

**City of Carson City
Agenda Report**

Date Submitted: 6/12/12

Agenda Date Requested: 6-21-12

Time Requested: 15 minutes

To: Mayor and Board members

From: Bob Motamenpour and Bob White, President and Vice President,
Fraternal Order of Police Northern Nevada Lodge #8

Subject Title: For possible action: Discussion and possible action to recognize the Northern Nevada Lodge #8, Fraternal Order of Police, as the exclusive bargaining agent for the Alternative Sentencing Officers.

Staff Summary: Nevada Revised Statute (NRS) 288.160 allows an employee organization to apply to a local government employer for recognition.

Type of Action Requested: (check one)

Resolution

Ordinance

Formal Action/Motion

Other (specify)

Does this Action Require a Business Impact Statement: Yes No

Recommended Board Action: I move to recognize the Northern Nevada Lodge #8, Fraternal Order of Police, as the exclusive bargaining agent for the Alternative Sentencing Officers and Carson City Juvenile Probation Officers.

Explanation for Recommended Board Action: Nevada Revised Statute (NRS) 288.160 allows an employee organization to apply to a local government employer for recognition. In order to receive recognition, the employee organization must present: (1) a copy of its constitution and bylaws, if any; (2) a roster of its officers, if any, and representatives; and (3) a pledge in writing not to strike against the local government employer under any circumstances. The employee organization must also present a verified membership list showing that it represents a majority of the employees in the bargaining unit.


Applicable Statute, Code, Policy, Rule or Regulation: NRS 288.160

Fiscal Impact: None

Explanation of Impact: N/A

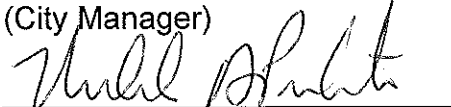
Supporting Material: Request for recognition, a copy of the Constitution and Bylaws, a roster of board officers, a pledge not to strike, and a verified membership list.

Prepared By: Bob White, Vice President, FOP

Reviewed By: 

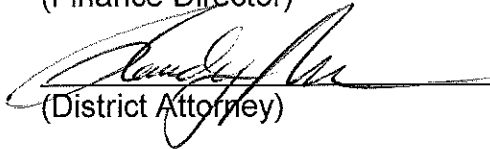
(City Manager)

Date: 6/13/12



(Finance Director)

Date: 6/13/12



(District Attorney)

Date: 6/13/12

Board Action Taken:

Motion(s): _____ 1) _____ Aye/Nays
2) _____ _____

(Vote Recorded By)

Northern Nevada



Lodge #8

FROM: Fraternal Order of Police
Northern Nevada Lodge #8

Robert S. White, Vice President

TO: City of Carson City of Carson City
c/o Larry Werner, City Manager

RE: Recognition of employee organization
Per NRS 288.160

The Fraternal Order of Police, Northern Nevada Lodge #8, is requesting recognition as the exclusive bargaining agent for the following employees of Carson City; Division of Alternative Sentencing, Carson City Juvenile Probation Officers.

Robert S. White, Vice President
Fraternal Order of Police
Northern Nevada Lodge #8

CONSTITUTION AND BY-LAWS OF THE NORTHERN NEVADA LODGE #8

FRATERNAL ORDER OF POLICE

PREAMBLE

WE, the law enforcement officers of **CARSON CITY-COUNTY NEVADA** do hereby unite and represent the members thereof together for the following purposes: to support and defend the Constitution of the United States; and of the state of **NEVADA**; to inculcate loyalty and allegiance to the United States of America; to promote and foster the enforcement of law and order; to improve the individual and collective proficiency of our members in the performance of their duties; to encourage fraternal, social, charitable and educational activities among law enforcement officers; to advocate and strive for uniform application of the civil service merit system for appointment and promotion; to support the improvement of the standard of living and working conditions of the law enforcement profession through every legal and ethical means available; to create and maintain tradition of esprit de corps insuring fidelity to duty under all conditions and circumstances; to cultivate a spirit of fraternalism and mutual helpfulness among our members and the people we serve; to increase the efficiency of the law enforcement profession and thus more firmly to establish the confidence of the public in the service dedicated to the protection of life and property.

All terms used herein to denominate gender shall be generic and, whenever appropriate, the singular shall include the plural and the plural shall include the singular.

Article 1 Name

Section 1: This organization shall be known as Northern Nevada Lodge #8 Fraternal Order of Police and shall consist of such members as are admitted and shall conform to the Grand and State Lodge Constitutions, By-Laws, rules, regulations and ritual.

Section 2: The rights to authorize, control, and restrict the use of the name and insignia of the Order shall lie exclusively with the Board of Directors of the Grand Lodge. By virtue of our affiliation with the Grand Lodge we have the right to use the name, insignia, emblem and mark, trademark or service mark of the Fraternal Order of Police in order to signify and denote our affiliation, with Grand Lodge approval.

Article 2 Character

Section 1: The Northern Nevada Lodge #8, Fraternal Order of Police, is a fraternal organization of Law Enforcement Officers working and/or retired, who have joined together for their common good.

Section 2: In no event shall the Northern Nevada Lodge #8 Fraternal Order of Police join or be controlled by any labor organization. It is provided, however, that this section shall not prohibit cooperative efforts with labor organizations for our common good.

Section 3: The Northern Nevada Lodge #8, Fraternal Order of Police, shall not strike or by concerted action cause a cessation of the performance of police duties, or induce other members or lodges to do likewise.

Section 4: This constitution shall be the fundamental law of the order, along with the ritual, and such By-laws as may be adopted from time to time, shall govern our conduct.

Section 5: The Constitution and By-Laws of the lodge may only be promulgated, amended, or revised by a vote of Two-Thirds (2/3) of the members voting at a Board of Trustees meeting.

Article 3 Definitions

Section 1: As used herein, the following terms, phrases or words shall be defined as follows:

“Elected Law Enforcement Officer” shall mean, for purposes hereof, any Law Enforcement Officer who meets the qualifications in Article 4, or who by law is exempted from meeting the minimum training standards.

“Full Time Employed” shall mean Law Enforcement Officers that are engaged in such employment as their full-time occupation.

“Good Cause” shall mean nonfeasance, malfeasance, dishonesty, or refusal to carry out the will of the National and/or State Conference.

“Member in Good Standing” in respect to the Lodge, shall mean a member who fulfilled all requirements of membership, including payment of yearly dues.

“Board of Trustees” shall refer to the collective body consisting of the elected Lodge Officers; President, Vice-President, Secretary, Treasurer, Second Vice-President, Sergeant of Arms, Five (5) Trustees, plus the Past Presidents.

“Executive Board” shall mean and consist of the Lodge President, Vice-President, Secretary, Treasurer, Second Vice-President, Sergeant of Arms, and Chairman of Trustees.

“Trustee” shall mean the individuals elected Trustee by the Lodge.

“Regularly Appointed Law Enforcement Officer” shall mean, for purposes hereof, any Law Enforcement Officer who meets the minimum standards, has received the education and training required by the United States, the State, the political subdivision or agency by which they are appointed, and is granted powers of arrest.

Section 2: All terms herein used to designate gender shall be generic, and whenever appropriate the singular shall include the plural, and the plural shall include the singular.

Article 4 Membership

Section 1: Any regularly appointed or elected or full-time employed or retired law enforcement officer of the United States shall be eligible for membership, subject to the provisions of this Constitution. No person shall be denied membership on account of race, religion, creed, color, sex, age or national origin. The lodge shall deny membership to anyone who is, or has been, a member of the Communist Party, or of any party regardless of what name known, which advocates the abolition, destruction or violent overthrow of our government or any political subdivision.

Section 2: There shall be two types of membership: active, and honorary.

- A. **Active membership:** shall include regularly appointed or elected full time law enforcement and retired officers. Only active members shall have voice and vote.
- B. **Honorary membership:** shall be comprised of individuals recognized by the Grand Lodge, State Lodge or subordinate lodges for exceptional service or contribution to the nation, state, political subdivision, the law enforcement community or the Fraternal Order of Police.

Section 3: The Lodge may remove or deny membership to anyone convicted of a felony in any court of the United States, or any State or local court, or for termination of employment for just cause, once all appeals have been exhausted.

Section 4: No person shall be a member of more than one Lodge at the same time. Nor shall any member who is delinquent, or whom a Lodge, for any reason, has suspended, be eligible for membership in any Lodge until such suspension has been lifted.

Article 5 Organization

Section 1: The Northern Nevada Lodge #8, Fraternal Order of Police shall consist of members who are admitted and who conform to the National, State, and this Constitution and By-Laws and such rules and regulations as may be adopted.

Section 2: The Northern Nevada Lodge #8 shall hold monthly Board of Trustee meetings. The Board of Trustee Meetings shall be open to all members, who may speak on any issue (for a limited amount of time) and may suggest to the Board "Motions", which, if a Board member makes and another Board Member seconds it, the Board of Trustees shall vote on.

Section 3: There shall be a Board of Trustees, which shall be comprised of the lodge elected Officers. President, Vice President, Secretary, Treasurer, 2nd Vice President, Sergeant at Arms, and five Trustees plus the Past Presidents. The Board of Trustees will meet monthly, or as directed by the President, to advise the President in carrying out the administration and affairs of the lodge.

Section 4: Delegates to the National Biennial and State Conferences shall be selected by the Board of Trustees.

Section 5: At any Board of Trustees meeting, there must be a quorum of the elected officers present, to conduct business.

Section 6: The members shall approve a Constitution and By-Laws, and shall elect from their ranks, the Officers of the Lodge.

Article 6 Officers

Section 1: The elected Officers of Northern Nevada Lodge #8 shall consist of President, Vice President, Secretary, Treasurer, Second Vice President, Sergeant at Arms, and five Trustees. The term of office shall be for Two (2) years.

A. The Election for President, Secretary, Sergeant at Arms and Two (2) Trustees, shall be in the odd numbered year. The election for Vice President, Second Vice President, Treasurer, and three (3) Trustees shall be in the even numbered year.

Section 2: Nominations, Election and Installation of Officers

A. To be eligible for office, a member shall be in good standing and shall have attended at least six of the regular meetings in the past twelve months, or three consecutive meetings if a member for less than one year.

B. No member shall be nominated or be a candidate for election to more than one office at the same time.

C. To be eligible for the office of President, the candidate shall have served at least one full term on the Board of Trustees.

D. Nominations will be conducted and closed at the November meeting. . The Election Committee shall conduct the election. The election shall be conducted during the month of December by a written secret ballot, mailed to each member. At the November meeting, after the close of nominations, the election committee may call for a vote of members in good standing for affirmation of all uncontested offices.

E. The candidate receiving a plurality of the votes cast shall be ruled the winner.

- F. The officers-elect shall be installed at the January meeting as the last order of business. Any Past President, or designee may install the officers.
- G. The position(s) of Lodge Chaplain(s) shall be filled by appointment by the President, which must be confirmed by a majority vote of the Board of Trustees.
- H. Succession: A vacancy in any of the offices, except President, shall be filled by a majority vote of the Board of Trustees. In the event of a vacancy in the office of Lodge President, the Vice-President shall automatically assume the office of Lodge President, and complete the term of office. The Board of Trustees shall thereafter elect, by a majority vote and from among its members, a successor as Lodge Vice-President, who shall serve out the term of office.

Article 7 Board of Trustees

Section 1: The Board of Trustees shall have and exercise all administrative powers of the lodge.

A. Any lodge officer of the Board of Trustees who resigns from active police duty for any reason, other than to retire, or otherwise becomes ineligible as a member of the Fraternal Order of Police, shall automatically forfeit their office and membership on the board of Trustees.

Section 2: The President or a majority of the Board of Trustees can request a Board of Trustees special meeting, and such a request shall be honored.

Article 8 President

Section 1: The President shall be the chief executive officer of the lodge. The President shall preside at all meetings. The President shall have general management of the business of the order and shall see that all directives and resolutions are carried into effect.

Section 2: The President:

A: Shall execute any and all contracts, with approval of the Board of Trustees.

B: Shall be an ex-officio member of all committees.

C: Shall have power, with the advice and consent of the Board of Trustees, to appoint a majority and Chairman of all committees. He may inquire into any affair or matter affecting or concerning the order.

D: Shall call special meetings when he deems it necessary.

E: Shall at each monthly Board of Trustees meeting submit a full and complete report of the official business transacted by him since the last meeting.

F: Shall convey to his successor all unfinished business of the order

G: Shall with the Treasurer attest all warrants or vouchers for disbursements from any fund of the lodge.

H: Shall furnish a surety bond for the faithful performance of duties in such amount as shall be specified by the Board of Trustees.

Article 9
Immediate Past President

Section 1: The Immediate Past President shall advise and assist the President and the Board of Trustees in the performance of their respective duties and shall execute such assignments as may be directed by them.

Section 2: The Immediate Past President shall be the most recent to have been elected President by the membership, served at least one complete term and not removed from office.

Article 10
Vice President

Section 1: The Vice President shall preside at all meetings in the absence of the President and shall otherwise generally perform the duties of the President during his absence. The Vice President shall also perform such other duties as shall be directed by the Board of Trustees. With the advice and consent of the Board of Trustees, the Vice-President shall appoint the minority of all committees. The Vice President shall furnish a surety bond for the faithful performance of duties in such amount as shall be specified by the Board of Trustees.

Article 11
Other Officers

Section 1: The Secretary, Treasurer, Second Vice President, Sergeant at Arms and Trustees shall each perform the duties prescribed for their respective office by the By-laws hereof.

Article 12
Trustees

Section 1: The Trustees shall constitute a group known as the Lodge #1 Trustees. They shall elect from among their own number, by voice vote, show of hand or secret ballot, one member to be known as Chairman of the Board of Trustees, after the installation of Officers at the January meeting.

Section 2: The Chairman of the Trustees shall be part of the Executive Board.

Article 13
Legal Counsel

Section 1: The President on the advice and consent of the Board of Trustees to handle any litigation in which the lodge may become involved may obtain legal counsel. A majority vote of the Board of Trustees shall be required.

Article 14 Discipline

Section 1. In respect to any disciplinary hearing conducted by the Ormsby Lodge, due process shall be afforded the parties, and the guidelines set forth in the State Constitution and By-Laws shall be followed. See the following:

Section 2. This Article shall govern discipline of Officers and members of the Ormsby Lodge, and shall be interpreted in such manner as to afford equity and fairness to all affected thereby.

Section 3. INDIVIDUAL MEMBERS

- A. Except as otherwise provided herein, individual members shall only be disciplined by the subordinate or state lodge of which they are members or by the Grand Lodge in the absence of a state lodge, and each subordinate and state lodge shall develop and promulgate rules that provide for the fair and appropriate discipline of its members and are consistent with the Grand Lodge Constitution.
- B. In the case of discipline imposed upon an individual member involving suspension, expulsion or removal from office by the lodge, an appeal based on due process may be taken by the member to the State Lodge and an appeal may be taken from the decision of the State Lodge by the non-prevailing party to the National Board of Trustees and, ultimately, to the Biennial Conference.
 - 1. An appeal to the state lodge may be brought by the filing of a written notice of appeal with the State President not more than Thirty (30) days after the member's receipt of official notification of his suspension, expulsion, or removal from office. Unless continued or delayed for good cause, such appeal shall be heard by the state lodge at the next board meeting following the state lodge President's receipt of such notice of appeal and, unless waived in writing by both the appealing member and responding lodge, a written decision shall be rendered by the board within Ten (10) days after such meeting. Both the appealing member and the lodge shall have the right to a hearing at which both parties may be heard regarding due process. Such hearing shall be conducted in conformity with Article 23 of the State Lodge By-Laws. The parties to the appeal shall receive notice of the date of the hearing by registered mail not less than Ten (10) days before such hearing.
 - 2. The State Lodge may sustain, modify or reverse the disciplinary action against the member.
- C. In any case of discipline involving suspension, expulsion, or removal from office of an individual member initiated by a state lodge, or upon the decision of the state lodge in respect to an appeal based on due process from the action of Northern Nevada Lodge #8, an appeal may be taken to the National Board of Trustees and, ultimately, to the Biennial Conference.

- D. A party seeking to appeal from the decision of the State Lodge shall give notice of appeal to the National Board of Trustees by submitting by registered mail within Thirty (30) days of the party's receipt of notice thereof, a written submission consisting of the decision from which the appeal is taken and such other written materials as the appellant deems relevant to a fair consideration of the appeal for due process by the National Board of Trustees. The appellant shall serve One (1) copy of the notice of appeal (including all written submissions) upon the opposing party (which shall be the State or Northern Nevada Lodge #8 secretary where such opposing party is a lodge). Where the appealing party is a Northern Nevada Lodge #8, it shall submit Fifty (50) copies thereof upon the National Secretary not less than Sixty (60) days prior to the National Board of Trustees meeting at which the appellant seeks to have his appeal heard. The party opposing the appeal shall, within Thirty (30) days of his receipt of the notice of appeal, submit a responsive written submission to the National Secretary and the opposing party, which responsive submission shall contain such materials as it deems appropriate and relevant to a fair consideration of the appeal for due process by the National Board of Trustees. In cases in which the responding party is a state or Northern Nevada Lodge #8, such lodge shall submit Fifty (50) copies of its responsive submission to the National Secretary. In cases in which the party opposing the appeal is an individual member, he shall submit One (1) copy of his responsive submission to the National Secretary.
- E. Except in the case of discipline initiated thereby, the National Board of Trustees shall review appeals of disciplinary matters solely to ensure that the parties were afforded due process and that the decision was consistent with this Constitution, the By-Laws, and Ritual of the Grand Lodge.
1. Those appeals received by the National Secretary after the Biennial Conference but before the next National Board of Trustees meeting, shall be considered by the National Board of Trustees. The National President may appoint a special committee which shall meet, gather and review facts and arguments of the parties, consult with all interested parties in attendance and make a full report, including its recommendation, to the Board prior to its adjournment.
 2. Following the report of the special committee, interested parties, if any, may appear before the entire Board, which shall decide the matter by majority vote.
- F. An appeal to the Biennial Conference may be taken by either party from the decision of the National Board of Trustees respecting any appeal of disciplinary action imposed upon an individual member by a subordinate lodge, a state lodge or discipline imposed by the National Board of Trustees.
1. A party seeking to appeal a decision of the National Board of Trustees to the Biennial Conference shall serve notice thereof upon the National Secretary and the opposing party. Such notice of appeal shall consist of a concise statement describing the act or failure to act upon which the appeal is based, the basis for such an appeal, the decision appealed from, and those written materials the appellant deems appropriate and relevant to a fair consideration of the appeal by the National Board of Trustees. The opposing party may respond in writing to such notice of appeal with such materials, as it deems necessary and shall submit a copy of such response to the National Secretary and the appealing party.

Said notice of appeal and any responsive submissions shall be forwarded by the National Secretary to the National President, who shall deliver said materials to a committee of the Conference, which shall consider the matter and report thereon to the Conference prior to a vote thereon by the delegates. By their taking of the oath or their acceptance of the charter of the Fraternal Order of Police, each member and each lodge specifically acknowledges and agrees that the decision of the Conference shall be final.

- G.** Discipline may be initiated by the Grand Lodge and imposed upon an individual member only in extraordinary circumstances, in which case such member shall be afforded a hearing of which he will be given notice, at which he will be permitted to present witnesses and documents and in which process he shall be afforded the same protections set forth in respect to discipline imposed by a local lodge.

Section 4. Lodge Officers

- A.** Northern Nevada Lodge #8 (herein after referred to as "Lodge") Officers shall be subject to discipline, including censure, reprimand, removal from office or expulsion from the Order only upon proof of good cause.
- B.** Allegation(s) of misconduct against a Lodge officer in respect to his duties as a Lodge Officer shall only be brought by a member of the Lodge Board of Trustees. Said allegation(s) shall be in writing and notice thereof shall be served upon the Lodge Officer against whom the allegation(s) are made and the Lodge Secretary, provided, however, that if such allegation(s) are made against the Lodge Secretary, said allegation(s) shall be served upon the Lodge President. Said allegation(s) shall specifically describe the nature of the alleged misconduct in sufficient detail for a determination by the Lodge Board of Trustees as to whether there exists good cause to proceed with the inquiry.
- C.** Upon service of the allegation(s) on the affected Officer and the Lodge Secretary (or Lodge President, as the case may be), copies of the allegation(s) shall be distributed to each member of the Lodge Board of Trustees. The Lodge Officer against whom the allegation(s) are made shall, within Thirty (30) days of receipt of the allegation(s), prepare a response thereto and serve said response upon the Lodge Secretary (or Lodge President, as the case may be), which response shall be distributed to each member of the Lodge Board of Trustees. The Lodge Secretary or Lodge President, in the event that the allegation(s) pertain to the Lodge Secretary, shall forward to each Lodge Board of Trustee an anonymous ballot upon which each Lodge Board of Trustee shall indicate, after reviewing the allegation(s) and the response thereto, whether he believes that there exists good cause to proceed with the inquiry. Said ballots shall be returned to the Lodge Officer from whom they are received and shall be counted and the results thereof certified to the Chairman of the Lodge Trustees (unless he is the Lodge Officer against whom the allegation(s) are made, in which case the results shall be certified to the Lodge President). The ballots shall be retained until the resolution of the matter.

- D. Upon receipt by the Chairman of the Lodge Trustees (or the Lodge President, as the case may be) of the certified results of the ballot, said Lodge Officer shall determine whether good cause to proceed further with the inquiry was found by the Lodge Board of Trustees. A majority vote of all of the members of the Lodge Board of Trustees shall be necessary for a finding of good cause to proceed further with the inquiry. The Chairman of the Lodge Trustees shall either (I) immediately cause the Lodge Secretary to (or shall himself) distribute to each member of the Lodge Board of Trustees notice that good cause was not found to proceed with the inquiry, or (ii) certify to the Lodge President (or the Lodge Vice-President in the event that the allegation(s) are made against the Lodge President) that good cause was found to proceed with further inquiry. The Lodge President (or Lodge Vice-President) shall declare an emergency, call a meeting of the Lodge Board of Trustees and ensure that notice thereof is given within Forty-Five (45) days of said notice.
- E. The emergency meeting of the Lodge Board of Trustees shall be held for the purpose of resolving the charges against the Lodge Officer and there shall occur a disciplinary hearing thereon before the Lodge Board of Trustees at which the charged Lodge Officer shall be entitled to counsel and shall be afforded due process to the same extent afforded members and Lodges herein. The Chairman of the Lodge Trustees (or the Lodge President, if the charges have been brought against the Chairman) shall preside over such disciplinary hearing and shall resolve all questions of procedure and evidence.
- F. No disciplinary action shall be taken upon a Lodge Officer except upon Three-Fourths (3/4) vote of the Lodge Board of Trustees.
- G. A Lodge Officer against whom discipline is imposed in accordance herewith shall be entitled to appeal the decision of the Lodge Board of Trustees to the State Board of Trustees, National Board of Trustees, and ultimately, to the Biennial Conference. By taking the oath of office, each Lodge Officer acknowledges and agrees that until and unless reversed by the State Board of Trustees, National Board of Trustees or the Biennial Conference, however, the decision of the Lodge Board of Trustees shall be final. An appeal for due process by a Lodge Officer shall be made by filing notice thereof with the National Secretary within Thirty (30) days of the decision of the State Board of Trustees. The Lodge Officer making the appeal shall be permitted to address the Biennial Conference for such time as the Chair shall deem appropriate and the Chairman of the Lodge Trustees (or the Lodge President, as the case may be) shall be permitted an equal amount of time to respond thereto.
- H. Any member of the Lodge Board of Trustees who brings an allegation against another Lodge Officer, which allegation is found to be brought frivolously or for personal gain shall, himself, be subject to discipline by the Lodge Board of Trustees.

Article 15
Associate lodge

Section 1: The Fraternal Order of Police recognizes, acknowledges, and validates Associate Members. They shall be known as Fraternal Order of Police Associates and may function as an associates Lodge, with the approval of the Board of Trustees. Such associates shall be subject to the control and supervision of this lodge, with which they are affiliated. They shall adopt a Constitution and By-laws subject to the approval of this lodge, and the Nevada State Lodge.

Article 16
Auxiliaries

Section 1: The Fraternal Order of Police recognizes, acknowledges, and validates the Auxiliaries. Such Auxiliary shall be subject to the control and supervision of the lodge. They shall conform to and be governed by a Constitution and By-laws that they shall adopt, and which at all times shall be subject to approval of the Board or Trustees of the lodge.

Article 17
Amendments to the Constitution

Section 1: Any member in good standing may propose an amendment to this Constitution. Such proposed amendment shall be submitted in writing, to the Secretary.

Section 2: The Secretary, upon receipt of a proposed amendment, shall immediately give the material to the Constitution and By-law Committee. The committee shall review the proposal for form, grammar, language and placement in the Constitution. The committee shall also review the proposal to assure it is not in conflict with the State and National Constitution. The committee will return the proposal to the Secretary within thirty (30) days.

Section 3: The Secretary shall make available to the membership copies of and/or read the proposed amendment at two (2) consecutive meetings. Upon adoption by a two-thirds vote of those members in good standing, following the second meeting, the proposed amendment shall become part of this Constitution.

Article 18
Parliamentary Procedure

Section 1: Except as provided in the Constitution and By-laws, the latest edition of "Robert's Rules of Order, Revised" shall govern the conduct and deliberations of all meetings.

Article 19
Dues and Assessments

Section 1: The amount of annual dues shall be reviewed and approved by the Board of Trustees on an annual basis during the month of July.

Section 2: Payment of dues are due upon application for membership, and thereafter, on December 31st. Invoices for membership renewal dues will be sent out in October, to help defray the cost of the National per Capita charge, which is due November 1st. Any dues, either new member or renewal, collected after October 1st will cover the following year.

Section3: Announcement for an increase in the annual Lodge dues shall be made to the members in attendance at a monthly meeting and published in the monthly Lodge newsletter for a period of Two (2) consecutive months, following a passed motion to raise the dues of the Lodge by the Board of Trustees, in accordance with Article 17 of this Constitution.

BY-LAWS

Article I Membership

Section 1: "Member in good standing" is:

A. Any member who has paid all dues and assessments due and payable, or who is not more than thirty-one (31) days in arrears of such payments, as of the date specified for the payment thereof.

B. Any member who is in the act of appealing a suspension of membership (except delinquent dues), criminality or employment is a member in good standing.

Section 2: Any member in good standing immediately preceding the holding of any election and who has met all other requirements shall be eligible for election to office. Exception to this section may occur when, in the determination of the Board of Trustees, an office may go unfilled or a vote at a National or State Conference would be diluted. The Board of Trustees shall have the authority to obtain less than eligible members to fill the position of the Office or Delegate to the upcoming Conference.

Section 3: Any member in arrears of payment of dues or assessments more than Thirty-One (31) days (February 1st) shall be in "bad standing", and on April 1st shall be automatically suspended.

Section 4: Any member delinquent or suspended because of dues may be reinstated and restored to good standing upon payment of all amounts due in that calendar year.

Section 5: Any member who is delinquent, or whom a lodge for any reason, has suspended, shall not be eligible for membership in any other lodge until suspension has been lifted.

Section 6: Unless approved by the Board of Trustees, any officer or member of the Fraternal Order of Police who violates this section by giving the membership mailing list to anyone, or who uses the membership list for any purpose other than official lodge business, shall be subject to disciplinary procedures under Article 14 of this Constitution. If found guilty of such violation, he shall be suspended from the Fraternal Order of Police for a period of not less than one (1) year.

Article 2 President

Section 1: The President shall be the chief executive officer of the Lodge. The President shall have such powers and duties as outlined in the Constitution (Article 8).

Article 3 Vice President

Section 1: The Vice President shall have such powers and duties as outlined in the Constitution (Article 10).

Article 4 Secretary

Section 1: The Secretary shall have custody of books, records, documents, the seal of the lodge, office paraphernalia and equipment. The Secretary is under the general authority and directions of the President and the Board of Trustees.

Section 2: The Secretary:

A: Shall record and transcribe minutes of all meetings and shall submit the same for approval, modification or rejection at the next succeeding meeting.

B: Shall conduct the general correspondence of the lodge.

C: Shall attest, under the seal of the order, all duly authorized contracts of the order.

D: Shall be the official custodian of the Constitution and By-laws of the order, which shall be authenticated by the seal of the order and the signatures of the President and Secretary. He shall keep a record of the official amendments adopted, amending the Constitution and By-laws, and provide each member of the Board of Trustees a current copy of the Constitution and By-Laws.

E: Shall make available copies of the Constitution and By-Laws to current members, upon request.

F: Shall furnish a surety bond for the faithful performance of duties in such amount as shall be specified by the Board of Trustees.

G: A record of all revenues of Northern Nevada Lodge #8 shall be delivered to the Lodge Secretary, who shall record the same and then forward any funds to the Lodge Treasurer for deposit in the proper accounts of the Lodge.

H: Shall, within thirty (30) days of leaving office, deliver to the successor the official seal of the order and all books, documents, records, paraphernalia and equipment in his possession, and shall require and receive a receipt.

I: Shall be allowed \$100 in cash and/or a Lodge furnished credit/debit card for the purpose of paying F.O.P. related expenses.

Section 3: The Secretary shall not release the mailing list of names and addresses of Lodge members to anyone, unless it shall have been with the consent of the Board of Trustees.

Article 5 Treasurer

Section 1: The Treasurer shall be the custodian of the funds of the lodge.

Section 2: The Treasurer:

A: Shall sign all checks duly authorized by the President, for disbursement of funds.

B: Shall keep an itemized record of all receipts and disbursements.

C: Shall deposit all funds collected in a bank approved by the Board of Trustees except that he may retain in his office a contingency fund of not more than one hundred (\$100) dollars and/or a Lodge furnished credit/debit card for the purpose of paying F.O.P. related expenses.

D: Shall furnish a surety bond in the amount specified by the Board of Trustees.

E: Shall set up special accounts for special funds and allocate to each, respectively, the amount allocated or collected therefore.

F: Shall perform such duties as are usual and incident to the office.

G: Shall make monthly reports to the Board of Trustees on the condition of funds.

H: At the expiration of the term of office and within thirty (30) days thereafter, the treasurer shall deliver to his successor all monies, record books, documents and equipment in his possession and shall require and receive a receipt.

I: In the absence of the Treasurer, the President and/or Vice President and/or Secretary may sign checks.

J: Shall require an annual audit of all funds and financial records of the Lodge, by a Certified Public Accountant, in preparation of the appropriate Federal Tax return.

Article 6 Second Vice President

Section 1: He shall perform such duties as the President or Board of Trustees may require, and shall maintain the inventory list presented by the Trustees.

Article 7 Sergeant at Arms

Section 1: The Sergeant at Arms shall have charge and control of the conference hall or meeting place. Permit only qualified persons to enter or remain and shall execute such duties as the President may direct.

Article 8 Chaplain

Section 1. It shall be the responsibility of the Chaplain to open and close each meeting with a prayer

Section 2. It shall be the duty of the Chaplain to inform the lodge of any member that is sick or in distress. It shall be his duty to attend and assist at funerals according to the Ritual and the direction of the lodge.

Article 9 Trustees

Section 1: The Trustees shall have charge of, and be responsible for, all property of the order.

The Trustees:

A: Shall make or cause to be made a complete and itemized annual inventory of all physical property of the Order.

B: Shall within thirty (30) days after an election, file with the Board of Trustees, a copy of the inventory.

C: Shall recommend to the executive Board, the amount of bond to be required of the President, Vice President, Secretary, and Treasurer for the faithful performance of their duties.

D: Shall make a full and complete report of all business transacted since the last meeting.

Article 10 Reports

Section 1: Reports of lodge officers and the chairman of all committees shall be submitted in writing to the Secretary, or orally at each Board of Trustees meetings.

Article 11 Committees

Section 1: There shall be the following standing committees:

- A. The Constitution and By-laws Committee.** The committee shall review all proposed amendments to the Constitution and By-laws for form, grammar, language and placement. The committee shall also review the proposal to assure it is not in conflict with the State and National Constitution.
- B. The Membership Committee** shall perform such duties as the Board of Trustees may require.
- C. The Legislative Committee** shall perform such duties as the Board of Trustees may require.

Section 2: The Elections Committee, will be appointed by the Board of Trustees prior to nominations at each election. The committee will consist of three (3) members who are not candidates for office, who will conduct the election.

Section 3: Committees may be appointed as needed by the President, Executive Board, or Board of Trustees.

Section 4: Committees shall meet, keep minutes and report findings and recommendations to the Board of Trustees.

Article 12
Official Order of Business for Board of Trustees Meetings

1. Roll Call of Officers
2. Reading of the Minutes of the previous meeting
3. Acceptance of new applications for membership
4. Report of lodge officers
5. Reports of committees
6. Bills
7. Communications
8. Reports of members sick or in distress
9. Initiation of new members
10. Unfinished business
11. New business
12. Good of the order
13. Nomination/election of officers
14. Installation of officers
15. Adjournment

Article 13
Expenses and Compensation

Section 1: Travel by lodge officers or members performing the duties of, or service for the lodge, by order of the membership or the Board of Trustees, shall receive reimbursement and per diem at the rate prescribed by the Board of Trustees.

A: AIRFARE; Computed on the current coach fare of a round trip flight.

B: GROUND TRANSPORTATION (REQUIRED); Computed mileage at current I.R.S. travel rate.

C: GROUND TRANSPORTATION (PERSONAL PREFERENCE); Computed on the current coach fare of a round trip flight.

Section 2: Upon furnishing in duplicate to the Treasurer, a detailed itemized expense voucher with receipts of their expenses incurred, and paid by the officer or member in the performance of such duties or services, shall be reimbursed by the lodge. Any expenses charged to a Lodge furnished Credit/Debit Card must be reconciled by a Credit Card Voucher with receipts, and presented to the Treasurer.

Article 14
Discipline and Hearings

Section 1. In respect to any disciplinary hearing conducted by the Northern Nevada Lodge #8, due process shall be afforded the parties, and the guidelines set forth in the Northern Nevada Lodge #8 Constitution and By-Laws shall be followed.

Section 2. In all disciplinary hearings conducted by Northern Nevada Lodge #8, the body conducting such hearing shall:

- A. Require the complaint(s), charge(s), or allegation(s) be made under oath and in writing and provide such facts as may enable the charged party to be fairly apprised of the nature of the charge;
- B. Ensure that the party charged is provided with a copy of such complaint, charge or allegation and given sufficient time, which in any event shall be not less than Thirty (30) days, to prepare a defense, if any, thereto;
- C. Conduct a hearing upon the matter during which the trier of fact shall limit the scope of the inquiry to the specific complaint(s), charge(s), or allegation(s) set forth in the written notice thereof;
- D. Adhere an order of procedure, which places the burden of proof upon the party charging the member, lodge, or Northern Nevada Lodge #8 Officer.
- E. Permit the parties thereto to introduce documents and exhibits and the testimony of witnesses in accordance with such rules of evidence as may be determined and applied uniformly by such body.

Section 3. Discipline may be imposed upon a member for any violation of the good of the Order, including, but not limited to, the following:

- A. Violation of the Constitution, these By-Laws, of the Ritual, oath or obligations of the Order.
 - B. Acts of disloyalty to the Fraternal Order of Police, including, but not limited to; Overt attempts to decertify the Fraternal Order of Police, where such lodge is the certified bargaining representative of its members, holding office in an organization which encourages members of the Fraternal Order of Police to leave the Order or, where applicable, which attempts to decertify the Order or such other acts as bring disrepute, disgrace, or dishonor upon the Fraternal Order of Police;
 - C. Distribution or use of the Northern Nevada Lodge #8 membership list for any reason without the express permission of the Northern Nevada Lodge #8 Board of Trustees or the Lodge Secretary;
- and;
- D. The unauthorized use or the abuse of the name or insignia of the Fraternal Order of Police or the infringement of a trademark thereof.

Article 15
Fiscal Year and Budget

Section 1: The fiscal year of the lodge shall be from January 1 through December 31 of each year.

Section 2: The Treasurer shall present a budget to the Board of Trustees based on the income of the previous year. The Board of Trustees shall vote to approve/amend the budget.

Section 3: The Treasurer shall present the annual audit results to the Board of Trustees, upon its completion.

Article 16
Amendments to the By-laws

Section 1: Any member in good standing may propose an amendment to these By-laws. Such proposed amendment shall be submitted in writing to the Secretary.

Section 2: The Secretary upon receipt of a proposed amendment, shall immediately give the material to the Constitution and By-law Committee. The committee shall review the proposal for form, grammar, language and placement in the By-laws. The committee shall also review the proposal to assure it is not in conflict with the State and National Constitution. The committee will return the proposal to the Secretary within thirty (30) days.

Section 3: The Secretary shall make available to the membership copies of and/or read the proposed amendment at two (2) consecutive meetings. Upon adoption by a two-thirds vote of those members in good standing, following the second meeting, the proposed amendment shall become part of these By-Laws.

Lodge Secretary

Lodge President

Date

Date

Issued: September 1, 2011

Northern Nevada



Lodge #8

FROM: Fraternal Order of Police
Northern Nevada Lodge #8

Robert S. White, Vice President

TO: City of Carson City of Carson City
Board of Supervisors

RE: List of Officers

The following is a list of Officers for the Fraternal Order of Police, Northern Nevada Lodge #8.

President:	Bob Motamenpour
Vice President:	Bob White
Second Vice President:	Not Applicable (To be filled as membership increases)
Sergeant at Arms:	Not Applicable (To be filled as membership increases)
Chaplain:	Not Applicable (To be filled as membership increases)
Secretary:	Meliah Gonzales
Treasure:	Earl Mays
Trustees:	Rod Cullen (retired officers) Jason Wildblood Tony Urrutia

Robert S. White, Vice President
Fraternal Order of Police
Northern Nevada Lodge #8

Northern Nevada



Lodge #8

FROM: Fraternal Order of Police
Northern Nevada Lodge #8

Robert S. White, Vice President

TO: Carson City of Carson City
Board of Supervisors

RE: Pledge not to Strike
Per NRS 288.160

The Fraternal Order of Police, Northern Nevada Lodge #8, and its membership pledge not to strike against the employer under any circumstance.

Robert S. White, Vice President
Fraternal Order of Police
Northern Nevada Lodge #8

Northern Nevada



Lodge #8

Members of the Lodge:

Department of Alternative Sentencing:

Meliah Gonzales

Martin Hale

Justin Ryba

Juvenile Probation Officers:

Tony Urrutia

Linda Lawlor

Cindy McGee

Greg McGee

Matt Clapham

Effron Mendoza