

ARTICLE I NAME

This Local Association shall be known as Wayne County Deputy Sheriffs Association (WCDSA).

ARTICLE II PURPOSES

The purposes of this association shall be:

1. The purpose of this Association shall be to develop a closer relationship between members to the benefit of the Wayne County Deputy Sheriff's Association.
2. To exert a wholesome influence on the citizens of Wayne County and particularly to foster respect for law and order.
3. To represent all members who put forth a legitimate claim (grievance) in violation of our collective Bargaining Agreement and forwarding their grievance to our collective bargaining agent.

ARTICLE III MEMBERSHIP

Section 1. Any person employed on a full time basis by the County of Wayne, holding a rank of Police Officer, Corporal or Detective or any other classification which may be created as a part of this Bargaining Unit, shall be eligible for membership in the WCDSA. Any member who shall be more than sixty (60) days in arrears in the payment of dues, assessments, fines, or other payments required to be made to this Association as determined by its membership, shall automatically be suspended from all rights and privileges of membership, except in the case where a member requests to halt dues deductions or resigns from the Association, in this case his/her benefits cease immediately. Members in good standing being carried on lost time will be exempt from this section. All memberships shall be non-expiring and be for a minimum of one (1) year.

Section 2. Associate Membership: Retirees, Businesses, Corporations etc. are available for membership. Membership, fees and acceptance to be approved by the Executive Board.

Section 3. Application for membership shall be made on the regular application form.

Section 4. The headquarters of this Association shall be located at 27056 Joy Road, Redford, Michigan 48239, County of Wayne, State of Michigan, unless/until the Association secures its own building space in the future.

Section 5. The dues of the WCDSA shall be paid bi-weekly and amount of dues shall be set by the membership. Due for members of the WCDSA shall be .025% of top pay. (Currently \$6.74 per pay)

Section 6. Any increase in the rate of dues, initiation fees, or the levying of any general or special assessments shall be made only in accordance with the following procedure:

- (a) The notice shall be given that an increase or assessment is to be voted on ten (ten)

days prior to the vote.

(b) The vote shall be by secret ballot with one (1) centrally located polling place operating from 8am- 8pm.

(c) Election Committee will print the ballots and the Election Committee will appoint a member to assist or oversee the vote.

Section 7. Every member shall be provided with a copy of the Bylaws of this Association upon request.

Section 8. Every member of this Association agrees that the WCDSA may not, without cause, ignore a meritorious grievance and that a member does not have an absolute right to have a grievance taken to arbitration. A breach of statutory duty of fair representation shall occur only when the Association conduct toward a member is arbitrary, discriminatory or in bad faith.

Section 9. There shall be no discrimination against any member, or any applicant for membership by reason of race, creed, color, religion, sex, sexual orientation, national origin, ancestry or age, subject to the exceptions with respect to age contained in applicable law.

ARTICLE IV MEETINGS

Section 1.

REGULAR MEMBERSHIP MEETINGS:

Meeting of the WCDSA shall be held on the last Wednesday of odd numbered months, with a minimum of three held at a downtown location.

(a) Meetings may not be waived unless express permission has been granted by the WCDSA Executive Board, in which case a specific reason will be posted in writing setting forth a reason (s) for the cancellation, said notice must also be served on the Bargaining Agent.

(b) The date of a Monthly Meeting may be changed:

1. With the approval of the Executive Board.
2. Must be held within the same month as regular scheduled meeting.
3. Notification of date change shall be posted 15 days prior to change.

(c) The attendance of at least eleven (11) members of this local shall constitute a quorum.

(d) All motions passed at the general/Special membership meeting shall be voted on at the next Executive Board Meeting.

Section 2.

SPECIAL MEETINGS:

Shall be called by the President, or at least five (5) members of the Executive Board who shall petition the President requesting a Special Meeting of this Local. The membership shall have the right to call for a Special meeting by presenting the President with a petition signed by at least 10% of the membership.

- (a) A petition shall specifically state the reason and purpose for the Special Meeting and shall be signed by the petitioning members.
- (b) The Special Meeting shall take place within ten (10) days of receipt of the petition.
- (c) The President of the Association shall issue the call of the meeting and notice of the Special Meeting shall be posted in each Division, five (5) days prior to the meeting.
- (d) The call of the meeting shall state the time; place and purpose of the meeting, and no other business shall be transacted.
- (e) Special Meetings shall be held at a place determined by the President of the Association, which shall be convenient to the Membership.
- (f) Ten percent (10%) of the entire membership at a Special Meeting shall constitute a quorum

Section 3.**EXECUTIVE BOARD MEETINGS:**

Shall be held on the second Wednesday of every month at such time and place convenient to the Board, unless otherwise designated by the President.

- (a) Special Executive Board Meetings may be held at the call of the President.
- (b) The time and place must be determined to be convenient by at least six (6) members of the Executive Board.
- (c) A minimum of seven (7) Executive Board Members shall constitute a quorum at the Executive Board or Special Executive Board Meeting.

Section 4. No General Membership, Special Membership, Executive Board or Special Executive Board Meeting may conduct business without a quorum being present.

Section 5. The order of business at the Membership Meeting shall be as follows:

Wednesday 8-05-09

- (a) Roll call of Officers
- (b) Reading minutes of last preceding membership meeting
- (c) Report of Treasurer
- (d) Report of President
- (e) Transaction of old business
- (f) Communications, Committee reports, etc
- (g) New Business
- (h) Adjournment

All questions of interpretation shall be in accordance with of the current Roberts Rules of Order

ARTICLES V OFFICERS

Section 1. The Executive Officers of this Association shall be: President, First Vice President, Second Vice President, Treasurer/Recording Secretary/Benefits Representative, the Chief Stewards of all Divisions (which may be created as a part of this Bargaining Unit) shall constitute the Executive Board of WCDSA.

All members of the Executive Board are, except Chief Stewards, hereby deemed to represent the entire membership. Chief Stewards represent only their respective Divisions.

Section 2. No member shall be eligible for nomination or election as an Officer in this Association unless he or she has been two (2) years a member in good standing continuously prior to both nomination and election. A member in good standing shall have been a dues paying member over this period.

Section 3. If a vacancy occurs in the office of Local President, the First Vice President shall assume the Presidency for the remainder of the un-expired term.

All other vacancies shall be filled by a Special Election in accordance with Article IX, providing there are six (6) months or more remaining, in the term of office; if less than six (6) months remain, the Executive Board shall fill the vacancy.

Section 4. Any Executive Board Member, Trustee, Chief or Alternate Steward, who is marked absent without being excused from three (3) meetings, in a twelve (12) month period, shall automatically be removed from office.

- (a) The Executive Board will approve **all** excused absences.
- (b) Request for excused absences shall be made prior to start of each meeting.
- (c) Notification of absences shall be given to President or Executive Board Member or Committee Chairperson, before leaving message via phone or with Office Personal.

Section 5. Any board member on a leave from employment for more than fifteen (15) days shall notify

the Local President or Executive Board in writing, as to the length of their absence and the ability to fulfill their Union duties.

- (a) Executive Board may approve a Committee Co-Chairperson or Alternate Steward to attend board meeting.
- (b) Committee Co-Chairperson or Alternate may give reports.

Section 6. Any Executive Board Member may be recalled for cause by a majority vote of all voting members from which the Executive Board Member represents.

Just Cause for Suspension or Removal:

- a. No elected officer or representative of this Association shall be suspended or removed from office for alleged malfeasance, misfeasance, or nonfeasance except for just cause. Before any officer or representative is suspended or removed from office, they shall be:
 - i. Served with specific written charges.
 - ii. Given a reasonable time to prepare their defense.
 - iii. Be afforded a full and fair hearing.

Procedure for Suspension or Removal:

The following procedures shall control suspension or removal from office:

- a. The accused officer or representative shall have a fair and impartial hearing before the Executive Board. The hearing shall be held in private. Any question or issue voted on shall be done by roll call vote and shall be done in a session open to the general membership.
- b. A hearing concerning a suspension or removal from office shall be in the form of a motion and will be conducted following Robert's Rules of Order unless RRO conflict with the Association's Constitution or Bylaws.
- c. The accused officer or representative shall not have a vote or be allowed a proxy on the Executive Board during such hearing but shall be entitled to all other rights and privileges of an Executive Board member.
- d. A three-quarters (super majority) vote of the Executive Board is required to sustain any action concerning a suspension or removal from office.
- e. Any vote of suspension or removal from office taken by the Executive Board will be reported to the membership.
- f. If an action to recall an officer or representative suspended from office pursuant to section 1 of this article is not initiated within 30 days of the vote of suspension by the Executive Board, the officer or representative will resume the duties of their office.

Procedure for Recall:

- a. An action to recall the President, Vice President, or Secretary/Treasurer may only be initiated by one of the following methods:
- i. A two-thirds majority vote of the other members of the Executive Board.
 - ii. By any voting member who petitions the Executive Board with the signatures of at least fifty one percent (51%) of the voting membership of the Association.

The Executive Board shall order an election within thirty (30) days of the receipt of a valid petition. A representative may not be removed from office until the above procedure has been complied and a vote of the membership for removal passes with a two-thirds majority.

Definition of Malfeasance, Misfeasance, and Nonfeasance:

Malfeasance: The intentional doing of something either legally or morally wrong which one had no right to do.

Misfeasance: The unlawful execution of some act that in itself is lawful and proper.

Nonfeasance: The failure to perform an act that is either an official duty or a legal requirement.

1. The Executive Board shall:

- (a) Certify the petition by counting and checking for one (1) signature per signing member, total to equal half of the total membership.
- (b) Set a voting date in accordance with **Article IX, Section 5, (a through e)**.
- (c) The Election Committee shall notify the Executive Board in writing of the election results.

2. If the individual Board Member is petitioned for recall, all duties and responsibility assigned to them must stop.

Section 7. Executive Officers, Executive Board Members, and Chairperson of the Standing Committees shall be elected pursuant to the provisions of Article IX of these Constitution and Bylaws. The Recording Secretary shall select one member of each Committee to act as a Recording Secretary to said Committee; further, said designee shall forward all minutes of their respective committees to the Recording Secretary to be transcribed and filed in accordance with this section of the Bylaws.

Section 8. The President and/or designated representative, as determined by the Executive Board, shall attend all County and State Conventions, Councils and Seminars. Two (2) alternates may be nominated and elected by the Executive Board.

Section 9. All Officers and employees handling any monies of this Association shall be bonded in the amounts and the form required by applicable statutes, said bond or bonds to be procured immediately upon assuming office or employment, the premiums to be paid by the Association.

ARTICLE VI DUTIES OF OFFICERS

Section 1. The President shall preside at all meetings of the Executive Board and Membership meetings. He shall sign all official communications of the WCDSA, including all drafts against its funds. The President shall be the Chief Executive officer of this Association and shall be an ex-officio member of all Committees except the Election Committee. It shall be the duty of the President to see to the proper function of all Boards and Committees, and to vote on all questions whenever his/her vote is required to break a tie. The President shall make every attempt to notify the membership of any pending Memorandum of Agreements (MOA's) whenever possible.

Section 2. The First Vice President shall assume the duties of the President in his absence and when he is unable to serve in that capacity. In case of a permanent vacancy in the office of the President, the First Vice President shall assume those duties of the President. It shall be the duty of the First and Second Vice Presidents to attend all Committee and Board Meetings.

- (a) The First Vice President shall also serve as Grievance Committee Chairman at the weekly Grievance Committee meeting, and perform such duties as are assigned to him by the President.
- (b) The Second Vice President shall be in charge of representing all members in disciplinary matters and perform such duties as are assigned to him by the President.
- (c) The Second Vice President in the absence of the President and the First Vice President shall assume the duties of the President.

Section 3. The Treasurer/Recording Secretary/Benefits Rep shall be responsible for all monies received and shall submit a report on dues to the membership and Executive Board of the WCDSA, no later than the fifteenth (15th) of each month, following the month in which the payment falls due. All monies received shall be recorded in a cashbook or journal. He/she shall deposit all monies received to the credit of the WCDSA in a bank or banks selected by the Executive Board in writing. All disbursements shall be made by check signed by the Secretary-Treasurer and countersigned by the President.

The Secretary-Treasurer shall keep all membership records and application cards, and a record of all members admitted by initiation or otherwise, as well as rejections and suspended or expelled members. Shall maintain an accurate record of all dues payments and other revenue as well as the correct names, address, zip codes and Social Security numbers of all members of the WCDSA and every month shall submit all changes of addresses and the names and addresses of all other non- payment of dues or for any other cause; also a correct list of those who take transfer or withdrawal cards.

The Treasurer shall promptly make available to the membership copies of all annual review reports and copies of all financial reports setting forth a statement of liabilities and a statement of receipts and disbursement, which are required by law.

The fiscal year of this Association shall begin on January 1, and continue through December 31, and it shall be the duty of the Treasurer to cause an annual review of the books and financial affairs of this Association. A random review must be conducted within thirty (30) days if a membership petition is presented to the Executive Board signed by at least 10 % of the membership. This review shall be conducted by a three (3) member committee or an outside source.

All officers may be assigned additional duties or responsibilities pertaining to his or her office as directed by the President or Bargaining Agent.

Section 4. Recording Secretary shall have a duty to take minutes of the Executive Board Meeting and of the General Membership Meeting. He/she shall keep files of such minutes and present them to any member of the Association if requested. The Recording Secretary shall furnish the Chairman of each Committee a copy of such resolutions as may be adopted by the Association, which is relevant to the individual Committees. Within fifteen (15) days after an election the Recording Secretary shall take charge of all records, correspondence and other documents of the Association.

ARTICLE VII POLITICAL ENDORSEMENTS

Section 1. Political candidates or groups supporting a ballot proposal shall request an endorsement in writing from the Wayne County Deputy Sheriffs Association, and may appear before the membership at a monthly meeting.

Section 2. All requests for political endorsements must be submitted no later than sixty (60) days prior to a ballot proposal or the date of political election.

Section 3. Political candidates may be endorsed for primary and general elections.

Section 4. The President shall appoint an election screening committee, to conduct an interview and screening for endorsements of political candidates or ballot proposals in accordance with these By-Laws.

Section 5. The screening committee shall consist of all members of the Executive Board, and five (5) members at large from the general membership appointed by the President.

Section 6. A majority vote of the screening committee is needed to endorse a candidate, if a tie occurs; the President has the deciding vote.

Section 7. All Executive Board members shall be members of PAC.

Section 8. The Executive Board of the WCDSA shall be the governing body of the Association and shall have and possess the power to direct the Associations affairs. The Executive Board shall establish all

Rules and Regulations in order to carry out its duties and shall have the power to enter into agreements and contracts for the benefit and well-being of its members and the Association. However CBA, or memorandum of agreement made between Wayne County and the Bargaining must be signed by one of the WCDSA Executive Board Members. (President or Vice Presidents). The Board shall have the power to appropriate and expend the necessary monies as may be needed to carry out the affairs of the Association; however, all actions of the Executive Board must be approved by the membership at the regular monthly Membership Meeting, during summer recess of the Membership Meetings or when a regular Membership Meeting is cancelled because of a holiday, at the next scheduled meeting. The Executive Board may be vetoed by the membership at the Regular Monthly Meeting by a two-thirds majority vote of members present. However, the Executive Board shall be empowered to allocate and spend no more than Four Hundred Dollars (\$ 400.00) on anyone item on its agenda without prior approval of the membership.

Section 9. Trustee Committee: There shall be four (4) Trustees elected at large; the member receiving the greatest number of votes for a Trustee Position shall be the Chairman of the Trustee Committee and shall submit a report to be read at the monthly Executive Board meeting. The Board of Trustees shall, at least twice a year, review and/or examine all accounts of the Association, and shall render a report thereon to the Association Membership. The Board of Trustees can review the Associations accounts at any time, or if the Executive Board or membership so directs. After each review, a report shall be made to the membership. The Board of Trustees shall engage whatever technical help may be necessary to accomplish their task. It shall be the Trustee Committee's duty to recommend to the Executive Board such measures as will simplify the duties of the Secretary- Treasurer and to safeguard the funds of this Association. They shall perform such other duties as may be assigned to them by the President or Executive Board. Where two (2) Trustees are unable to act as a result of illness, absence, or for any other reason, the remaining two (2) Trustees may carry out the duties imposed by this Article.

Section 10. Grievance Committee: The Grievance Committee shall be made up of the elected Chief Stewards. Members of the Grievance Committee shall be Executive Board Members. The Chairman of the Grievance Committee shall be the First Vice President.

- (a) Effective the first General Election after adoption of these Bylaws, the Executive Board shall review/approve an alternate Steward for each shift and/or building within each Division, upon recommendation of the Division Chief Steward.
- (b) Alternate Stewards shall serve in their capacity at the discretion of the Divisional Chief Steward.

Section 11. Bargaining Committee: The Bargaining Committee shall be established and appointed by agreement between the Bargaining Agent and the WCDSA.

Section 12. Civil and Human Rights Committee: The Chairman of the Civil and Human Rights Committee shall be the 1st Vice President who in conjunction with the President, shall jointly appoint four (4) non-Executive Board Members of the WCDSA to serve as members of the Civil and Human Rights Committee.

Section 13. Chief Stewards: The Chief Stewards shall be assigned to and elected from the Division which they represent and shall investigate and present grievances for members assigned within their

division.

Section 14. PAC Chairman: The PAC Chairman shall be elected and serve a (4) Four year term. The PAC Chairman will report all activity to the Executive Board for approval.

ARTICLE VIII RULES AND REGULATIONS

Section 1. All Rules and Regulations of the WCDSA shall be under the jurisdiction of the Executive Board and by ratification of the Membership.

ARTICLE IX ELECTIONS

Section 1. Elections shall take place every year with the replacement of one of the following:

- (a) President, ***
- (b) 1st Vice President ***
- (c) 2nd Vice President ***
- (d) Chief Stewards & Treasurer/Recording Secretary & PAC Chairman

Staggered elections will ensure institutional knowledge being passed on to newly elected members. All elected officers shall serve a four (4) year term.

***To be considered for the position of President, 1st Vice President, or 2nd Vice President, you must have previously served at least two (2) years in an elected position.

Section 2. An Election Committee shall be elected at the August General Membership Meeting. This Committee shall consist of five members of this local. They will be nominated and elected at the August General Membership Meeting immediately prior to an election. The call to the September Membership Meeting shall state such nominations and election will take place. Balloting shall be by secret ballot of the members present.

- (a) Members elected to the Election Committee shall select from its members an Election Committee Chairman prior to the October General Membership meeting.

Section 3. Nominations for the vacant position(s) shall be made at the October General Membership Meeting. Nominations may be effected either in person or by written notice to the Election Committee Chairman at the October Meeting.

- (a) Only those members from within the particular division, or the Chair, may nominate a member for the position of Chief Steward.

Section 4. All persons nominated who do not intend to have their name placed on the ballot must notify the Election Committee Chairman, in writing, within seven (7) days following said nominations or decline at the meeting if present.

(a) Notification must be postmarked or time stamped at the WCDSA Office no later than seven (7) days following said nomination. Any member nominated to more than one (1) office must notify the Election Chairman within seven (7) days, in writing, as to which office he chooses to run for. Failure to give such notice will result in the name not appearing on the ballot.

Section 5. Before a vote is taken, it shall be the duty of the Election Committee to print the ballots.

(a) Voting shall be by a secret ballot at the polls selected by the Election Committee or by a mail-in ballot (utilizing a control indicator to account for voting discrepancies) to all eligible voting members. If conducted by secret ballot voting shall take place between 6:00 am and 4:30 pm on the day of a General Membership Meeting except for voting for Officers as listed in Section 3, above. That election will take place on the day of the November General Membership Meeting. The voting method, poll locations, date and purpose of the Election shall be determined by the Election Committee and posted at least five (5) days prior to the Election.

(b) At each poll, the Election Committee shall have an identical current list of all members in good standing. Said list shall be certified by the Treasurer/Recording Secretary/Benefits Rep of the WCDSA and subdivided according to Division. The Election Committee will conduct an audit of all mail in votes to verify all were cast by members in good standing; further the president shall issue a replacement ballot upon request utilizing the control indicator to account for voting discrepancies.

(c) If conducted by secret ballot, prior to voting, the voting member shall sign the membership list across from the member's name and shall submit proper identification upon request of the poll worker. All mail in votes shall require a member's signature.

Section 6. No candidate (including a prospective candidate) for any office in this Association or affiliated body or supporter of a candidate may solicit or accept financial support or any other direct or indirect support of any kind from any non-member of the WCDSA.

Section 7. It is understood that all elected officers work under the authority/discretion of the Bargaining Agent. The Bargaining Agent may summon any elected officer to stand in front of a selected panel to answer allegations of misconduct. This panel will have the authority to remove elected officers from their role as an agent working on behalf of the collective Bargaining Agent.

ARTICLE X AMENDMENTS

Section 1. Proposed amendments to the Bylaws shall be submitted in writing to the Executive Board with 51% of the membership signatures.

Section 2. The Executive Board shall direct the Election Committee to hold an election on the proposed amendment within ten (10) days following the next regular scheduled meeting.

Section 3. Said Election shall be by a mail-in ballot to all eligible voting members in accordance with Article X,

Section 4. Approval by three-fourths (3/4) of the membership voting shall be necessary for adoption of the amendment.

Section 5. The Election Committee shall advise the Executive Board in writing of the results of the amendment vote.

ARTICLE XI PROPERTY RIGHTS

The title to all property, funds, and other assets of the WCDSA shall at all times be vested in the Executive Board for the joint use of the membership of this Association but no members shall have any severable proprietary rights, or interest therein. Membership in this Association shall not vest any member with any right, title, or interest in or to the funds, property, or other assets of the WCDSA, now owned and possessed or that may hereafter be acquired, and each member hereby expressly waives any right, title, or interest in or to the property of the WCDSA, including the funds of this Association.

ARTICLE XII DISSOLUTION

This Association shall not dissolve, secede or disaffiliate while there are seven (7) dissenting members. Additional supplements to be added as approved by the Membership.