

# CONSTITUTION AND BY -LAWS

## ODNR SAFETY FORCES

### FRATERNAL ORDER OF POLICE -LODGE #149

Revised 12-2008

#### PREAMBLE

We, the Ohio State Commissioned Officers, believing that by association we have the facility of mutual exchange of ideas, information, and opinion, and the opportunity to demonstrate the sincerity of our purpose, whereby the experiences of each become common to all and believing that this results in a development of our intellectual, professional, moral and social capabilities, and enables us to share in the gains of advancing our interests and further believing that intelligence, industry and moral worth are the true standards of greatness, so hereby pledge ourselves to the use of all honorable means to promote social ability and fraternity among our members, do unite under the name of the Ohio Department of Natural Resources Safety Forces - Fraternal Order of Police Lodge #149.

#### ARTICLE I

##### LODGE NAME

**SECTION 1.** This lodge shall be known as the ODNR Safety Forces -FOP Lodge #149 of the Fraternal Order of Police, Inc., hereinafter referred to as Lodge #149. Lodge #149 shall conform with the Articles of Incorporation, Constitution, and Bylaws of the Fraternal Order of Police of Ohio, Inc., hereinafter referred to as the State Lodge and the articles of the Grand Lodge.

#### ARTICLE II

##### LODGE OBJECTIVES AND PURPOSES

**SECTION 1.** This lodge is formed:

- a. For the purposes of bettering existing conditions as they affect the commissioned ODNR Officer.
- b. For the advance of social, charitable, and educational undertakings of the commissioned ODNR Officer.
- c. For the enforcement of all rules, and regulations, and ORC Laws in a uniform manner as they relate to State Personnel and the general public, and their application to the commissioned ODNR Officer.
- d. To insure that all laws, ordinances, rules, regulations, and policies protecting or affecting the commissioned ODNR Officer are upheld.
- e. To assist the commissioned ODNR Officer of this Lodge who are suspended, dismissed, relieved of duty, and with any other grievance without justification.
- f. To protect the constitutional rights of the commissioned ODNR Officer.

**SECTION 2.** This Lodge advocated relief and pensions for all members, and shall work for the permanent maintenance thereof.

**SECTION 3.** This is a Lodge of commissioned ODNR Officers, sworn to obey and enforce all laws and ordinances impartially, under all circumstances, and shall not have any affiliations, either religious or political.

## **ARTICLE III**

### **MEMBERSHIP AND DUES**

**SECTION 1.** Membership in the Lodge shall be limited to full-time commissioned Ohio State Parks and Recreation Officers, Natural Areas and Preserves Officers, Forestry Officers, and Watercraft Officers. Also, all Law Enforcement Staff Officers and Law Enforcement Administrators or any other officer commissioned by the State of Ohio or any other board or commission.

**SECTION 2.** No person shall be barred from membership in this Lodge because of sex, race, color, or national origin.

**SECTION 3.** All members of this Lodge, who by reason of length of service or disability having been placed on pension, approved leave of absence, deferred retirement, may remain as active members provided they pay all dues at a rate equal to the sum of the Grand Lodge and State Lodge per capita dues per year. They shall be entitled to voice, vote, and shall be eligible to hold office.

**SECTION 4.** Members leaving the law enforcement profession or the Divisions for reasons other than that of retirement due to length of service or disability shall not continue as a member of this Lodge.

**SECTION 5.** Applicants for membership shall be thoroughly investigated by the investigation committee of Lodge # 149. The committee will be permitted to make inquiries with previous employers, present employers, fellow officers, training officers, membership with other unions, or any other person or agency to determine if the applicant is in good standing. Upon favorable report of the committee conducting such investigation, the applicant shall be voted on by the membership of the Lodge. If two-thirds (2/3) of those voting approve admission, they shall become members.

**SECTION 6.** A member in good standing is one who has paid all dues and assessments due and payable to the National Lodge, State Lodge of the Lodge #149, or who is not more than thirty days in arrears of such payment as of the date specified for such payment. If such person wants reinstated they may do so with a five (5) dollar fee and no vote.

**SECTION 7.** Any member in arrears in dues or assessments more than thirty days and less than ninety days shall be deemed delinquent and not in good standing.

**SECTION 8.** Any member delinquent as defined in section 7 of this article may be reinstated and restored to good standing by the payment of all back dues and assessments.

**SECTION 9.** Any member in arrears in payment of dues or assessments more than ninety days shall be suspended from membership.

**SECTION 10.** Any member suspended under section 9 of this Article may be reinstated and restored to good standing by the payment of all back dues and assessments.

**SECTION 11.** Any member who is delinquent or who has been suspended for any reason shall not be eligible for transfer or membership in another lodge until such suspension has been terminated.

**SECTION 12.** Membership dues shall be six (6.00) dollars per month, per member, which will be rebated by the Ohio Labor Council. Dues for Lodge members exempted from collective bargaining shall be seven (7) dollars per month payable to the Lodge.

## **ARTICLE IV**

### **EMBLEMS**

**SECTION 1.** A member in good standing may rent no more than two (2) automobile identification emblems upon which is exhibited the official design, seal, mark of emblem of the Grand Lodge. A member may retain the right of possession of the above describe emblem placed in his/her care only so long as the member remains in good standing and further, on condition that during the term of said membership, such emblems are displayed on the motor vehicles under said members immediate possession or control and which are used or operated by said member or his/her immediate family.

**SECTION 2.** Upon termination of membership in the Lodge for whatever reason, or for violation of conditions concerning the possession, use, or display of such automobile emblems, said member or representative of his/her estate shall immediately return all rented emblems to the Secretary of the Lodge.

**SECTION 3.** The responsibility for the recovery, in the name of the Lodge, of all automobile identification emblems from non-members, former members, members not in good standing, or other persons not entitled to possession thereof, shall be vested in the Secretary of the Lodge. This section does not limit or prohibit any member in good standing in their efforts to recover property of the Lodge on behalf of the Secretary.

**SECTION 4.** The new officers for the ensuing year shall determine the policy regarding the issuance of the windshield decals for the ensuing year, not to be in conflict with the established policy of the Grand Lodge.

## **ARTICLE V**

### **ASSOCIATE LODGE**

**SECTION 1.** When the Lodge desires to form an associate lodge, it shall, by resolution approved by the majority of its members attending a regular monthly meeting apply to the State Lodge for a charter for such Associate Lodge. The forming and operation of an Associate Lodge shall be in conformance with the Constitution and By-Laws of the State Lodge and the future amendments promulgated for its operation.

**SECTION 2.** Associate members shall be American citizens, twenty-one (21) years of age or older, of sound character and good repute, and who have never been convicted of a felony or high misdemeanor of turpitude. Proposed applications for membership in the Associate Lodge shall be made in writing, on a form approved by both organizations. Such proposed applicants must be presented by a member of the Lodge or Associate Lodge and must be approved by a committee of three (3) members of the Lodge in good standing. The committee shall be appointed by the President for the purpose of investigating proposed applicants for membership in the Associate Lodge and the unanimous approval of the committee shall be necessary before such proposed application shall be voted on at a regular Lodge meeting. All proposed applicants should be approved before the proposed new member is contacted to determine if he/she wishes to join the Associate Lodge.

**SECTION 3.** Associate Lodge dues shall be ten dollars (10.00) per year, plus five dollars (5.00) initiation fee for the first year. Dues shall be payable on January 1 of each year and if a member is admitted to membership after July 1, he/she shall pay six (6) months dues for that year, but the \$5.00 initiation fee shall be the same.

**SECTION 4.** For each Associate member taken into the organization the Associate Lodge shall pay each year or part of a year five dollars (5.00) to the Fraternal Order of Police Associates.

**SECTION 5.** The Associate Lodge shall consist of eight (8) district corresponding to the Districts establishes by the Ohio Department of Natural Resources Safety Forces - Fraternal Order of Police Lodge #149.

## **ARTICLE VI**

### **LODGE OFFICERS**

**SECTION 1.** Lodge officers shall consist of President, Immediate Past President, Vice-President, Secretary, Treasurer, Chaplain, Sergeant-at-Arms, Grievance Committee Chairperson and one (1) Trustee from each of five (5) districts. These officers, counting as one vote each, shall constitute the Executive Board of the Lodge.

**SECTION 2.** The President shall have charge of and preside at all meetings of the Lodge and the Executive Board, and perform generally, all duties incident to such office and such other duties as may be required of him/her by the members of the Executive Board. It shall be his/her duty to open and close all meetings, regular and special, of the Lodge. He/She shall appoint pro-tem officers in case of absence. He/She shall communicate the password to all persons entitled to receive same, and to the Lodge. He/She shall enforce and uphold the Constitution and By-Laws of the Fraternal Order of Police of Ohio, Inc. and the Constitution and By-Laws of this Lodge. He/She shall decide all points of law and order arising in the Lodge, subject to the appeal of the State Lodge, and as otherwise provided herein. He/She shall in case of a tie, have the deciding vote on any question except in an election. He/She shall immediately notify the State Lodge of any change in the office of Secretary either at the time of election or between elections, giving the name and address of the new Secretary and the signature of said Secretary in his/her own handwriting. It shall be his/her duty, along with the Vice-President to inspect the ballot and report thereon to the Lodge. Any member of the Lodge shall have the same privilege of inspecting the ballot upon request, after the decision regarding same has been announced. He/She shall have the custody of and shall be responsible for jewels, rituals, and property of the Lodge. He/She shall sign such certificates, cards or other papers as may required his/her signature to make them valid. The President shall appoint the majority members of any committees not otherwise provided for.

**SECTION 3.** The Vice-President shall officiate in the absence of the President, at all meetings and perform any and all duties that the President has a right to and should perform, were he/she present. He/She shall appoint the minority of all committees not otherwise provided for. He/She shall have direct supervision of the door of the Lodge, and perform all other duties as may be required of him/her by the President of the Lodge.

**SECTION 4.** The Secretary shall record the transactions of the meetings of the Lodge and of the Executive Board. These meetings shall be recorded in a "minutes book." He/She shall retain copies of all correspondence conducted by him/her in the name of the Lodge or received by him/her in his/her official capacity, until such time as he/she may be authorized to dispose of same by action of the Lodge or of the Executive Board. He/She shall deliver to his/her successor all books, files, papers and any and all other property of the Lodge in his/her possession. He/She shall sign such certificates, cards or other papers a may require his/her signature to make them valid. He/She shall maintain a file system of metal automobile emblem and the holders of same. He/She shall maintain a list of stole and lost automobile emblems. He/she shall maintain a current list of suspended members in order to prepare the State Per Capita Tax Form.

**SECTION 5.** The Treasurer shall keep a complete and accurate record of all financial matters of the Lodge in a book, or books, provided for that purpose by the Lodge. He/She shall draw checks against the funds of the Lodge for payment of bills approved by the Lodge. He/She shall collect all initiation fees, dues and assessments and record the same. He/She shall deposit, in the name of the Lodge, all funds paid to him/her from any and every source, in such bank as the Executive Board may select. It shall be his/her duty to keep an accurate account of all money received and expended by him/her and he/she shall report at each regular meeting of the Lodge the amount of money he/she handled, also with receipts and disbursements and audit records yearly before the regular monthly meetings in February to be performed by incoming and outgoing Treasurer and one (1) other member. He/She shall meet with the Executive Board whenever they require his/her presence to audit the books and accounts of the Lodge and shall render such assistance, as they deem necessary. He/She shall maintain a list of all members who are more than three (3) months in arrears with their dues. All lists concerning assessments and dues shall be exhibited at every regular meeting of the Lodge and all members names read. The Treasurer shall deliver to his/her successor in the officer the Seal of the Lodge and all papers, books, receipts and records of the Lodge, which may be his/her possession as Treasurer.

**SECTION 6.** District Trustees. The Lodge shall consist of five (5) districts. Each district shall have one (1) trustee to be elected by the membership at large. The Trustees shall, at any time requested to do so by the President of the Lodge, give a full account of all money received, expended and shall from time to time and at the close of their terms of office, make a full report in writing to the Lodge of all business transacted by them as such Trustees. THE TRUSTEES ARE RESPONSIBLE FOR GATHERING INFORMATION FROM THEIR REPRESENTED MEMBERS IN A REASONABLE AND TIMELY MANNER AND PRESENTING ALL RELATIVE INFORMATION AT LODGE MEETINGS. TRUSTEES WILL ALSO ACT AS A REPRESENTATIVE OF THEIR DISTRICT AT STATEWIDE MEETINGS. They shall have the power of written proxy for each member of their district at the regular statewide meeting of the Lodge.

**SECTION 7.** The Chaplain shall be appointed by the incoming President for a period of two (2) year. He/She shall open and close each meeting of the Lodge with a prayer. He/She shall perform all other duties as may be requested by the President of the Lodge.

**SECTION 8.** Sergeant-at-Arms shall be appointed by the incoming President to service for a period of two (2) year. He/She shall guard the door of the Lodge from intrusion, collect the password at the door, and guard against unlawful entry by person seeking admission to the Lodge. He/She shall keep an accurate record of the individual members attending each meeting and shall provide the Secretary with a record of said members at the end of each meeting. He/She shall perform such other duties as may be requested by the President of the Lodge.

## ARTICLE VII

### ELECTION OF OFFICERS (CONDUCT OF ELECTIONS)

**SECTION 1.** The right to be a candidate for any office or for election as a delegate to any convention shall be, and is hereby limited to members in good standing.

**SECTION 2.** All nominations of candidates for offices shall be made from the floor at the fall quarterly meeting of each election year. Write-in candidates are not permitted.

**SECTION 3.** No more than three (3) candidates shall be nominated for any one office. All nominations for any one office shall automatically be closed as soon as there are three (3) candidates for that office. In the event there are less than three (3) candidates for an office the nominations for the office shall be closed by the President calling three (3) times: "Are there any further nominations for (office in question)?" After nominations for any office have been closed they shall not be reopened.

**SECTION 4.** All nominees for office shall be present at the meeting in which their names are submitted or the person who submits such member's name shall have knowledge that said member will accept such nomination. All nominees not present at the fall quarterly meeting, when their names are submitted in nomination, shall submit a written statement to the effect that he/she will or will not accept the nomination, within ten (10) days to the Secretary, who will advise each of the District Trustees in time for the next regularly scheduled District meeting in November.

**SECTION 5.** No member shall be nominated for more than one (1) office. To be nominated for Lodge office, a member must have been an active member in Lodge meetings by attending at least six of the twelve meetings per the 2 year meeting cycle. Any member serving on active military duty will be exempt from this requirement.

**SECTION 6.** All officers of the Lodge shall be elected by secret ballot in December of even numbered years.

**SECTION 7.** Newly elected officers shall be installed as the last order of business at the regular monthly meeting in December. The outgoing officers shall assist the newly elected officers in the orderly take over of their office. THE TERM OF OFFICE SHALL BE TWO (2) YEARS FROM THE DATE OF INSTALLMENT. THIS AMENDMENT WILL TAKE EFFECT AT THE ELECTION AND INSTALLMENT OF OFFICERS PROCEEDING THE AMENDMENTS RATIFICATION.

**SECTION 8.** A delegate to any convention is hereby limited to a member in good standing and must attend two (2) regular meetings in the preceding twelve (12) months.

**SECTION 9.** ABSENTEE BALLOTS SHALL BE CONSIDERED AS VALID BALLOTS FOR CONDUCTION OF ELECTIONS PROVIDED THAT THE BALLOTS ARE CAST UNDER THE FOLLOWING CONDITIONS:

- (A) THE VOTING MEMBER IS A MEMBER IN GOOD STANDING.
- (B) THE VOTING MEMBER IS SCHEDULED TO WORK DURING THE TIME THAT THE ELECTION IS BEING CONDUCTED, OR HAS A WORK SCHEDULE THAT SUBSTANTIALLY INHIBITS THE ABILITY OF THE MEMBER TO BE PRESENT AT THE ELECTION.
- (C) THE VOTING MEMBER IS NOT ABSENT FROM THE ELECTION DUE TO ANY PERSONAL PREFERENCE OR DESIRE.
- (D) IT IS THE RESPONSIBILITY OF THE VOTING MEMBER TO CONTACT THEIR DISTRICT TRUSTEE TO OBTAIN AN ABSENTEE BALLOT.

## **ARTICLE VIII**

### **REMOVAL OF OFFICERS**

**SECTION 1.** Any officer of the Lodge, who commits an act of misfeasance, malfeasance, or neglect in the performance of his/her duties as an officer of the Lodge, or any unfitness, shall be removed from office and expelled from office and expelled from the Lodge. A written notice of removal stating the reason for same, shall be filed with the Secretary of the Lodge, after which notice shall be given to such officer of this Lodge, whose removal or expulsion is sought. Such complaint shall be taken up at the next regular meeting of the Lodge following the filing of the complaint. It shall require a three-fifths (3/5) vote of the members present at such

meeting in favor of such removal or expulsion before the office shall be declared vacant and another officer placed in the vacancy.

**SECTION 2.** Any officer being absent from three (3) consecutive meeting without just cause shall be removed after an investigation and upon recommendation of the Executive Board and passed by three-fifths (3/5) of the members present at the next regularly scheduled meeting.

## **ARTICLE IX**

### **RESIGNATIONS**

**SECTION 1.** The President and Vice-President shall have the privilege of resigning at any time provided no charges whatsoever exist against them.

**SECTION 2.** The Secretary, Treasurer, and District Trustees shall present their resignations in writing at one meeting previous to their acted upon, and if, after having their accounts audited and proven correct, their resignations shall be accepted.

## **ARTICLE X**

### **SUSPENDING OR EXPELLING MEMBERS**

**SECTION 1.** Any member of the Lodge whose service or personal conduct reflects discredit on the Lodge, or who carries business of this Lodge to outsiders, may be suspended or expelled from the Lodge. Before any member can be suspended or expelled from the Lodge, charges must be preferred in writing to the Secretary at a regular meeting at which time such member shall have the opportunity to present at such meeting in favor or such suspension or expulsion, before a member can be expelled or suspended.

**SECTION 2.** Members who are thirty (30) days in arrears in the payment of dues or assessments shall be declared not to be in good standing and if after ninety (90) days they are still in arrears they shall be automatically suspended.

**SECTION 3.** Any member suspended for non-payment of dues or assessments who fail to make application for reinstatement within ninety (90) days of the date of such suspension shall be expelled from the Lodge.

## **ARTICLE XI**

### **REINSTATEMENTS**

**SECTION 1.** Any member of this Lodge who has been suspended for non-payment of dues, assessments or other causes, and who seeks reinstatement shall accompany, with his/her application, all back dues to date. Before his/her reinstatement if effective, the application shall be presented to the Lodge and laid on the table for forty-five (45) days before it is voted upon. Before any reinstatement is ordered, it shall require two-thirds (2/3) of the members present in favor of such action.

## **ARTICLE XII**

### **MEETINGS**

**SECTION 1.** The Lodge shall hold state wide quarterly meetings, with 2 additional meetings being called for by the president, for a total of six (6) meetings a year, at which time six (6) members shall constitute a quorum for legal transactions of business.

**SECTION 2.** THE DISTRICT TRUSTEE SHALL CONDUCT TIMELY MEETINGS OR HAVE OTHER TIMELY COMMUNICATIONS WITH THEIR REPRESENTED MEMBERS.

**SECTION 3.** EXECUTIVE BOARD MEETINGS. The Executive Board shall meet on the call of the President or any three (3) members of the Board itself. Three (3) members of the Board shall constitute a quorum for the transaction of business.

**SECTION 4.** SPECIAL MEETINGS. The Lodge President, on his/her own authority may call a special meeting of the Lodge. Six (6) or more members may petition the President, in writing, citing the reason and necessity for a call to the membership for a special meeting. No other business shall be addressed at this meeting other than that for which it was originally called.

**SECTION 5.** When a motion is made from the floor of the Lodge that may be of a controversial nature, or a major issue that would substantially affect a large percentage of the Lodge membership, any Lodge member may request a pool of the Executive Board. If, by secret ballot, at least one-third (1/3) or five (5) members of the Board feel the vote on the motion should be delayed one (1) month, then all members shall be notified of the motion and the date of the meeting at which a majority vote will be required for passage.

**SECTION 6.** When a motion is made that needs to be expedited because of the nature of the issue, a motion may be made to have the vote at a SPECIAL MEETING. All members shall be notified at least five (5) days in advance of the Special Meeting.

## **ARTICLE XIII**

### **COMMITTEES**

**SECTION 1.** All committees shall be appointed by the President and Vice-President of the Lodge except as provided otherwise.

**SECTION 2.** The chairman of any committee shall be the first one appointed to such committee.

**SECTION 3.** OFFICER OF THE YEAR COMMITTEE. THERE IS HEREBY CREATED WITHIN THE LODGE AN OFFICER OF THE YEAR COMMITTEE. THE PURPOSE OF THE COMMITTEE IS TO ANNUALLY SELECT A MEMBER OF THE LODGE WHO WILL BE HONORED AS "OFFICER OF THE YEAR".

(A) COMPOSITION OF THE COMMITTEE. THE COMMITTEE WILL BE MADE UP OF FIVE (5) MEMBERS OF THE LODGE IN GOOD STANDING. NO LESS THAN THREE (3) OF THE FIVE MEMBER SHALL BE OFFICERS (OR TRUSTEES) OF THE LODGE. THE REMAINDER OF THE COMMITTEE SHALL BE MADE UP OF MEMBERS AT LARGE.

(B) NOMINATIONS. MEMBERS OF THE LODGE WHO WISH TO SUBMIT NOMINATIONS FOR THE "OFFICER OF THE YEAR" CAN DO SO IN WRITING TO THE CHAIRPERSON OF THE COMMITTEE. THE NOMINATIONS SHOULD INCLUDE A BRIEF RESUME OF THE QUALIFICATIONS OF THE NOMINEE FOR THE AWARD. NOMINATIONS SHALL CLOSE ON OCTOBER 15 OF THE CALENDAR YEAR. NOMINEES WHO DO NOT GET SELECTED WILL HAVE TO BE RE-NOMINATED TO BE CONSIDERED FOR A FUTURE AWARD.

(C) QUALIFICATIONS. QUALIFICATIONS FOR THE AWARD WILL INCLUDE MEMBERS IN GOOD STANDING IN THE LODGE WHO HAVE:

(1) SHOWN EXCELLENCE IN PERFORMANCE OF THEIR DUTIES.

(2) STRONG LEADERSHIP CAPABILITIES.

(3) SERVICE TO THE LODGE.

(4) OUTSTANDING SERVICE TO THE COMMUNITY.

(D) MEMBERS OF THE COMMITTEE SHALL MEET AS OFTEN AS NECESSARY TO COME TO A CONCLUSION AS TO WHO THE LODGE SHALL HONOR AS "OFFICER OF THE YEAR". THE DECISION OF THE COMMITTEE SHALL BE FINAL. COMMITTEE MEMBERS SHALL BE REIMBURSED FOR ALL COMMON EXPENSES WHILE CONDUCTING THEIR DUTIES.

(E) PRESENTATION OF THE AWARD. THE AWARD SHALL BE PRESENTED AT THE REGULARLY SCHEDULED LODGE MEETING IN THE MONTH OF DECEMBER.

## **ARTICLE XIV**

### **AMENDMENTS**

**SECTION 1.** Amendments to the Constitution and By-Laws shall be presented, in writing, to the Executive Board prior to any presentation to the Lodge floor. The President of the Lodge shall then present any proposed amendments to the membership at the next regular monthly meeting. The proposed amendments may then be forwarded to a Constitution and By-Laws Committee by the President for the preparation of a final draft. The final draft of the amendment shall then be presented to the membership at the following two (2) monthly meetings, at the second of which a two-thirds (2/3) majority vote of those members voting shall be required to make the amendment effective.

**SECTION 2.** Should any dispute arise as to the time, intent, or meaning of any Article of this Constitution and By-Laws, the question shall be referred to the Executive Board whose decision if approved by the Lodge, shall be its judgement thereon, subject however, to the right of appeal. Records of such construction shall be kept as a reference to any later dispute of this article.