

FRATERNAL ORDER of POLICE

*Lodge #7
Hutchinson, Kansas*

CONSTITUTION & BY-LAWS OF THE FRATERNAL ORDER OF POLICE HUTCHINSON, KS LODGE #7

**FOP Lodge #7
210 West 1st
Hutchinson, KS 67501
(620) 694-2834**

Chad Steele Pres.

Bryan Rodriguez Sec.

Article I. NAME

This organization shall be known as "HUTCHINSON KANSAS LODGE #7, FRATERNAL ORDER OF POLICE," hereafter referred to as "the LODGE." This lodge is affiliated with the Kansas State Lodge of the Fraternal Order of Police.

Article II. PURPOSE

The lodge is formed for the following purposes:

Section 1

To better the working conditions of police officers.

Section 2

To achieve a memorandum of agreement between the City of Hutchinson and the "bargaining unit." This lodge is recognized as the bargaining agent for the bargaining unit, which consists of all commissioned employees of the Hutchinson Police Department and excluding those holding positions of lieutenant and above.

Section 3

To promote charitable deeds within the community.

Section 4

To bring to the attention of the legislative bodies of the city, county and state their need for new and/or better laws and ordinances for the betterment of law enforcement, law enforcement officers and the community.

Section 5

To participate, through delegates, in the functions of the Kansas State Lodge and to assist other lodges as deemed appropriate by the membership.

Section 6

To provide recreational and social activities for its members. The promotion of these activities should create an environment of positive interaction between its members.

Section 7

To support and provide representation to members who have valid grievances against the City of Hutchinson.

Article III. CHARACTER

Section 1

The lodge shall not be controlled, directly or indirectly, by any labor union, congress, federation, committee or similar organization by whatever name known. However, this section shall not prohibit cooperative efforts by the lodge with labor organizations for the common good.

Section 2

The 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 IV. MEMBERSHIP

Section 1

Any regularly appointed and full-time Law Enforcement Officer in the employment of the City of Hutchinson Police Department shall be eligible for membership as an active member of this lodge. No person shall be denied membership on the account of race, creed or sex.

Section 2

The term, "regularly appointed Law Enforcement Officer," shall include regular Law Enforcement Officers here-to-fore and hereafter retired from active duty in the service of the said City of Hutchinson. The term, "full-time employed," shall mean Law Enforcement Officers who are engaged in such employment as their principal source of livelihood.

Section 3

There shall be three classes of membership: ACTIVE, HONORARY and ASSOCIATE.

- A)** The active membership shall be comprised of regularly appointed Law Enforcement Officers of the City of Hutchinson Police Department.
- B)** The Honorary memberships shall be comprised of the retired regularly appointed Law Enforcement Officers who withdrew from active membership after retirement.
 - 1)** Honorary membership shall be comprised of the following:
 - a)** Active members who retire from the Hutchinson Police Department after 20 years of service shall be granted an honorary membership within the local lodge and shall not be subject to lodge dues.
 - b)** Active members who receive medical retirement and at the time of this retirement are a member in good standing shall be granted an honorary membership within the local lodge and will not be subject to dues.
 - c)** All honorary members may have a voice and a vote in the matters of the lodge with the exception of labor related matters (e.g. contract negotiations, etc...). No honorary member maybe elected as an officer of the lodge; however, they may serve on committees (with the exception of the negotiations committee).
 - d)** Any honorary member wishing to retain National status may do so upon paying the prescribed yearly National and State per capita tax to the Secretary of the Lodge.
- C)** Associate members shall consist of such person(s) who have performed some particular service for the Lodge or have in someway done some conspicuous thing for Law Enforcement. Such person(s), upon motion of any member in good standing may be elected to membership in the association by vote in a regular meeting.

Article V. APPLICATION FOR MEMBERSHIP

Section 1

All applicants for active or associate membership shall make their wish known to any member in good standing. That member shall then make a motion for membership, on the applicants behalf at a regular meeting and they shall then be balloted upon for membership.

Section 2

A majority vote of those present at the meeting shall be sufficient for the acceptance of a new member. If there are no objections, the applicant may be initiated at the same meeting.

Article VI. DUES AND ASSESSMENTS

The dues of this lodge shall be \$40.00 per month payable in advance to the treasurer of the lodge. The amount of \$40.00 includes enrollment into the FOP legal defense plan. Any member who is delinquent in their dues for 60 days shall forfeit all rights, privileges, and benefits accorded to members in good standing of this lodge and after 90 days shall be dropped without notice. After April 1, 1986, anyone dropped or resigning shall only be reinstated after paying a re-entry fee of the past month's due, with the maximum of thirty dollars, and being voted on at a regular meeting as provided for new members.

Article VII. OFFICERS

Section 1

The officers of the Lodge shall consist of:

- A) President
- B) Vice-President
- C) Secretary
- D) Treasurer
- E) Trustee
- F) Trustee
- G) Trustee
- H) Guard
- I) State Trustee

Section 2

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

Section 3

The term of office will be for a period of two years, with two trustees elected in the even years and one trustee elected in the odd years.

Section 4

Newly elected officers shall be installed at the January meeting of each election year. Officers absent shall be installed at the February meeting. Should an officer-elect be absent for both meetings, that office shall be declared vacant and a successor elected in regular form.

Section 5

Any member in good standing who has attended and/or been excused as described in Article X sec.4 from six or more meetings in the calendar year shall be eligible as a candidate for any office, or as a delegate to any State or National Convention.

Section 6

By virtue of their office, the State Trustee and the Secretary shall be delegates to the state conference. The State trustee shall be the delegate to the Biennial Conference of the Grand Lodge. In the event one or both are unable to fulfill their duties and attend, the President shall have the authority to appoint an alternate representative(s).

Article VIII. DUTIES OF OFFICERS

Section 1

A. President

The president shall be the chief executive of the lodge. S/he shall preside at the meetings and at meetings of the board of directors. S/he shall have general management of the business of the lodge and shall see that all orders and resolutions of the board of directors are carried into effect. S/he shall execute any and all contracts that may be authorized by the board of directors. S/he shall be an ex-officio member of all standing committees. S/he shall have the power, with the advice and consent of the board of directors to appoint a majority of all committees and to inquire into any affair or matter affecting or concerning the lodge. S/he shall call special meetings of the board of directors or the lodge membership when he deems it necessary, on request of the board or by request of at least ten members. S/he shall cause notice of such meetings to be posted at least 48 hrs in advance of said meetings. S/he shall, at the request of the board of trustees, submit a full and complete report, in writing; of all official business transacted by him, for the time periods specified by the board of trustees, together with such recommendations as he may deem advisable. S/he shall convey to his successor all unfinished business of the lodge. Together with the Treasurer, the President shall attest to all warrants and vouchers for disbursement from any fund of the lodge which do not relate to the administrative responsibility of the secretary. S/he shall not succeed himself in office. S/he shall not take an active part in debate without the consent of the majority of the members present. S/he shall appoint a chaplain to serve at his leisure.

B. Vice-President

The vice-president shall appoint the minority members of committees and in the absence of the president fulfill the duties of that office.

C. Secretary

The secretary shall have custody and responsibility of books, records, documents, the seal of the

lodge office paraphernalia and equipment under the general authority and orders of the president and the board of directors. S/he shall take a record and transcribe minutes of the meetings and shall submit the same for approval or rejection at the next succeeding meeting. S/he shall make and maintain a complete and itemized inventory of all property owned by the lodge. S/he shall conduct the general correspondence of the lodge. S/he shall, along with the treasurer, attest to all warrants and vouchers for disbursement of funds relating only to the administrative responsibility of the secretary. S/he shall attest, under the seal of the lodge all duly authorized contracts of the lodge. S/he shall be the official custodian of the constitution and by-laws of the lodge which shall be authenticated by the seal of the lodge and the signatures of the president and secretary. S/he shall furnish surety bond for the faithful performance of duty in such amount as shall be specified by the board of directors. At the expiration of his or her term of office and within thirty days thereafter, the secretary shall deliver to his or her successor the official seal of the lodge and all books, documents, records, paraphernalia and equipment in his or her possession. S/he shall require and receive a receipt thereof. S/he shall not release names and addresses of the members without the consent of the membership.

D. Treasurer

The treasurer shall be the custodian of the funds of the lodge. S/he shall furnish a surety bond in the amount specified by the board of directors. S/he shall, together with the president, attend to all warrants and vouchers for disbursement from any fund of the lodge which does not relate to the administrative responsibility of the secretary. S/he shall keep an itemized record of all receipts and disbursements. S/he shall set up special accounts for special funds and allocate to each respectively, the amounts allocated or collected therefore. S/he shall deposit all funds collected in a bank(or banks) approved by the board except that s/he shall retain a contingency fund of not more than \$50.00 for the purpose of paying emergency current expenses. Upon order of the membership, s/he shall invest surplus funds in bonds, notes or C.D.'s, whichever pays the highest rates. S/he shall, at the May and November meetings of each year, give to the Board of Trustees a correct account of all moneys in his possession, together with the books, papers and receipts belonging to the office. S/he shall, at any time when ordered by the president, shall deliver all moneys, books, papers and receipts to the secretary and trustees. S/he shall, at the expiration of his or her term of office and within thirty days thereafter, deliver to his or her successor all moneys, record books, documents, records, paraphernalia and equipment in his or her possession and shall require and receive a receipt thereof.

E. Trustees

The trustees, known as the board of trustees, shall have audit and internal investigation duties as described in Article IX, Section 2.

F. State Trustee

The state trustee is the state lodge officer. When approved by the body of the lodge, s/he will attend state board meetings, the state conference, and the biennial conference of the grand lodge. S/he shall issue a report to the state lodge. S/he shall issue reports to the lodge no later than thirty days after his return from state and national functions.

G. Guard

The guard shall have charge and control of the lodge meeting place. S/he shall permit only qualified persons to enter or remain at the meeting. S/he shall examine all cards and take up the password as necessary. Whenever an issue arises in which a general ballot is used, the guard, with the assistance of the secretary, shall have charge of the issuing and counting of said ballot.

Article IX. BOARDS AND COMMITTEES

Section 1 Board of Directors

The board of directors shall be composed of the president, the immediate past president, vice president, secretary, treasurer, the state trustee, and all three lodge trustees. In the event the immediate past president is deceased or otherwise incapable of service; the next junior past president shall assume his position as a member of the board. The board shall have and exercise all administrative powers of the lodge. The board shall meet at least twice a year to discuss matters for the good of the lodge and shall make reports to the lodge at regular meetings as to their findings and recommendations. They shall be authorized to carry on all special business of the lodge between meetings and may call special meetings if they think it is necessary for the good of the lodge. Any disbursement of funds not voted on by the body in a duly constituted lodge meeting, and needing to be resolved before the next meeting must be approved by a majority vote by the executive board, after attempting to make contact with all members of the board. The limit of this spending is \$500.00 per month. This does not include the Treasurer spending up to \$50.00 for flowers for each funeral. The board shall hear grievances 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 recommendations to the lodge at the next regular meeting providing at least three weeks have passed.

Section 2 Board of Trustees

The board of trustees shall recommend to the board of directors the amount of bond to be required of the secretary and treasurer for the faithful performance of their duties. They shall conduct a bi-annual audit of all funds, financial books, records and physical property of the lodge and make report thereupon to the membership. They shall ascertain that all moneys received have been allocated to the credit of the proper funds and so deposited in the name and to the credit of the lodge. They shall recommend administrative action to the board of directors after audits. They shall be responsible for achieving a memorandum of agreement with the city for the bargaining unit.

Section 3 Standing Committees, generally

Standing committees shall be appointed at the first meeting of each year by the incoming officers in the manner provided and shall serve throughout the year or until relieved by the president. The number of persons on each committee shall be determined by the lodge.

Section 4 Sick Committee

The sick committee shall visit any member who is off duty more than one week because of sickness or injury and shall report to the lodge on their welfare. They shall have authority to send flowers or other tokens of goodwill or respect to sick members, or to the families of those who have passed away.

Section 5 Press Committee

The press committee shall consist of the president, vice president and secretary. They shall release all publicity concerning the lodge. No individual member shall be authorized to publish any information concerning the lodge.

Section 6 Special Committees

Unless otherwise provided for, special committees shall be appointed in the regular manner as the need arises for the body to perform particular duties outside of the province of the standing committees. They shall be dissolved upon the completion of the duties assigned to them.

Section 7 Land Management Committee

They shall be the caretakers of the land owned by the lodge, known as "Jean Adams Memorial Park". They shall organize and inform the membership of tasks to be done for the improvement of the park.

Article X. MEETINGS

Section 1 Regular Meetings

Regular meetings of the lodge shall be held on the 2nd Thursday of each month, at a time and place designated by the lodge. In order to conduct business, a quorum will consist of at least 10 members of the lodge.

Section 2 Special Meetings

The president of the lodge shall call a special meeting when s/he deems it necessary, at the written request of the board of directors, or at the request of any 10 members of the membership. The reasons for a special meeting shall be specified in the notice calling the meeting and no business shall be transacted except for the reason that the meeting was called.

Section 3 Procedure

All meetings shall be conducted according to the rules laid down in "Roberts Rules of Order".

Section 4 Attendance

Any member unable to attend a meeting because of Hutchinson Police Department duties or Lodge 7 duties, may, within a reasonable amount of time notify the President who will consult with the secretary. If the request is valid and approved by both the president and secretary, then the member will be added to the roll of that meeting.

Article XI. RIGHTS, BENEFITS AND PRIVILEGES OF MEMBERS

Section 1

All active and honorary members of this lodge in good standing shall be entitled, except as provided in Article IV. Section 3, to the following rights, benefits and privileges:

- A) To attend all regular and special meetings and to take part in all discussions and debates concerning the business and welfare of the lodge.
- B) To vote upon applications for membership, reinstatement and upon any question coming regularly before the lodge.
- C) Members facing legal action or departmental discipline resulting from the performance of their duty or by virtue of their public office, that have elected to not participate in the lodge sponsored legal plan, shall receive, at their request, representation by the lodge trustees in those matters.
- D) Upon death of any member who is serving on the regular payroll of the police department, the designated beneficiary of the member shall be entitled to the payment of the death benefit insurance fund of the lodge.
- E) Provided, members of the lodge who are retired from service and are on the police pension retirement payroll, shall be entitled to participate in the above mentioned benefits by payment of specified dues.

Section 2

Any member of the lodge, who shall be discharged from the police department, shall remain a member in good standing until all appeals regarding the dismissal are exhausted. Upon such exhaustion, the member will cease to be a member of the lodge and shall no longer participate in any rights or benefits.

Section 3

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 shall make such investigation as they deem necessary and shall make a recommendation to the lodge as to the action to be taken on such question.

Article XII. VIOLATIONS, GRIEVANCES, INVESTIGATIONS AND TRIAL OF MEMBERS

Section 1

Any member having a grievance against any other member, not including an elected officer, may file a written complaint with the board stating in his complaint the violation of the constitution or by-laws by the member so charged.

Section 2

Any member having a grievance against an elected officer may make a motion at a regular meeting or at a special meeting called for that purpose, for an investigation of the grievance. A majority vote of members present shall be required to order an investigation.

Section 3

Grievances against a member, excluding elected officers, shall be investigated by the board or by a designated member of the board. The investigation may include a hearing or trial before the board.

Section 4

Grievances against an elected officer shall be investigated, after a vote requiring such investigation by an elected committee of five. If five members cannot be elected, the highest member of the board not involved in the grievance shall appoint as many members as needed to fill a committee of five. The committee shall report to the membership its finding at the next meeting. The investigation may include a hearing or trial before the committee.

Section 5

All investigations shall be completed before the next regular meeting, providing that at least three weeks have passed.

Section 6

The member accused shall be notified, with a written copy of the complaint, within 48 hours, unless said member is unreachable within that time.

Section 7

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.

Article XIII. FINES, SUSPENSIONS, IMPEACHMENT

Section 1

Any member, except elected officers, found guilty of a grievance maybe fined not more than \$100.00, or suspended from the lodge for not more than five years, or both.

Section 2

Any elected officer found guilty of a grievance may be impeached from office and suspended from the lodge for a period of not more than five years.