

FRATERNAL ORDER OF POLICE  
LODGE 37



CONSTITUTION AND BYLAWS

APPROVED AT THE 29<sup>th</sup> ANNUAL  
STATE CONFERENCE  
June 14<sup>th</sup>, 2003  
HUTCHINSON, KANSAS

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# PREAMBLE

We the LAW ENFORCEMENT OFFICERS of the UNIVERSITY OF KANSAS POLICE DEPARTMENT, KANSAS CITY CAMPUS, do hereby associate together for the following purpose:

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 Law Enforcement 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 members and the people we serve;

To increase the efficiency of the law enforcement profession and thus more firmly to establish the confidence of the public in the service dedicated to the protection of life and property.

Wherever in these Constitution and Bylaws, "man" or "men" or related pronouns appear, either as words or parts of words, other than with obvious reference to named male individuals, they have been used for literary purposes and are meant for their generic sense, to include all humankind, both female and male gender.

# CONSTITUTION

## ARTICLE 1

### Organizational Name

This organization shall be known as the University of Kansas, Kansas City Campus, Lodge Number thirty-seven (37) of the Fraternal Order of Police.

The local right to authorize control, and restrict the use of the name and insignia of the Lodge shall lie exclusively with the Executive Board.

## ARTICLE 2

### Definitions

#### Collective Bargaining Unit

Shall be defined as a standing committee, organized for the purpose of representing all University Police Officers and University Police corporals on the Kansas City Campus; in all matters pertaining to labor relations. The authority of this standing committee lies in Case Number 75-UDC-3-1991. For brevity in these articles it may be referred to as the CBU.

#### Executive Board

Shall be defined as the offices of; President, Immediate Past President, Vice President, Secretary, Treasurer, Guard (Sgt. At Arms), within the Fraternal Order of Police Lodge 37.

#### Full Time Employee

Shall be defined as Law Enforcement Officers that are engaged in such employment as their full time occupation.

#### Member In Good Standing

Shall be defined as a member who has paid all dues and assessments due this lodge. A member in good standing may be a full time employee or a retired employee.

#### Negotiation Team

Shall be defined as a group of five persons who have been elected by a majority vote of the members of the CBU, and shall handle the negotiations between the unit and the Appointing Authority. The term or the negotiation team shall be for the duration of the negotiation process. Members may serve multiple and/or consecutive terms.

#### Officer

Shall be defined as any person that holds commissioned law enforcement status regardless of the actual rank held.

#### University of Kansas Police Department

Shall be defined as the police authority located at the University of Kansas Medical Center located in Kansas City Kansas, and does not refer to persons that are affiliated with the Lawrence Lodge #2 of the Fraternal Order of Police, whose bylaws govern that lodge.

# ARTICLE 3

## CHARACTER

- Section (1)** The Fraternal Order of Police is an organization consisting of Law Enforcement Officers, meaning full-time or retired officers from the University of Kansas Police Department or other metropolitan law enforcement officers whose department does not have a lodge of it's own.
- Section (2)** The Fraternal Order of Police is strictly non-secretarian and shall not be controlled directly or indirectly by any labor union congress, federation, or committee of like nature or similar organization by whatever name known.
- Section (3)** 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 of other Lodges to do likewise. The penalty for such action by any member shall be immediate expulsion from the Fraternal Order.
- Section (4)** This constitution shall be the fundamental law of this Order, together with the Bylaws enacted in conformance within and the rituals adopted at the national Fraternal Order of Police level and the National lodge and conferences shall govern the conduct of this lodge.
- Section (5)** Proposed amendments to this Constitution shall be submitted in writing to the Secretary of the lodge, who shall refer said proposed amendments(s) to the Constitution and Bylaws committee, who shall act upon the proposed amendment and submit it to the lodge where it shall be read at three separate meetings and voted on by the members present after the third meeting. A two-thirds majority of the members present shall be required for acceptance or adoption of any proposed amendment(s). Upon adoption, the proposed amendment shall become part of this Constitution.
- Section (6)** Amendments to the Constitution must be kept on file until the next State Conference where the State Lodge Bylaws Committee must also approve the amendment(s). This shall be done to assure there is no conflict with the State or National Bylaws.

# ARTICLE 4

## MEMBERSHIP

**Section (1)** There shall be two types of membership known as Active membership and Associate membership.

Active membership shall be comprised of regularly appointed and retired officers.

Associate membership shall be comprised of such persons who may not be eligible as active members of the lodge, but desire to be associated with the lodge to assist in forwarding the aims of the organization.

**Section (2)** All applications for active membership shall meet the requirements set forth below and shall be submitted to the lodge secretary in writing. Application(s) shall be read at two separate regular lodge meetings and shall then be balloted for membership.

All written applications for membership shall contain the applicants name, date of birth, one address and telephone number.

The initiation fee shall accompany each application for membership.

A majority vote of the members present is required for either acceptance or rejection of the application.

Any applicant for membership who has been duly voted on by the lodge and rejected, shall have the initiation fee and first months dues refunded, at the earliest possible date. Said applicant shall then not be eligible to re-apply for a period of 1 year.

**Section (3)** Active members in good standing shall be eligible as a candidate for office of the lodge or as a delegate to represent the lodge at a State, Bi-State, or National business meeting or Convention.

**Section (4)** Any member in good standing who resigns from the University of Kansas Police Department and takes employment with another law enforcement agency, may apply to transfer membership to another lodge.

**Section (5)** Active members who are dismissed from the police service on administrative or criminal charges which are subsequently sustained in legal proceedings, or who do not contest the decision of the dismissing authority, automatically forfeit their membership with the lodge, and shall no longer participate or have any rights or benefits with the lodge. The lodge secretary will notify any members dismissed, in writing of this action with a copy sent to the state lodge secretary.

**Section (6)** All members of this lodge shall conduct themselves at all times whether on or off duty, in a manner that will not bring discredit upon this lodge or the University of Kansas Police Department. Any business having to do with this lodge shall not be discussed openly or in the presence of any other person not a member. All members of the lodge shall abide by these rules.

# ARTICLE 5

## WAYS AND MEANS

- Section (1)** The lodge shall be empowered to levy an initiation fee and a monthly dues assessment.
- Section (2)** The lodge shall levy a one time initiation fee of \$10.00 (ten dollars) for each new member.
- Section (3)** The monthly dues of this lodge shall be payable in advance, to the Secretary / Treasurer of the lodge. For KUPD employees this will normally be done through payroll deduction. If another form of payment is selected, it must be approved by the Executive Board.
- Section (4)** Any member of the lodge that is "Retired" from KUPD shall pay a dues assessment in the amount that is currently required by the National and State Lodges for Per Capita Tax. This amount shall be rounded up to the next ten (10) dollar increment.
- Section (5)** The monthly dues shall be allocated and designated by the Executive Board of the lodge.
- Section (6)** Any member delinquent in payment of dues for a period of sixty (60) days shall forfeit all rights, privileges, and benefits afforded to members in good standing with the lodge. Any member delinquent in payment of dues for a period of ninety (90) days shall be released from the lodge. The Secretary will notify the member in writing of this situation and report the action and the members response at the next regular meeting.
- Section (7)** Any member delinquent or suspended may be reinstated and restored to good standing by payment of all amounts due and in addition, the payment of dues for the entire remainder of the current year in which the delinquency occurred.
- Section (8)** The following expense accounts shall not exceed the sum of three hundred (300) dollars:
- |    |                                |
|----|--------------------------------|
| A. | Benevolence                    |
| B. | Travel                         |
| C. | Speakers / Meetings / Seminars |
- Section (9)** No appropriation shall exceed the sum of one hundred (100) dollars without first being read and approved at a regular meeting. A simple majority vote of the members present shall be sufficient to approve or disapprove the appropriation.
- Section (10)** In cases of emergency, the Executive Board is empowered to take exception to Section 9. When this is done, a report by the President will be made to the membership at the next regularly scheduled meeting.

# ARTICLE 5

## WAYS AND MEANS (CONTINUED)

**Section (11)** No active member is automatically exempt from the payment of the monthly dues assessment. Exemptions may be considered for the following reasons or circumstances:

- A. The member is under a hardship
- B. The member is suspended, or has been terminated, and is actively seeking reversal through the appeal process.

**Section (12)** The State Trustee and any other delegates voted to attend the business meetings on the State level shall be allowed expenses in an amount not to exceed the sum of one hundred (100) dollars per person. National level meetings and Conferences normally involve travel and are historically expensive. These situations will be handled on a case by case basis.

**Section (13)** Expenditures for matters of benevolence shall not exceed the sum of fifty (50) dollars for KUPD employees and their families, and twenty-five (25) dollars for Non-KUPD employees and their families. The Executive Board shall have the authority to make exceptions to this section. When this is done, a report shall be submitted by the President.

**Section (14)** Expenditures for matters of benevolence shall be governed and / or authorized by the President, Treasurer, and Chaplain. The Chaplain will be responsible for handling matters of benevolence unless unable to do so, at that time another member of the Executive Board may do so.

**Section (15)** Expenditures for matters of benevolence shall be limited to active, or associate members.

# ARTICLE 6

## MEETINGS

- Section (1)** This lodge shall hold one regular meeting on a “bi-monthly” basis (every 2 months) unless special or emergency meetings are called necessary by the President or Vice President. The specific day shall not be set. It shall be fluid, within the days of that calendar month due to the size of the lodge and the desire to make the date and time available to as many members as possible.
- Section (2)** For the transaction of any business at a regular or special meeting of this lodge, there shall be required a minimum of four (4) members in good standing present, which shall constitute a quorum.
- Section (3)** Special meetings of the lodge shall be called by the President of the lodge, or upon written request of the Executive Board, or any six members in good standing of the lodge. The reason for the special meeting shall be any circumstance that the Executive Board deems necessary or any other urgent or emergency situation.
- A. Notice shall be given in writing to all members of the lodge.
  - B. Minutes of the special meeting shall be read at the next regular meeting of the lodge.
- Section (4)** Except as provided in the Constitution and Bylaws, Roberts Rules of Order shall govern the conduct and deliberations of the meetings of this lodge.
- Section (5)** Unless otherwise voted on and passed, the order of business at all regular meetings shall be as follows:
1. Call to order
  2. Reading and approval of the minutes from last meeting
  3. Reading of new membership applications and voting
  4. Treasurers report
  5. Committee reports
  6. Elections
  7. Members Sick / Distress
  8. Good of the Order
  9. Adjournment

# ARTICLE 7

## LODGE OFFICES AND ELECTIONS

**Section (1)** The Executive Board of this lodge shall be comprised of the following offices; President, Immediate Past President, Vice President, Secretary, Treasurer, and Sgt At Arms

**Section (2)** The duties and responsibilities of each lodge officer shall be as follows:

- A The President is the Chief Executive Officer of the Lodge and shall preside at all meetings and shall preserve order and decorum. He / She shall carefully supervise the affairs of the lodge and its labor for usefulness and efficiency, filling all vacancies in the Order caused by death or resignation unless provided for by appointment. He / She shall sign all official documents of the lodge and shall perform all other business of the lodge which by custom pertains to the office and shall maintain strict compliance with the Constitution and Bylaws of the lodge at all times.
  
- B The Vice President shall function as the President in his/her absence. The Vice President shall appoint members to committees and will normally serve as the State Trustee.
  
- C The Secretary shall keep a correct record of the membership roll and of all minutes and transactions of each meeting of the lodge. He / She shall attest all money orders on the Treasurer and record the same in a book known as the book of records. He / She shall sign the monthly Treasurers report as required by the bonding agency. The minutes of each meeting shall be entered in the book of records and before a meeting, the minutes shall be read by the membership for approval at the subsequent meeting. The Secretary shall keep contact with the Secretary of the Kansas State Lodge, and also the Secretary of the National Lodge regarding updates on meetings, notification of office changes, and membership status changes. At the expiration of his / her term in office the Secretary will give a correct report of the business of their office and turn over all property and records and books to the successor.
  
- D The Treasurer shall receive and take charge of all monies belonging to the lodge. He / She shall keep an accurate record of all monies received and expended, crediting special funds with such sums as are accrued and reported to the lodge at the first regular meeting of each month. At the end of June each year, he/she shall give the Auditing committee a correct accounting of all monies in his possession or control, together with the books, papers, and receipts to the Secretary. At the expiration of his/her term his successor is to receive all office books, records, monies, and other property belonging to the lodge.
  
- E The Sergeant At Arms shall assist the President in maintaining calm and decorum at all meetings of the lodge. He / She will examine all membership cards and obtain the current password from each member attending the meeting to remain in the meeting. The results will be reported to the President. He / She will conduct candidates through the initiation ceremony from the ritual book and introduce them to the members of the lodge.

# ARTICLE 7

## LODGE OFFICES AND ELECTIONS (CONT.)

- Section (3)** After the installation of Officers at each term, the President, Secretary, and Treasurer shall determine the correct amount of monies in the bank account to the credit of the lodge. The Treasurer shall give bond to the lodge to be designated at the discretion of the Executive Board, said bond fee to be paid by the lodge.
- Section (4)** All lodge officers shall be elected by ballot. Only members in good standing shall be entitled to vote in any election of this lodge. The officers of this lodge shall be nominated at one time each year. Each elected lodge officer will be expected to perform the duties outlined in Section 2 of this Article for their respective office.
- Section (5)** The President will appoint an Election Committee for the purpose of preparing, administering, and tabulating the ballots during the election that is held. After elections are complete, the ballots are to be kept for a period of ninety (90) days and then shall be destroyed.
- Section (6)** The Election Agenda will be inserted in the regular order of business with the following items:
- A Nominations at the first meeting
  - B Candidate speeches and voting at the next meeting
  - C Installation of New Officers at the next meeting
- Section (7)** All officers of the lodge except the Secretary and Treasurer shall have the privilege of resigning prior to the end of their elected term, providing no charge concerning lodge activities exists against them. The Secretary and Treasurer shall present their resignations in writing, one meeting previous to their being acted upon, and if the Auditing Committee reports their accounts correct, their resignation will be accepted.
- Section (8)** Any elected officer may be impeached for infringement of provisions of the Constitution or Bylaws; all charges shall be referred to a committee made up of three (3) other members in good standing. It shall require a simple majority vote to order the trial of the accused on a charge preferred. The verdict shall stand unless appealed to and reversed by the Kansas State Lodge. Any member preferring charges against another member for the purpose of maliciously or otherwise injuring another member shall be liable for fine and / or suspension. The trial committee shall be elected by ballot and all charges that come before the committee shall be in writing. Proper notice shall be given to the accused and the membership. Any violation of the Constitution or Bylaws of the lodge or exposing any secrets of the lodge shall be sufficient grounds for suspension.
- Section (9)** Reserved for future use

# ARTICLE 8

## COMMITTEES

**Section (1)** Standing committees shall be appointed at the first meeting of each year by the incoming President. He will name the committee and a chair person and the Vice President will name members to the committee upon recommendations from the individual committee chairs. The chair person of each committee shall serve at the pleasure of the President and will normally serve from January through December. The number of persons on each committee shall be determined by the chair person of each committee.

**Section (2)** The following committees will be standing committees within the lodge:

- A     Auditing Committee  
This committee consists of the members of the Executive Board and also from the membership. The purpose is to assure that the books, records, and monies of the lodge are in order.
- B     Benevolence Committee  
This committee consists of persons from the general membership. The purpose is to seek appropriations for worthy causes.
- C     Constitution and Bylaws Committee  
This committee consists of persons from the general membership. The purpose is to review all proposed amendments to the Constitution and Bylaws that are submitted to assure no conflicts exist between the proposals submitted and the National or State Bylaws.
- D     Grievance Committee  
This committee consists of the members of the Executive Board. The purpose is to accept, review, and act on grievances that are submitted. The Grievance Procedure for this lodge is outlined in Section 3 of this Article.
- E     Legislative Committee  
This committee consists of persons from the general membership. The purpose is to keep the membership informed of Legislation that is proposed or enacted that concerns the lodge or law enforcement in general.
- F     Press Committee  
This committee consists of the members of the Executive Board. The purpose is to make releases concerning lodge business to media sources. The President shall be advised of all releases that are made to any media source. This section should **not** be construed as a permission to speak clause.
- G     Research, Actions, and Oversight Committee  
This committee consists of persons from the general membership. The purpose is to research and review proposals or suggestions that are received from the Secretary or other member of the lodge. The committee shall make a written response to the individual member that submitted the proposal or suggestion.

# ARTICLE 8

## COMMITTEES (Cont.)

- H Ways and Means Committee  
This committee consists of persons from the general membership. The purpose is to identify and develop projects that will enhance or benefit the lodge.

**Section (3)** Any Grievances filed against any member of this lodge shall follow the procedure listed in this section:

- A Any member in good standing may file a grievance.
- B All grievances filed must be in writing
- C All grievances must state the violation of Constitution and Bylaws Article and Section.
- D Any grievance may be delivered to any member of the Executive Board.
- E The Executive Board member receiving the grievance shall notify the other members of the Board and advise them that a grievance has been filed.
- F The Executive Board will meet and review the grievance. The President will direct the Secretary to issue a letter to the accused member(s) along with a copy of the grievance.
- G The Executive Board will submit a report to the membership along with a recommendation, at the next regular meeting or a special meeting if warranted.
- H The accused member(s) shall have the opportunity to respond to the grievance either in writing, before the membership, or both.
- I The recommendation of the Executive Board is not binding on the membership of the lodge.
- J This grievance procedure is to be used only for matters within the lodge. It does not replace or amend the grievance procedure that is outlined and exists in the Memorandum or Agreement. Further more, a member is not allowed to select which procedure they will follow. The nature of the grievance will be the determining factor.

**Section (4)** Reserved For Future Use

# ARTICLE 9

## BENEFITS, RIGHTS, AND PRIVILEGES

- Section (1)** The lodge expects all members to take an active part in the business and welfare of the lodge. Attendance at regular and special meetings is encouraged and recommended.
- Section (2)** All members of the lodge in good standing are eligible to attend any event, meeting, or conference that involves the Fraternal Order of Police. Delegates chosen for these events shall be voted on at a regular or special meeting of the lodge.
- Section (3)** All members of the lodge in good standing are eligible for any insurance programs that the lodge may offer.
- Section (4)** All members of the lodge in good standing are eligible to be nominated and voted into any office that is vacant.
- Section (5)** Any member of the lodge that shall take a temporary leave of absence, or for reasons of economy is laid off, shall be given a withdrawal letter and shall not participate in any of the activities or benefits while separated.
- Section (6)** Any member of the lodge who shall resign from KUPD, may apply for a withdrawal letter subject to the approval of the Executive Board.
- Section (7)** Any question arising as to the eligibility for participation and benefit under this article shall be referred to the Executive Board for resolution.
- Section (8)** Rituals used by this lodge will be taken from the Ritual Handbook of the Grand Lodge of the Fraternal Order of Police.
- Section (9)** Legal Aid to the membership of the lodge shall be provided within the following guidelines:
- A The member requesting / needing aid must be in good standing with the lodge.
  - B Legal Aid shall only be given to assist in the payment of legal fees and debts incurred by the member.
  - C All requests must be in writing and there shall be no limit to the number of requests.
  - D Legal Aid shall only be given for duty / job related matters. Exceptions may be considered by the membership and granted after a 2/3 majority vote of the lodge membership.
  - E Legal Aid shall be in the form of either an endowment or a loan. The specific type will be declared at the time of disbursement.

# ARTICLE 9

## BENEFITS, RIGHTS, AND PRIVILEGES (Cont.)

- F Requests for Legal Aid may be approved up to a sum of one thousand (1000) dollars, per member, per request. All disbursements must be approved by a 2/3 majority vote of the lodge membership.
- G Only members of the lodge are entitled to request Legal Aid. Membership in the Collective Bargaining Unit does not automatically grant membership in the lodge.
- H Benefits under a lodge provided Legal Aid Plan supercede items D, E, F, and G of this section.

# ARTICLE 10

## State Trustee Position

- Section 1** The state trustee for lodge #37, shall be an active member of the lodge in good standing.
- Section 2** The state trustee shall be elected by a majority vote of those members present at a regular business meeting at least one(1) month prior to the annual state lodge conference in every even numbered year.
- Section 3** The state trustee shall serve for a two (2) year term. The state trustee may succeed his or herself in office
- Section 4** The state trustee shall attend and represent Lodge #37, at all regularly scheduled meetings at the Kansas State Lodge.

If the state trustee cannot attend a meeting for an excused reason, the President or his designee shall attend in his/her place.

# ARTICLE 11

## COLLECTIVE BARGAINING UNIT

- Section (1)** On September 12<sup>th</sup>, 1991; the Fraternal Order of Police Lodge Number Thirty Seven (37) University of Kansas, Kansas City Campus, was certified as a collective Bargaining Unit (CBU) intended to represent the positions of University Police Officer and University Police Corporal. The case number for that action is 75-UDC-3-1991.
- Section (2)** All Memorandums of Agreement or Understanding, and other actions carried out by the mediators and officers of the CBU will be approved by the membership of the CBU with a fifty (50) + one (1) vote.
- Section (3)** A group of five (5) members will exist and be referred to as the Negotiation Team.
- Section (4)** The CBU shall have the staff positions of Union Representative, Business Agent, First Steward, Second Steward, and Secretary.
- Section (5)** The duties of the staff positions are as follows:
- A The Union Representative shall govern all committee meetings and all meetings of the CBU. He / She may call special meetings of the CBU or the Negotiation Team. Unless otherwise elected, this staff position will be filled by the President of Lodge Thirty Seven (37).
  - B The Business Agent shall act in the same capacity as the Union Representative in the event that the Union Representative is absent.
  - C The First and Second Stewards shall be liaisons with the CBU Attorney and be the CBU enforcer of all contracts held by the CBU. They shall take all grievances from members of the CBU and act on them accordingly. The grievances used here refers to resolution within the Memorandum of Agreement.
  - D The Secretary shall record all meetings and make all correspondence for the CBU. He / She shall also be the Third Steward and assume the duties and responsibilities of the First and Second Stewards.
- Section (6)** Voting shall be done by secret ballot and only members in good standing are entitled to do so.
- Section (7)** Any Memorandums of Agreement shall be read or made available to non-members of the CBU prior to implementation. Non-members may object to part or all of the agreement in writing to the CBU. The objection(s) will be considered under review with no guarantee of action taken.

# ARTICLE 11

## COLLECTIVE BARGAINING UNIT (Cont.)

- Section (8)** Any person employed after September 12<sup>th</sup>, 1991 by the University of Kansas Police Department, Kansas City Campus as a University of Kansas Police Officer or Corporal is automatically a member of the Collective Bargaining Unit. Any person so employed, is **not** automatically a member of the Fraternal Order of Police Lodge Thirty Seven (37). Benefits, Rights, or Privileges of Lodge membership apply to lodge members only.
- Section (9)** Persons that are members of the CBU but are not members of the lodge, are entitled to some legal representation provided by the CBU. The amount and nature of the representation shall be handled on a case by case basis.