A.P.P.O.

ASSOCIATION OF PROFESSIONAL POLICE OFFICERS BYLAWS

REV. 10/24

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Membership Bill of Rights

- 1. No person otherwise eligible for membership in this Association shall be denied membership on a basis of unqualified equity, because of race, creed, color, national origin, sex, age, sexual orientation/gender identity, disability, political belief, or religious affiliation.
- 2. Members shall suffer no impairment of freedom of speech concerning the operations of this Association. Active discussion of Association affairs shall be encouraged and protected within this organization.
- 3. Members shall have the right to conduct the internal affairs of this Association free from employer intervention.
- 4. Members shall have the right to fair and democratic elections at all levels of this Association. This includes due notice of nominations and elections, equal opportunity competing candidates and proper election procedures which shall be bylaw specified.
- 5. Members shall have the equal right to run for and hold office subject only to bylaw specified qualifications uniformly applied.
- 6. Members shall have the right to a full and clear accounting of all Union funds at all levels. Such accounting shall include, but not limited to, periodic reports to the membership by the appropriate fiscal officers and periodic audits by officers elected for that purpose or by independent auditors not otherwise connected with the Association.
- 7. Members shall have the right to full participation through discussion and vote, in the decision-making process of the Association, and to pertinent information needed for the exercise of that right. This shall specifically include decisions concerning the acceptance or rejection of collective bargaining contracts, memoranda of understanding, or other terms and conditions of employment. All members shall have an equal right to vote and each vote shall be of equal weight.

Article I Name and Objective

Section 1. This organization shall be known as the "Association of Professional Police Officers," commonly referred to as A.P.P.O.

Section 2

The purpose of this organization is to represent the interests of the sworn patrol officers in the Aurora Police Department. This representation shall be with the City of Aurora, Illinois hereinafter referred to as the "Municipality," which has recognized A.P.P.O. as a bargaining organization for the benefit of sworn patrol officers. The organization shall work to improve its members' wages, hours, working conditions, and other economic advantages, through organization, negotiations, and collective bargaining through all lawful methods. To obtain the benefits and protection of any state, federal, municipal, or common law of the land. To improve the image of the professional police officer, and to promote professionalism within the organization and membership. The Association shall represent patrolman in grievances and matters of discipline and discharge with the police department/Municipality. A.P.P.O. shall be a nonprofit organization with operating funds derived from the payroll contributions of its members, and/or donations, for the sole benefit of the patrol officers of the Aurora Police Department. The accumulated funds are to be used for, but not limited to, legal defense, negotiation expenses, charitable contributions, Association expenses, other dues, and other expenses.

Article II Membership

Section 1

The membership of the Association of Professional Police Officers shall consist of and be limited to, current or retired, anyone with the rank of sworn officer within the Aurora Police Department.

Subsection a

Associate Member: An associate member is any sworn patrol officer who has not completed their probationary period and any former voting member who has retired from the Aurora Police Department as a sworn patrol officer. These members have the right to attend meetings, and participate in conversations, but have no right to vote. Probationary officers have the benefit of the collective bargaining contract in regards to wages and benefits but are "at will" employees of the Municipality.

<u>Subsection b</u> <u>Voting Member:</u> All dues-paying members who have completed their fifteen (15) month probationary period. A voting member is entitled to full rights under the collective bargaining contract, and Association representation in disciplinary matters. A voting member, in good standing, has the right to nominate, and vote, express opinions on all subjects before the Association, attend membership meetings, express views, arguments, and opinions on all matters and business, assemble freely with other members, and generally to participate in the activities of the Association in a responsible manner consistent with good conscience, in order to discuss factually and honestly the issues upon which the membership must base its decision.

Subsection c

Non-Member: Anyone at the rank of sworn officer who would be eligible to join the Association, but opts not to, or a voting member who elects to resign from the Association are required to pay all dues in the amount equal to that of a voting member (Fair Share). A non-member will be entitled to all rights under the collective bargaining agreement. A non-member is not entitled to Association representation in any disciplinary matter, and is not entitled to participate in extra jobs.

Subsection d Application for Membership: An application form, and dues payroll deduction authorization form, will be provided to all new sworn employees upon their date of hire. Applications will be accepted upon completion.

Subsection e Membership Resignation: Any member may resign from the Association by submitting written notice to the Executive Board. The notice will be accepted without prejudice, and the member will be removed from voting member status, within thirty days of his/her resignation, to non-member status. Non-members may reapply for voting membership at any time. Renewed applications must be presented to any Executive Board member, and voting status will be resumed within thirty (30) business days.

Section 2

<u>Duties of Members</u>: It is the voting member's responsibility to update his/her personal contact information with the Secretary to ensure access to the Association website, and to receive emergency notifications. Voting members have a responsibility to check the Association website and bulletin board every day to ensure they are informed of all Union votes, meeting schedules, and activities. Voting members must notify an Executive Board member of any disciplinary action brought against them, as soon as possible, and the circumstances surrounding that action if the voting member is seeking Association representation.

All members are subject to the rules, and procedures as described in the Association's bylaws.

Member In Good Standing: A member in good standing shall maintain the following, but not limited to, attributes: current with dues payment, generally is supportive of the Association goals, and if in disagreement with a goal(s), participates in the improvement of the Association, conducts themselves in a mature, responsible manner, and adheres to the bylaws/rules of the Association.

Subsection a

Member Suspensions Violation or abuse of rights, and privileges of membership, or engaging in conduct prohibited by this section, shall be considered conduct unbecoming of an Association member. Violators are subject to disciplinary action as determined by the Executive Board. Violators can be suspended from participating in Association extracurricular activities not to exceed three hundred sixty-five (365) days. The Executive Board will notify a member, in writing, of any intent to suspend their extracurricular activities. The member may submit a written request for a hearing with the Executive Board within in ten (10) calendar days of that notification. Upon receipt of the member's written request, the Executive Board will meet with the member as soon thereafter as practical.

Disciplinary action brought by the Executive Board may be reversed by a twenty-four (24) hour, majority (51%) vote of the membership. Suspended members must request, in writing, to any Executive Board member, within ten (10) calendar days of being suspended, for a twenty-four (24) hour majority vote to be held. The twenty-four (24) hour vote will be held as soon thereafter as practical.

Article III Dues and Fees

Section 1

<u>Dues</u> The dues for the membership shall be set by a majority vote of the membership. Membership dues may be temporarily raised to cover union costs in emergency situations (I.E. Legal Defense) if general treasury funds run low, requiring a super-majority vote (>67% by voter ballots casts). A payroll deduction of dues will occur each pay period. Members who resign from voting member status, or reapply to voting member status are required to pay a resignation/reinstatement fee of \$25.00 per application (see Appendix A).

Article IV Meetings

- Fiscal Year/Annual Meeting: The fiscal year for the Association will be January 1st through December 31st of each year or as set by the majority vote of the membership. The annual meeting of the Association shall be held in January. Notification of the date and location will be posted on the Association website or application, and bulletin board, not less than thirty (30) days before the meeting.
- Section 2 Regular Meetings: Regular Association meetings will be held once per calendar month with no less than two weeks between dates. The date, time, and location will be posted on the Association website, and bulletin board no later than thirty (30) days before the meeting. Meetings can be canceled due to unforeseen circumstances, however, rescheduled meetings must be posted not less than seventy-two (72) hours before the rescheduled date.
- Section 3 Special/Emergency Meetings: Special or emergency meetings can be called by the Association President, or four members of the Executive Board, or not less than twenty (20) percent of the membership. The date, time, and location will be posted on the Association website or application and bulletin board not less than forty-eight (48) hours before the meeting.
- <u>Meeting Locations:</u> Meeting locations for the annual, and regular meetings will be set by the President. If the membership objects to the location the objection can be voiced at the next regular or special meeting. A majority vote of the membership present at the meeting will determine a new location. Special, and emergency meeting locations, will be set by the President as practical for the situation.
- <u>Motions on the Floor:</u> Any voting member may make a motion on the floor of any Association meeting. Motions made on the floor, and seconded remain on the floor for discussion until voted on or removed by the maker. The maker can revise or withdraw his/her motion before any vote.
- Section 6 Executive Board Meetings: The Board shall hold meetings as necessary to conduct day-to-day operations. A quorum of at least five (5) board members is required to enact any board decision. Meetings are defined by the board.

Article V Voting

Section 1

The membership is the highest authority of this Association. All reasonable efforts will be made to ensure that each voting member has the opportunity to vote on any significant issue. Though not specifically defined, "significant" refers to those issues a reasonable person would consider to have a meaningful impact on the membership body. All votes will be by secret ballot, and those members responsible for tabulating ballots will be held to a high standard of confidentiality.

Subsection a

Mandated Twenty-four (24) Hour Vote: An electronic twenty-four (24) hour, the majority (51%) vote of the ballots cast is required for the resolution of any contract or collective bargaining issue, to endorse any political candidate, support any political agenda, change any bylaw, or elect any Executive Board member. A supermajority (>67%) vote of the ballots cast is required for contract ratification.

Section 2

<u>Voting at Meetings:</u> Each voting member will be entitled to one vote on any matter by voice unless the majority of the membership in attendance demands a twenty-four (24) hour vote. Should there be less than a quorum (fifteen (15) percent of voting members), present at a meeting, all significant voting must be carried to the next regular meeting or put to a twenty-four (24) hour vote.

Section 3

Twenty-four (24-Hour Voting): All voting should be conducted electronically. Forty-eight (48) hour notice of any vote will be posted on the Association website, and bulletin board. The voting member shall submit only one (1) electronic ballot. At the end of the voting period, a nominating committee member shall review the electronic vote results to confirm the results.

If the electronic voting service is inoperable, a paper ballot will be provided to the voting membership, and the ballot box will be placed at the front desk for a seventy-two (72) hour vote. Voting members will initial the official voting membership roster when placing their ballots into the box. Absentee ballots will be provided to the voting membership as described in Article V Section 4.

Section 4

Vote Counts and Recounts: The website administrator and the nominating committee members will be responsible for documenting all electronic votes and reporting those vote totals to the Association's Executive Board, and membership. The nominating committee will be responsible for counting all paper ballots. Any candidate seeking election to the Association Board or a representative for that candidate may be present during any paper vote count or recount, or review of final electronic vote results. Any candidate may request a recount of election ballots by bringing forth a motion on the floor of any membership meeting. A majority vote, fifty-one percent (51%) of the voting membership present, is required for a recount.

Article VI Executive Board Members and Duties

Section 1 The Association's Executive Board Members shall consist of a President, Vice-President, Secretary, and Treasurer.

Subsection a All Executive Board Members shall represent all members of the Association to the best of his/her ability in any investigative action, grievance or OPS procedure to ensure fair, and impartial disciplinary hearing procedures.

Executive Board members shall represent the membership to the best of their ability in all contract and benefit negotiations. This representation shall be for the purpose of the establishment and maintenance of fair and proper wages, hours of employment, working conditions, to support and advance appropriate pension plans, benefits, effective collective bargaining, fair and impartial disciplinary hearing procedures. At no time shall a board member act on their own interest over that of the will of the membership majority. All board members are **FIDUCIARIES** (Guardians) of the Association and as such are held to the following test for all decisions: "Would the majority of persons of similar knowledge, background and experience make the same decision?"

Subsection b Increase/Reduction in Executive Board: The decision to increase or decrease the number of members on the Executive Board shall be based upon a formal recommendation. A motion to increase or decrease the Executive Board may be brought by the membership at any Association meeting. The President shall appoint three voting members to serve on a committee. The committee will research the need to increase or decrease the Executive Board based on the current needs of the membership. The committee shall report its recommendations to the Executive Board and the membership at the next regularly scheduled Association meeting. A motion may be made on the floor to increase or decrease the Executive Board, based on the committee's findings. If the motion is brought forth, and passed by a voting membership quorum, a twenty-four (24) hour vote will be held within ten (10) calendar days.

Section 2 President: The President of the Association shall preside at all meetings. The President shall make all committee, and Union Steward appointments as required whenever necessary to carry out the purposes and administration of the Association. The President shall be an ex-officio member of all committees. The President shall represent all members of the Association to the best of his/her ability in any investigative action, grievance or OPS and ensure fair and impartial disciplinary hearing procedures. The President shall be responsible for the content of all entries on the Association website or app.

Section 3 <u>Vice-President</u>: In the absence or disability of the President, the Vice-President shall assume all the President's duties.

Section 4

Secretary: The Secretary shall keep the minutes of all meetings of the board, and membership, shall keep accurate accounts of membership, and other Association affairs, shall receive and maintain all communications and records of the Association, shall at all times have his/her books and papers in order for examination.

Section 5

<u>Treasurer:</u> The treasurer shall receive all monies for the Association, giving his/her receipt therefore, and hold them subject to the order and direction of the Executive Board. The treasurer shall keep and account for receipts and disbursements. The Treasurer shall at all times have his/her accounts in order for examination by any Executive Board member. The treasurer shall be responsible for filing the Association's taxes prior to April 14th of any year.

Representative at Large #1: The Representative At Large #1 will serve as a liaison between the membership, and the Executive Board, will be responsible for securing meeting locations/preparations, ordering retirement gifts, coordinating Corrections and Dispatch Week food, ordering flowers, and shall perform all duties as assigned by the President.

Section 7 Representative at Large #2: The Representative At Large #2 will serve as a liaison between the membership, and the Executive Board. He/she will serve as the coordinator of extra jobs, serve as the liaison between the staff of APD and the membership regarding extra job issues, and shall perform all duties as assigned by the President.

Section 8 Sergeant at Arms: The Sergeant At Arms is responsible for maintaining order at all Association meetings. He/she will serve as a liaison between the membership, and the Executive Board, and shall perform all duties as assigned by the President.

Executive Board Stipends: All Executive Board members, in consideration for their services, shall be given a stipend in compensation for their time, and commitment given to the Association. This stipend shall be paid in December for the preceding year's service. The stipend will be prorated for less than a full year's service. The stipend amounts shall be set, and adjusted by the membership as needed (see Appendix C).

Article VII

Executive Board

Eligibality, Nominations. Terms, Elections, Election Ballots, Nominating Committee, Vacancies, and Removal

<u>Section 1</u> <u>Eligibility:</u> Any voting member with five (5) or more years experience as an officer for the city of Aurora.

Nominations: Any eligible voting member may run for office, by written notice of their intent, submitted to any nominating committee member. The written notice of intent must reflect the position they are running for, and their date of hire. The written notice must be submitted between October15th, and October 30th of the corresponding election year. Should there be cause to hold a midterm election, the Executive Board will set the parameters regarding dates for the submission of letters of intent, and the date of the actual midterm vote.

Section 3 Terms: The President, Vice-President, Secretary, Treasurer, Representative At Large #1 and #2 shall serve a four (4) year term. The Sergeant At Arms shall serve a two (2) year term.

Section 4 Starting Term Dates:

Schedule A: President

Treasurer

Representative At Large #1

(Beginning 2026, and every four (4) years thereafter, 2026,

2030,2034, 2038, 2042, 2046 etc.)

Schedule B: Vice-President

Secretary

Representative At Large #2

(Beginning 2024 and every four (4) years thereafter 2024, 2028,

2032, 2036, 2040, 2044 etc.)

Schedule C: Sergeant At Arms

(Beginning 2024 and every two years thereafter, 2026, 2028, 2030, 2032, 2034, 2036,

etc.)

Section 5

<u>Elections Dates:</u> Elections will be held between November1st, and November 15th prior to the January term dates. The Executive Board will set a specific date, and give, not less than, seventy-two (72) hour notice to the membership prior to the election.

<u>Section 6</u> <u>Election Ballots:</u> All election ballots will reflect the candidates name, the position they are running for, years of service with the department, and the number of Association meetings they have attended in the twelve months preceding the election. The ballot may also contain a candidate statement.

<u>Vacated Position:</u> Should a position become vacant during a term, the newly appointed board member may elect to have the outgoing board member train them for 14 days. Upon completion of the ballot counts, and the announcement of the newly elected Executive Board members, the new members will immediately assume their elected positions. President or designee can permit a grace period of 14 days.

Executive Board Vacancies: Any vacancies incurred on the Executive Board shall be filled by special election. The election shall be held as soon as practical following the vacancy. The election will be held to fill the vacancy for the duration of that current term. The Executive Board will set the dates for letters of intent to be submitted to the nomination committee, and will set the date for the election. The membership will be notified forty-eight (48) hours prior to the election.

<u>Section 9</u> <u>Unopposed Candidate:</u> An unopposed candidate for any office shall be deemed the elected winner, and shall take office at the same time as the elected Executive Board members.

Section 10 Nominating Committee: A nominating committee shall be appointed by the President. The committee shall be made up of five (5) voting member volunteers.

Subsection a

Subsection c

<u>Confidentiality</u>: Each committee member is entrusted by the membership to respect all member's privacy. By accepting the position, each committee person understands that they are precluded from discussing any members vote entrusted to them.

Subsection b

Responsibilities: The nominating committee will be responsible for collecting any letters of intent from members seeking a position on the Executive Board, validating a candidate's eligibility to run for office, the distribution of absentee, and non-electronic ballots, the counting of all ballots, and certifying the results of any election/vote.

Removal of Committeeman: If a member of the nominating committee runs for any elected position, he/she will be removed from the committee for that election. Any breach of confidentiality, by a committee person, regarding a member's vote will terminate the committeeman's position.

Section 1

<u>Removal of Executive Board Member:</u> If any Executive Board member's leadership and actions are not such as to inspire confidence, keep members active, benefit the members or service them as they should be served to maintain and advance the organization, they may be removed.

A motion may be made at any regularly scheduled meeting, by any voting member for a vote of no confidence. If seconded by another voting member, and affirmed by a quorum (at least fifteen (15) percent of voting members present), a twenty-four (24) vote will be held, within ten (10) calendar days, to remove the board member. In the event there is not a quorum present at the meeting, the request will be tabled until the next regularly scheduled meeting. The membership will be notified that a vote of no confidence has been requested, and a quorum vote will be sought at the next regularly scheduled meeting. In the event no quorum vote can be established, the original request will be dismissed.

Any Executive Board member removed from the board by a vote of no confidence, shall be removed immediately without prejudice. The member shall retain his/her voting member status within the Association

Contracts: The Executive Board may not enter into any contract, oral or written, without

Article VIII Contracts, Labor Agreement, and Finances

the authorization of the membership, in an amount in excess five thousand (5,000) dollars excluding the APPO golf outing and APPO holiday party. Labor Agreement: The Executive Board is precluded from accepting a new or Section 2 modified labor agreement, memorandum of understanding, concession agreement, or any instrument that would alter the existing Labor Agreement between the Association, and the City of Aurora, without the authorization of the membership. Section 3 Membership Authorization: Authorization of the membership is defined as a twenty-four (24) hour majority vote Checks/Drafts: All checks, drafts, or other orders for payment of money, notes, or Section 4 other evidence of indebtedness issued in the name of the Association, shall be signed by two of the board members however one signature must be from either the President, Vice-President, Treasurer, or Secretary. Section 5 Deposits: All funds of the Association shall be deposited from time to time to the credit of the Association in banks, trust companies or other depositories as the Executive Board may select.

<u>Gifts/Donations</u>: The Executive Board may accept, on behalf of the Association, any contributions, gifts, bequests, or devise for the general or special purpose of the Association.

Article IX Legal Counsel and Legal Assistance for Members

Section 1

<u>Legal Counsel:</u> The Executive Board will hire or retain an attorney(s) to be recognized as the Association's house counsel.

Subsection a

<u>Change of House Counsel:</u> Upon completion of the annual review, followed by a recommendation for change, the legal committee, and Executive Board will interview, and research three viable candidates for consideration. The Executive Board, and the legal committee will vote to select the new counsel. All off duty members are encouraged to attend the procedures as silent observers. Should the Board determine Legal Counsel needed to be changed, a Legal Committee shall be formed consisting of 5 members volunteering and appointed by the President to consult with the Board in selecting new Legal Counsel.

Subsection b

Legal Assistance to Members: The Association will provide house counsel to represent its voting members in OPS, and grievance matters. If the voting member chooses to obtain private counsel, he/she may do so, at no cost to the Association. A member may submit a written request seeking financial aid towards the cost of their private counsel. The Executive Board will decide to approve or disapprove the member's request based on the circumstances of the case. If the Executive Board grants financial aid to the member it will be limited to the current hourly rate of the existing house counsel. Payment will be made to the private counsel directly when the Treasurer is presented with proof of services rendered. If the board denies the member his/her request for financial aid the member may request to be heard at the next scheduled Association meeting, or if there are time restraints, a special/emergency meeting, and request assistance from the membership directly. A motion may be made, seconded, and the decision of the members present, will determine the member's financial assistance.

Article X Union Stewards

Section 1

<u>Appointments:</u> Association Stewards shall be appointed by the Association President. Stewards must have a minimum of three years as a sworn officer with the city of Aurora, and be a voting member.

<u>Duties:</u> Association Stewards shall represent all voting members of the Association to the best of his/her ability in any investigative action, grievance, or OPS, and ensure fair and impartial disciplinary hearing procedures. Stewards will serve as a liaison between the Association membership, and the Executive Board. Stewards will be required to attend mandated training as requested by the Executive Board.

Section 3

<u>Training:</u> The Executive Board will be responsible for ensuring that each appointed Steward receives appropriate training in grievance/OPS procedures, and critical incident protocol.

Section 4

Number of Stewards: (Reserved)

The proposed change to this section would allow for three(3) Stewards per patrol shift, and three (3) Stewards to cover all additional units. Contractually we are currently allowed four (4) total Stewards. Hopefully this issue will be resolved during the current contract negotiations

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Article XI Amendments to Bylaws

Section 1

<u>Procedure:</u> Any member seeking to change or amend the bylaws may present a written request to the Association Secretary. The request must include a type written copy of the proposed change. The Secretary will add the proposed change to the Association website for viewing. The Secretary will add the proposed change to the next regularly scheduled Association meeting agenda, and will notify the membership of the same, on the Association bulletin board, and website. At the next Association meeting the proposed change will be read by the Secretary, and the floor opened for discussion. Following the discussion, the membership may make a motion to hold a twenty-four (24) vote to pass or reject the proposed change.

Article XII Association Website

Section 1

<u>Website Administrator</u>: The President of the Association is responsible for securing a confidential website administrator. No material will be added to the website without authorization of the President.

Section 2

Member Accessibility: It is the responsibility of each Association member to log onto the Association website using a private e-mail address, and establish their password to obtain access. 13

APPENDIX A

Current member dues are ½ % of top out officer pay per pay period

APPENDIX B

Executive Board Stipends

President	5% of Topped Out Officer Salary
Vice-President	4.5% of Topped Out Officer Salary
Secretary	3.4% of Topped Out Officer Salary
Treasurer	3.4% of Topped Out Officer Salary
Representative at Large 1	2.8% of Topped Out Officer Salary
Representative at Large 2	2.8% of Topped Out Officer Salary
Sergeant At Arms	2.8% of Topped Out Officer Salary