



# **Constitutions and ByLaws**

## **Chandler Law Enforcement Association**

**Revised December 1999**

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## **Index**

Article I	Purposes	3
Article II	Membership	4-5
Article III	Association Officers	6
Article IV	Election of Officers	7-8
Article V	Officers of the Organization	9-10
Article VI	Board of Trustees	11-12
Article VIII	Association Representatives	14
Article IX	Calls and Notices of Meetings	15
Article X	Membership Meetings	16
Article XI	Dues	17
Article XII	Budget and Expenditures	18
Article XIII	Benefits	19
Article XIV	Proposals and Labor Relations	20
Article XV	Amendments	21
Article XVI	Conflict of Interest	22
Article XVII	Solicitations	23
Article XVII	Misconduct, Malfeasance, Misfeasance, or Nonfeasance by any Member	24-26

## **Article I**

### **Purposes**

Section 1: The name of the organization is the "Chandler Law Enforcement Association", herein referred to as the "Association".

Section 2: The Chandler Law Enforcement Association believes that Chandler Police Officers have the same Constitutional rights as other citizens of the United States and will constantly protect these rights.

Section 3: The Chandler Law Enforcement Association believes that the Chandler Police Officer is a professional and constantly strives to upgrade his standards, wages, benefits, and working conditions to reflect his professional status.

Section 4: The Chandler Law Enforcement Association will promote the interest of the Chandler Police Officer in the U.S. Congress, Arizona State Legislature, Chandler City Council, Chandler Police Department, Chandler Merit System Council, Arizona Peace Officers Standards and Training Board (AzPOST).

Section 5: The Mission Statement of the Chandler Law Enforcement Association shall be: "To promote positive role of the police profession through education, communication, and support of members. To serve and protect members by securing rights and benefits through diligent representation. To develop professional relationships with the community and local, state, and national governments."

## **Article II**

### **Membership**

Section 1: Active Member – Any full-time sworn police officer of the City of Chandler who has the rank of police officer, including any officer who may be under suspension or disciplinary appeal or on unpaid leave status (i.e., disability, military leave, etc.), provided such member keeps his dues current through a written promise. He may hold any elected office, serve on any standing or ad hoc committee and vote on any issue before the membership. He will receive all benefits of the Association.

Section 2: Associate Member – Any full-time police department employee of the City of Chandler. Associate Members will complete membership application and completed application will be submitted to the Board of Trustees. The Board of Trustees will review the completed application and the applications will be approved on the basis of the best interests of the Association.

He may serve on any ad hoc committee, attend membership meetings, and receive all benefits of the Association. He may not hold elected office, or vote on any issue before the Association or its committees or chair a standing committee.

Section 3: Auxiliary Member/Spouse – Any spouse of an Active or Associate Member may serve on any ad hoc committee and attend any membership meeting without voting privileges.

Section 4: Honorary Member – Any individual, not a police officer or police department employee for the City of Chandler, may be an Honorary Member of the Association. Honorary Members must be approved by the Board of Trustees and memberships are approved on the basis of the best interests of the Association.

An Honorary Member may not hold any elected office, vote on any issue or attend any membership meeting unless by invitation. He may serve on any committee.

Section 5: Retired Member – Any City of Chandler Police Officer or police department employee who has retired either on a normal, early, or medical retirement may continue as a Retired Member and maintain all benefits of an Associate Member in accordance with the policies of the Association.

Section 6: Member in bad standing – Any member that falls behind in his dues for two (2) month period of time will be a member in bad standing and all the benefits of voting rights shall be cancelled. A member in bad standing will have thirty (30) days to repay all dues owed to the Association or be dropped from the

rolls. A member in bad standing or member that has been dropped from the rolls for being in bad standing shall pay back all dues and assessments owed to the Association. A majority vote of a quorum of the Board, at a monthly board meeting, will be needed for a member to regain his original membership status, if he has been dropped from the rolls.

Section 7: Written Notice of Resignation – Members shall submit a written notice of resignation to the Secretary.

Section 8: Gender Clause – In this Constitution and Bylaws, wherever any words are used in the masculine, feminine, or neuter, they shall be considered as though they were used in the proper gender in all cases where they would apply.

## **Article III**

### **Association of Officers**

Section 1: The Board of Trustees shall consist of the Executive Officers and seven (7) Trustees. The Executive Officers shall be the President, Vice President, Secretary, and Treasurer. The Board members will be assigned by the President to chair Association committees.

Section 2: Removal from the Board – No officer or Board member shall be removed unless a violation of Article XXII is charged and proven under the process described in Article XXII.

Any request to remove an officer of the Board shall be submitted in writing to the Association at its regularly scheduled monthly membership meeting. A copy of such document shall be mailed to the accused Board member at no charge to the accused.

In the event the alleged misconduct of the Board member is of such a serious nature that the exigent circumstances exist, as determined by the Board, and require immediate action, an emergency meeting may be called by any member of the Board. The Board may suspend the accused Board member pending the outcome of the disposition of the charges.

Any officer or Board member may resign or retire voluntarily and a replacement will be appointed in accordance with the provisions Article X, Section 2.

Section 3: Professional Consultants/Agents – The Board may appoint, hire, remove, and/or terminate certain individuals as professional consultants to advise them, as deemed necessary.

## **Article IV**

### **Election of Officers**

Section 1: Officers of the Association shall be the following: President; Vice President; Secretary; Treasurer; and seven (7) Trustees, all elected by general membership. A majority vote of those votes cast will be needed for each officer to fill each post. The seven (7) Trustees receiving the most votes shall be elected to the Board. In the event a tie occurs for the seventh Trustee post, a run off election will be held to determine the seventh Trustee.

Section 2: The President shall appoint a special elections committee to set up, supervise, and count the ballots of the election of officers. The Committee may have input on a written election policy to be adopted by the board outlining the procedures for the election and guidelines for campaign statements.

Section 3: The elected officers of this Association will not be allowed to hold office in the Fraternal Order of Police or any other organization who's stated purpose is to represent employees in collective bargaining for wages, hours, and working conditions. Nor will the Fraternal Order of Police elected officials or the elected officials of any other organization who's stated purpose is to represent employees in collective bargaining for wages, hours, and working conditions be able to hold office in this Association.

Section 4: Term of office for Officers of this Association shall be two (2) years. Nomination for officers must be completed and turned in by the monthly membership meeting held in the month of October.

Section 5: Nomination of officers shall be turned into the Association's business office or other location selected by the President no later than the monthly membership meeting held in the month of October of every election year on forms approved by the Board of Trustees. The form shall possess the signature of the nominee and statement that he accepts the nomination. The form shall also have fifteen (15) signatures of Active Members supporting the nomination.

Section 6: The election of officers shall occur in the month of November. New officers elected in November may not take office until January 1<sup>st</sup>. During that period, new officers would be in a transition period in their respective offices.

Section 7: No person shall be eligible for nomination unless he has attended three (3) membership meetings in separate months during the twelve (12) month period and must be a member in good standing for at least six (6) months immediately prior to October 1<sup>st</sup> of the election year.

Section 8: Election of officers will be held every two years beginning November 2002.

## **Article V**

### **Officers of the Organization**

#### **President**

The President shall be the Chief Executive Officer of the Association and chief spokesperson and shall exercise general supervision over its property and affairs. The President shall sign all legal documents on behalf of the Association and shall do and perform all acts and things which the Board may require of him. The President may appoint an alternate spokesperson as he deems appropriate. The President shall also be the ex-official of all standing committees. The President (or his appointed designee) actively promotes the interests of the Association by lobbying the City Council, State Legislature, and other appropriate bodies; conducts promotion programs in support or oppositions to any legislation or legislators in the National, State, or local legislative bodies. The President will be responsible for communicating with the membership on a monthly basis, which may include email or through the association's website.

#### **Vice – President**

In the event of the President's death or inability to act, or at the request of the President, the Vice-President shall have the powers of the President. The Vice-President shall perform such duties as the Board of Trustees may impose upon him. The Vice-President will also chair all motions related directly to or referring to the President, or either complimentary or in condemnation of the President, and shall put all such motions to vote.

#### **Secretary**

The Secretary shall keep the minutes of the Association's membership and Board meetings and any other meetings that are held. The Secretary shall keep such books and records as the Bylaws, Memorandums of Understanding or any resolution that the President or Board may require him to keep. The Secretary may appoint an assistant to be approved by the Board. Such assistant secretary, in the event of the Secretary's absence or inability to act, shall perform the duties and functions of the Secretary. The Secretary shall maintain a current membership list and advise

on status of members. The Secretary shall review any Bylaw changes that are brought before the Association at membership and Board meetings. The Secretary shall be responsible for the providing of the official membership meeting minutes, Board meetings and any other meetings that are held to the website publisher for view on the Association website.

### **Treasurer**

The Treasurer shall have custody and control of all the funds of the Association, subject to the action of the Board and shall report in writing the state of the finances of the Association at each monthly board meeting and present it at the bi-monthly membership meeting. The Treasurer shall perform such other services as the Board requires of him. The Treasurer will also be responsible for implementing Article XVI.

### **Trustees**

There shall be seven (7) Trustees who shall serve on the Board of Trustees. These Trustees may serve as chairman of any standing committee or serve on a committee at the pleasure of the President with approval of the majority of the full Board.

Trustees may be designated to complete specific assignments and/or chair appropriate committees including but not limited to Publisher, Recruiter, and Legal Representative.

## **Article VI**

### **Board of Trustees**

Section 1: Duties of the Board of Trustees – The duties of the Board shall be to set the policy of the Association, to manage all business and other decisions of the Association and to direct meetings by outlining decisions of the President and committees for placement on agenda of any said meeting. The Board will also review any decision of any officer of the Association as to its legality under the Bylaws of this Association.

Section 2: In case of any vacancy on the Board, the vacancy will be filled by appointment by the President and voted on by the majority of the Board. IN the event the President's post becomes vacant, the Vice President will fill the post for the remaining term.

In the event both the President and Vice President's posts become vacant, the President's position shall be filled in the following order: Secretary, Treasurer, or any other remaining member of the Board of Trustees. Any unoccupied office other than President shall be filled through the normal appointment procedure.

Section 3: Regular meeting – Regular annual meeting of the Board shall be held in December, followed by an annual meeting of the membership. The annual membership meeting is intended to summarize Association activity from the previous year and to plan Association activity for the upcoming year with the membership. Regular meetings other than the annual membership meeting shall be held bi-monthly as such places and times as the Board may resolve.

Section 4: Special meetings may be called by the President or a designee as needed.

Section 5: The Board of Trustees may meet in private when necessary to protect the confidentiality of a member, to discuss strategies in dealing with the City, any other political body, or other organizations, or for any other purpose deemed necessary by the Board. When meeting in private, the Board of Trustees may request the attendance of any person to facilitate and/or assist the discussions.

Section 6: Quorum – A quorum for the transaction of business at any meeting of the Board shall consist of a majority of the Board then in office.

Section 7: The membership, in disagreement with Board policy or Board decisions, may circulate a petition signed by one-third (1/3) of Active membership to contest a Board decision. This petition must be delivered to the Secretary thirty (30) days prior to the next scheduled membership meeting. The general membership will be advised in writing and/or in person as to the nature of the petition. The petition must contain the necessary amount of verified signatures, the grievance, and the recommended remedy. A majority vote of the membership will be required to change a board decision and such voting may be accomplished by ballot and/or general membership meeting in accordance with the provisions of Article IV.

Section 8: A tie vote of the Board may be resolved by a majority vote of membership. The Board, by two-third (2/3) vote, may request a membership tie-breaking vote. The general membership will be advised as to the nature of the matter and the date of the membership meeting where the vote will be cast in accordance with Article XIII, Section 1. A majority vote of the members in attendance at the meeting will be counted as the tie-breaker.

## **Article VII**

### **Committees**

Except as otherwise designated in these Bylaws, the President shall appoint or remove all chairmen of committees on approval of a majority vote of the Board of Trustees. The President shall be ex-official of every committee.

Section 1 : The appointment of Association members and/or chairman of standing committees will be in conjunction with the Relationship By Objectives (RBO) process. The RBO process identifies, formulates, and administers many committee and its participants throughout the year. Association members participating in these committees will be approved by a majority of the Board of Trustees.

Section 2 : Any new and necessary committees to deal with Association business and issues will be created and administered as necessary by the Board of Trustees. Members and the chairman of the committees will be appointed by the President with the approval of the Board of Trustees.

## **Article VII**

### **Association Representatives**

Section 1: Duties – The Association Representatives shall keep the members informed on the Association and assist the members with any problems concerning the Association. He actively promotes and recruits new members. He shall also assist any member during a grievance at the direction of the Representation Committee Chairman.

Section 2: Meetings – Representatives will be required to attend at least three (3) membership meetings during the fiscal year. Failure to attend three (3) of the monthly membership meetings during a fiscal year without notifying the President may cause the President to replace the representative and appoint a new one. If such representative wants reinstatement, he must appear before the Board, or submit in writing to the Board, a request for reinstatement as a representative. Such replaced representative may be reappointed at any future time if a vacancy occurs.

Section 3: Vacancies – If the position of Association Representative becomes vacant, such vacancy shall be filled by the Grievance Chairman and approved by the President.

## **Article VI**

### **Calls and Notices of Meetings**

Section of 1: Special Meeting Notice – At least ten (10) days (inclusive of the date of the meeting) before the date of any special meeting of the membership, the President or a designee shall cause a written notice setting forth time, place, and general purpose of the meeting, to be delivered by writing addressed to each member of the Association

Section 2 : Bi-monthly Membership Meetings – The Board shall set these meetings at the end of each year for posting on the Association website and bulletin boards at the beginning of the new year. Notice of the membership meetings will also be sent to members through email. Bi-monthly membership meeting notices may be published in the Association’s bi-monthly newsletter.

Section 3: Board Meeting Notice – Special meetings of the Board may be called by the or the designee or by a majority of the quorum of the Board, and notice of such meetings shall be given to each Board Member orally or in writing at least forty-eight (48) hours before the time fixed for the meeting, and such notice shall advise each Board Member as to time, place, and general purpose of the meeting. No notice need be given of a regular meeting of the Board.

Section 4 : Emergency Meeting Notice – The Board of Trustees may meet without notice when necessary to protect the interests of a member or the membership or in the event of exigent circumstances. A general membership meeting may be called without notice when necessary to protect the interests of a member or the membership or in the event of exigent circumstances. Within forty-eight (48) hours after an emergency general membership meeting, a notice of the general purpose and the outcome of the meeting will be posted on the association bulletin boards and/or website.

## **Article X**

### **Membership Meetings**

Section 1: Annual Meetings – The annual Board meeting and the annual membership meeting shall be held once a year in the month of December. The day, time, and location shall be set by the President or the designee. The annual membership meeting is intended to summarize Association activity from the previous year and to plan Association activity for the upcoming year with the membership.

Section 2: General Membership Meetings – There shall be a bi-monthly meeting held for general membership. The day, time, and location shall be set by the President or the designee.

Section 3: Special Meetings – A special meeting of the membership may be called in writing by the President, majority of the total Board, or a petition of 25% of the active membership.

Section 4: The calls and notices of all meetings of the membership shall conform to Article XIII of the Bylaws.

Section 5: The President, or in his absence, the Vice- President or a designee, shall preside at all such meetings.

Section 6: Voting – All officers of the Association and Active members of the Association in good standing shall have one vote.

Section 7: All informalities and/or irregularities in calls, notices or meetings and credentials and/or ascertaining those present shall be deemed waived, if no objections are made at the meeting.

Section 8 : At the bi-monthly membership meeting, any active member may make an advisory motion requesting action by the Board of Trustees. A majority of the active members in attendance is required to pass the motion. The Board of Trustees will consider the advisory motion at its next monthly board meeting.

## **Article XI**

### **Dues**

Section 1: Dues Structure – The dues of Active and Associate Members will be determined by the Board of Trustees at the annual meeting of the Board of Trustees and become effective the first month of the calendar year following the annual meeting.

Section 2: Auxiliary Member – No dues assessment will be made for and Auxiliary Member.

Section 3: Honorary Member Dues – The Board will determine the amount of yearly assessment for Honorary Members.

Section 4: Retired Member: The Board will determine the amount of yearly assessment for Retired Members.

Section 5: Special Assessments: The Association may make special assessment of its membership to assist any Chandler Police Officer, member, or for any purpose of the Association as declared by the Board. Such assessments must have two-third (2/3) vote of the full Board. Any member not paying the assessment within a two-month period after the assessment will be considered a member in bad standing and will be carried as such until the assessment is paid.

## **Article XII**

### **Budget and Expenditures**

Section 1: Mandatory Budget and Fiscal Year – The fiscal year will start July 1<sup>st</sup> of each year. A review of the financial status of the Association must be presented to the membership at the annual meeting in the month of December.

Section 2: Association’s Financial Status – A mandatory compilation, review, or opinion audit by an independent CPA approved by the Board of Trustees is required. The compilation and review can be included in the presentation to the membership at the annual meeting in the month of December.

Section 3: The Treasurer shall be responsible for implementing and adhering Section 1 and 2 of Article XVI.

Section 4: Any expenditure over what has been authorized by the budget must be approved by a majority vote of the Board of Trustees.

Section 5: Checks up to and including one hundred and fifty dollars (\$150.00) will be signed by either the Treasurer, Vice President, or the President. Checks for more than one hundred and fifty dollars (\$150.00) must require the minimum authorization of two Board members. All exceptions will be documented to the Board. All checks and charges over one hundred and fifty dollars (\$150.00) with the exception of any fixed or consistent payments must have the approval by a majority vote of the Board members. Approval may be obtained through telephone, email, or text message contact in a timely manner.

Section 6: Checks, charges, or withdrawals on any CLEA account will be for legitimate association business only.

## **Article XIII**

### **Benefits**

Section 1: The Association may provide benefits at a reasonable cost to the membership.

Section 2: Free Legal Representation – The Association may provide legal assistance for its members on any justifiable grievance with the City according to the legal policies as established by the Board of Trustees. If a member has been terminated or suspended and the action is being appealed, said member shall continue to pay dues to the Association as a condition of continued representation.

## **Article XIV**

### **Proposals and Labor Relations**

Section 1: The Negotiation Committee shall negotiate wages, benefits and working conditions pursuant to the City's Meet and Confer Ordinance. The Negotiation Committee shall be composed of the President and any other individuals appointed by the President and approved by the majority of the Board of Trustees.

Section 2: All Meet and Confer agreements shall be submitted to the unit members for approval. The agreement must be approved by a majority of the unit members attending the meeting and/or any other method established by the Board of Trustees. Unit members will be notified at least two weeks in advance of the meeting or opportunity to vote on the proposed agreement.

Section 3: Job Actions – The Board of Trustees cannot sanction a job action. A job action is defined as any activity that disrupts, speeds up, slows down, or stops the normal activity and duties of on-duty police personnel.

## **Article XV**

### **Amendments**

Section 1: These Bylaws may be altered, amended, or repealed by a majority vote of members present and voting at a membership meeting of the Association. Notification to the membership will be made by email, website, and bulletin board at least one (1) month in advance of the membership meeting.

Section 2: The Board of Trustees may propose changes or actions to these Bylaws by a majority vote. The Board must then notify the membership in writing one (1) month prior to a monthly membership meeting of said proposed changes or additions. A majority vote at the said membership meeting shall be needed to approve any changes or additions.

Section 3: Any member may propose changes, additions, or deletions to these Bylaws. Any such change, addition, or deletion shall be submitted, in writing, to the Secretary for Board review and presentation to the membership for approval.

## **Article XVI**

### **Conflict of Interest**

Section 1: A conflict of interest shall exist when an officer, member, employee, and/or agent of CLEA cannot act in the best interest of CLEA due to association with any person, organization, business and/or legal entity. Conflict of interest shall render the officer, member, employee, and/or agent unable to act on behalf of CLEA as it relates to dealings with the other person, organization, business, and/or legal entity.

When any officer, member, employee, and/or agent of CLEA believes a conflict of interest may exist, he or she shall immediately cease acting on behalf of CLEA as it relates to the potential conflict and notify the Board of Trustees in writing. The Board of Trustees may or may not, in its direction, seek an opinion from its legal advisor; the opinion shall be in writing and advisory only the Board of Trustees.

If after a vote of the Board of Trustees, the conflict of interest is deemed to exist, the officer, member, employee, and/or agent of CLEA shall not resume representation of CLEA as it relates to the conflict, however, said officer, member, employee, and/or agent shall have all the authority and powers to act in other areas not related to the area of conflict.

This article shall control and supersede all other articles relating to the powers of authority of officers, members, employees, and/or agents of CLEA.

## **Article XVII**

### **Solicitations**

Section 1: The Chandler Law Enforcement Association will not engage in telephone solicitations of any kind for fund raising purposes.

## **Article XVIII**

### **Misconduct, Malfeasance, Misfeasance, or Nonfeasance of any Member**

Section 1: The following shall constitute Misconduct:

- A. Refusal or intentional failure to comply with or abide by the provisions of the Constitution and Bylaws or official decision of the Board of Trustees
- B. Committing of any act of fraud, embezzlement, or misappropriation of any funds of property or other thing of value belonging to the association, or refusing or intentionally falling to comply with the provisions of the Constitution and Bylaws which require full and accurate accounting of all funds, property, books, and records for examination, audit, or financial review.
- C. Filing false charges against any officer, member, representative, consultant, agent, or employee of the Association, provided, however, that it is understood that for the purpose of this provision false charges are not merely charges of which a person is acquitted, but rather charges which are filed recklessly or in bad faith without substance, foundation, or reasonable basis of support.
- D. Committing any physical assault upon any officer, member, representative, consultant, agent, or employee of the Association while such person is engaged in the performance of his duties for the Association.

Section 2: The following shall constitute Malfeasance:

- A. Any wrongdoing or misconduct by an official or representative of the Association in the performance of his duties.

Section 3: The following shall constitute Misfeasance:

- A. The performance of a lawful action in an illegal or improper manner by an official or representative of the Association in connection with his official duties.

Section 4: The following shall constitute Nonfeasance:

- A. The intention or willful failure to act by an official or representative of the association in connection with his official duties or as directed by the Board of Trustees.

Section 5: Who may prefer charges:

- A. Any member in good standing may prefer charges under the provisions of this article.

Section 6: Who may be charged:

- A. Any member of the Association may be charged with misconduct.
- B. Any official or representative of the Association may be charged with malfeasance, misfeasance, or nonfeasance.

Section 7: Proper form and filing of charges:

- A. To be properly filed, charges must be filed in writing and signed by the charge member/s. The charging document must specifically state the act/s alleged to constitute a violation of this section. Also, it must specifically identify by article and section number, the provisions of the Constitution and Bylaws which are alleged to have been violated.
- B. In the event an alleged violation involves established policies, decisions or governing principles of the Association which are not set forth in the Constitution and Bylaws, the charging document shall so state.
- C. A copy of the charging document filed against any person shall be sent by certified mail to the Board of Trustees or the Trial Board and the accused.

Section 8: Response to Charges:

- A. The accused shall have thirty (30) days from the postmarked date of the certified letter containing the charging document to respond to the charges. The response must be filed in writing and delivered to the Trial Board by certified mail or hand carried. If the accused fails to respond, the charges shall stand as filed.
- B. The accused may deny the allegation/s, in which case a Trial Board shall convene no sooner than thirty (30) days and no later than forty-five (45) days from the postmarked date of the certified letter or date of delivery. If more than one person is charged, the Trial Board may hear the matter in a single session.

Section 9: Trial Boards:

- A. The Trial Board shall be seven (7) Association Representatives, selected by lottery, excluding any Trustee of officer who is accused.
- B. The Trial Board shall hear all evidence and arguments presented at the hearing. The Trial Board shall conclude the trial as soon as practical then assemble in private for consideration of its findings and penalties, if any.
- C. In the event the accused files a letter of admission, the Trial Board shall consider the case as submitted and thereafter render a decision as to the penalty, if any, to be imposed.
- D. The decision of the Trial board shall be by majority vote of its members, shall be reduced to writing, and shall contain a statement of the pertinent facts involved, the charging document, and state a penalty to be imposed, if any.
- E. Prescribed penalties shall be either a reprimand, suspension from office, removal from office, suspension from membership, or expulsion from the Association.
- F. The decision of the Trial Board is final.