



INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS®

HAROLD A. SCHAITBERGER
General President

EDWARD A. KELLY
General Secretary-Treasurer

July 17, 2020

VIA ELECTRONIC MAIL ONLY

Christopher Fink, Secretary
IAFF Local 1403
Metro Dade Fire Fighters
PO Box 221452
Hollywood, FL 33022-1452
chris.fink@local1403.org

Dear Brother Fink:

I have reviewed your Constitution and By-Laws to determine its compliance with the IAFF Constitution and By-Laws. Your Constitution and By-Laws is **APPROVED**.

Although I am approving your Constitution and By-Laws, I have outlined recommended changes below. Please note that the membership must vote on any changes to your Constitution and By-Laws before the Local submits them to my office for approval.

RECOMMENDED CHANGES

Article 3, Section 1. In accordance with the IAFF Constitution and By-Laws, Article III, Section 1, the Local should add “age,” “religion,” “sex,” “gender identity or expression,” “marital or family status,” and “status as military veteran” to the list of protected classes set forth in the second sentence.

Article 5, Section 11. This section allows the Local to use online voting “for Constitution and By-Laws changes, and motions submitted to the entire membership for a vote.” Please note that federal law applies to the election of local union officers, like your executive board members, who serve as delegates and alternates to the IAFF Convention by virtue of their election to office. Federal law prohibits the use of online/electronic voting in elections of these officers. To clarify this provision, and ensure compliance with federal law, the Local should insert the following sentence at the end of this section: “Electronic/Online voting shall not be used in elections of Local officers who serve as delegates or alternates to the IAFF Convention by virtue of their election to office.”

Article 6, Section 14. To conform to the current bonding requirements of the IAFF Constitution and By-Laws, Article XIII, Section 19, the Local should substitute the following for this section:

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.

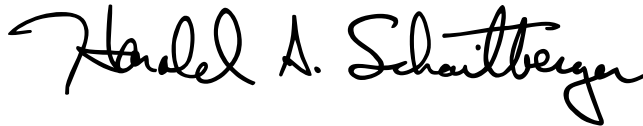
Article 9, Section 1. In accordance with the IAFF Constitution and By-Laws, Article 8, Section 3, which addresses initiation fees, the Local should add the following sentence to this section: "Ten dollars (\$10.00) of this amount shall be submitted to the IAFF."

Article 9, Section 4. In accordance with the IAFF Constitution and By-Laws, Article 8, Section 4, which addresses reinstatement fees, the Local should add the following sentence to this section: "Ten dollars (\$10.00) of this amount shall be submitted to the IAFF."

Article 12. To conform to the current audit requirements of the IAFF Constitution and By-Laws, Article XIII, Section 9, the Local should delete "and shall include an accurate accounting of all employees within the Local."

Thank you in advance for your attention to the foregoing matters.

Sincerely and fraternally,

A handwritten signature in black ink, reading "Harold A. Schaitberger". The signature is written in a cursive, flowing style.

Harold A. Schaitberger
General President

Enclosure

HAS/DLS:plh

Cc: Walt Dix, Vice President, IAFF District 12
William McAllister, IV, President, IAFF Local 1403 (president@local1403.org)

Metro Dade Fire Fighters IAFF Local 1403
INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, AFL-CIO, CLC
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William McAllister IV
President

Brian Lynch
1st Vice President

Michelle Steele
2nd Vice President

Paul Blake
Treasurer

Chris Fink
Secretary



METRO DADE

FIRE FIGHTERS, LOCAL 1403

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, AFL-CIO

International Association of Fire Fighters
AFL-CIO, CLC
APPROVED

IAFF, General President _____ 7/17/2020 _____ Date

CONSTITUTION AND BY-LAWS

PREAMBLE

The purpose of this association is to promote and stimulate a true cooperative spirit among its members; the elevation and improvement of the morale, intellectual, social, and economic conditions of its members, to foster a higher degree of skill and efficiency in the performance of professional duties; to enable its members to contribute to and protect the communities we serve; the maintenance of proper remuneration for duties performed; the protection of the collective and individual rights of its members in the pursuit of their profession; to unite the members of the association into one group whereby through our combined efforts we may protect ourselves against injustice and discrimination.

ARTICLE 1 - ORGANIZATION

Section 1. The number and name of this organization shall be Local 1403, Metro Dade Fire Fighters, International Association of Fire Fighters.

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Section 2. Reference in this Constitution and By-Laws to "Local" or "Local union" shall refer to the Local as set forth in Section 1 above, and references to "Association" or "International" shall refer to the International Association of Fire Fighters

Section 3. This Local Union, 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 International General President, the resolutions, decisions and directives of the Executive Board of 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 13 of the Constitution and By-Laws of the Association is recognized as providing the basic rules governing this Local.

Section 4. This Local Union, shall be non-partisan.

ARTICLE 2 - JURISDICTION

Section 1. The following classifications of full time employees of Miami Dade Fire Rescue Department are eligible for membership in Local 1403: Fire Chief, Deputy Fire Chief, Assistant Fire Chief, Division Chief, Chief Fire Officer, Captain, Lieutenant, Fire Fighter, Fire Department Chief Helicopter Pilot, Fire Department Helicopter Pilot, Fire Department Helicopter Co-Pilot, Chief Mechanic/Co-Pilot, Fire Department Special Assistant I & II, and Fire Communications Operator, and Fire Communications Officer.

ARTICLE 3 - MEMBERSHIP

Section 1. 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, will be eligible for active membership. Anyone eligible for membership in the Association 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. Pursuant to Florida statute 447.501, active members who are promoted, transferred or appointed out of the bargaining unit as described in Article 2.1 of the Collective Bargaining Agreement, may not have a voice or a vote on contract ratification, grievance or disciplinary issues in the Local. Any such member who is demoted, transferred or reassigned back into the bargaining unit or who retires from the fire service shall have his/her voice and vote in the Local restored.

Section 2. HONORARY: For meritorious service to this Local or for distinguished

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public service, persons may be elected honorary members by majority vote at any regular membership meeting. Honorary members shall not pay initiation fees, dues or other charges and shall have no voice or vote in the Local. Such membership may be revoked for just cause by majority vote at a regular membership meeting.

Section 3. RETIRED: Active; Any retired member who continues to maintain his/her dues payments to the International shall be entitled to a voice and vote in the Local. Any retired member who does not maintain his/her dues payments to the International shall not be eligible for a voice or vote in the Local.

Section 4. MAINTENANCE OF GOOD STANDING: Membership in good standing includes any person who has fulfilled the requirements for membership in this Local and who has not voluntarily withdrawn, become ineligible for continued membership, or been suspended or expelled as provided in the Constitution and By-Laws of the International Association of Fire Fighters or the Constitution and By-Laws of this Local. Any member of Local 1403 terminated by the Department will be considered members in good standing until all administrative appeals related to their termination have been exhausted.

Section 5. 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. This 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.

Members who are on active military duty shall be treated with respect to dues and membership in accordance with local, state and federal laws and ordinances.

Section 6. DELINQUENT MEMBERS: Members who fail to pay their monthly dues, outstanding balances or assessments by the fifteenth (15) day following the month such dues are payable, shall be notified by the Treasurer, 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 voice or vote in the Local or in the affairs of the International.

Members who are terminated from employment with the Fire Department due to Union activity will remain members in good standing and have their dues waived for the time they are out of work. Such members who are reinstated with back pay shall pay dues for the period that they were given the back pay.

ARTICLE 4 - MEETING

Section 1. Regular general membership meetings of this Local shall be held on the last Tuesday of each month, January through November, at a time and place to be designated by the Executive Board. There shall be no regularly scheduled meeting for the month of December. In the event Union business should arise requiring the presence of the Executive Board in another location, in conflict with the regularly scheduled meeting, the majority of the members present at a previous meeting may reschedule or cancel a scheduled meeting. In the absence of a quorum, a majority of the Executive Board may reschedule or cancel a regularly scheduled meeting. Should an emergency arise, not allowing time for the aforementioned procedures, a majority of the Executive Board may reschedule or cancel a scheduled meeting. No two (2) consecutive meetings shall be cancelled.

Any member, regardless of attendance or of his/her position at a previous meeting may request reconsideration of a motion or policy adopted at a previous Union meeting. It shall require the placement of the motion on the Union meeting agenda. The item shall be provided to the Secretary no later than seven (7) days prior to the Union meeting.

Section 2. Special general membership meetings may be called by vote of a majority of the Executive Board. All members in good standing shall be notified in writing and electronically of such special meeting at least fourteen (14) days prior to the same. The notice shall state the business to be considered at such meeting and no other business than stated shall be in order at such meeting.

Notices posted on bulletin boards at all duty stations and MDFRnet and Local 1403.org or whatever sites are available to the membership shall be considered "...notification in writing."

Section 3. QUORUM: The quorum for any meeting of this Local, either regular or special, shall be forty-five (45) members in good standing.

Section 4. RATIFICATION: When it is necessary for the bargaining unit members of this Local to ratify a collective bargaining agreement between the Local Union and its employer, it will be done at a special two-shift (back to back) meeting. A notice of these meetings will be posted in accordance with Section 2, above. A copy of the proposed collective bargaining agreement will be attached to the notification of the meetings. These meetings will be for the sole purpose of explaining the proposed collective bargaining agreement. The following business day, a ballot and synopsis of the significant changes in the proposed agreement will be mailed to each active member for ratification of same by secret ballot. Members of the bargaining unit shall have fourteen (14) calendar days to return the ballots. The cut-off date for return of the ballot shall be specified, and the elections committee shall be responsible for the voting process.

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Section 5. Contract Amendments, Exceptions, and Changes (including reopeners):

When it is necessary for the bargaining unit members of this local to ratify contract amendments, exceptions, or changes between the Local Union and its employer, it will be done at a special two-shift (back to back) meeting or 2 consecutive regular meetings, as determined by the executive board. A notice of these meetings will be posted in accordance with Section 2, above. A copy of the proposed amendments, exceptions, and changes will be attached to the notification of the meetings. These meetings will be for the sole purpose of explaining the proposed amendments, exceptions, or changes. The following business day, a ballot and synopsis of the significant changes will be mailed to each active member for ratification of same by secret ballot. Members shall have fourteen (14) calendar days to return the ballots. The cut-off date for return of the ballot shall be specified, and the elections committee shall be responsible for the voting process.

Section 6. RIGHTS OF MEMBERS: Every 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 manual of parliamentary procedure adopted by this Local. Members who are in exempt positions will not have the right to attend any discussion regarding the Collective Bargaining Agreement, Grievances, Discipline or other types of appeals.

Members who are currently employed by Miami-Dade Fire Rescue, but are not in the bargaining unit may be invited to attend any regular union meeting, committee meeting or special meeting by the President of the Local. The purpose of said invitations shall be for the non-bargaining unit members to make a presentation or state a position on a given topic. Said members may be allowed to answer questions from the officers of the Local or the membership present. However, in no case shall any said member participate in or witness any vote regarding bargaining unit issues taken by the members at any meeting. Any said member will be required to recuse themselves from any meeting where bargaining unit issues are discussed.

Members shall conduct themselves in such a manner as not to interfere with the legal or contractual obligations of the International or of this Local.

Section 7. RULES FOR MEETING: The rules contained in Robert's Rules of Order shall govern the meetings of this Local in all cases not in conflict with this Constitution and By-Laws or the Constitution and By- Laws of the International, or interpretations of these documents. Copies of the aforementioned documents at each meeting. When addressing the body or speaking on a motion, members shall limit their comments to no more than five minutes. Members requiring more time may request an extension of up to five minutes with the consent of two-thirds (2/3's) of the members present.

Section 8. PARLIAMENTARIAN: The President, with the concurrence of the majority of the Executive Board present, shall appoint a Parliamentarian at each meeting.

Section 9. SERGEANT OF ARMS: The President will appoint two members in good standing to act as Sergeant of Arms at the beginning of every Union meeting. The

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duties of the Sergeant of Arms will include: maintaining an orderly and efficient meeting by assisting the President in minimizing disruptions, in counting votes, passing out resolutions, contract language, or other written material when needed, and assisting in any way necessary to help assure a democratic and orderly meeting.

ARTICLE 5 - OFFICER AND ELECTION

Section 1. OFFICERS: The Officers of the Local shall consist of a President, First Vice-President, Second Vice President, Secretary, Treasurer, and fourteen (14) members of the Executive Board, who shall hold office for two-year terms, 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 beginning January 1st of the year immediately after the election. All records, documents and properties of the Local shall be turned over to successors in accordance with the Constitution and Bylaws of the International and the Oath of Office. No records or documents shall be destroyed, disposed of or altered. The President, Second Vice President, Secretary, and seven (7) Executive Board Members shall be elected in odd number years. The First Vice President, Treasurer, and seven (7) Executive Board Members shall be elected in even number years. The Executive Board members shall be assigned to represent the membership in accordance with Article 6, Sections 1 and 7.

In the event the President of the Local should not be re-elected to his position, he shall coordinate a transition period with the President-Elect to begin one (1) week after the final results of the elections until the President-Elect assumes office.

Section 2. BOARD OF TRUSTEES: There shall be a Board of Trustees consisting of three (3) members, to be elected biannually. They shall be elected biannually for terms beginning in January of even number years. The three candidates receiving the most votes shall be declared elected.

Section 3. ELIGIBILITY FOR OFFICE: Any member in good standing who is a member of the bargaining unit or is Retired Active, as defined in Article 3, Section 3 of these bylaws shall be eligible to be a candidate for office in this Local. No elective Officer of this Local shall be entitled to hold more than one office at the same time, nor shall any candidate's name appear more than once on any ballot for elective office. When a candidate accepts a nomination in writing for a union office, and currently holds a union office, their resignation for the office held shall be automatically effective with the beginning of the term of the office sought.

Section 4. RIGHTS OF CANDIDATES: A candidate for office of this Local includes any candidate for the office of President, First Vice President, Second Vice President, Secretary, Treasurer, Executive Board Member or Board of Trustees. There shall be no discrimination in favor of or against any candidate with regard to the use of Union membership lists or labels. Candidates for Union office may purchase labels for use on their campaign. Additionally, mailing list distribution will be limited to labels. No electronic lists will be distributed to candidates. Candidates shall have the right to

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distribute campaign literature, prior to, or after the Union membership meetings. The Local's Facebook or group page cannot be used by for campaigning. All costs incurred in obtaining the Union membership list or labels along with the distribution of same, shall be the candidate's responsibility. The Published Election Rules shall be binding on all Candidates. No candidates shall have the right to interpret the election rules. If an appeal is filed, the ranking Union Officer, who is not a candidate, shall interpret the by-laws as it pertains to the election (First Vice President, Second Vice President, Secretary, Treasurer). If all of the Principal Officers are seeking election, then the Elections Committee Chair shall have the final say in interpreting the election rules and the by-laws.

Section 5. 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 of this Local.

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, nor does it preclude the use of the forum sections or specially-designated election sections of any website owned, sponsored or maintained by the Local, provided that all candidates are allowed equal access. For the purposes of this section, "equal access" means that no candidate is prohibited from using the Local's website(s) as specified herein. It does not imply that the Local must provide every candidate with a computer or ISP account; nor does a candidate's lack of proficiency or computer literacy constitute a lack of equal access. Candidates who wish to use the Local's website(s) as stated herein are responsible for obtaining the necessary password(s) and log-in privileges from the respective webmaster(s) of said websites.

Section 6. METHOD OF NOMINATION AND ELECTION: Nominations for elected office shall be held in September of the election year. Specific date, time and place will be posted at all stations at least 15 days in advance of the meeting. Any member in good standing may nominate eligible members for office, or may submit a letter of nomination prior to the meeting date. Members who do not draw an opponent for office shall be elected by acclamation. Ballots will be mailed on the Friday prior to October 31st (Halloween) of the election year, and shall be counted on the Friday before Thanksgiving of the election year (unless there is a conflict with a County holiday in which case the ballots shall be counted the following Monday). The candidate for principal office receiving a majority of the ballots cast shall be declared elected. If no candidate for principal office receives a majority of the ballots cast, the Elections Committee shall mail ballots for a run-off election within seven (7) days, between the two candidates receiving the most votes in each office concerned, with ballots being counted fifteen (15) days after the runoff ballots are mailed. In the case of the Executive Board, the candidates receiving the most votes shall be declared elected. 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.

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The Executive Board shall have a procedure for the voting that guarantees confidentiality by securing a secret ballot for each member voting based on guidelines supplied by the Department of Labor for Union Local elections.

Section 7. ELECTIONS COMMITTEE: The President, with the concurrence of the Executive Board, shall appoint an Elections Committee which shall be responsible for certifying, distributing, and tabulating the ballots. Each candidate for office shall be entitled to appoint one observer, who shall be permitted to witness the manner of distribution of ballots and attend the meeting of the Elections Committee at which the votes are opened and tabulated. No candidate for Local 1403 Office can be a member of the Elections Committee.

Section 8. ABSENTEE BALLOTS: Eligible members may receive ballots at an alternate address if they will be out of the Dade County area during the election period because of illness, vacation, emergency leave of absence, or official fire service or union activity. It will be the responsibility of the concerned to notify the Elections Committee of the alternate address. There shall be no proxy voting in the election of Local officers.

Section 9. 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 10. VACANCIES IN OFFICE: When a principal office becomes vacant by reason of the death, resignation, or removal of the incumbent, the Executive Board shall elect a successor by majority, no later than thirty (30) days from the date the office is vacated. If the vacancy for a principal office occurs prior to the announcement of the regular election, then that office shall be included in the upcoming election for the remainder of the term and the winner will assume the duties of the office after the winner is declared.

If a current principal officer accepts a nomination for another principal officer's position the Executive Board shall appoint a successor for the remainder of the term. Vacancies in the office of an Executive Board member or Trustee shall be filled from the election ballot that the vacant position was originally elected. Should that list have no remaining names, then the most recent list shall be used. If there are no names remaining on the ballot(s) used, then the President shall nominate an individual and they shall be elected by the Executive Board.

Section 11. ONLINE VOTING: The Local may use Electronic/Online voting for Constitution & By-Laws changes, and motions submitted to the entire membership for a vote. The computer program shall, at a minimum, contain the following elements: (1) sufficient encryption to ensure security and authenticity of the vote; (2) a mechanism to ensure each member votes only once on each issue and that the member's identity is secret; (3) password protection; (4) the ability to calculate total votes.

Electronic/Online voting shall be available on the internet, and only available to members of the Local.

ARTICLE 6 – DUTIES OF OFFICERS

Section 1. PRESIDENT: It shall be the duty of the President, to preside at all meetings of the Local and meetings of the Executive Board. The President shall be the executive head of the Local. The President shall be a member, ex-officio, of all committees. With the concurrence of the Executive Board, the President shall appoint and or remove such committees or persons as may be provided for in this Constitution and By-Laws and such special committees as may be authorized by the Local. The President or his/her designee, together with the Vice-Presidents or Secretary or Treasurer, shall sign all orders and all checks lawfully drawn. The President shall enforce strict observance of the Constitution and By-Laws of the International as that document relates to the Local. The President shall have general supervision of the activities of the other officers and Chairmen of committees. The President shall have the authority to refer any motion made during a meeting of the membership to a secret ballot vote of the entire membership, or to the agenda of the next regular union meeting. This decision of the Chair may not be debated or challenged.

The President shall have the authority to postpone nominations, nomination acceptance deadlines, Union meetings, Executive Board meetings, ballot mail outs, ballot counts and other union business due to emergencies or unforeseen instances, for up to 7 days. The President, with approval of the Executive Board, shall reschedule the event.

The President shall discharge, on behalf of the Local, such duties as may be imposed upon him/her by applicable law, including the execution and filing of any reports to the 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 virtue of his/her office, the President shall be a delegate of this Local to the convention of the International and all other affiliated organizations.

Section 2. - VICE PRESIDENTS:

1. The Vice-Presidents duties may include but not be limited to, chairing the Grievance committee & supervision of all active grievances, and assisting the President as necessary. One of the Vice-President's will assign member grievances to Executive Board members. One of the Vice- President's will also keep a grievance archive of all past grievances, along with a short summary of each case with ramifications for the Local. One of the Vice-President's shall supervise & coordinate all member representation for investigations, DAR hearings, or any issues that concern discipline for any Local member. One of the Vice-President's will assign discipline cases to Executive Board members for representation. The Grievance Committee shall be comprised of the principal officers of the Local. The Grievance Committee shall make the final determination on the disposition of grievances.

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2. In the absence of the President, the First Vice- President shall preside at the meeting of the Local and of the Executive Board. If the office of the President becomes vacant, the First Vice- President shall be acting President until the office of President is filled in accordance with Article 5, Section 10. The First Vice-President, by virtue of his/her office, shall be a delegate of this Local to the convention of the International and all other affiliated organizations.

3. In the absence of the President and the First Vice- President, the Second Vice President shall preside at the meeting of the Local and of the Executive Board. If the office of the First Vice President becomes vacant, the Second Vice-President shall be acting First Vice President until the office is filled in accordance with Article 5, Section 10. The Second Vice-President, by virtue of his/her office, shall be a delegate of this Local to the convention of the International and all other affiliated organizations.

Section 3. SECRETARY: The Secretary shall have custody of all documents, records, books and papers belonging to the Local, except as may be otherwise provided by this Constitution and By-Laws. The Secretary shall keep accurate records of the meetings of the Local and of the Executive Board.

The Secretary shall maintain a written record of current policies. The Secretary shall attest all official documents with his/her signature and the Seal of the Local. The Secretary shall conduct the correspondence of the Local promptly. The Secretary shall maintain the official list of members in good standing, which shall be kept accurately and on a current basis. By virtue of his/her office, the Secretary shall be a delegate to the convention of the International and all other affiliated organizations.

The Secretary shall discharge on behalf of the Local, such duties as may be imposed upon him/her by applicable law including the execution and filing of any reports to Federal or State Authorities, and the Secretary shall cause to be maintained by the Local such records as the law requires to be kept in support of reports filed by it.

In the absence of the President, the First Vice- President, and the Second Vice President, the Secretary shall preside at the meeting of the Local and of the Executive Board.

Section 4. TREASURER: The Treasurer shall receive all money due the Local from whatsoever source, and shall disburse the same only by check, which shall also be signed by the President and/or Vice President, Secretary or one of two (2) Executive Board members designated by the President.

The Treasurer shall maintain and keep current a record of members with their dues payments, assessments and all financial transactions promptly and accurately entered. The Treasurer shall prepare and present a proposed budget to the Executive Board for approval at least 30 days prior to the end of the Local's fiscal year. The Treasurer shall fulfill all financial obligations as may be imposed upon him/her by the Local. By virtue of his/her office, the Treasurer shall be a delegate to the convention of the International

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and all other affiliated organizations.

The Treasurer shall discharge on behalf of the Local, such duties as may be imposed upon him/her by applicable law including the execution and filing of any reports to Federal or State Authorities, and the Treasurer shall cause to be maintained by the Local such records as the law requires to be kept in support of reports filed by it.

The Treasurer shall be prepared to exhibit receipts and vouchers upon the audit of his/her books. The Treasurer shall forward the annual audit of the Local to the International General Secretary/Treasurer over the Seal of the Local, within 180 days of the close of the Local's fiscal year. The Treasurer shall make available all financial transactions to the membership at all regular meetings.

In the absence of the President, the First Vice- President, the Second Vice President, and the Secretary, the Treasurer shall preside at the meeting of the Local and of the Executive Board.

Section 5. BENEFITS OFFICER : The President shall appoint and/or remove a Benefits Officer in with the concurrence of 2/3rd majority vote of the Executive Board present. The Benefits Officer shall not be an elected position. The appointee shall be required to be an active member of the Local in good standing and the bargaining unit or a Retired Active member of the Local in good standing. Duties and responsibilities shall be to coordinate life insurance programs, monitor workmen's compensation cases, advise members on retirement benefits, work with the insurance trust on the medical insurance program, and assist the President in such a manner as the President may determine.

Section 7. EXECUTIVE BOARD MEMBERS: Executive Board Members shall be responsible for representing Union members at grievance hearings and disciplinary cases. They shall attend County Commission meetings, and City Council meetings at the Presidents direction. Executive Board members will, by virtue of their office be delegates and alternates to the convention of the International and all other affiliated organizations. Should there be a limited number of positions, the order of selection shall be 1. President, 2. First Vice President, 3. Second Vice President, 4. Secretary, 5.

Treasurer, and six through nineteen (6-19) Executive Board members elected by Executive Board vote. Executive Board members are prohibited from holding any appointed position in the Local which receives a salary or other form of regular compensation. This does not include expenses incurred in the performance of their duties.

Section 7. EXECUTIVE BOARD: The Executive Board shall consist of the President, First Vice President, Second Vice President, Secretary, Treasurer and fourteen (14) members who are elected. Additionally, any member of the Local holding office with the International Association of Firefighters or the Florida Professional Firefighters shall be an ex-officio member of the Executive Board, meaning he or she shall advise and consult with the President and Executive Board upon request when such service is

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deemed in the best interest of the Local. It shall be the duty of the Executive Board to exercise general supervision and control of the funds and property of the Local. It shall have the authority to act in the name of the Local during intervals between meetings, such acts shall be reported to the membership at the next regular meeting of the Local. It shall meet at the call of the President or on call by a majority of its members. A majority shall constitute a quorum.

Section 8. PRESIDENT EMERITUS: The position of President Emeritus is hereby bestowed upon Dominick F. Barbera, Carl Stridfeldt, George Nalley, Ed Hill, Mickey Donn and Stan Hill. This position shall carry with it, lifetime, active membership in Local 1403. This position shall carry with it the duty on the part of the President Emeritus to advise and consult with the President and/or the Executive Board upon request, when such service is in the best interests of the Local.

Section 9. VICE PRESIDENT EMERITUS: The position of Vice President Emeritus is hereby bestowed upon Al Jones, Nelson Bradshaw, Roger Stokes, John Soeder and Tommie Williams. This position shall carry with it, lifetime, active membership in Local 1403. This position shall carry with it the duty on the part of the Vice President Emeritus to advise and consult with the President and/or the Executive Board upon request, when such service is in the best interests of the Local.

Section 10. TREASURER EMERITUS: The position of Treasurer Emeritus is hereby bestowed upon Steve Lowe and Mike Kramer, and Joaquin del Cueto. This position shall carry with it, lifetime, active membership in Local 1403. This position shall carry with it the duty on the part of the Treasurer Emeritus to advise and consult with the President and/or the Executive Board upon request, when such service is in the best interests of the Local.

Section 11. SECRETARY EMERITUS: The position of Secretary Emeritus is hereby bestowed upon Gary Rainey and Felipe Espinosa. This position shall carry with it, lifetime, active membership in Local 1403. This position shall carry with it the duty on the part of the Secretary Emeritus to advise and consult with the President and/or the Executive Board upon request, when such service is in the best interests of the Local.

Section 12. EMERITUS OFFICERS. Any member who serves three terms as a Principal Officer of the Local shall be made an Emeritus Officer at the highest office served upon retirement. When an Emeritus or Honorary Member of the Local passes away, he or she shall be moved to the Local's Memorial Honor Roll.

Section 13. BOARD OF TRUSTEES: The Board of Trustees of the Local shall be responsible for performing or having performed an annual audit of the Treasurer's books in compliance with Article 13, Section 9 of the International Constitution and By-Laws. They shall prepare a written report and make their findings and recommendations to the Executive Board within sixty (60) days of completion of the audit.

The Board of Trustees shall also be responsible for performing or having performed an annual audit of any and all of the Unions subsidiaries and corporations including

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but not limited to the Firefighters Charities, Health Insurance Trust, Firefighters Catering Corporation, Health and Wellness Center, Political Action Committee, Firefighters Building Corporation, and any others subsequently created.

Trustees will, by virtue of their office be delegates or alternates to the convention of the International and all other affiliated organizations. Should there be a limited number of positions, the order of selection shall be 1. President, 2. First Vice President, 3. Second Vice President, 4. Secretary, 5. Treasurer, 6. Benefits Officer (if currently holding an elected office) and seven through twenty (7-20) Executive Board members elected by Executive Board vote. Trustee's shall be positions twenty-one through twenty-three (21-23) elected by Executive Board vote.

Section 14. BONDED: 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 of such bonds shall be borne by the International. (In accordance with Article **XIII**, Section 19, of the International's Constitution and By-Laws.)

ARTICLE 7 – SALARIES: ALLOANCES AND EXPENSES

Section 1. The salary of the President shall be an amount equal to seventy-five percent (75%) of a "7" step firefighter's salary. The expenses of the President in the performance of his/her duties shall be borne by the Local.

Section 2. The salary of the First Vice-President shall be in an amount equal to fifty percent (50%) of a "7" step firefighter's salary. The expenses of the First Vice-President in the performance of his/her duties shall be borne by the Local.

Section 3. The salary of the Second Vice President shall be an amount equal to fifty percent (50%) of a "7" step firefighter's salary. The expenses of the Second Vice President in the performance of his/her duties shall be borne by the Local.

Section 4. The salary of the Secretary shall be an amount equal to fifty percent (50%) of a "7" step firefighter's salary. The expenses of the Secretary in the performance of his/her duties shall be borne by the Local.

Section 5. The salary of the Treasurer shall be an amount equal to fifty percent (50%) of a "7" step firefighter's salary. The expenses of the Treasurer in the performance of his/her duties shall be borne by the Local.

Section 6. The salary of the Benefits Officer shall be an amount equal to fifty percent (50%) of a "7" step firefighter's salary. The expenses of the Benefits Officer in the performance of his/her duties shall be reimbursed by the Local.

Section 7. The salary of the Executive Assistant(s) shall be an amount equal to fifty

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percent (50%) of a "7" step firefighter's salary. The expenses of the Executive Assistant(s) in the performance of his/her duties shall be reimbursed by the local.

Section 8. Members of the Local assigned by the President to perform duties locally shall be eligible to receive the Union's standard per diem rate (or a pro rata portion thereof).

Section 9. The Treasurer shall have the authority to reimburse Executive Board members, Committee members, or any other member of this Local for reasonable and prudent expenses incurred in the performance of services for the Local, upon presentation of an acceptable receipt for expenses and approval by the President or his/her designee.

ARTICLE 8 - DELEGATES AND ALTERNATES TO CONVENTIONS

Section 1. If, in accordance with Article 4, Section 2, of the International Constitution and By-Laws, this Local is entitled to Delegates or Alternates in addition to the President, First Vice-President, Second Vice President, Secretary, Treasurer, Executive Board Members and Trustees as outlined in Article 6 Section 13, they shall be elected by secret ballot of the members in good standing in attendance at a regular scheduled meeting. Delegates and Alternates to conventions of any other affiliated organizations shall be elected in a like manner.

Section 2. Alternates to conventions shall be elected by secret ballot of the members in good standing in attendance at a regular scheduled meeting. The credentials of Delegates and Alternates must be certified to this method of election.

Section 3. Delegate and Alternative Delegate Elections conducted at Regular General Membership Meetings will require will be conducted at the announced date and will not require a quorum.

ARTICLE 9 - INITIATION FEES, DUES, REINSTATEMENT FEES AND ASSESSMENTS

Section 1. Initiation fees shall be paid in the amount established by the International and the Local.

Section 2. Dues shall equal one (1) percent of the salary "10" (maximum) step of the basic Fire Fighter classification, including any incentives received by all members of the bargaining unit. In addition to the 1% of salary and incentives, there shall be an additional surcharge equal to the per capita charges of the International Association of Firefighters and the Florida Professional Firefighters. Dues increases shall occur whenever an increase in salary or incentives occur, or to reflect the IAFF and FPF annual adjustment. The Building Fund shall be reinstated as a maintenance fund at two dollars (\$2.00) per pay period per member. At such time when an increase in salary for every member of the bargaining unit occurs the building fund shall be

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increased to three dollars (\$3.00) per pay period.

Section 3. Increase in rates of dues, fees, assessments or the levying of new assessments shall require notice of such proposed new assessment or increases to be given to the members in good standing at least thirty (30) days in advance of the date on which the vote for new assessment or such increases is to occur. The proposed new assessment or increase shall become effective upon a majority vote of the members in good standing, by secret ballot, at a regular or special meeting.

Section 4. Reinstatement fees: Members that resign or have their membership revoked and are still active members of the fire department must pay their dues, assessments, and other charges paid by other members during his or her absence, and reinstatement fees due the International, prior to reinstatement according to the following schedule: If the employee is out of membership for less than one year, he/she will have three (3) months to pay all monies owe as enumerated above. If the employee is out of membership for more than one (1) year, but less than two years, he/she will have six (6) months to pay all monies owed as enumerated above. If the employee is out of membership for more than two years, he/she will have one year to pay all monies owed as enumerated above.

ARTICLE 10 - MISCONDUCT, TRIALS AND APPEALS

Section 1. 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 in Article XVI of the Association Constitution and be given a reasonable time to prepare his/her defense and afforded a hearing as provided in Article XVII of the Association Constitution.

Section 2. Appeals may be made in accordance with Article XVIII of the International Constitution and By-Laws, such appeal must be filed with the International General President of the Association within 30 days of the action to be appealed.

ARTICLE 11 - MANAGEMENT, INVESTMENT AND DISTRIBUTION OF UNION FUNDS AND PROPERTY

Section 1. The money and property of this Local shall be used solely for the benefit of the Union and its members and not for the personal gain or profit of any officer or member. Local Union Officers, agents, representatives and employees who handle the Local's funds or property shall be held to this standard of conduct and accountable for any breach thereof under this Constitution and Bylaws and as provided by law. 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. Officers given the responsibility under the Local Union's Constitution and Bylaws shall manage, invest and expend its funds and property only in accordance with the applicable provisions of the Local's Constitution and Bylaws, and any resolutions properly adopted. Otherwise, funds and property in excess of \$10,000 may not be invested, used, or

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disbursed except upon approval of the membership at regular or special Local Union meetings or by the Executive Board in the absence of a quorum.

Section 2. An investment policy shall be developed by the Executive Board and approved by the general membership. Quarterly and annual reports shall be displayed for general membership review.

ARTICLE 12 - AUDIT

Section 1. The books and accounts of this Local shall be audited at least annually and the last such report shall be forwarded to the International General Secretary/Treasurer over the Seal of the Local within 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 1. This Constitution and By-Laws made under its provisions, may be amended annually by a two-thirds (2/3) vote, of the membership. The 2/3's shall be of the amount of ballots counted. The ballot shall include a brief explanation of the proposed changes. All proposed amendments shall require a recommendation from the Executive Board. Prior to voting the proposed amendments shall be placed on the agenda for explanation and discussion at a special 2 shift back to back meeting. A noticed of these meetings will be posted in accordance to Article 4 – Section 2. A copy of the proposed amendments will be attached to the notification of the meetings (a quorum shall not be required for the meeting). (Exception: See Article 9, Sections 3 and 4.)

Section 2. A proposed amendment to this Constitution and By-Laws made under its provisions shall be submitted for approval of the International General President prior to its printing issuance, after it has first been adopted by the membership.

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APPENDIX:

LIFE MEMBERS OF LOCAL 1403

Charlie Kossuth

HONORARY MEMBERS OF LOCAL 1403

Stu Kauffman Estelle Bell Paul Bacon

MEMORIAL HONOR ROLL OF LOCAL 1403

Estelle Bell Al Jones

Charlie Kossuth John C. Soeder Catherine Wall Indy Morgado