

LOCAL 710 CONSTITUTION AND BY-LAWS

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CONSTITUTION AND BY-LAWS

ARTICLE 1 NAME

Section I. Local Number and Name.

The number and name of this organization shall be:

Local number 710 Coeur d' Alene Firefighters Association,
International Association of Fire Fighters.

SECTION II. Definitions.

References in these By-laws to "Local or Local Union" shall refer to the Local as set forth in Section Article 1 above, and references to Association or International shall refer to the International Association of Firefighters.

SECTION III. Compliance. This Local union, its officers representatives and members, shall recognize, observe and be bound by the provisions of the Constitution and By-Laws of the International Association and the interpretations rendered by the General President, the resolutions, decisions and directives of the Executive Board or officers of the Association when made in conformity with the authority granted by the Constitution and By-Laws of the Association and the resolutions adopted and policies established by the delegates at conventions. Article XIII of the Constitution and By-Laws of the association is recognized as providing the basic rules governing this local.

ARTICLE 2 OBJECTIVES

The primary objective of the Local shall be to organize the members of the Coeur d'Alene Fire Department; to deal with their employers concerning the just and equitable settlement of grievances and labor disputes, to secure just hours and all other terms and conditions of employment.

The object of this Local shall also be to place the members of the Local on a higher plane of skill and efficiency; the protection of the joint and individual rights of members of the Local, the enforcement of good faith dealing by and between the members; the elevation and improvement of the moral, intellectual, social and economic conditions of the members.

ARTICLE 3 JURISDICTION

Jurisdiction shall be as follows: All full-time, paid employees engaged in firefighting, emergency medical or rescue service activities, or related services.

ARTICLE 4 MEMBERSHIP

SECTION I. Active.

Any person of good moral character who at the time of making application is engaged in service within the jurisdiction of this Local, as given in Article 2, is eligible for active membership.

Anyone eligible for membership in this Local shall not be refused membership or, upon acceptance, be discriminated against because of race, color, creed, national origin, gender, sexual orientation, or by reason of disability.

SECTION II. -Membership. Membership in this Local shall include: Captain, Lieutenant, Engineer, Firefighter, Fire Inspector, Division Chief, Battalion Chief, Shift Commander, Training Lieutenant, Training Captain, Maintenance Lieutenant, and Maintenance Captain. Affiliate membership may include anyone else employed by the Fire Department not listed above. Affiliate and Non active members are not covered by L710 contract.

SECTION III. Maintenance of Good Standing. Membership in Good Standing includes any person who has fulfilled the requirements for membership in the Local, has paid Local dues, fees and assessments, and has not voluntarily withdrawn, become ineligible for continued membership, or has been suspended or expelled as provided in the Local or International Constitutions and By-Laws.

SECTION III. Other Conditions, All applications for membership in this Local shall be approved or disapproved in the manner specified in this Constitution and By-Laws. Any member who may withdraw or be expelled from the Local shall forfeit all rights and title to the funds and property of the Local. Anyone eligible for membership in this Local shall not be refused membership or, upon acceptance, be discriminated against because of race, color, creed or national origin.

SECTION IV. Separation.

When any member in good standing is separated from the fire service, the Local Union may allow said member to retain active membership or, in lieu thereof, upon request of said member shall issue a withdrawal card. The Local Union may issue withdrawal cards only to those members who leave the fire service or EMS in good standing or who are precluded by law or local ordinance or contractually from maintaining union membership by virtue of their fire department position. A former member holding a valid withdrawal card will not be charged a reinstatement fee upon reentry into the organization. A member who is duly elected as an officer of the International Association of Fire Fighters, or elected or appointed as a representative of or to an affiliated labor organization, shall retain his/her active membership in this Local.

SECTION 5. Delinquent Members.

Members who fail to pay their monthly dues or assessments by the fifteenth (15th) day following the month such dues are payable shall be notified by the Local officer whose duty it is,

that they are delinquent and will be automatically suspended and lose their good standing if payment is not made within sixty (60) days following such notification. Delinquent and suspended members are not entitled to any voice or vote in the Local or in the affairs of the International.

ARTICLE 5 MEMBERSHIP MEETINGS

SECTION I. Regular Meetings. Regular meetings of the Local shall be held on the first Wednesday of every month and may be attended by any active member in good standing. The time and place to be specified by the President.

SECTION II. Special Meetings. Special meetings may be called by a vote of a majority of the Executive Board. All active members in good standing shall be notified by phone call and e-mail at least (7 days) prior to meeting. The notice shall state the business to be considered at said meeting, and no other business than that stated shall be in order. In case of an EMERGENCY the Executive Board may waive the seven day notice by a majority vote.

SECTION III. Quorum. Quorum for any meeting of this Local, either regular or special, shall be 20% (rounded to the nearest whole number) of the total members of the Local in good standing.

SECTION IV. Rights of members. Every active member in good standing shall have the right to attend any meeting and to participate in such meeting in accordance with the recognized rules as set forth in the Constitution and By-Laws. Members shall conduct themselves in such a manner as not to interfere with the legal or contractual obligations of the International or this Local.

SECTION V. Rules for Meetings. The meeting shall be initiated with the order of business as follows:

1. Opening.
2. Roll call of members.
3. Application for membership.
4. Voting on application for membership.
5. Initiation of candidates.
6. Reading of the minutes.
7. Reports of officers and committees.
8. Old business.
9. New business.
10. Questions/concerns from the local body.
11. Communications.
12. Good and Welfare.
13. Closing. (Lottery)

Furthermore,

Rule 1. The regular order of business may be suspended by a two-thirds vote to dispose of an urgent matter.

Rule 2. A motion, to be accepted by the Chair, must be initiated and seconded.

Rule 3. A member can withdraw his motion only before it has been stated (repeated) by the Chair. After it has been stated, a motion can be withdrawn by a majority vote (by the body) on the motion.

Rule 4. A motion to amend an amendment shall be in order, but no additional amendments may be offered until the pending amendment of an amendment has been voted upon.

Rule 5. A motion cannot be debated until it has been made by a member recognized by the Chair, seconded by another member, and stated by the Chair.

Rule 6. Appeal can be had from decisions of the Chair, except those decisions based upon the Constitution or By-Laws. Decisions based upon any of the foregoing are not subject to appeal by the meeting.

Rule 7. When an appeal is made from a decision of the Chair, it shall be put to the meeting in these words, "Shall the decision of the Chair be sustained as the decision of this union?" The member has the right to state his reasons for appeal, the Chair has the right, from the Chair, to give the reasons for his decision; thereupon the members shall proceed to vote on the appeal without further debate. It shall require a majority vote to sustain the decision of the Chair.

Rule 8. When a motion is before a meeting, no motion shall be in order except the following:

Postpone indefinitely
Amend
Amend an amendment
Refer to a committee
Postpone to a definite time
Limit or extend debate
Stop debate
Appeal
Table
Recess
Adjourn only if Order of Business is completed

Rule 9. A motion to adjourn cannot be made until the order of business as provided has been completed. A motion to adjourn cannot be made when a member has the floor or when members are voting.

Rule 10. If a motion has a pending amendment, the question on the amendment shall be put first; if more than one amendment has been offered, the question shall be put as follows:

1. Amendment to the amendment.
2. Amendment
3. Main motion.

Rule 11. Before taking a vote, the Chair shall put the question in this form: "All in favor of this motion raise your hand, all apposed raise your hand. A count of each will provide the desired result. After the count, the officer shall announce the result. Any member may question the vote, in which case the presiding officer shall take a re-vote.

Rule 12. A motion to reconsider shall be made by a member who voted with the prevailing side. Such motions shall be in order only on the same day as the motion to which it applies was voted upon, or on the next day. The presiding officer shall ask a member who makes the motion to reconsider, "did you vote with the prevailing side?"

Rule 13. A member, who has been told three times by the Chair to refrain and be seated that does not do so, shall be excluded from participating in any further business at that meeting.

Rule 14. Any member in possession of a cellular phone that emits a noise, vibration or visual display that disrupts the peace and tranquility of a Union Meeting will forfeit to the treasurer \$5.00 for each occurrence. Said monies shall be added to the closing Lottery

Rule 15. The recipient of the Lottery shall spend/or donate the amount awarded to the after meeting social activities.

Rule 16. Prior to a membership vote on a motion at a Local 710 meeting, any member in good standing may request an online vote be held on said motion. The online voting for said motion will commence the day following the Local 710 meeting during which the original motion was presented, starting at 0800 and ending on the seventh day at 1700 hours. The online vote must meet minimum meeting quorum requirements outlined in Article 5 Section III. Quorum. When an online vote fails to reach minimum requirements, the Local 710 Executive Board will have the final vote on the motion. Should any Local 710 member believe that a motion which is called for online vote is time sensitive in nature, he/she may request a reconsideration to the chair. The Local 710 Executive Board shall have final vote to proceed with online voting or to deny and bring the motion to the present body for a vote. Online voting shall not be used for the purpose of selecting delegates for the International convention.

Rule 17 When a Quorum, per Article 5 Section III, fails to be achieved for one regularly scheduled meeting, per Article 5 Section I, a written business proposal can go to an online vote by the membership, in accordance with Article 5 Section V Rule 16-

SECTION VI. Membership confirmation of Executive Board actions. All actions taken or recommended by the Executive Board shall be presented to the membership.

Rule 1. After presentation of an executive board decision, the membership shall have an opportunity to discuss the subject. If discussion yields a valid alternative to the decision any member may call for a majority vote.

ARTICLE 6 INITIATION FEES, DUES, ASSESSMENTS AND GENERAL PROVISIONS

SECTION I. Newly qualified members. Any person qualifying for membership in this Local in accordance with the By-Laws may become a member by applying to the Treasurer of the Local upon employment. Members, upon being initiated, are to be presented with a copy of these By-Laws and an automobile decal. Provisions of this section may be waived in whole or in part for a period of thirty days in any one instance by approval of the Executive board.

Section II. Initiation Fees.

Initiation fees shall be paid in the amount of \$10.00. Ten dollars (\$10.00) of this amount shall be submitted to the IAFF.

SECTION III. Membership dues, Dues for active members are 1.5% of your gross monthly wage to the general fund and \$10 to the EDF fund. At any given time should the EDF fund exceed \$100,000.00 the \$10 flat assessment per member shall be deposited into savings. Furthermore should the EDF funds ever drop below \$100,000.00 the flat fee of \$10 monthly per member is to be deposited into the EDF. All shift personnel are required to pay \$100 per month for meals while on duty. All personnel that are eligible for membership in Local 710 will contribute \$150.00 per month to WSCFF MERP.

SECTION IV. Affiliate Member dues. Affiliate member dues will be equal to per capita and a local 710 assessment. As of April 2007 Affiliate dues will equal \$14.48 for per capita and \$5.52 for a local 710 assessment for a total of \$20 per month

SECTION V. Assessments.

Assessments may be made only in the following manner: Each member in good standing shall be notified in writing at least thirty (30) days in advance of the date on which the vote for an assessment is to occur. The proposed assessment shall become effective upon a majority vote of the members in good standing, by secret ballot, at a general or special meeting.

SECTION VI. Increases in Rates.

Increases in rates of initiation fees, reinstatement fees or dues shall require notice of such proposed increase to be given to the members in good standing at least thirty (30) days in advance of the date on which the vote for such increase is to occur. The proposed increase shall become effective upon a majority vote of the members in good standing, by secret ballot, at a general or special meeting.

SECTION VII. Reinstatement Fees.

Reinstatement fees shall be \$10.00, plus all back dues and assessments. Ten dollars (\$10.00) of this amount shall be submitted to the IAFF.

SECTION VIII. Work Replacement. Local 710 Work Replacement fund is to be used to aid in reimbursing the expense of having shifts covered for any member in good standing approved by the Executive Board. The amount paid will be a flat rate of \$500 for a full 24 hour shift. Requests can be made on an hour by hour need when hours needed are less than 24. When hours requested are less than 24, the amount paid will be \$20.83 per the number of hours worked. The request must be initiated one week prior to the scheduled day needed. A work replacement form shall be submitted to any Executive Board member.

ARTICLE 7

OFFICERS, ELECTED AND APPOINTED REPRESENTATIVES, NOMINATIONS AND ELECTION PROCEDURES

SECTION I. Number and Titles.

The officers of this Local shall consist of a President, Vice President, Secretary, Treasurer and 3 members of the Executive Board. Principal Officers will hold office for 2 years (May-April). Elections for President and Secretary will occur in even years and elections for Vice President and Treasurer will occur in odd years. Until an odd year occurs Vice President and Treasurer will hold office for 1 year and elections will occur annually. The 3 members of the Executive Board will hold office for 1 year (May -April) and until the election and installation of their successors, unless removed from office as provided in the Constitution and By-Laws of the International or this Constitution and By-Laws. The offices of Secretary and Treasurer may be held by the same individual.

SECTION II. Eligibility for Office.

Any member in good standing shall be eligible to be a candidate for office in this Local.

SECTION III. Rights of Candidates.

Every candidate for office shall have the right to request distribution of campaign literature, by mail or otherwise, to all members in good standing, at the candidate's own personal expense. "A candidate for office" includes a candidate for membership on the Executive Board. There shall be no discrimination in favor of or against any candidate with regard to the use of membership lists.

SECTION IV. Use of Funds Prohibited in Elections.

No funds received by this Local through initiation fees, dues or assessments or otherwise, shall be contributed or applied to promote the candidacy of any person in election of officers.

This section does not prevent the expenditure from Local funds for notices, factual statements of issues and other necessary expenses to conduct elections so long as they do not involve promotion of any candidate.

SECTION V. Elections Committee.

The President shall appoint an Elections Committee which shall be responsible for distributing and tabulating the ballots. The President shall select a member not running in the elections to act as Elections Committee Chair. This member shall be referred to as the elections chair.

Each candidate for office shall be entitled to appoint one observer who shall be permitted to witness the manner of distribution and casting of ballots and attend the meeting of the Elections Committee at which the votes are tabulated.

SECTION VI. Method of Nomination and Election.

Each member in good standing shall be given at least fifteen (15) days advance notice, in writing, of the date, time and place at which nominations shall be made, and at least fifteen (15) days advance notice, in writing, sent by mail to the last known address of the member, of the date, time and place at which elections shall be held. Any member in good standing may nominate eligible members for office.

The elections chair shall call for nominations from the floor for the positions up for election at the February meeting. If a member is unable to attend this meeting and wants to be nominated for a position or positions they need to have a letter stating such to any E-Board member prior to the February meeting.

Any member in good standing shall have the right to nominate any member in good standing for the position. Nominated members have the right to respectfully decline. The election chair shall say "are there any further nominations for this position?" After receiving no further nominations the election chair shall close nominations for that position. You need to be nominated for each position you would like to fill.

Nominated members shall have an opportunity to speak to the membership regarding their interest in the position at the March meeting, and post a narrative on the website.

Elections shall be by secret ballot; write-in voting shall not be permitted. If there is only one candidate for a given office, such candidate shall be declared elected. There shall be no voting by proxy in the election of Local officers. The candidate receiving a majority of the ballots cast shall be declared elected. If no candidate receives a majority of the ballots cast, there shall be a run-off election between the two candidates who received the most votes commencing March 24th 08:00 hours and concluding April 1st 17:00 hours. If the final ballot of any officer election results in a tie between the candidates, the winning candidate for office shall be selected by the drawing of lots in the presence of both candidates.

Voting shall be online; commencing March 16th 08:00 hours and conclude March 23rd 17:00 hours. All members in good standing shall have website access in which to cast their vote. Each member will be allowed one vote per position. The ballot will have all positions and all nominated candidates on it. For those members wishing to fill more than one seat they will fill the highest seat they are elected to and then be excluded from the other seat tallies.

The election chair shall oversee the online voting and record the votes for each position.

SECTION VII. Ballots Preserved.

The ballots and all other records of an election shall be preserved by the Secretary for one (1) year following such election.

SECTION VIII. Vacancies in Office.

When an office becomes vacant by reason of death, resignation, or removal of the incumbent, the Executive Board shall elect a successor by majority vote, no later than thirty (30) days from the date the office is vacated.

SECTION IX. Elected Committees and Appointments. The Local Grievance Committee shall consist of the President, Vice-President and 3 members appointed by the President. It shall be the duty of this Committee to handle all grievances it receives from the members of this Local. The Committee shall have the authority to file grievances on its own for the benefit of the members of this Local.

The Negotiating Committee of this Local shall consist of the President and 3 members appointed by the President. A quorum for this committee shall be a majority. It shall be the duty of this committee to bargain for wages, fringe benefits, working conditions and all other areas pertaining to collective bargaining. This committee from time to time, shall bring before the members proposals from the City and the committee during the bargaining period. It shall also bring before the members of the Local a final proposal for members to ratify or reject.

SECTION X. President's authority. It shall be the responsibility of the President of this Local to appoint all committees and positions not covered in the Locals By-Laws.

SECTION XI. Contracted Services. Contracted Services payable monthly: President \$500, Vice-President \$375, Treasurer \$375, Secretary \$375, Executive Board Members \$200, and PFFI 1st District Vice-President when filled by an active L-710 member \$200.

**ARTICLE 8
DUTIES OF OFFICERS**

SECTION I. President. It shall be the duty of the President to preside at all meetings of the Local and at meetings of the Executive Board. They shall be the executive head of the Local. They shall be a member ex officio of all committees. They shall appoint such committees as may be provided for in these By-Laws, and such special committees as may be authorized by the Local. They shall enforce strict observance of the Constitution and By-Laws of the Local. They shall have general supervisions of the activities of the other officers and chairman of committees. The President shall discharge on behalf of the Local such duties as may be imposed upon them by applicable law including the execution and filing of any reports Federal or State authorities, and shall cause to be maintained by the Local such records as the law requires to be kept in support of reports filed by it.

SECTION II. Vice-President. The Vice-President shall assist the President in such a manner as the President may determine. In the absence of the President, the Vice-President shall preside at meetings of the Local and of the Executive Board. If the office of President becomes vacant, the Vice-President shall be acting president until the office is filled by the Executive Board. The Vice-President shall also be chairman of the Grievance committee.

SECTION III. Secretary. It shall be the duty of the Secretary to keep a full and complete record all business of this Organization. The Secretary will also update the website with the meeting minutes within 10 days following a meeting.

SECTION IV. Treasurer. It shall be the duty of the Treasurer to keep a full and complete record of all the Organizations finances. In addition the Treasurer shall perform the following:

1. Deposit all income and pay all the bills.
2. Prepare an annual budget and submit it to the Executive board at their first scheduled meeting of the new calendar year.
3. Have a member or members of the body audit the financials annually.
4. Submit the audit report to the IAFF within 180 days following the end of the calendar year.
5. Have an annual IRS form 990 completed and filed with the IRS.
6. Distribute funds collected by the City semi-monthly to the three shifts for food fund.

SECTION V. Executive Board. The Executive Board shall consist of the President, Vice-President, Secretary, Treasurer and 3 members elected or appointed by the President. The Executive Board members shall serve the membership by conducting the union's business, by researching issues and providing guidance to the members. One member from the Executive Board shall chair each committee. The Executive Board shall meet prior to the general membership meeting to discuss issues and set the agenda.

SECTION VI. Bonding.

All officers and employees of the Local who handle funds or property of the Local shall be bonded in such amounts as may be required by the Board of Trustees and the International General Secretary-Treasurer in compliance with applicable law. The expense for the first \$5,000 of bond shall be borne by the International. If additional bond is necessary, the Local shall pay the additional premium. The Local shall have sufficient bond to cover at least ten percent (10%) of its current liquid assets.

**ARTICLE 9
RESOLUTIONS**

SECTION I. Resolutions. Resolutions shall be presented in a word document to the Secretary at least one month prior to Convention. Late resolutions not meeting these requirements shall require a two-thirds (2/3) majority of the delegates to be considered and a two-thirds (2/3) majority vote for acceptance.

SECTION II. Local Notification. The Secretary shall post all resolutions in their possession on the website (meeting minutes page) one month prior to each meeting.

SECTION III. Recording. The Secretary shall record all resolutions approved by the body to these by-laws and update the website copy within 10 days of their approval.

**ARTICLE 10
DELEGATES AND ALTERNATES TO INTERNATIONAL CONVENTIONS**

SECTION I. Delegates.

If, in accordance with Article IV, Section 2 of the International Constitution and By-Laws, this Local is entitled to delegates in addition to the President, they shall be elected by secret ballot of the members in good standing.

SECTION II. Alternates.

Alternates to conventions shall be elected by secret ballot of the members in good standing. The credentials of delegates and alternates must certify to this method of election.

**ARTICLE 11
MISCONDUCT, TRIALS AND APPEALS**

SECTION I. Misconduct and Trials.

Any member charged with misconduct as defined in Article XV of the International Constitution and By-Laws shall be served with written specific charges as required by Article XVI of the International Constitution and be given a reasonable time to prepare his/her defense and afforded a hearing as provided in Article XVII of the International Constitution.

SECTION II. Appeals.

Appeals may be made in accordance with Article XVIII of the International Constitution and By-Laws. Such appeal must be filed with the General President of the Association within thirty (30) days of the action to be appealed.

**ARTICLE 12
AUDIT**

The books and accounts of this Local shall be audited annually, and the last such report of the audit shall be forwarded to the International General Secretary-Treasurer over the seal of the Local within one hundred eighty (180) days of the close of the Local's fiscal year and shall include an accurate accounting of all employees within the Local Union's fire department.

**ARTICLE 13
AMENDMENTS**

SECTION I. Proposed Amendments.

This Constitution and By-Laws may be amended by a two-thirds (2/3) vote (except for changes in dues and assessments, and initiation and reinstatement fees, which shall require a majority vote, as provided in Article 5, Sections V and VI) at a regular meeting, provided that each member in good standing is notified in writing of the proposed amendment at least fifteen (15) days in advance of the meeting at which the vote will be taken.

SECTION II. Adopted Amendments.

A proposed amendment to this Constitution and By-Laws shall be submitted for approval to the International General President after it has first been adopted by the membership and prior to its printing or issuance.

We, the undersigned, being the Executive Board of Coeur d'Alene Fire Fighters, Local 710 as of the date of August 3rd, 2016 do hereby adopt the By-Laws of Coeur d'Alene Fire Fighters Local 710 as have been proposed.

CHAD TORTORELLI—PRESIDENT

ROBERT SHOVALD-VICE-PRESIDENT

JOSHUA SUTHERLAND SECRETARY

WILLIAM DODD TREASURER

JOSHUA HOSTON E-BOARD

NICHOLAS BIEKER E-BOARD

STEVEN JONES E-BOARD