

ARTICLE 1 - NAME

The name of the organization shall be the DOUGLAS COUNTY LAW ENFORCEMENT ASSOCIATION (and shall be referred to throughout these By-Laws as the Association).

ARTICLE 2 - OBJECT

The object of the ASSOCIATION is to improve the employment relations for the betterment of its members with County of Douglas; to work with the County concerning grievances, labor disputes, wages, rates of pay, hours of employment and conditions of work; contract administration; to provide formal collective bargaining representation for its members; and conduct other affairs of the ASSOCIATION as designated by its members.

ARTICLE 3 - ELIGIBILITY FOR MEMBERSHIP IN THE ASSOCIATION

Jurisdiction shall be determined by the Employment Relations Board. All persons employed by the County, and who are in the Association's bargaining unit, are eligible for membership in the Association.

ARTICLE 4 - MEMBERSHIP

Any person who is employed as a permanent employee with the jurisdiction of the Association may become a member in good standing.

SECTION 1: RESPONSIBILITY OF MEMBERS. This Association, its officers, representatives, and members shall recognize, observe and be bound by the provisions of these By-Laws and the Association's Collective Bargaining Agreement with Douglas County.

SECTION 2: RIGHTS OF MEMBERS. Every member in good standing shall have the right to attend any Association general or Executive Board meeting and to participate in such meeting in accordance with the By-Laws of the Association.

SECTION 3: DELINQUENT MEMBERS. Members who fail to pay their dues or assessments, within periods prescribed by the By-Laws, and the Collective Bargaining Agreement, or any other existing contract between the Association and any member(s) shall be notified by the Secretary or Treasurer of the Association 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 a voice or vote in the Association.

SECTION 4: NON-MEMBERS: Non-members are bargaining unit employees who have failed to complete an Association membership or dues authorization card, and former members who have chosen to opt out of membership. Non-members are covered by the Collective Bargaining Agreement. Non-members shall not be entitled to any voice or vote in the Association. Non-members shall not be allowed to attend Association meetings. Non-members may be assessed a fee by the Association for any requested representation in grievances or disciplinary matters. Non-members shall not be entitled to any Association member benefits including but not limited to: the Legal Defense Fund through PORAC and representation by the Association attorney.

Non-members who become members will be entitled to full membership benefits as outlined above only for conduct that occurs on or after the date the non-member's application card is processed and valid. Application cards are not valid until the first of the month following receipt.

There shall be a membership fee of \$500 charged for processing all member applications not received within thirty (30) days of the date of these bylaws revisions, or date of hire, whichever occurs later.

SECTION 5: LONG TERM DISABILITY Any member in good standing who is on long-term disability and has not retired, retains his or her full membership status and has all the rights and benefits pertaining thereto with the exception that he or she is not required to pay dues to the Association as long as he or she is on disability status.

SECTION 6: INACTIVE MEMBERS Any member in good standing who takes a leave of absence without pay from their employment with the Department for longer than thirty (30) days shall be placed on inactive status. Such inactive members shall not be required to pay dues and shall have no vote in the business of the Association or be eligible to hold office while on inactive status. All other membership rights shall remain in effect. Upon the employee's return to paid employment status with the Department from such a leave, the member's active status shall be automatically reinstated.

ARTICLE 5 - MEETINGS

All Association meetings are for members and invited guests only. Non-members will not be allowed to attend.

SECTION 1: REGULAR MEETINGS. Regular meeting of this Association shall be held quarterly, at a day and time determined by a vote of the members present at any Annual, Regular or Special Meeting. The place will be determined by the Executive Board and will be announced, along with the date and time, by written or electronic means, at least fourteen (14) days in advance of the meeting.

SECTION 2: ANNUAL MEETING. The annual meeting shall be held by the first Friday in June at a time and place determined by the Executive Board. Notice of the meeting shall be announced at least fourteen (14) days prior to the meeting.

SECTION 3: SPECIAL MEETINGS. Special Meetings may be called in one of three (3) ways:

- A. By a majority vote of the Executive Board.
- B. By an aggrieved member for the purpose of appeal to a decision by the Executive Board regarding any grievance filed by said member.
- C. By petition, of any four (4) members in good standing made to the Executive Board.

Any request for a special meeting under Subsections A or B of this section shall be made in writing, or by electronic means, and shall specifically state what business shall be included on the agenda. Matters and business not specifically on the agenda will not be discussed at the special meeting.

It shall be the responsibility of the Executive Board to notify, in writing, or by electronic means, all members in good standing of the time and place of the special meeting and the agenda, at least forty-eight (48) hours prior to the special meeting. Special meetings shall be limited to one meeting per the specific item(s) of business, as listed on the proposed agenda, between any two regularly scheduled meetings.

SECTION 4: QUORUM. The quorum of any meeting of this Association shall be eleven (11) members in good standing.

SECTION 5: RULES OF PROCEDURE. Unless otherwise stated within the By-Laws or Collective Bargaining Agreement of this Association, all meeting shall be governed by *ROBERTS RULES OF ORDER*.

SECTION 6: OBJECTION A member who is present at any meeting of the Association in which action on any Association matter is taken shall be presumed to have concurred to the holding of the meeting and the action taken unless the member enters his/her objection into the minutes of the meeting prior to the adjournment of the meeting or shall send their objection by written or electronic means, to the Secretary or Treasurer of the Association within five business days after the adjournment of the meeting.

SECTION 7: EXECUTIVE SESSION. At any regularly called meeting of the Association, the Executive Board may, by majority vote, elect to go into an Executive Session excluding all members not designated in the motion for the

Executive Session. The purpose of the Executive Session shall be to achieve harmony among the Executive Board as to Association business and direction.

ARTICLE 6 - OFFICERS

SECTION 1: DESIGNATION. The Executive Board of this Association shall consist of President, Vice-President, Secretary, and Treasurer.

SECTION 2: ELIGIBILITY FOR OFFICE. Any full member in good standing shall be eligible to be a candidate for any Executive Board office in this the Association. Candidates for the office of president must have previously served at least one term as a member of the Executive Board of this Association.

SECTION 3: TERM OF OFFICE. Officers shall hold office for the term of the Collective Bargaining Agreement between the Association and the County and until the election and installation of their successors, unless recalled from office as provided by these By-Laws. There is no limit as to the number of terms a member can be elected into office.

SECTION 4: RECALL FROM OFFICE. Officers of this Association can be recalled from office for the following reasons: Acts which would discredit the Association and prevent the Association from carrying out the best interests of its membership; or failure to remain full member in good standing in the Association. A recall election may be initiated by a petition to the Executive Board signed by at least twenty-five (25) percent of the members in good standing in the Association. Such a petition shall contain any allegations against any Officer(s) and any other justification for such recall election. Recall elections shall be conducted by secret written, or electronic, ballot according to the provisions of Article Seven.

SECTION 5: DUTIES. The Executive Board shall be responsible for the administration of the financial, policy, and other day-to-day matters affecting the Association.

ARTICLE 7 - ELECTION OF OFFICERS

SECTION 1: METHOD OF NOMINATION The method of nominations for officer candidates shall be conducted at a nomination meeting held by the Association. The nomination meeting shall be conducted in a manner as set forth in Article Five. Of the four officer positions, two will be alternately elected for the term of the Collective Bargaining Agreement between the Association and the County. The positions of President and Secretary shall be elected alternate to the positions of Vice-President and Treasurer.

SECTION 2: USE OF FUNDS PROHIBITED IN ELECTIONS. No funds received by this Association through dues, assessments or otherwise, shall be applied to

promote the candidacy of any person in election of officers to the Executive Board. This section does not prevent the expenditure from Association funds for notices, factual statements of issues and other necessary expenses to conduct elections so long as they do not involve promotion of any one candidate or issue.

SECTION 3: METHOD OF VOTING. Elections of officers shall be by secret, written or electronic, ballot, even in the event that only one candidate is nominated for a particular office. The candidate receiving a majority of the votes cast in their favor shall be declared elected. If no candidate receives a majority of the votes cast, the voting shall continue through a run-off election in which only the two candidates receiving the greatest number of votes shall participate until there is a majority vote, eliminating the candidate receiving the lowest vote.

SECTION 4: BALLOTS. For the election of officers to the Executive Board, written or electronic ballots will be provided to each member of the Association in good standing, at least seven (7) days prior to the election in compliance of Section Five of this article. Association members in good standing may then cast their vote for the candidate of their choice prior to the election deadline. In the event of a runoff, ties will be broken by secret ballot cast by a majority of the membership present at a Special Meeting.

SECTION 5: FORM OF BALLOT. Each ballot shall be in a form prescribed by the Executive Board and shall contain the name of every candidate, showing the office the nominee is running for.

A. For written ballots, each member shall be furnished a paper ballot and envelope. The member will then print and sign his or her name on the envelope, seal it, deliver their ballot to an Executive Board Member, or place it in a location designated by the Executive Board, prior to the election deadline.

B. For electronic ballots, each member shall be furnished an email, sent to their county email address, containing a web-link address, along with a unique user code. The web-link will direct the member to the voting election site. The unique user code will ensure that the designated member will have the opportunity to vote only once in the election. The Secretary shall keep a temporary list of the unique user codes assigned to members in order to verify participation at the close of the election.

Prior to each election, the Executive Board will determine which voting method will take place, either written or electronic, but not both.

SECTION 6: COUNTING BALLOTS. Upon the close of an election, the Secretary and Treasurer, in the presence of a volunteer member shall count the votes.

A. For written ballots, the Secretary and Treasurer shall collect the ballots, verify the names on the envelopes and confirm the voters are members in good standing and eligible to vote. When the Secretary and Treasurer have opened and verified the envelopes, the Secretary, Treasurer and volunteer member shall then count the ballots.

B. For electronic ballots, the Secretary, Treasurer, and volunteer member, shall access the designated voting website and retrieve the electronic vote results. They shall verify member votes by matching each unique user code to its designated member, using the Secretary's temporary member/user code list. At no time shall member names, user codes and votes be viewed together in a manner that would enable the Secretary, Treasurer, and volunteer member to determine how an individual member voted.

SECTION 7: CERTIFICATION OF RESULTS. The Secretary and Treasurer shall keep and sign a tally sheet(s) which constitute the official results of the election. Ballots shall be preserved by the Secretary and Treasurer for one (1) month following an election.

SECTION 8: VACANCIES IN OFFICE. When an office becomes vacant by reason of death, resignation, termination, promotion, or recall of the incumbent, the members shall elect a successor for the remainder of the current contract by majority written or electronic vote, except in the case of the President, in which the order of attrition shall take precedence and the vacated position then filled by this process.

SECTION 9: ORDER OF ATTRITION. In the case that the President shall be unable to complete a term of office, he or she shall be succeeded by the Vice-President, Secretary and Treasurer, in that order, provided that the successor currently holds an office which was awarded by election of the membership and not by appointment.

SECTION 10: SPECIAL VOTES. Votes on changes in membership dues, on offers of settlement of collective bargaining negotiations, special assessments and recall of an officer shall be by secret written, or electronic, ballot and follow the methods set forth in Sections 5, 6, 7 and 8 of this article. These ballots shall completely describe the topic to be voted on and list the election deadline. All other votes of regular Association business may be, at the option of the presiding officer, conducted by voice or show of hands during a regular or special meeting.

ARTICLE 8 - DUTIES OF OFFICERS

SECTION 1: PRESIDENT. It shall be the duty of the president to preside at all meetings of the Association and at meetings of the Executive Board. The President shall be the executive head of the Association. Together with the Secretary and Treasurer and/or the Vice-President, the President may sign

orders and checks lawfully drawn. The President shall enforce strict observance of the By-Laws of the Association. The President shall have general supervision of the other offices. The president shall be the chairman of the Executive Board.

A. The President shall discharge on behalf of the Association such duties as may be imposed upon him or her applicable by law, including the execution and filing of any reports to the Federal or State authorities. The President shall cause such records to be maintained by the Association as the law requires.

SECTION 2: VICE-PRESIDENT. The Vice-President shall assist the President in such a manner as the President may determine. In the absence of the President, the Vice-President shall preside at meetings of the Association and of the Executive Board. It is also the responsibility of the Vice-President to keep the membership apprised of progress during the negotiation process.

SECTION 3: SECRETARY. The Secretary shall discharge on behalf of the Association, such duties as may be imposed upon him or her by the President or by applicable law including the execution and filing of any reports to Federal or State authorities, including but not limited to the following:

A. Maintain and have custody of all documents, records, books and papers belonging to the Association and/or required by law except as provided elsewhere in these By-Laws.

B. Keep accurate record of the meetings of the Association and the Executive Board.

C. Attest all official documents with his or her signature.

D. Conduct the correspondence of the Association promptly.

E. Maintain the official list of membership of the organization in an accurate and current manner, including listings of members not in good standing.

SECTION 4: TREASURER. The Treasurer shall discharge on behalf of the Association, such duties as may be imposed upon him or her by the President or by applicable law including the execution and filing of any reports to Federal or State authorities, including but not limited to the following:

A. Receive all monies due to the Association, from whatever source, and disperse the same only by check signed by him or her or any other current officer of the Executive Board.

B. Maintain and keep current and accurate records of members' dues payments, assessments and all other financial transactions.

C. Be prepared to exhibit receipts and vouchers upon the audit of the Association's books.

D. Present to the membership at each regular meeting, an accounting of the financial transactions to provide accountability and justification of any disbursements.

SECTION 5: EXECUTIVE BOARD

A. The Executive Board shall consist of the President, Vice-President, Secretary and Treasurer. It shall be the duty of the Executive Board to exercise general supervision and control of the invested funds and property of the Association. The Association's funds may only be invested in accounts or funds which are either federally insured or which are backed by the full faith and credit of the U.S. Government. It shall have the authority to act in the name of the Association during intervals between meetings, such acts being subject to confirmation by the membership at the next regular meeting of the Association. It shall provide for an annual audit of the Association's books. It shall meet at the call of any Executive Board Officer or in the case of Special Meetings, by a written request of at least four (4) members in good standing.

At minimum, three (3) officers of the Executive Board shall constitute a quorum for the purposes of any decisions made by the Executive board to include the grievance process, arbitration, and other such matters.

B. All grievance duties shall be the responsibility of the Executive Board. A grievance shall be defined as any dispute between labor and management cognizable under the Collective Bargaining Agreement between the Association and the County of Douglas. The procedure shall be set forth in the current Collective Bargaining Agreement between the Association and the County. In addition to the steps set forth in the grievance procedure of the Collective Bargaining Agreement, the Executive Board will operate under the following rules.

Before a grievance arbitration is entered, the member wanting assistance of help from the Association shall notify an Executive Board Officer. That Executive Board Officer will contact the other Executive Board Officers to discuss the matter prior to involving the Association attorney. If the majority of the Executive Board agrees to proceed, the Executive Board will contact the Association attorney and advise the attorney of the situation. Upon advice of the Association attorney, the Executive Board, as a whole, will determine the validity of the grievance.

Appeal of this decision may be made to the Association at a Special or Regular Meeting called by the aggrieved as set forth in Article Five, Section 3 of these By-Laws.

The Association will assist in the legal defense of any member suspended or dismissed for reasons believed to be unjust, as well as other grievances found by the body at large to be warranted.

C. All bargaining duties shall be the responsibility of the Executive Board. The Executive Board shall conduct contract negotiations with the County. The Executive Board Officers shall be responsible for the gathering and formal presentation of any and all supportive or resource material deemed necessary for the productive pursuit of negotiations. The Vice-President shall keep the membership apprised of the status of negotiations.

D. All Legislative duties shall be the responsibility of the Executive Board. The Executive Board shall ensure that the aims and interests of the membership are furthered through the education of the public, generally, and elected representatives specifically.

SECTION 6: TEMPORARY COMMITTEES The President may appoint, at any Regular Meeting, temporary committees as necessary to conduct business of the Association. Appointed committee members shall be Association members in good standing and shall serve as long as necessary to conduct business of the committee they were appointed for.

ARTICLE 9 - DUES AND ASSESSMENTS

SECTION 1: Dues and other assessments shall be paid by the payroll deduction plan as set forth in the Collective Bargaining Agreement between the Association and the County.

SECTION 2: Dues and other assessments shall be set by a majority vote of the Association who vote on the issue.

A. The financial records of this Association shall be audited annually. The method may be by committee or professional firm as selected by the Executive Board.

ARTICLE 10 - AMENDMENTS

Amendments, revisions and repeal amendments; revision and repeal of these By-Laws, may be made by a majority vote of those members in good standing of this Association, provided that notice of such vote is given as set forth in Article Five.

ADOPTED THIS 30th DAY OF AUGUST, 2018