

**IAFF  
LOCAL UNION  
CONSTITUTION & BY-LAWS**

LOCAL NUMBER: 3846  
LOCATION: THE WOODLANDS, TX

This Constitution & By-Laws was approved by the membership before its submission to the IAFF, as required by Article XIII of the IAFF Constitution.

President Doug K. Adams

Approved 09/16/2008

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**ARTICLE 1**  
**Name**

**Section 1-Name**

The number and name of this organization shall be Local number: 3846  
Name: Woodlands Professional Fire Fighters Association, International Association of Fire Fighters.

**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 13 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 paid employees engaged in fire fighting, emergency medical or rescue service activities, or related services of The Woodlands Fire Department.

**ARTICLE 3**  
**Membership**

**Section 1- Active**

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, gender, sexual orientation, creed, national origin, or by reason of disability.

## **Section 2- Honorary/Retired**

Honorary Members- Any person may be elected to honorary membership for meritorious service to this Local or for distinguished public service. They will have to be elected by a majority vote of all members in good standing voting in a regular meeting. Honorary members will not pay any dues or assessments, nor will they be entitled to vote or voice in any Local or International affairs. Such membership may be revoked for just cause by a majority vote, of members in good standing, at a regular meeting.

Retired Members- Members who retire from the Fire Department, who at the time of their retirement, are active members will continue to be carried by this Local as active members. Retired members will not pay any dues or assessments, nor will they be entitled to vote or voice in any Local or International affairs. Such membership may be revoked for just cause by a majority vote, of members in good standing, at a regular meeting.

## **Section 3- 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, become delinquent, 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 4- Separation**

When any member in good standing is separated from the fire service, such member, upon his/her request shall be issued 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. Any member of this Local granted "Military Leave" from the Fire Department for the purpose of serving an extended tour of active duty in the Armed Services, shall automatically become an honorary member. Upon his/her return to the Fire Department, he/she shall retain full rights and privileges in this Local.

## **ARTICLE 4 Meetings**

### **Section 1- Time and Place**

Regular meetings of the Local shall be held on the third (3rd) Thursday at 19:00 hours, on odd numbered months at a location to be announced to all members in writing or by email.

### **Section 2- Special Meetings**

Special meetings may be called by vote of a majority of the Executive Board. All members in good standing shall be notified in writing or by email of such special meeting at least seven days prior to the same. The notice shall state the business to be considered at such meeting, and no business than that stated shall be in order at such meeting.

### **Section 3- Quorum**

The quorum for any meeting of this Local, either regular or special, shall be five (5) members in good standing including members of the Executive Board that are present.

### **Section 4- Rights of members**

Every member in good standing shall have the right to attend any meeting and to participate in such meeting in accordance with the recognized rules as set forth in Attwood's Rules for Meetings. Members shall conduct themselves in such a manner as not to interfere with the legal or contractual obligations of the International or of this Local. Only the Executive Board will have a voice and vote at Executive Board meetings.

### **Section 5- Rules for Meetings**

The rules contained in Attwood's 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, 1<sup>st</sup> Vice President, 2nd Vice President, Secretary, Treasurer and three (3) Shift Stewards 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 may be held by the same individual.

### **Section 2- Eligibility for Office**

Any member in good standing, who has physically attended at least 2 (two) regular meetings during the preceding 12 (twelve) months, shall be eligible for nomination and election as an Officer of this Local. No Candidate shall be allowed to have his/her name appear more than once on any ballot for an elected office. No elected Officer of this Local shall be allowed to hold more than one office, at a time. Once elected, all Officers shall physically attend at least 2 (two) meetings a year to maintain their eligibility

### **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 candidates' 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**

All members in good standing shall be given at least fifteen (15) days advance notice, in writing or by email, of the date, time and place at which nominations shall be made, and the date, time and place at which elections shall be held. Any member in good standing may nominate eligible members for office.

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, there shall be a run-off election between the two candidates who received the most votes.

### **Section 6- Elections Committee**

The President shall appoint an Elections Committee which shall be responsible for distributing and tabulating the ballots. 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 year following such election.

### **Section 8- Vacancies in Office**

When an office becomes vacant by reason of the 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 was vacated.

### **Section 9- Voting Procedures**

The Election Committee shall have the option to either run the election through an online voting system that has been approved by the election committee and the Executive Board **or** prepare written ballots. The online election process when used shall be open to all members in good standing. All members will be notified in writing or by e-mail and voting will open 15 (fifteen) days prior to the announced election deadline. There shall be no voting by proxy in any election of this Local. A majority of the votes shall determine which candidate is elected for each office. In the event of a tie for any of the offices, the voting members present at the meeting shall cast secret, written ballots, only for the candidates involved in the tie, to determine the election. Newly elected Officers will be installed immediately upon the announcement of the election results.

### **Section 10- Absentee Voting**

If written ballots are used in lieu of an online method, absentee voting shall be made available to all members through contacting their appropriate shift steward. Members requesting an absentee ballot will receive a printed "official" ballot, an envelope to be left unmarked, and another envelope that they will sign their name and place their social security number on. Upon completing their vote, the member will place the ballot in the envelope to remain unmarked and seal it, then place that envelope in the second

envelope, sign with their name and social security number. That envelope is then to be given to the Secretary to be accounted for then opened to place the unmarked envelope in the ballot box, maintaining secrecy. Unmarked envelopes to remain sealed until the time to tally the votes.

### **Section 11- Straw Polls**

A "Straw Poll" shall not be used as an official vote of the membership. This type of vote shall remain as a tool to gather information only.

## **ARTICLE 6 Duties of Officers**

### **Section 1- 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 shall be the executive head of the Local. He shall be a member ex-officio of all committees. He 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 Treasurer, he shall sign all orders and checks in amounts exceeding \$3,000 that are lawfully and properly drawn. His approval shall be required for any expenditure in excess of \$500.00 prior to payment. He 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. He shall have a general supervision of the activities of the other officers and chairmen of the committees. The President shall discharge on behalf of the Local such duties as may be imposed upon him by applicable law including the execution and filing of any reports to Federal or State authorities, and shall cause to be maintained by the Local such records as the law requires to be kept in support of reports filed by it. The President, by virtue of his election, shall be the delegate of this Local to the convention of the International.

### **Section 2- Vice-Presidents**

The First Vice President and Second Vice President shall assist the President in such a manner as the President may determine. In the absence of the President, he 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 the President is filled by election by the Executive Board.

### **Section 3- Secretary**

The Secretary 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 shall keep an accurate record of the meeting of the Local and of the

Executive Board, of which he shall be the Secretary. He shall attest all official documents with his signature and the seal of the Local. He shall conduct the correspondence of the Local promptly. He shall maintain the official list of members in good standing, which shall be kept accurately and on a current basis. The Secretary shall discharge on behalf of the Local such duties as may be imposed upon him by applicable law including the execution and filing of any reports to Federal or State authorities, and he shall cause to be maintained by the Local such records as the law requires to be kept in support of reports to be filed by it.

#### **Section 4- Treasurer**

The Treasurer shall receive all money due the Local, from whatsoever source, and shall disburse the same. Such disbursement shall be by check. Checks for expenditures for normal operating expenses and expenses under \$3,000 will be signed by the Treasurer. Checks for expenditures in excess of \$3,000 will require the signature of both the Treasurer and The President. The Treasurer shall maintain and keep current a record of members with their dues payments, assessments and all financial transactions promptly and accurately entered. He shall be prepared to exhibit receipts and vouchers upon the audit of his books. He shall forward the annual audit of the Local to the International General Secretary-Treasurer, over the seal of the Local.

#### **Section 5- Executive Board**

The Executive Board shall consist of the President, First Vice-President, Second Vice-President, Secretary and Treasurer, and three (3) shift stewards who are elected every two (2) years. 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 regular meeting of the Local. The Executive Board members may serve as union representatives for any member requesting representation. 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 the majority of its members. A majority shall constitute a quorum.

#### **Section 6- Bonding**

All officers and employees of the Local who handle funds 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 of 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 10% of its current liquid assets.

**ARTICLE 7**  
**Delegates and Alternates to International Conventions**

**Section 1- Delegates**

If, in accordance with Article 4, Section 2 of the International Constitution and By-Laws, this Local is entitled Delegates in addition to the President, they shall be elected by secret ballot of the members in good standing who are present at a regularly scheduled meeting.

**Section 2- Alternates**

Alternates to conventions shall be elected by secret ballot of the members in good standing who are present at a regularly scheduled meeting. The credentials of delegates and alternates must certify to this method of election.

**Section 3- Expenses**

The members of this Association, on official Union business, shall be reimbursed all reasonable expenses supported by acceptable receipts and submitted monthly and approved by the Executive Board.

**ARTICLE 8**  
**Initiation Fees, Dues and Assessments**

**Section 1- Dues**

Dues shall be \$20 each pay period for suppression personnel. Membership dues will be set up as a payroll deduction on each paycheck being paid to the Local #3846 bank account, known as: The Woodlands Professional Firefighters Association. At such time as annual dues for suppression personnel fall short of 1% of a Firefighter 1 Base salary, dues shall be adjusted and this Section modified in accordance with Section 3 of this Article.

Dues shall be \$15 each pay period for dispatch personnel. Membership dues will be set up as a payroll deduction on each paycheck being paid to the Local #3846 bank account, known as: The Woodlands Professional Firefighters Association. At such time as annual dues for dispatch personnel fall short of 1% of a Dispatcher 1 Base salary, dues shall be adjusted and this Section modified in accordance with Section 3 of this Article.

## **Section 2- 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 regular or special meeting.

## **Section 3- Increases**

Increases in rates of initiation fees, dues or assessments 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 regular or special meeting.

## **Section 4- Reinstatement fees**

Reinstatement fees shall be \$25, plus all back dues and assessments, upon review and discretion of the Executive Board

# **ARTICLE 9 Misconduct, Trials and Appeals**

## **Section 1- Misconduct**

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 in Article XVI of the International Constitution and be given a reasonable time to prepare his 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 this Association within 30 days of the action to be appealed.

**ARTICLE 10**  
**Audit**

The books and accounts of this Local shall be audited annually; any time there is a change of the Treasurer, or at the request of the President. The last such report of audit shall be forwarded to the International's General Secretary-Treasurer with the seal of the Local within one hundred and 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**

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

**Section 2**

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