

SALT LAKE CITY IAFF LOCAL 81

LOCAL NUMBER: 81

NAME/LOCATION: SALT LAKE CITY

CONSTITUTION

AND

BY-LAWS

**THIS CONSTITUTION AND BY-LAWS WAS APPROVED BY THE
MEMBERSHIP BEFORE ITS SUBMISSION TO THE IAFF AS
REQUIRED BY ARTICLE XIII OF THE IAFF CONSTITUTION.**

(Information concerning date of approval and signature of officer is required)

July 29, 2016
(Date of Membership Approval)

J. M. W.
(Authorized Local Officer)

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**SALT LAKE CITY INTERNATIONAL ASSOCIATION OF
FIREFIGHTERS LOCAL 81
CONSTITUTION AND BY-LAWS**

**ARTICLE 1
NAME**

Section 1. Local Number and Name.

The number and name of this organization shall be:

Salt Lake City International Association of Fire Fighters Local 81.

Section 2. Definitions.

References 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. Compliance.

This Local Union, its 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 or 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 XIII of the Constitution and By-Laws of the Association is recognized as providing the basic rules governing this Local.

**ARTICLE 2
JURISDICTION**

Jurisdiction shall be as follows: All full-time, sworn, paid employees of Salt Lake City Fire Department up to and including the rank of Fire Chief engaged in fire fighting, emergency medical or rescue service activities, fire prevention bureau or related services. Notwithstanding the foregoing sentence, employees achieving the rank of Battalion Chief or higher shall not be entitled to representation by the Local in compensation or benefit negotiations, disciplinary matters or any other benefits covered by the Memorandum of Understanding between the Local and the City of Salt Lake City as in effect from time to time ("Promoted Members").

**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, is eligible for active membership.

Anyone eligible for membership in this Local 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.

Section 2. Honorary.

For meritorious service to the Local or for distinguished public service, persons may be elected honorary members by majority vote. 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 cause.

Section 3. Retiree.

Members who have retired from this Local or have otherwise withdrawn as members in good standing may be allowed to return to this Local as active-retired members.

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 of this Local.

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. The 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.

Section 6. Delinquent Members.

Members who fail to pay their monthly dues or assessments by the fifteenth (15th) day following the month such dues are payable shall be notified by the Local officer whose duty it is, 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 any voice or vote in the Local or in the affairs of the International.

**ARTICLE 4
MEETINGS**

Section 1. Time and Place.

Regular meetings of this Local shall be held on the second Tuesday of each month at 09:00 unless otherwise determined by the Executive Board.

Section 2. Special Meetings.

Special meetings may be called by vote of a majority of the Executive Board or as provided in Section 16-6a-702(1)(b) of the Utah Revised Nonprofit Corporation Act. All members in good standing shall be notified of such special meeting at least seven (7) days prior to the same. The notice shall state the business to be considered at such meeting, and no other business than that stated in the notice shall be in order at such meeting.

Section 3. Quorum.

The quorum for any meeting of this Local, either regular or special, shall be fifteen (15) members in good standing, which number may include the members of the Executive Board present at the meeting.

Section 4. Rights of Members.

Every member in good standing up to and including the rank of Captain shall have the right to attend any meeting and to participate in such meeting in accordance with the recognized rules set forth in the manual of parliamentary procedure adopted by this Local. Due to the inherent conflicts that may exist between administration and this Local, Promoted Members may be required to leave a Union Meeting if the Executive Board, in its sole discretion, determines that the presence of a Promoted Member may inhibit discussion or compromise this Local's position on a matter. Members shall conduct themselves in such a manner as to not interfere with the legal or contractual obligations of the International or this Local.

Section 5. Rules for Meetings.

The rules contained in Atwoods Rules for Meetings 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.

**ARTICLE 5
OFFICERS AND ELECTIONS**

Section 1. Number and Titles.

The officers of this Local shall consist of a President, Vice President, Secretary-Treasurer and two additional members of the Executive Board, who shall hold office for two (2) years, 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. The offices of Secretary and Treasurer shall be held by the same individual. The two additional members of the Executive Board shall be qualified and elected as follows:

- (a) Firefighter Director. One of the additional members of the Executive Board shall be a member holding a rank below the rank of Captain elected by the members of this Local voting together as a single class ("Firefighter Director").
- (b) Officer Director. One of the additional members of the Executive Board shall be a member holding the rank of Captain elected by the members of this Local voting together as a single class ("Officer Director").

Section 2. Eligibility for Office.

Any member in good standing shall be eligible to be a candidate for office in this Local.

Section 3. Rights of Candidates.

Every candidate for office shall have the right to request distribution of campaign literature, by mail or otherwise, to all members in good standing, at the candidate's own personal expense. "A candidate for office" includes a candidate for membership on the Executive Board. There shall be no discrimination in favor of or against any candidate with regard to the use of membership lists.

Section 4. 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.

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.

Section 5. Method of Nomination and Election.

Any member in good standing may nominate eligible members for office. Nominations shall open during the start of the regular meeting held in August and close at the conclusion of the regular meeting held in October. A list of all candidates shall be posted on the Local's website at least fifteen (15) days prior to the election of officers. A minimum of fifteen (15) day advance notice of the date, time and place at which election of officers will be held shall be sent in writing or by email to every eligible member in good standing and posted on the Local's website.

Elections shall be by secret ballot; write-in voting shall not be permitted. If there is only one candidate for a given office, such candidate shall be declared elected. There shall be no voting by proxy in the election of Local officers. The candidate receiving a majority of the ballots cast shall be declared elected. If no candidate receives a majority of the ballots cast, the candidate receiving a plurality of the votes shall be declared elected.

The President and Firefighter Director shall be elected in even-numbered years and shall assume office during the first regular meeting in the following odd-numbered year. The Vice President, Secretary-Treasurer and Officer Director shall be elected in odd-numbered years and shall assume office during the first regular meeting in the following even-numbered year.

Section 6. Elections Committee.

The President shall appoint a three-member Elections Committee which shall be responsible for distributing and tabulating the ballots and shall include the Vice President as one of its three members. Each candidate for office shall be entitled to appoint one observer who shall be permitted to witness the manner of distribution and casting of ballots and attend the meeting of the Elections Committee at which the votes are tabulated.

Section 7. 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 8. Vacancies in Office.

When an office becomes vacant by reason of death, resignation, or removal of the incumbent, the Executive Board shall elect a successor by majority vote, no later than thirty (30) days from the date the office is vacated.

**ARTICLE 6
DUTIES OF OFFICERS**

Section 1. Local President.

It shall be the duty of the President to preside at all meetings of the Local and at meetings of the Executive Board. He/She shall be the executive head of the Local. He/She shall be a member ex officio of all committees. He/She shall appoint such committees as may be provided for in this Constitution and By-Laws and such special committees as may be authorized by the Local. Together with the Secretary-Treasurer, he/she shall sign all orders and checks lawfully and properly drawn. He/She shall enforce strict observance of the Constitution and By-Laws of the International as this document relates to the Local, and the Constitution and By-Laws of the Local and shall have the final authority, subject only to internal appeal to the International pursuant to Article XVIII of the IAFF Constitution and By-Laws, to decide questions of parliamentary rules and questions involving interpretation of this Constitution and By-Laws. He/She shall have general supervision of the activities of the other officers and the chair of committees.

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 federal or state authorities, and he/she shall cause to be maintained by the Local such records as the law requires to be kept in support of reports filed by the Local.

The President, by virtue of his/her election, shall be a delegate of this Local to the convention of the International.

The President shall receive as annual compensation a sum of twenty-five percent (25%) of the top grade firefighter's annual base wage. Such compensation shall be pro-rated and paid monthly on or about the first week of each month.

Section 2. Local Vice President.

The Vice President shall assist the President in such a manner as the President may determine. In the absence of the President, he/she shall preside at meetings of the Local and of the Executive Board. If the office of President becomes vacant, the Vice President shall be acting President until the office of President is filled by election by the Executive Board.

The Vice President shall receive as annual compensation a sum of fifteen percent (15%) of the top grade firefighter's annual base wage. Such compensation shall be pro-rated and paid monthly on or about the first week of each month.

Section 3. Local Secretary-Treasurer.

The Secretary-Treasurer 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. He/She shall keep an accurate record of the meetings of the Local and of the Executive Board, of which he/she shall be the Secretary. He/She shall attest all official documents with his/her

signature and the seal of the Local. He/She shall conduct the correspondence of the Local promptly. He/She shall maintain the official list of members in good standing, which shall be kept accurately and on a current basis.

The Secretary-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 he/she shall cause to be maintained by the Local such records as the law requires to be kept in support of reports filed by the Local.

The Secretary-Treasurer shall receive all monies due the Local, from whatsoever source, and shall disburse the same only by voucher signed by the President in conformity with a vote of the Local. Such disbursement shall be by check, which shall also be signed by the President. He/She shall maintain and keep current a record of members with their dues payments, assessments and all financial transactions promptly and accurately entered. He/she shall be prepared to exhibit receipts and vouchers upon the audit of his/her books. He/She shall forward the annual audit of the Local to the International General Secretary-Treasurer over the seal of the Local.

The Secretary-Treasurer shall receive as annual compensation a sum of twenty-five percent (25%) of the top grade firefighter's annual base wage. Such compensation shall be pro-rated and paid monthly on or about the first week of each month.

Section 4. Firefighter Director. The Firefighter Director shall serve as a liaison between the members and the Executive Board. The Firefighter Director shall, at the request of a member and designation by the President, be a primary representative of members facing disciplinary action and shall work to ensure that the disciplinary process established in the MOU and civil service regulations (including any processes replacing those in the MOU or civil service regulations) are followed. The Firefighter Director shall also discharge such additional other duties assigned by the President, including, but not limited to attendance and participation in City Council, City Committee or other meetings to ensure the interests of the Local are represented.

The Firefighter Director shall receive as annual compensation a sum of fifteen percent (15%) of the top grade firefighter's annual base wage. Such compensation shall be pro-rated and paid monthly on or about the first week of each month.

Section 5. Officer Director. The Officer Director shall serve as a liaison between the members and the Executive Board. The Officer Director shall, at the request of a member and designation by the President, be a primary representative of members facing disciplinary action and shall work to ensure that the disciplinary process established in the MOU and civil service regulations (including any processes replacing those in the MOU or civil service regulations) are followed. The Officer Director shall also discharge such additional other duties assigned by the President, including, but not limited to attendance and participation in City Council, City Committee or other meetings to ensure the interests of the Local are represented.

The Officer Director shall receive as annual compensation a sum of fifteen percent (15%) of the top grade firefighter's annual base wage. Such compensation shall be pro-rated and paid monthly on or about the first week of each month.

Section 6. Local Executive Board.

The Executive Board shall consist of the President, Vice President, Secretary and Treasurer, Firefighter Director and Officer Director. It shall be the duty of the Executive Board

to exercise general supervision and control of the invested 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 being subject to confirmation by the membership at the next regular meeting of the Local.

In the event a member needs assistance from the Local Union in resolving issues with the Local Union, the Fire Department's administration, the City of Salt Lake City or any other agency or individual, the President shall assign one or more members of the Executive Board to assist such member. While a member may request representation by a specific individual, the President is not obligated to grant such request and shall make such assignment based on what the President, in his sole discretion, determines is in the best interest of the Local Union.

The Executive Board shall provide for an annual audit of the Treasurer's books. It shall meet at the call of the President or on call signed by a majority of its members. A majority shall constitute a quorum.

Section 7. Compensation and Expenses. The compensation of the officers of the Local shall be as set forth in Sections One through Five of this Article 6. Any additional compensation must be approved by majority vote of the members in good standing, voting in a referendum conducted by secret ballot. Notwithstanding the foregoing, each officer shall also be entitled to reimbursement for his/her reasonable expenses and allowances authorized by the Executive Board.

Section 8. Bonding.

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 7

DELEGATES AND ALTERNATES TO INTERNATIONAL CONVENTIONS

Section 1. Delegates.

If, in accordance with Article IV, Section 2 of the International Constitution and By-Laws, this Local is entitled to delegates in addition to the President, they shall be elected by secret ballot of the members in good standing.

Section 2. Alternates.

Alternates to conventions shall be elected by secret ballot of the members in good standing. The credentials of delegates and alternates must certify to this method of election.

ARTICLE 8

INITIATION FEES, DUES AND ASSESSMENTS

Section 1. Initiation Fees.

Initiation fees shall be paid in the amount set by the International and such amount shall be submitted to the IAFF.

Section 2. Dues.

Dues for active members shall equal one percent (1%) of a top grade firefighter's pay without certifications. Dues for retired members shall equal the sum of Five Dollars (\$5.00) plus the per capita rate for retired members required by the Professional Fire Fighters of Utah and the International Association of Fire Fighters.

Section 3. Assessments.

Assessments may be made only in the following manner: Each member in good standing shall be notified in writing at least thirty (30) days in advance of the date on which the vote for an assessment is to occur. The proposed assessment shall become effective upon a majority vote of the members in good standing, by secret ballot, at a general or special meeting.

Section 4. Increases in Rates.

Increases in rates of initiation fees, reinstatement fees or dues shall require notice of such proposed increase to be given to the members in good standing at least thirty (30) days in advance of the date on which the vote for such increase is to occur. The proposed increase shall become effective upon a majority vote of the members in good standing, by secret ballot, at a general or special meeting.

Section 5. Reinstatement Fees.

Reinstatement fees shall be Twenty-Five Dollars (\$25), plus all back dues and assessments, which back dues and assessments may be waived at the discretion of the Executive Board. Ten dollars (\$10.00) of this amount shall be submitted to the IAFF.

**ARTICLE 9
MISCONDUCT, TRIALS AND APPEALS**

Section 1. Misconduct and Trials.

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

Section 2. Appeals.

Appeals may be made in accordance with Article XVIII of the International Constitution and By-Laws. Such appeal must be filed with the General President of the Association within thirty (30) days of the action to be appealed.

**ARTICLE 10
BUDGET AND AUDIT**

This Local shall establish a Budget and Audit Committee that shall consist of the Vice President and two members appointed by the President to serve staggered two-year terms on the Budget and Audit Committee. The Budget and Audit Committee shall establish and present a Budget to be presented to the membership at the regularly scheduled October Union Meeting for

the following calendar year. The Budget shall be discussed and revised at the October Union Meeting and then presented to the membership for approval at the regularly scheduled December Union Meeting.

The Budget and Audit Committee shall conduct an audit of the Local's preceding year's books and accounts on or before the regularly scheduled February Union Meeting. A summary of the Local's preceding year's annual books and accounts shall be presented to the membership at the February Union Meeting for discussion.

The final report of the audit shall be forwarded to the International General Secretary-Treasurer over the seal of the Local within one hundred eighty (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 11 AMENDMENTS

Section 1. Proposed Amendments.

This Constitution and By-Laws may be amended by a two-thirds (2/3) vote (except for changes in dues and assessments, and initiation and reinstatement fees, which shall require a majority vote, as provided in Article 8, Sections 3 and 4) at a regular meeting, provided that each member in good standing is notified in writing of the proposed amendment at least fifteen (15) days in advance of the meeting at which the vote will be taken.

Section 2. Adopted Amendments.

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