

**FAIRFAX COUNTY PROFESSIONAL FIRE FIGHTERS AND PARAMEDICS**

**I.A.F.F. LOCAL UNION NO. 2068, INC.**

**CONSTITUTION AND BY-LAWS**

**Preamble**

In the belief that in union there is strength, this union of uniformed fire fighters was formed. We are dedicated to the proposition that we can best express our beliefs and achieve the just desserts of our labors through action which is concerted and concerned. We further stipulate that this Union shall also have as its objective the up-grading of the image of the fire fighter, the establishment of rapport among its members, the improvement of its members in all phases of their vocation, and the persistent prosecution of the case for the fire fighter. Having formed a Union, it is necessary to establish rules by which we can govern ourselves in an orderly and efficient manner. To that end, this Constitution and By-Laws is established.

**EEO Policy Statement**

(Adopted at 10/6/93 General Membership Meeting)

The IAFF and the Fairfax County Professional Fire Fighters and Paramedics, Local 2068, stand unequivocally opposed to discrimination. This includes harassment because of race, gender, sexual orientation, ethnic background, religious beliefs, or handicap. The IAFF and its affiliate Local 2068 believe that discrimination can best be stopped in both its open and hidden forms by encouraging all people to live by the principle that every person is entitled to the same basic rights regardless of race, color creed, national origin, gender, sexual orientation or handicap. Furthermore, that all individuals, whether they be members or not, are entitled to full equality under the law.

The IAFF and Local 2068 firmly believe that it cannot operate effectively as an organization unless it commits itself to eliminating the practice of discrimination and harassment in the fire service. It is a commitment of Local 2068, its officers, directors, and each of us as firefighters, paramedics and EMTs to ensure that all brother and sister members receive fair and equal treatment while performing their jobs.

## ARTICLE 1

### Name

**Section 1.** The number and name of this organization shall be Local Number 2068.  
Name: I.A.F.F. Local Union No. 2068, Inc.

**Section 2.** 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.** This Local Union, its officers, representatives and members, shall recognize, observe and be bound by the provision 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, except that the Articles of Incorporation of this Corporation and the laws of the Commonwealth of Virginia shall at all times control.

## **ARTICLE 2**

### **Jurisdiction**

Jurisdiction shall be as follows: All persons engaged in fire fighting or fire prevention, who are permanent and paid employees of fire departments (but not including ship yard fire departments), including the following classifications: Fire Marshals, Chief Engineers, or Fire Department Chiefs, Deputy Chiefs, Assistant Chiefs, District Chiefs, Battalion Chiefs, Captains, Lieutenants, Sergeants, Privates, Hosemen, Pumpermen, Plugmen, Laddermen, Water Towermen, Engineers, Assistant Engineers, Stokers of Fire Engines, Steam, electric or gas Assistant Engineers, Stokers of Fire Engines, Steam, electric or gas and oil motive power: Chauffeurs, Drivers and Assistant Drivers of fire engines, hose trucks, hose wagons, and hose carriages, ladder trucks, Chiefs' automobiles, fuel wagons and repair and supply wagons, horse-drawn or motor-driven; Fire Alarm Operators and Assistants and linemen who operate alarm apparatus, both telegraph and telephone; fire inspection and prevention force; all repairmen of fire apparatus and auxiliaries who are subject to fire duty; Salvage Corps, Squadmen, Pilots, Marine Engineers and Marine Firemen, who are subject to fire fighting and fire prevention duties.

## ARTICLE 3

### Membership

**Section 1.** Active - Any person of good moral character who at the time of giving application is engaged in service within the jurisdiction of this Local, as given in Article 2, will be eligible for active membership.

**Section 2.** Honorary - For meritorious service to this Local or for distinguished public service, persons may be elected honorary members by majority vote. Honorary members shall not pay initiation fees, dues or other charges and shall have no voice or vote in the Local. Such membership may be revoked for cause.

**Section 3.** Maintenance of Good Standing - Membership in good standing includes any person who has fulfilled the requirements for membership in this Local and who has not voluntarily withdrawn, become ineligible for continued membership, or been suspended or expelled as provided in the Constitution and By-laws of the International Association of Fire Fighters or the Constitution of this Local.

**Section 4.** Separation - When any member in good standing is separated from the fire service, the local union may allow said member to retain active membership or in lieu thereof, upon request of said member, he/she shall be issued a withdrawal card. This local union may issue withdrawal cards only to those members who leave the fire service or EMS in good standing or who are precluded by law or local ordinance or contractually from maintaining union membership by virtue of their fire department position. A former member holding a valid withdrawal card will not be charged a reinstatement fee upon reentry into the organization. A member who is duly elected as an officer of the International Association of Fire Fighters, or elected or appointed as a representative of or to an affiliated labor organization, shall retain his/her active membership in this local.

**Section 5.** Membership - Separation from Local with Retention in Service - When any member drops his membership from the Local and is not promoted outside the unit, but remains with the Fairfax County Fire & Rescue Department, that member shall not be eligible for reinstatement unless he, upon application of reinstatement pays all back dues to the time that he withdrew from the Local, plus his \$10.00 reinstatement fee.

**Section 6.** Delinquent Members – Members who fail to pay their monthly dues or assessments by the fifteenth (15<sup>th</sup>) day following the month such dues are payable shall be notified by the Secretary-Treasurer, that they are delinquent and will be automatically suspended and lose their good standing if payment is not made within sixty (60) days following such notification. Delinquent and suspended members are not entitled to voice or vote in the Local or in the affairs of the International.

**Section 7.** Retired Members - When any member in good standing retires from the

County of Fairfax Fire and Rescue Department, he may continue his membership in this Local. He may also continue any insurance policies and benefits that may be in effect. Retired members must pay their dues on a **monthly** basis **through retirement deduction** (1998), and shall have an equal voice and vote and are eligible to hold office. (10/90)

## ARTICLE 4

### Meetings

**Section 1.** Regular meetings of this Local shall be held on the first Wednesday of each month, with the time and place to be announced at least 15 days prior to the meeting. If the first Wednesday of the month falls on a legal holiday, the meeting will be held the following Wednesday. There will be no meetings during the months of July and August. (12/1/93)

**Section 2.** Special meetings may be called by a vote of a majority of the Executive Board. All shop stewards in good standing shall be notified in writing 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 other business than that stated shall be in order at such meeting.

**Section 2A.** Emergency meetings may be called by the majority of the Executive Board with notification of all stations and divisions.

**Section 3.** Quorum - The quorum for any meeting of this Local, either regular, special or emergency, shall be twenty-five members in good standing, along with two members of the Executive Board.

**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 the manual of parliamentary procedure adopted by this Local. 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.

**Section 5.** Rules for Meetings - The rules contained in Robert's Rules of Order 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.** The officers of this Local shall consist of a President, First Vice-President, Second Vice-President, Secretary-Treasurer, and six (6) Executive Board members, 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 the Constitution and By-Laws of the Local.

The President, Vice-Presidents and Secretary-Treasurer shall be considered the principal officers and they shall be elected in odd numbered years and serve for two (2) year terms. The six (6) Executive Board members shall be elected in even numbered years and serve for two (2) year terms.

Any reference in these By-Laws to the Secretary or Treasurer shall be construed as a reference to the Secretary-Treasurer.

**Section 2.** Eligibility for Office - Any member in good standing shall be eligible to be a candidate for office in this Local.

**Section 3.** Rights of Candidates - Every candidate for office shall have the right to request distribution of campaign literature, by mail or otherwise, to all members in good standing, at the candidate's own personal expense. "A candidate for office" includes a candidate for membership on the Executive Board. There shall be no discrimination in favor of or against any candidate with regard to the use of membership lists.

**Section 4.** Use of Funds Prohibited in Elections - No funds received by this Local through initiation fees, dues or assessments or otherwise, shall be contributed or applied to promote the candidacy of any person in election of officers. This section does not prevent the expenditure from Local funds for notices, factual statements of issues and other necessary expenses to conduct elections so long as they do not involve promotion of any candidate.

**Section 5.** Method of Nomination and Election - All members in good standing shall be given at least fifteen (15) days advance notice, in writing, of the date, time, and place at which nominations shall be made and the date at which the election will take place. Nominations for officers shall be held at the General Membership Meeting in September and elections shall be handled by the Elections Committee. Every member will receive a ballot at their home address with return postage guaranteed. After a date to be determined by the President has been set for the cutoff of marked ballots returning to the pre-arranged Post Office box, the Election Committee, appointed by the President, will certify all voter-returned ballots, tabulate the votes, report the results to the President, and deliver all returned ballots to the Local. Each candidate and one (1) representative will be allowed to monitor the tabulations of the ballots as will the Secretary-Treasurer be required to be present. The ballots will be tabulated by the Election Committee within one (1) week of the

cutoff date. Any member in good standing may nominate eligible members for office. The candidate receiving a majority of the ballots cast shall be declared elected. If no candidate receives a majority of the ballots cast, the balloting shall continue until there is a majority vote. (10/88)

**Section 6.** Elections Committee - In the event that a poll of the membership is to be taken, the President shall appoint an Elections Committee which shall be responsible for distributing and tabulating the results of such a poll.

**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 the office of the President, and/or Secretary-Treasurer becomes vacant by reason of the death, resignation, or removal of the incumbent, the vacancy will be filled by general election of the membership within sixty (60) days prior to the date or no later than sixty (60) days after the date the office is vacated. Other Board vacancies will be filled at the next General Membership Meeting after a vacancy occurs. (9/6/95)

**Section 9.** Installation and Term of Office - The elected officers shall be installed by the International District Vice-President or his designee at the next monthly membership meeting following elections at which time they shall assume the duties of their respective offices. They shall serve until the election and installation of their successors unless relieved of their duties as provided in the Constitution and By-Laws.

**Section 10.** Election By Acclamation - If the slate of candidates nominated for any board election are unopposed, then they will be declared winners by acclamation. (11/6/91)

**Section 11.** Write-In Voting - Write-in voting shall not be allowed. (11/6/91)

## ARTICLE 6

### Duties of Officers

**Section 1.** 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 lawfully and properly drawn. 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 general supervision of the activities of the other officers and chairmen of 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 he 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 a delegate of this Local to the convention of the International and State.

**Section 2.** The First Vice-President and the Second Vice-President shall assist the President in such a manner as the President may determine.

**Section 3.** 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 meetings 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 the 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 filed by it.

The Treasurer shall receive all money due the Local, from whatsoever source, and shall disburse the same only by voucher signed by the President or Secretary-Treasurer in conformity with a vote of the Local. Such disbursement shall be by check which shall also be signed by the President. He 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 Secretary-Treasurer,

over the seal of the Local, not later than June first of each year.

The principal officers by virtue of his election shall be, along with the President, delegates of this Local to the Conventions of the State and International. To conform with the International By-Laws as changed at the Baltimore Convention, the Secretary-Treasurer, in the absence of the President, shall preside at meetings of the Local and of the Executive Board.

**Section 4.** The Executive Board shall consist of the President, two Vice-Presidents, Secretary-Treasurer, and six members of the Board of Directors. It shall be the duty of the Executive Board to exercise general supervision and control of the invested funds and property of the Local. It shall have the authority to act in the name of the Local during intervals between meetings, such acts being subject to confirmation by the membership at the next regular meeting of the Local. It shall provide for an annual audit of the Treasurer's books. It shall meet at the call of the President or on call signed by a majority of its members. A majority shall constitute a quorum. The Grievance Committee shall be derived from the Executive Board, appointed by the President with one grievance committee member for each battalion. If any Executive Board member or officer of this Local misses three (3) Executive Board meetings in any fiscal year, unless he is required to work for the Fire and Rescue Department at the time of the meeting, he shall automatically be relieved of that position. That position shall be filled in accordance with the By-Laws.

**Section 5.** The Safety Advocate shall assist the President in such matters as the President may determine. The Safety Advocate will be selected by an interview panel composed of three (3) Executive Board members, appointed by the President. Any member in good standing in the Local is eligible to apply for the position.

The Health Advocate shall assist the President in such matters as the President may determine. The Health Advocate will be selected by an interview panel composed of three (3) Executive Board members, appointed by the President. Any member in good standing in the Local is eligible to apply for the position.

**Section 6.** All officers and employees of the Local who handle funds or property of the Local shall be bonded in such amounts as may be required by the Board of Trustees and the International Secretary-Treasurer, in compliance with applicable law. The expense of such bonds shall be borne by the International.

**Section 7.** The negotiating committee, as selected by the President and approved by the Executive Board, shall negotiate all written employment contracts. Contracts must be ratified by the majority of members present at a regular or special meeting. All members must be notified of this meeting, and its purpose, fifteen (15) days in advance of the meeting date.

**Section 8.** The Grievance Chair will be appointed by the President and will not be a voting member of the Executive Board. The Grievance Chair will be responsible for the oversight of all grievances complaints and disputes that arise from members of Local 2068

who desire representation or assistance. The Chair will work directly with the battalion representatives in administering, coordinating and resolving issues of concern.

The Grievance Chair will be responsible for the training of Board members and stewards in grievance administration. The Chair will also conduct three grievance forums each year for purposes of training new representatives and updating current representatives on grievances and legal trends.

The Grievance Chair will not be directly representing grievants, but will be available for representation in cases involving serious discipline or issues of great concern to the Local. The Grievance Chair will be responsible for assuring that all representatives are adequately trained and prepared to handle different levels of grievances.

The Grievance Chair will work directly with the Local's law firm in assuring proper legal backup and assessment of cases for their implications for all Local members. The Grievance Chair will also develop a system through which grievances can be evaluated for purposes of Board consideration when formal legal assistance is needed.

The Grievance Chair will be responsible for maintenance of office grievance files.

**Section 9.** The Human Relations Advocate will be appointed by the President and will not be a voting member of the Executive Board. The Human Relations Advocate will be responsible for assisting the Executive Board and the membership in making certain that the Union continues to maintain its commitment to human rights and is free from discrimination. The Human Relations Advocate will be tasked with helping expand the participation of all members in the operation of this Union. The Human Relations Advocate will report directly to the President and the Executive Board, and will work in partnership with the Grievance Chair to assure that all members receive full, fair and equitable treatment.

The Human Relations Advocate will assist Board members on all issues that relate to discriminatory practices. The Human Relations Advocate will be responsible for training Board members and stewards in issues pertaining to human rights and discrimination.

The Human Relations Advocate will keep the Board updated on legal issues pertaining to these areas, working directly with the Grievance Chair. The Human Relations Advocate will monitor activities of the Local and report periodically to the Board.

The Human Relations Advocate will be responsible for crafting the Equal Opportunity Policy statement of Local 2068 and for updating it as necessary.

## **ARTICLE 7**

### **Delegates and Alternates To International Conventions**

**Section 1.** If, in accordance with Article 4, Section 2 of the International Constitution and By-Laws, this Local is entitled to delegates in addition to the principal officers, they shall be elected by secret ballot from and by the members in good standing at the General Membership Meeting in February prior to the Conventions in the year in which the State and International Conventions are scheduled to be held.

**Section 2.** Alternates to the Conventions shall be those brothers and sisters receiving the next highest number of votes for delegates.

## ARTICLE 8

### Initiation Fees, Dues and Assessments

**Section 1.** Initiation fees shall be paid in the amount of \$10.00, and the amount equal to a month's membership dues. This initiation fee shall pay for the first month's dues for a new member.

**Section 2.** Monthly membership dues shall be that certified by the Treasurer of the Fairfax County Professional Fire Fighters. Monthly membership dues for an active member shall be one and one and two-fifths percent (1.40%) of a member's class starting salary. Dues for retired members are determined by per capita set by IAFF. The following formula shall be used to determine the biweekly payroll deduction for an active member: 1.40% of salary divided by 24 pay periods equals biweekly deduction. (10/98)

**Section 3.** 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 4.** Increases in rates of initiation fees, reinstatement 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 5.** Reinstatement fees shall be \$10.00 plus an amount equal to the regular monthly dues.

**Section 6.** There shall be a **\$10.00** initiation fee plus a penalty fee equal to the amount of dues that the member would have been liable for since the time he was eligible to join, if a member does not join within six (6) months of the Local's Recruit Presentation. For members who were employed at least ninety (90) days prior to June 1, 1972, a request for membership shall fall under this Section (Section 6 - Article 8).

**Section 7.** When a member drops his membership from the Local and remains in the Department, with the exception of promotion outside the unit, he shall be required to pay all back dues to the time of his withdrawal plus a **\$10.00** reinstatement fee in order to be reinstated as a member in good standing.

## ARTICLE 9

### Misconduct, Trials and Appeals

**Section 1.** Any member charged with misconduct as defined in Article XV of the International Constitution and By-Laws shall be served with written specific charges as required by Article XVI of the International Constitution and be given a reasonable time to prepare his/her defense and afforded a hearing as provided in Article XVII of the International Constitution. In addition to the specific charges outlined in Article XVI of the International Constitution shall be added that the use of volunteers in any minimum staffing is prohibited and volunteers are not allowed to work in any capacity for paid professional fire fighters.

**Section 2.** Appeals may be made in accordance with Article XVII of the International Constitution and By-Laws. Such appeal must be filed with the International General President of this Association within thirty (30) days of the action to be appealed.

## **ARTICLE 10**

### **Audit**

The books and accounts of this Local shall be audited annually, and the last such report of audit shall be forwarded to the International Secretary-Treasurer over the seal of the Local not later than the first of June annually.

## **ARTICLE 11**

### **Amendments**

**Section 1.** This Constitution and By-Laws made under its provisions, may be amended by a two-thirds vote, at a regular meeting, provided that each member in good standing is notified in writing of the proposed amendment at least fifteen (15) days in advance of the meeting at which the vote will be taken.

**Section 2.** A proposed amendment to this Constitution, or any By-Laws made under its provisions, shall be submitted for approval to the International President prior to its printing, issuance, or effectiveness, after it has first been adopted by the membership.

## ARTICLE 12

### Compensation

**Section 1.** Compensation Plan. President shall receive 40% of the starting salary of a Fire Fighter per annum; Secretary-Treasurer shall receive 25% of the starting salary of a Fire Fighter per annum; Vice-Presidents shall receive 20% of the starting salary of a Fire Fighter per annum; Executive Board Members shall receive 15% of the starting salary of a Fire Fighter per annum; and Safety Advocate shall receive 7.5% of the starting salary of a Fire Fighter per annum; Health Advocate shall receive 7.5% of the starting salary of a Fire Fighter per annum; Grievance Chair shall receive 15% of the starting salary of a Fire Fighter per annum; Human Relations Advocate shall receive 15% of the starting salary of a Fire Fighter per annum.

**Section 2.** Any expense incurred by an individual performing any real and true duty for the Local shall be reimbursed by the Local.

**Section 3.** Any individual who by authorization of the President or Vice-President or any three Executive Board members is required to perform duties causing him to use his personal leave shall be reimbursed by the Local at his regularly hour pay rate.

## **ARTICLE 13**

### **Shop Stewards**

**Section 1.** There shall be a shop steward at each work location. The shop steward will be the representative of the Local at his/her work location.

**Section 2.** Shop stewards will be elected in even numbered years and serve for two years. Any member in good standing may declare themselves a candidate at their respective work location.

**Section 3.** Elections will be held during the second shift change in September and will be administered by the Battalion Representative with assistance from the Election Committee where needed. Newly elected stewards will take office on October 1 of the year in which they are elected.

**Section 4.** The President may at his pleasure appoint a steward or call for an election in cases of vacancy during an elected term.

**Section 5.** In the event that a steward is not fulfilling his/her responsibilities, the President may remove the steward from office and call for an election to replace that individual.