determine if the Association will pursue them past step two.

**Section 8.**

Disciplinary Action: Any member who shall be charged and found guilty of conduct detrimental to the Association may be disciplined, suspended, and/or expelled from membership as deemed appropriate. Members who have been expelled shall thereupon lose all the rights and privileges of membership. This provision shall be implemented in the following manner.

- A.** Any member may file with the president a charge in writing, stating the name and address of a member alleged to have engaged in conduct detrimental to the Association and stating in detail the nature and circumstances of the alleged offense. Actions subject to such charges may include, but shall not be limited to those as specified in Association Policy. (Procedure for Disciplinary Action).
- B.** The president shall review the charges for sufficiency and shall cause them to be investigated for the purpose of determining whether the charges warrant disciplinary proceedings. The president shall prepare a confidential report to the executive board.

**C.** If the executive board finds reasonable cause to believe the charges to be true, the executive board shall direct the president to prepare the charges for forwarding to the next membership meeting, shall hold a hearing at a time and place convenient to both the charging party and the charged party. At such hearing, evidence supporting the charge in defense of the charged party shall be heard; rights of confrontation and cross-examination are guaranteed; representation by legal counsel shall be permitted and both oral testimony and documentary evidence may be introduced. The right to be presumed innocent unless proven guilty shall be honored.

**D.** Upon conclusion of the hearing, the membership shall determine in a closed session by a both of the majority either the innocence or guilt of the charged party based on the evidence presented at the hearing. If the membership finds the charged party guilty of any of the charges, it shall state the penalty to be imposed in accordance with Association Policy.

**E.** The membership shall prepare a written report of its findings and decision, including a summary of the basis for its finding and decision.

**F.** The president shall notify charged party in writing of the action taken by the membership and the effective date of penalties to be imposed, if any, which date shall not be earlier than five (5) days subsequent to the membership's final action.

### **Section 9.**

Any elected officer of the Association can be removed from office for just cause, that is either misconduct or neglect of duty in office. This shall occur upon three quarters of the executive board casting ballots in a confidential vote. A special election will be held amongst the general membership to fill the remainder of the removed officers term.

## **Article VII**

### **DUTIES OF COMMITTEES**

#### **Section 1.**

General: It shall be the duty of each committee chairperson to coordinate the activities of his/her committee with the program of other committees and the Association through the president.

#### **Section 2.**

Standing Committees: The executive board shall prescribe and amend the duties of the standing committees as may be needed to carry out the goals of the Association.

## **Article VIII**

### **ASSOCIATION FISCAL YEAR**

The fiscal year shall extend from January 1 through December 31 of the year following, inclusive.

## **Article IX**

### **MISCELLANEOUS PROVISIONS**

**Section 1.**

Except to the extent specified in this Constitution, no officer of this Association shall have the power to act as agent for or otherwise bind this Association in any way whatsoever. No member or group of members or other person or 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 of this Association or the executive board of this Association.

**Section 2.**

Robert's Rules of Order, newly revised shall govern all meetings called by and on behalf of the Association except when they are inconsistent with this Constitution and By-Laws.

**Article X**

**NEGOTIATIONS**

**Section 1.**

Ratification of Bargaining Agreements:

- A.** No officer shall enter into a collective bargaining agreement or approve any subsequent modification thereof covering any unit until formal ratification vote has been taken. The president shall call a meeting of all members of the bargaining unit, at which the president shall outline all the provisions of the proposed contract and provide adequate opportunity for discussion, debate, and answering of questions.
- B.** When the appropriate time arrives, the president shall indicate the executive board's recommendations for or against ratification and conduct a secret ballot election among the members in good standing then present.
- C.** Bargaining unit members who are not members of the Association shall not be permitted to vote on contract ratification or otherwise participate in the internal affairs of the Association except as provided by this section.