

# CONSTITUTION

## PREAMBLE

We, the police officers of the Topeka Police Department, as Representatives and Delegates of subordinate lodges of Kansas, do-hereby associate the lodges do hereby represent and the members thereof together for the following purposes:

- To support and defend the Constitution of the United States;
- To inculcate loyalty and allegiance to the United States of America
- To promote and foster the enforcement of law and order;
- To improve the individual proficiency of our members in the performance of their duties;
- To encourage social, charitable and educational activities among police officers;
- To advocate and strive for uniform application of the civil service merit system for appointment and promotion;
- To create a tradition of esprit de corps insuring fidelity to duty under all conditions and circumstances;
- To cultivate a spirit of fraternalism and mutual helpfulness among our member and the people we serve; and
- To increase the efficiency of the police profession and thus more firmly to establish the confidence of the public in the service dedicated to the protection of life and property.

# **CONSTITUTION**

## **ARTICLE I**

### **NAME**

Section 1. This organization shall be known as the Topeka Lodge #3 of the Fraternal Order of Police.

## **ARTICLE II**

### **CHARACTER**

Section 1. The Fraternal Order of Police is an organization of Law Enforcement Officers of Topeka and Shawnee County, Kansas.

Section 2. The Topeka Lodge #3, Fraternal Order of Police shall not be controlled by, directly or indirectly, any labor union, congress, federation committee, or similar organization by whatever name known, but this section shall not prohibit cooperative efforts by the Topeka Lodge #3 with labor organizations for their common good.

The Topeka Lodge #3 of the Fraternal Order of Police shall not strike or by concerted action cause a cessation of the performance of the Police duties, or induce members to do likewise.

Section 3. This Constitution shall be the fundamental law of the Order, and together with the By-laws enacted in the conformance therewith, shall govern the conduct of the Lodge.

## **ARTICLE III**

### **MEMBERSHIP**

Section 1. Any regularly appointed and full-time law enforcement officer in Topeka and Shawnee County, Kansas shall be eligible for membership in the F.O.P. with the majority approval of the membership voting at a regular meeting. No person shall be denied membership on account of race, creed, or sex.

Section 2. The term “regularly appointed law enforcement officer” shall include regular law enforcement officers heretofore and hereafter retired from active duty in Topeka and Shawnee County, Kansas or who have transferred in from other lodges and are in good standing. The term, “full time”, shall mean law enforcement officers that are engaged in such employment as their principal source of livelihood.

Section 3. No person shall be simultaneously a member of any other local Fraternal Order of Police lodge.

Section 4. Active members who are dismissed from service on charges which are subsequently sustained in a regular court of law or who do not contest the decision of the dismissing authority automatically forfeit their membership.

Section 5. Associate membership shall be comprised of persons supportive of law enforcement, of good character and recommended by an active member. Full time law enforcement officers employed within Shawnee County shall not be eligible for associate membership.

Section 6. Honorary membership shall be comprised of persons who have distinguished themselves in their support of law enforcement in general and specifically this lodge.

## **ARTICLE IV**

### **RIGHTS, BENEFITS, PRIVILEGES OF MEMBERS**

Section 1. All active members of this Lodge in good standing shall be entitled to the following rights, benefits and privileges:

To attend all regular and special meetings to take part in all discussions and debates concerning the business and welfare of the Lodge.

To vote upon applications for membership and reinstatement and upon questions coming regularly before the Lodge.

Upon the death of any member in good standing, the beneficiary of the member shall be entitled to the payment of a death benefit from life insurance provided by the Lodge.

Provided, members of the Order who are retired from service- shall be entitled to participate in the above mentioned benefits by payment of specified dues.

Section 2. Any questions arising as to the eligibility for participation and benefits under this section shall be referred to the Board of Directors for investigation. The Board of Directors shall make such investigation as they deem requisite and shall make a recommendation to the Lodge as to the action to be taken on such question.

## **ARTICLE V**

Section 1. The officers of this Lodge shall consist of

President  
Vice President  
Secretary  
Treasurer  
2<sup>nd</sup> Vice President  
Sergeant at Arms  
Chaplain  
Immediate Past President

Board of Trustees consisting of three (3) members, one (1) elected from and by each member agency having 50 members, with the remaining one (1) elected at large. The at large Trustee shall serve as Chairman.

Section 2. Nominations for officers above will be held in the first meeting in November. The election will be held at the first meeting in December of each year. Candidates receiving the highest number of votes for their respective offices shall be declared elected.

Section 3. To be eligible to run for an office, the candidate shall have been counted present to at least six (6) regular monthly meetings in the year of the election.

Section 4. The term of office beginning in 2001 will be for two (2) years.

Section 5. Newly elected officers shall be installed at the first meeting in January following election. Officers absent at the January meeting shall be installed at the February meeting and should an Officer be absent at the February meeting without first notifying the President and giving just cause, his office shall be declared vacant and the successor shall be the person receiving the second largest amount of votes and if unopposed, the President will appoint with board approval.

Section 6. The position of Immediate Past President will not be an elective office and shall be conferred on the outgoing President, provided he remains a member in good standing. The term of offices shall be consistent with that of the President or until a qualified successor is named.

Section 7. To retain office, the elected officer shall be counted present to at least eight (8) meetings during the calendar year. Upon the fifth (5) absence in a calendar year, that office shall be declared vacant and a replacement shall be made by a majority of the remaining board of directors.

Section 8. Requirements for eligibility to be a delegate to either the State or National Conferences will be the same as for any other elected position in that the candidate must have been counted present to at least six (6) regular meetings during the year of the election.

Section 9. Delegates to the State Conference shall be elected each year and after being elected, shall be required to adhere to the same

standards of other elected officers and shall be required to be counted present to at least eight (8) regular meetings during the calendar year.

Section 10. Delegates to the National Conference shall be elected in the year prior to the Conference and shall adhere to the same standards of other elected officers and shall be required to be counted present to at least eight (8) regular monthly meetings during the calendar year.

Section 11. Excused absences: The elected board members shall only be counted as excused from regular monthly meetings by contacting the Secretary prior to the meeting and stating the reason for the absence. Working at their full time law enforcement employment shall be considered an excused absence. The Board may make a determination if another excuse will be considered valid.

## **ARTICLE VI**

### **BOARD OF DIRECTORS**

Section 1. The Board of Directors shall be composed of the President, Vice-President, Secretary, Treasurer, Second Vice-President, Sergeant at Arms, Chaplain, Immediate Past President and the Trustees.

The Executive Board shall be composed of the President, Vice-President, Secretary, Treasurer and Immediate Past President.

The Board of Directors shall have and exercise all administrative powers of the Order during the period between meetings.

Any vacancy in any office of the Lodge shall be filled by a majority vote of the Board of Directors.

Section 3. The Board of Directors shall meet when necessary at the direction of the President. The board shall keep minutes of the meeting and present them to the membership at the next regular meeting for consideration or action thereon.

Section 4. Any officer who is ineligible for membership, shall automatically forfeit his or her office as a member of the Board of Directors of the Topeka Lodge #3 of the Fraternal Order of Police.

## **ARTICLE VII**

Section 1. **PRESIDENT:** The President shall preside at all meetings and shall preserve order and decorum. He shall carefully supervise the affairs of the lodge and shall labor for its usefulness and efficiency. He shall appoint majority members of all committees not otherwise provided for and will fill, by appointment and with the approval of the Board of Directors, all vacancies in office caused by death or resignation unless otherwise provided for. The President or his designee shall represent his Lodge as a delegate at all national and State Conferences occurring during his term of office. He shall sign all official documents of the Lodge and shall perform all other business, which by custom pertains to the offices of president. With the assistance of the officers, he shall enforce a strict compliance with the Constitution and the by-laws of the Lodge in all actions.

Section 2. **VICE-PRESIDENT:** The Vice-President shall appoint minority members of committees and in the absence of the President, fulfill the duties of that office.

Section 3. **SECRETARY:** The Secretary shall keep a correct record of all the transactions of each meeting of the Order, attest all money orders on the Treasurer and record the same in a book to be known as the Book of Records, together with the minutes to be entered therein before the meeting following that of which they are a record, and shall be read from the book for approval. The secretary shall keep another book and record therein all amendments to the Constitution and By-laws, said book to be known as the Amendment Book, which is to be given to the proper committee for reference when revising the Constitution and By-laws. He shall whenever the Lodge deems it necessary, send a circular letter pertaining to the activities of the Lodge to all members. At the expiration of his term of office the secretary shall give a correct report of the business of his office to the Order and to his successor.

Section 4. TREASURER: The Treasurer shall receive and take charge of all monies belonging to the Order, deposit the same in a bank named by the Order, keep an accurate account of all monies received and expended, credit each fund with such sums as accrue thereto and report to the Order at the first meeting of each moth. At the last regular meeting held in the month of December of each year, he shall give to the Board of Trustees a correct account of all monies in his possession together with the books, papers and receipts belonging to the office, and at any time when ordered by the president, he shall deliver all monies, books, papers, and receipts to the ~~recording~~ secretary and trustees. The Treasurer shall deliver to his successor on office all books and other property in his possession belonging to the Order.

Section 5. After the installation of officers at each term, the treasurer, president, ~~recording~~ secretary and a majority of the trustees shall determine the correct amount of money in the bank to the credit of the Order, the same not to be drawn unless by order of the Lodge, signed by the president, secretary and treasurer. The treasurer shall give bond to the Order, to be designated at the discretion of the Board of Trustees, said bond to be paid for by the Lodge.

Section 6 SECOND VICE-PRESIDENT: The 2<sup>nd</sup> Vice-President shall examine all cards, take up the pass word, see that all present are entitled to remain in the Lodge room, and report the same to the President. He shall conduct candidates through the initiation ceremony and introduce them to members of the Order.

Section 7. SERGEANT AT ARMS: The Sergeant at Arms shall have charge and control of the meeting or meeting place. He shall permit only qualified persons to enter or remain. He shall assist the 2<sup>nd</sup> Vice-President in the execution of such duties as the President may order.

Section 8. TRUSTEES: The Trustees shall have charge of all properties of the Lodge. They shall designate the amount of bond for the treasurer and approve the same and examine the treasurer's bankbook and see that all the monies are deposited in the name of the Order. They shall audit the books of the Lodge every six (6) months. They shall conduct a complete inventory of the properties of the Lodge and properly dispose of surplus property. The Chairman will be responsible to see that the audits

and inventory is completed in a timely manner. Upon completion of the inventory, a list will be provided to the secretary for proper filing.

Section 9. BOARD OF DIRECTORS: The Board of Directors shall work with the president in determining the aims and policies of the Lodge in carrying forward the purposes for which it exists. The president shall be an exofficio member of the Board of Directors. The Board of Directors shall meet at least once each month to discuss matters for the good of the Order and shall make reports to the Lodge at regular Lodge meetings as to their findings and recommendations.

- (a) They shall be authorized to carry on all special business of the Lodge between meetings and may direct the secretary to call a special meeting if they think it necessary for the good of the Order. By authorization of the Board of Directors any disbursement of \$250.00 or less may be made by the President without prior approval and all expenditures shall be reported at the next regular meeting. Disbursements greater than \$250.00 but less than \$500.00 are subject to Board approval. Any disbursement in excess of \$500.00 must have been approved in a previous duly constituted lodge meeting.
- (b) The Board of Directors shall also serve as a Grievance Committee to hear any charges or complaints against the conduct of the Lodge, or any of its members. The Board shall investigate all such complaints properly brought to its attention, and shall make a report of its findings and recommendation to the Lodge within thirty days of the signing of such complains.

Section 10. IMMEDIATE PAST PRESIDENT: The Immediate Past President shall attend all general meetings of the Board of Directors. He shall advise and assist the President and the Board of Directors in the performance of their respective duties and shall execute such assignments as may be ordered by them. The position will be a voting position on the Board of Directors.

Section 11. CHAPLAIN: The Chaplain shall report on members who are sick and in distress at the regular monthly meetings. The Chaplain shall also fulfill other duties as directed by the President.

# ARTICLE VIII

## Committees

Section 1. Committees shall be appointed as needed by the incoming officers in the manner provided and shall serve-until relieved. The number of persons of each committee shall be determined by the President.

Section 2. Standing Committees shall be:

**PRESS COMMITTEE:** The Press Committee shall consist of the President, Vice President and the Secretary. This committee may release any publicity concerning Topeka Fraternal Order of Police Lodge #3. Individual members shall only make official press release and/or official Lodge notices when authorized to do so by the Lodge President. Any official press releases and/or official Lodge notices shall bear the official seal of Lodge #3.

**ENTERTAINMENT COMMITTEE:** The Entertainment Committee shall plan and conduct all parties, picnics and other entertainments for the Lodge and families and friends. This committee shall be chaired by the Vice President.

**GRIEVANCE COMMITTEE:** The Grievance Committee shall consist of the Board of Directors. Any member having a grievance against any other member may file a complaint in writing with the Grievance committee stating his complaint, the violation of the rules or by-laws committed by the member so charged. The Grievance Committee shall provide the member so charged with a copy of the charges in writing, and shall in ten days conduct a hearing and shall thereafter submit a full report of its findings and recommendations for action to the Lodge in regular or special meeting called for that purpose. The recommendation of the Grievance committee shall not be binding upon the Lodge.

## **ARTICLE IX**

### **MEETINGS**

Section 1. **REGULAR MEETINGS:** Regular meetings of the Lodge shall be held on the second Thursday of each month at a time designated by the Lodge. In order to conduct business, a quorum will consist of at least 10 members of the Lodge. In the event of a conflict, the meeting may by a vote of a simple majority of members present, be changed to a different date.

Section 2. **SPECIAL MEETINGS:** The President of the Lodge shall call a special meeting at the written request of the Board of Directors or any fifteen members in good standing. The reasons for a special meeting shall be specified in the notice calling for the meeting and no business shall be transacted except for the reason that the meeting was called.

## **ARTICLE X**

### **PARLIAMENTARY PROCEDURE**

Section 1. Except as provided in the Constitution and By-Laws, “Roberts Rules of Order, Revised”, shall govern the conduct and deliberations of the monthly meetings and the meetings of the Board of Directors of the Order.

## **ARTICLE XI**

### **OFFICIAL RITUAL**

Section 1. There shall be an Official Ritual of the Order, which shall be known as the Fraternal Order of Police Ritual.

Section 2. The Ritual of the Fraternal Order of Police as revised at the national Biennial Conference of the Fraternal Order of Police shall be the Official Fraternal Order of Police Ritual for Topeka Lodge #3.

## **ARTICLE XII**

### **RECOGNIZED BARGAINING UNITS**

Section 1. The recognized bargaining units represented by the Lodge shall be defined as:

- (a) The Topeka Police Department Bargaining Unit shall consist of commissioned law enforcement officers on the Topeka Police Department of the rank as determined by current labor agreement.
- (b) The Shawnee County Sheriff's Department Bargaining Unit shall consist of commissioned law enforcement officers on the Shawnee County Sheriff's Department of rank of as determined by current labor agreement.
- (c) Bargaining Unit representatives must be members in good standing of Topeka Lodge #3 of the Fraternal Order of Police.

Section 2. The recognized bargaining units may implement their own rules, hold their own elections, and self-impose dues provided that they do not conflict with the local, state, or national constitution or by-laws of the Fraternal Order of Police. The rules shall be submitted to the Lodge Secretary and any changes thereafter of the rules shall be delivered to the Lodge Secretary within thirty (30) days. Only those officers who are members in good standing of the Fraternal Order of Police may vote in any election and on any contract ratification.

Section 3. The Chairman of the bargaining units, or their designees, will be required to make quarterly reports to the Board of Directors. The reports shall be written and shall specify the activities of the bargaining units for the preceding three month period.

Section 4. The lodge acknowledges the need for the recognized bargaining units to make press releases. Therefore, unlimited authority to make press releases regarding labor contract negotiations may be given the bargaining unit chairman or their designees for a specified period of time. Authority to make press releases concerning the Lodge's position regarding other bargaining unit matters may be granted to the bargaining unit chairman or their designee on a case by case basis.

Request for press release authority must be made in writing to the Press Committee Chairperson. To grant authority, a simple majority of the Press Committee will prevail.

Section 5. Bargaining Units shall not expend funds in excess of their account balances unless approval is made at a duly constituted meeting of the membership.

## **ARTICLE XIII**

### **AMENDMENTS**

Section 1. Amendments to the constitution and by-laws may be proposed by any active member in good standing.

Section 2. Proposed amendments will be presented in writing to the Secretary at least seven (7) days prior to a regular meeting. First reading of the proposed amendment will take place at the next regular meeting after which amendment will be made available to the membership for review. After the first reading the proposed amendment will be voted on at the next regular meeting and will require a two-thirds majority vote of the members present to pass.

## **ARTICLE XIV**

### **FINANCIAL ASSISTANCE**

Section 1. All requests for financial assistance in excess of \$500.00 must be made in the following manner:

- (a) Appeals to the Lodge for financial assistance will be heard at the next regular meeting.
- (b) All requests must be in written form, and submitted to the secretary at least seven (7) days prior to the meeting.
- (c) All requests shall be submitted with the proper documentation before being brought before the Lodge.

Section 2. No member shall allege, indicate, or promise that the Lodge will assume any payment nor shall the Lodge pay or promise to pay any financial assistance unless specifically and directly authorized by the Lodge in writing, signed by both the President and Secretary under the Lodge seal.

## **ARTICLE XV**

### **AUXILIARY**

The Lodge recognizes, acknowledges, and validates an auxiliary to the Lodge. Such an auxiliary shall be subject to the control and supervision of this Lodge. They shall conform to and be governed by a constitution and by-laws that they shall adopt and which at all times shall be subject to the approval of this Lodge and the Board of Directors of the Grand Lodge.

**BY – LAWS**  
**FRATERNAL ORDER OF POLICE**  
**KANSAS LODGE #3**

**ARTICLE I**

**MEMBERSHIP OF THE LODGE**

Section 1. This Lodge shall be the judge of its membership, subject to the provisions of the Constitution and By-Laws.

Section 2. “Member in good standing” is hereby defined to be a member who has paid all dues and assessments due and payable to or for the Grand Lodge, State Lodge, and Lodge #3, or who is not more than thirty (30) days in arrears of such payments as of the date specified for the payment thereof.

Section 3. Any member in arrears of payment of dues or assessments more than thirty (30) days and less than ninety (90) days shall be deemed to be delinquent and not in good standing.

Section 4. Any member in arrears of payment of dues or assessments more than ninety (90) days is hereby automatically suspended.

Section 5. Any member delinquent or suspended, as provided in Sections 3 and 4 of this Article, may be reinstated and restored to good standing by the payment of all amounts due and, in addition thereto, the payment of dues for the whole of the current year in which such reinstatement is made.

## **ARTICLE II**

### **MEMBERSHIP ACCEPTANCE**

Section 1. All applications for active, honorary, or associate membership shall be submitted to the secretary in writing. The application shall be presented for review by the membership at a regular meeting and subjected to a vote of the membership present.

Section 2. A majority vote of those present at the meeting shall be sufficient for the acceptance of a new “active” or “associate” member.

Section 3. A two-thirds vote of the membership present shall be required for acceptance as an “honorary” member.

## **ARTICLE III**

### **DUES AND ASSESSMENTS**

Section 1. Each regular active member shall pay monthly to the Lodge an amount equal to one percent (1%) of the monthly starting salary of the lowest paid Topeka Police Officer or Shawnee County Deputy whichever is lower.

Section 2. Retired active members shall pay an amount as determined by the lodge to cover the costs of insurance, state and grand lodge per capita taxes per year.

Section 3. Associate member dues shall be fifty (50) dollars per year.

## **ARTICLE IV**

# **OFFICIAL ORDER OF BUSINESS**

Section 1. The Order of Business at regular meetings shall be:

1. ROLL CALL OF OFFICERS
2. READING OF LAST MONTHS MINUTES
3. NEW APPONTMENTS
4. OFFICER'S REPORTS
5. COMMITTEE REPORTS
6. COMMUNICATIONS
7. SICK OR DISTRESSED
8. UNFINISHED BUSINESS
9. NEW BUSINESS
- 10.GOOD OF THE ORDER
- 11.ADJOURNMENT

## **ARTICLE V**

### **RESIGNATIONS**

Section 1. All officers of the Lodge except treasurer, secretary and trustees, shall have the privilege of resigning at any time providing no charges concerning Lodge activities exist against them. The Treasurer, Secretary and Trustees shall present their resignations in writing one meeting previous to their being acted upon, and if the Trustees reports their accounts correct, their resignations will be accepted, provided no charges exist against them.

Section 2. Any elective officer may be impeached for the infringement of the provisions of the Constitution or By-Laws or Oath of Office; all charges shall be referred to a committee of five (5). It shall require a majority vote of all members present to order the trial of an officer or charge preferred. The verdict shall stand, unless appealed to, and

reversed by either the State Lodge or the Grand Lodge. Any member preferring charges against another member or officer for the purpose of maliciously or otherwise injuring such member or officer shall be liable to fine or suspension. The trial committee of five (5) shall be elected by ballot and all charges shall be made in writing and proper notice given the accused. Any violation of the constitution or By-Laws of the Lodge, or exposing any of the secrets of the Lodge, shall be sufficient grounds for suspension.