

**NORTH LAS VEGAS POLICE OFFICERS ASSOCIATION**

**BYLAWS**

REVISED NOVEMBER 2007

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**NORTH LAS VEGAS POLICE OFFICERS ASSOCIATION**

**BYLAWS**

Revised November 2007

**ARTICLE I**  
**GENERAL**

**Section 1. Name**

This corporation, with such rights and obligations as may be prescribed by law, is to be known as the NORTH LAS VEGAS POLICE OFFICERS ASSOCIATION, Local 41, I.U.P.A., AFL-CIO, North Las Vegas, Nevada.

**Section 2. Definitions**

- A. The word "Bylaws": when used herein mean the Bylaws of the North Las Vegas Police Officers Association.
- B. The word, "Association" when used herein shall mean the North Las Vegas Police Officers Association.

**Section 3. Location of Association**

The Association shall be located within the City of North Las Vegas, County of Clark, State of Nevada, United States of America.

**Section 4. Duration**

The duration of this Association shall be perpetual. No member or group of members, and no officer or agent of the Association, either singly or jointly with others shall have the power to dissolve the Association and dispose of its assets.

**Section 5. Powers of Association**

The powers of the Association shall be vested in its membership, but may be exercised by the elected officers consisting of the President, Vice President, Secretary, Treasurer, Chairman of the Board, and the Board of Directors.

**Section 6. Membership Code of Ethics**

As a Law Enforcement Officer and a member of the North Las Vegas Police Officers Association, my fundamental responsibility is to serve my Association and its membership.

As a personal commitment, I shall keep my membership in the Association and strive for improvements within the organization. I shall remain honest in thought and deed, while supporting fellow Association members. I shall solemnly pledge my devotion and be exemplary in following and obeying the Bylaws of this Association.

I will never permit my personal feelings, prejudices, animosities or friendships to influence my support of this organization; I will support the majority of the membership's views on the operation and purposes of this association.

By my actions or deeds, I shall never purposely ridicule, bring dishonor or disgrace upon any fellow member or an elected officer of the Association.

**ARTICLE II**  
**OBJECTIVES AND PURPOSES OF THE ASSOCIATION**

**Section 1. Objectives**

- A. To render pecuniary aid to surviving spouses, orphans, families, or nominees of deceased members of this Association.
- B. To render emergency services and extend relief to its members and their families in cases of sickness, injury, or need.
- C. To provide entertainment, excursions, and social meetings for the benefit of its members.
- D. To make Bylaws, rules and regulations for the government of its members, contributors and donors.

**Section 2. Purposes**

- A. To aid its members in the performance of their duties.
- B. To receive contributions or donations and disburse and distribute same in accordance with the directions of said contributors or donors.

- C. To receive and hold real and personal property as may be necessary to carry on or promote the objectives of this Association whether said property is obtained by purchase, gift, or devise.
- D. To sell, lease, or otherwise dispose of such real or personal property as may be required by the Association.
- E. To invest Association funds in bonds of the Sovereign State of Nevada, the United States Government, or such other investments deemed proper by the elected officers of the Association.
- F. To represent its members in employment relations with the City of North Las Vegas.
- G. To stimulate mutual cooperation between law enforcement agencies, strive for the establishment and maintenance of equitable wages, hours, retirement, and working conditions for the mutual welfare, protection, and advancement of our members.
- H. To promote social fellowship and economic well-being by instilling the spirit of cooperation in the members by gathering, receiving, and disseminating helpful information. To promote complete cooperation and unified action with other law enforcement organizations nationwide.
- I. To perform every act consistent with the Constitution of the United States and the laws of Nevada which may be necessary to promote the objectives and purposes for which this Association was incorporated, and to perpetuate the memory and spirit of peace officers who gave their lives in the performance of their duty.
- J. This Association shall not engage in any strikes against the City of North Las Vegas nor advocate the overthrow of any legal government under any circumstances.
- K. To promote mutual respect and honor within the Association and the members by adhering to the Association's Code of Ethics.

### **ARTICLE III** **RULES**

#### **Section 1. Seal and Emblem**

- A. The Seal and Emblem of this Association shall be determined by a majority vote of the membership and affixed to all stationary and other materials printed or sponsored by this Association.

#### **Section 2. Rules of Order**

All regular, special, emergency and Board of Directors meetings shall be governed by the latest copy of "Roberts Rules of Order."

**Section 3. Quorum**

- A. A majority of the members of the Board of Directors (and Executive Committee) shall be necessary to constitute a quorum for the transaction of business.
- B. At all general, special and emergency meetings of the members of this Association, a majority vote of the members present shall be necessary to transact any business of the association and the nomination of its officers and directors, unless stated otherwise in another article of these Bylaws.

**ARTICLE IV**  
**OFFICERS ELECTIONS**

**Section 1. Qualifications**

- A. To be eligible to become or remain President, Director, or an Officer of this Association, a member must be:
  - 1. In good standing with this Association.
  - 2. A member for more than eighteen (18) months.
  - 3. To be eligible to become the President, a member must be serving as an Executive Officer or an Officer of the Board of Directors at the time of nominations or must have served in that capacity within the last four (4) years.

**Section 2. Type of Office and Tenure**

- A. There shall be a President, Vice President, Treasurer, Secretary, Chairman of the Board, and a Board of Directors.
- B. All elected officers shall serve for two (2) years.
- C. The President, Vice President, Treasurer, Secretary, and the Chairman of the Board shall also be known as the Executive Committee.
- D. The Board of Directors shall also be known as the Grievance Committee; the retiree board member is not part of the Grievance Committee.

- E. The Chairman of the Board of Directors shall be elected by the Board of Directors; the Retiree may not be the chairman.
- F. All officers and directors of this Association may hold their elected positions until their successors have been duly elected and qualified.

**Section 3. Election of Officers**

- A. Those persons wishing to run for office of the POA must file in writing with the Secretary between May 1 and June 1. A list of those who file to run for election shall be read to the membership at the June General Meeting. A member must be present to be nominated, unless they are sick, on duty, or on vacation. The nominated member must be in agreement with their nomination and so state orally or in writing, if not present. The election will be held in accordance with Article XVI, Section 5 (Balloting).
- B. Presidential nominees shall select their Vice Presidential running mate; they shall notify the current Secretary of their selected choice within seven (7) calendar days of the nomination of officers. This notification will be in writing.
  - 1. President / Vice President shall run "at large." Eligible members may be nominated from any position, division, or rank and shall be voted for by all members.
  - 2. Secretary and Treasurer shall run "at large." Members may be nominated from any position, division, or rank and shall be voted for by all members.
  - 3. All other positions to be voted for will be voted on by those members of that community of interest.
- C. Nominations for the Board of Directors must adhere to the following guidelines:
  - 1. Nominated members must be assigned to the position, bureau, division, or rank for which they are nominated to represent. The Retiree position will only be filled by a retiree who holds an Honorary Retiree status.
  - 2. The Board shall be comprised of representatives from the different groups as listed in a, b, c, d, e, f, and g below. Each group is entitled to one representative on the Board for 1 to 60 dues-paying members, two representatives for 61 to 120 dues-paying members, three representatives for 121 to 180 dues-paying members, etc. The Retiree position will be a minimum of one representative.
    - a. Members assigned to the Operations Division.

- b. Members assigned to the Investigative Division, Services Division, or Office of the Chief.
  - c. Members assigned to Detention (Corrections) Division.
  - d. Sergeants or Lieutenants assigned to the Police Division
  - e. Sergeants or Lieutenants assigned to the Detention Division.
  - f. Honorary Retiree(s) appointed by the President and approved by the elected officers.
  - g. Members assigned to the Municipal Court.
3. If a nomination is not received for one of the above positions, the President shall declare that position an "at large position," and nominations for that position may be made from the general membership, except for the retiree position.
  4. All new positions created by expansion of staffing levels in that classification shall be appointed by the President and approved by the Board until that position can be filled by election at the next regularly scheduled Board of Directors election, for that classification.
- D. The General Election of the Association shall be held in the month of July and will be held by secret ballot form. The results of the election will be made known by 5pm on the second Wednesday in July and announced at the next General Meeting.
  - E. Board of Directors elections for Services, Detention/Corrections, Secretary, and Treasurer positions will be held on odd numbered years. Election for the President, Vice President, Supervisors, Operations, and Municipal Court (Marshal) positions shall be on even numbered years. If there is more than one Representative within the same classification, then half of them will be on even numbered years, and the other half on odd numbered years.
  - F. The nominee(s) receiving the majority of votes cast for a particular office shall be elected.
  - G. Should two or more candidates receive the same number of votes for a particular position, that position shall be decided as stated in Article XVI, Section 3, Subsection (B) of the Bylaws.
  - H. The President, with the Board of Directors approval, may appoint Honorary Retiree(s) to sit on the Board as a representative of the retirees and serve as an advisor. The retiree(s) would have the same voting rights (except for grievance matters), as all other board members. The retired board member(s) will be entitled to all benefits that other Honorary Retirees receive with the addition of legal representation if the need for representation arose from their sanctioned

actions as a board member. These person(s) serve at the pleasure of the Board of Directors and the Executive Committee.

**Section 4. Vacancies / Resignations**

- A. Upon giving thirty (30) days written notice to the Secretary, and subject to the Board of Directors' approval, all officers of this Association may resign their position provided no charges exist against them regarding their management of Association activities.
- B. Any elected or appointed officer may be impeached for violation of the provisions of the Bylaws. All charges filed shall be referred to a committee of seven (7) members selected by a member of the Board of Directors and the person filing the charges by drawing names from the entire membership (one each from the Operations Division, Services Division, Detention , Municipal Court, Supervisors, and two members at large). Elected officers shall not serve as members of this committee. A majority vote of this committee is required to order a hearing on the charge(s), and if so ordered, the charge(s) shall be read into the minutes of the next general meeting, if approved by the majority of members present, posted for one month and put on the agenda, the hearing shall be held at the next general meeting. If the charges are upheld by a majority of the members present, the elected officer shall be required to resign from office at that time.

**Section 5. Appointments**

- A. Permanent vacancies and new positions of classifications caused by the resignation, death, or disability of an elected officer or any new positions created by expansion of staffing level shall be filled by a Presidential appointment. The selected members shall come from the groups vacated or increased if a member in these positions is interested; if not, the position will be declared "at large." All replacements must be approved by a majority of the Board of Directors, prior to taking office. A member so appointed shall serve in that capacity until the next general election for that position.

**ARTICLE V**  
**OFFICER DUTIES**

**Section 1. President Pro-Tem**

If, at any time, the President and Vice President refuse, are unable, or disqualified to act, the Chairman of the Board of Directors (or, in his absence, the Board of Directors) shall appoint a member of the Board to act as President Pro-Tem in whom shall be vested all the duties, powers, and functions of such office.

## **Section 2. Officer Duties and Powers**

- A. President: It shall be the duty of the President to:
1. Preside at all meetings of the members and the elected officers.
  2. Enforce observance of the Bylaws of the Association.
  3. See that the Officers of the Association and committee members perform their respective duties.
  4. Appoint all committee members unless provision for appointment has been otherwise specified.
  5. Appoint a Sergeant-at-Arms to attend the door to assist in maintaining order.
  6. Cast the deciding vote on all deadlocked matters.
  7. Inspect and announce the results of balloting or other Association vote.
  8. Countersign all warrants and checks drawn by the Treasurer.
  9. Execute all contracts and other written instruments authorized and signed off by the Board of Directors.
- B. Vice President: It shall be the duty of the Vice President to:
1. Represent and coordinate duties as assigned to him by the President. If the office of the President of the Association is vacated by reason of death, resignation, absence, inability or refusal to act, the Vice President shall forthwith and without delay become acting President of the Association for the remainder of the unexpired term of such office.
  2. Countersign all warrants and checks in the absence of the President or the Treasurer.
- C. Secretary: It is the duty of the Secretary to:
1. Prepare all ballots under the direction of the Board of Directors.
  2. Receive all membership applications.

3. Prepare and record membership and death benefit certificates.
4. Post a full and complete copy of the minutes of the latest General Meeting as soon as possible.
5. Keep a record of all proceedings of the Board of Directors and all regular, emergency and special meetings.
6. Keep all records required by the provisions of the Bylaws and as directed by the President of the Association.
7. Receive and file all correspondence and pertinent documents.
8. Serve, issue, and publish all necessary notices and/or correspondence.
9. Serve as Parliamentarian of the Association and ensure all meetings are conducted according to the latest edition of "Roberts Rules of Order".
10. Maintain the security of the ballot box, or assign a designee.

D. Treasurer: It is the duty of the Treasurer to:

1. Draw and countersign all warrants on the Treasury for all disbursements as approved by the elected officers, and deliver same to the President for his signature. In the absence of the President, Treasurer or both, warrants on the Treasury may be signed and countersigned by any two of the following:
  - a. President
  - b. Vice-President
  - c. Chairman of the Board of Directors
2. Collect all dues, fees, and assessments and deposit same to the Treasury.
3. Receive and safeguard all monies of the Association.
4. Maintain an accurate accounting of the finances of the Association.
5. Upon request, provide a full accounting to the Board of Directors of the financial condition of the Association and reporting:

- a. Monies received and paid
  - b. Source of receipt of monies
  - c. Purpose of payments
6. Deposit all monies and securities received in the name of the Association in bank(s), trust company(ies), or safe deposit vaults as designated by the Board of Directors.
  7. Act as custodian of the Association Seal and Emblem and affix as required
  8. Act as custodian for all property of the Association, maintain an inventory of same, unless otherwise provided in the Bylaws.
  9. Surrender all monies, books, papers, and other effects belonging to the Association to his successor.

D. Chairman of the Board of Directors: It is the duty of the chairman to:

1. Oversee and conduct all meetings of the Grievance Committee.
2. Assign individual grievances to Board Members.
3. At the June general meeting, make a full report of the previous year's activities, involving the Board of Directors.

E. Board of Directors: It shall be the duties of the Board of Directors to:

1. Handle all written grievances, with the exception of the retiree position.
2. Supervise the handling of all Association funds and properties.
3. Record and maintain a record of all meetings and acts.
4. Supervise all officers of the Association and ascertain proper performance of their duties.
5. Has the authority to employ required legal service to represent the Association and its members in any controversy or grievance, the collections of debts due, and the handling of investments.
6. Cause an audit/review of the finances of the Association at least once a

calendar year to be presented to the membership at the June general meeting. The audit/review shall be available for review by any member in the Union office upon reasonable notice.

7. Represent members of the bargaining unit in employment related disputes with the City as allowed by law. The board member representing the member should be from the same classification as that member. In the absence of the appropriate representative, any board member (except Honorary Retiree) may represent that member.

F. Duties and responsibilities for attending meetings:

It shall be the responsibility of the Union's elected officers to attend all scheduled Board, General, Special, and Emergency Meetings. A resolution approved by the board, on August 13, 1997, mandates that all elected officers present a professional image and dress appropriately, while attending meetings and functions. Their union shirt, duty uniform or court attire will be worn. Exceptions to this rule may be granted by the President.

If an elected officer cannot attend a scheduled meeting, that person must notify an Executive Officer and asked to be excused.

Any three unexcused absences, in a one year period, can result in sanctions ranging from a written warning to an expulsion from their elected position. The entire Executive Committee and the Board of Directors, with the exception of the member being reviewed, will vote on the appropriate discipline and the decision will be binding.

## **ARTICLE VI** **MEMBERSHIP**

### **Section 1. Eligibility**

- A. Only duly sworn personnel of the North Las Vegas Police Department or Marshals of the North Las Vegas Municipal Court may apply for membership.

Personnel that elect not to become a member, at the time they become eligible, may join at any time after their initial enrollment date. They may be required to pay dues for the period between their hire date and the date they elected to join. The dues amount will be based on the current rate at the time the person wants to join.

- B. Those eligible persons desiring membership in the Association shall submit a written application to the Vice President. The application will be subject to approval by the elected officers.

**Section 2. Complaints Against a Member**

- A. Upon written notification to appear, a member of the Association who has charges preferred against him shall appear before the Board of Directors for a hearing on same. The Board of Directors shall appoint a seven (7) member Fact Finding Committee to investigate the charges. The committee shall consist of two members from the Department or Division to which the member belongs, and one each from the Operations Division, Investigative Division, Services Division, Detention Division, Municipal Court, and the Supervisors. The Fact Finding Committee will submit their findings, on each specific charge, to the Executive Committee and the Board of Directors. A closed hearing will be held with the accused member and his counsel or representative of his choice. Decision and punishment, for each charge, will be ruled on by the Executive Committee and the Board of Directors. A finding against the accused member must be unanimous. The elected officers of the Association have the authority to levy a fine against the accused for each substantiated charge, suspend the accused for a prescribed period of time for each sustained charge or bring to the membership at the next General Meeting for a vote to expel the accused member from the Association for each sustained charge. There must be an affirmative vote by two-thirds (2/3) of the members attending for expulsion of the member.
- B. Charges that may be brought against a member, which can result in sanctions of fines, suspension of membership or expulsion from the union must be specific in nature. A member's conduct that violates the "Membership Code of Ethics" as described in Article I, Section 6 will be subject to the due process described in Section 2, paragraph A of this article.

**Section 3. Rights and Privileges**

Any member who is called to active duty with the armed forces of the United States of America shall remain a member in good standing as long as he or she is on official leave from the City of North Las Vegas. If the member is subjected to any wage reduction from this official leave, then the member's dues will be waived for the duration of his/her leave.

**Section 4. Classes of Members**

- A. Active members are those members who are full time employees and commissioned peace officers with the City of North Las Vegas.

- B. Retired members may submit an application for Honorary Retired Lifetime Membership, or retired members with at least twenty years of service may have honorary retired lifetime membership status if they meet the following criteria:
1. They are Association members in good standing at the time of their retirement, and have been a member for 75% of their career with the NLVPD or Municipal Court.
  2. They have retired from the Police Department, or Municipal Court of the City of North Las Vegas and are collecting a Nevada PERS annuity check.
  3. If the applicant meets required qualifications the application must be presented to the elected officers for approval and two-thirds (2/3) of the elected officers must approve the application to constitute acceptance. If the application is not accepted, then the application must be presented to the General Membership and requires a two-thirds (2/3) majority vote of the membership present in order to be accepted.
  4. All Honorary Retired members will be granted the privileges of a member in good standing except for the right to vote and the right to legal representation.
  5. All Association dues and life insurance premiums will be waived for Honorary Retired Members.
  6. All retirees will be required to submit a written statement to the Secretary by January (31<sup>st</sup>) of each year and any other time that their personal information changes. This statement will include their correct address, phone number and if their beneficiary has changed. If this information is not obtained, the life insurance policy will be discontinued for that retiree.
- C. Associate members are not active members but rather hold an appointed position. They are not entitled to vote, hold an elected office or be represented by the Non-Supervisor or Supervisor Bargaining Units.

### **Section 5. Termination of Membership**

- A. Membership in this Association shall cease upon the resignation or dismissal of the member from service in the North Las Vegas Police Department, or the North Las Vegas Municipal Court. However, any member who has contested his dismissal pursuant to the appropriate legal channels shall retain his membership until he has exhausted all available channels of appeals.
- B. Thereafter, such member shall have no claim whatsoever upon any fees or to

contributions which may have been paid to the Association nor to any benefits of the Association.

- C. Any person not a member of the North Las Vegas Police Officers Association shall not be eligible to receive the benefits from the Association.
- D. A member who fails to pay dues or assessments, as described in Article IX, will be considered grounds for that member to be expelled from the union.
- E. A member who fails to comply with the sanctions imposed in Article VI, Section 2, Paragraph B will be considered grounds to expel such member.

#### **Section 6. Application - Form and Substance**

- A. An application for membership in this Association shall contain the name, birthday, social security number, resident address, telephone number and the department / division of assignment of the applicant.
- B. All applications must be on the form approved by the Board of Directors and provided by this Association.

#### **Section 7. Membership Credentials**

Names, addresses, and current telephone numbers of all Association members shall be entered in the computer provided for that purpose, by the Secretary of this Association.

#### **Section 8. Commissioned Appointed Officers**

Upon compliance with State law and the Bylaws (Article VI, Section 1A, Section 3 and 4C) commissioned personnel that hold an appointed position may apply to become a member while serving in one of the aforementioned positions and be classified as an associate member. Prior membership will remain in effect unless the member resigns his membership.

### **ARTICLE VII** **MEETINGS**

#### **Section 1. General Meetings of the Membership**

- A. A General Meeting of this Association shall be held at the regular place of business or meeting place of the Association. The meeting place of the Association is defined as the location that is placed on the Agenda, in accordance with Article VII,

Section 1, Paragraph B.

- B. An Agenda for General or Special Meetings of this Association shall be posted on the NLVPOA bulletin board no later than five days prior for General Meetings and twenty-four (24) hours prior for Special Meetings. The notice shall contain the following:
1. Time and date of meeting.
  2. Place of meeting.
  3. Type of meeting.
  4. Purpose of meeting.
- C. Order of business at general meeting:
1. Meeting called to order by President.
  2. Pledge of Allegiance to the flag.
  3. Reading of the minutes of the previous meeting.
  4. President's report.
  5. Chairman of the Board of Director's report.
  6. Treasurer's report.
  7. Committee reports.
  8. Unfinished business.
  9. New business:
    - a. Proposals must have a second. A brief discussion period will follow the proposal. The proposal will be placed on the agenda for the next general meeting if approved by a majority vote.
    - b. A call from any member to end a discussion, when seconded, will be put to a vote and with majority approval the discussion will end. If a proposal is pending, a vote on the proposal will then be taken.
    - c. The President can rule a proposal an emergency and call for an emergency/special meeting.
  10. Adjournment

**Section 2. Special Meetings**

- A. Special meetings may be called by the President or the Secretary, upon the request of a majority of either the elected officers or the members.
- B. Special meetings of the Executive Committee and the Board of Directors may be called by the President or a majority of the elected officers.

**Section 3. Emergency Meeting**

The President can call an Emergency meeting at any time if the majority of the elected officers agree that the business to be discussed is of an emergency nature and cannot

wait until the next general meeting.

**Section 4. Meetings of Elected Officers**

Regular meetings of the Board of Directors and the Executive Committee shall be held as often as the elected officers deem necessary and at the time agreed upon by the officers.

**Section 5. Attendance at Meetings**

Any person not a member or member in good standing of the North Las Vegas Police Officers Association shall not be eligible to attend any meeting identified in Sections 1, 2, 3 or 4 of this article except:

- A. A non-member invited by the Executive Board or Board of Directors for purposes of making a presentation regarding membership business or benefits. Such presentation shall be made at the beginning of a meeting, after a motion to amend the order of business. The invited person shall be excluded from the remainder of the meeting once they have concluded the business for which they were invited.
- B. Legal representation invited by the Executive Committee or the Board of Directors.

**ARTICLE VIII**  
**BENEFITS**

**Section 1. Persons Entitled to Benefits**

Members and their beneficiaries may enjoy the benefits of this Association upon the occurrence of the specific contingency entitling them to such benefits, in such amount or under such terms and conditions as are prescribed and provided in these Bylaws.

**Section 2. Payment of Benefits**

The payment to the individual members or their beneficiaries of this Association shall be paid pursuant to the provisions of this Article, contingent upon the member's good standing, in accordance with Article VIII provided the criteria of all pertinent Articles of these Bylaws are met.

**Section 3. Non-Payment of Benefits**

- A. No benefits shall be payable while member is under suspension from the

Association.

- B. No benefits shall be paid to or through any member, or any person named as or claiming to be beneficiary, during a period of a member's suspension from this Association, except as otherwise specifically provided elsewhere in these Bylaws.

**Section 4. Death Benefits**

- A. The life of each member of this Association shall be insured. The Association shall have the right to designate an insurance carrier which shall issue life insurance policies on the lives of the individual members. The premiums of the individual policies shall be paid by the Association. The terms and conditions of coverage of insurance on the lives of the individual shall be within the discretion and fixed by the elected officers of this Association.
- B. The individual members of the Association shall have the right to designate their beneficiaries of the individual policies.

**ARTICLE IX**  
**DUES**

- A. The union dues shall be \$35.00 per payday.
- B. Dues will be payable by payroll deduction on each payday.
- C. Any member who does not pay their dues for a period of thirty (30) days, without cause, is delinquent and shall be excluded from all benefits of this Association. The Treasurer will make every effort to contact the member, prior to the thirty (30) day limit, and remind them that their dues have not been paid. If the dues are not paid, the Secretary shall enter the same in the minutes of the next scheduled board meeting and the member does not need to be notified of such exclusion. The membership will be informed of the exclusion at the next scheduled general meeting.
- D. A member whose name has been stricken from the membership roll for nonpayment of dues and/or assessments may be reinstated to the membership by:
  - 1. Written application;
  - 2. Payment of all dues and / or assessments accrued since the member became delinquent
  - 3. Payment of a fine as determined by the Board of Directors and the

Executive Committee

- E. This article shall not apply to members who have been designated as Honorary Retired Members.
- F. Members who are suspended without pay for eighty (80) hours or more may request to waive payment of dues for a period equal to the length of the suspension.
- G. A member who resigns from the Association and then requests reinstatement must pay all back dues from the time of resignation to the time of reinstatement. The back dues will be calculated by multiplying the number of pay periods since the resignation with the current dues rate at the time of reinstatement.

**ARTICLE X**  
**FUNDS**

**Section 1. Association Funds**

- A. The Association funds shall consist of all dues, fees, assessments, penalties, donations, gifts, interest from savings accounts and bonds, dividends, and all other monetary receipts from any other source.
- B. Such funds may be segregated and divided into as many separate accounts as provided in the Bylaws or otherwise determined by the Treasurer. The transfer of funds from one account to another account may be made upon the direction of the elected officers.
- C. Upon receipt, the funds of this Association shall be deposited in any Federal Reserve Bank or credit union designated by the elected officers as a depository for such funds. Withdrawals must be authorized by the elected officers of the Association, and all warrants must be signed and countersigned by any two of the following:
  - 1. President
  - 2. Vice President
  - 3. Treasurer
  - 4. Chairman of the Board of Directors

**Section 2. Types of Funds**

- A. All funds received by the Association, with the exception of funds solicited or designated for a specific fund, shall be deposited to the General Fund. All

incurred expenses shall be paid from this Fund.

- B. The treasurer, subject to terms, conditions, and provisions in the Bylaws, has full custody, control, and management of all funds received or disbursed by this Association.

### **Section 3. Investment of Funds**

- A. The funds of this Association shall be used for:
  - 1. Payment of benefits
  - 2. Investments as provided in the Bylaws
  - 3. Expenses incurred as determined by elected officers
  - 4. Approved social activities.
  - 5. Other expenses approved by the Board of Directors in support of the Association Objectives and Purposes.
- B. There shall be no expenditures from any fund or disbursements of any investment unless authorized by a majority vote of the elected officers.

## **ARTICLE XI** **CHANGES TO THE BYLAWS**

### **Section 1. Bylaws Amendment Procedures**

The Bylaws will be amended in the following manner:

- A. The author of a proposed amendment will submit the proposal to a member of the Bylaws Committee, prior to September 1<sup>st</sup> of every year.
- B. The Committee will review the proposed amendment for conflicts with other articles in the Bylaws. The Committee will introduce the proposal and identify the author at the October General Membership Meeting; the Committee will make a recommendation to the membership. The majority of the membership present at the October meeting will determine if the proposal will be posted and put on the agenda for the November General Membership Meeting. The proposed changes to the Bylaws will be posted on the NLVPOA bulletin boards and website for not less than twenty days prior to the November General Meeting.
- C. If the proposal is put on the agenda for the November meeting, it will be discussed and presented to the members for approval or rejection; to be approved the proposal must receive an affirmative vote by two-thirds (2/3) of the members attending the November meeting.

- D. By a Presidential decree, a proposal may be submitted at any time to correct a discrepancy or problem with our Bylaws.

**ARTICLE XII**  
**ADOPTION OF THE BYLAWS**

**Section 1. Procedures**

- A. All sections, parts of sections, words, phrases, clauses, and sentences of these Bylaws shall become effective when approved by the Association in the manner herein provided.
- B. Copies of these Bylaws shall be filed with the Secretary immediately after adoption by the membership, unless:
  - 1. It is objected to in writing and,
  - 2. Objections must be filed with the Secretary by at least ten percent (10%) of the membership within thirty (30) days after such posting.
- C. The same shall be deemed effective provided that any article, section, parts of sections, clauses, phrases, words or word contained in the Bylaws of this association are not included in or in conflict with any article, section, parts of sections, clauses, phrases, words or word to be repealed.
- D. Any article, section, parts of sections, clauses, phrases, words or word that was in force and effect prior to the adoption of these Bylaws and not in conflict with the same shall be deemed continuations of the same.
- E. Any liabilities devolving upon this Association prior to the adoption of the Bylaws shall be deemed to be continued in accordance with the terms and conditions herein and as herein modified.

**Section 2. Objections to proposed Bylaws**

- A. Any objections to the Bylaws filed with the Secretary of the Association in the manner herein provided shall be reviewed by the Board of Directors as follows:
  - 1. The Board will accept or deny the objection with the good of the Association in mind.

2. Should the decision of the Board of Directors be unacceptable to the objecting members, they may request and receive a special hearing at the next General meeting of the membership, or they may call for a Special meeting as provided for in Article IV, Section 2.
3. The decision of the members attending a General or Special meeting for the purpose of hearing such objection shall be final, and the results posted on the North Las Vegas Police Officers Association Bulletin Boards and website.

### **ARTICLE XIII** **ASSESSMENTS**

#### **Section 1. Procedures**

- A. Assessments may be levied on a member to pay an expense which was not approved by a majority vote of the elected officers.
- B. Members being reinstated shall be assessed, pursuant to Article IX of the Bylaws.
- C. Any person who is part of the represented collective bargaining units who is not a member of the Association and who seeks representation by the Association on any employment dispute against the City, shall be assessed a non-refundable fee of \$500 for expenses incurred for that representation. Expenses beyond \$500 will be incurred at time and a half of Board Members hourly rate. Any person who is not a member is not entitled to legal representation at association expense.

### **ARTICLE XIV** **COLLECTIVE BARGAINING**

#### **Section 1. General**

This union has a Non-Supervisor and a Supervisor bargaining unit. All employees that are active members or are eligible to apply for active membership are in one of these two bargaining units; this does not include Associate Members.

The Non-Supervisor Bargaining Unit shall be comprised of employees that are below the grade of Sergeant. The Supervisor Bargaining Unit shall include all employees that are not in the Non-Supervisor Bargaining Unit.

Conferences or negotiations shall not be initiated, held, or concluded in the name of this Association by any member(s) to make or establish employment agreements relating to rates of pay, rules, or conditions of employment without the prior approval of the President of the Association. Any agreement, contract or document shall not become effective, binding, or operative until they bear the signature of the President of the Association and one other member of the executive committee.

**Section 2. Negotiating Committee**

- A. The employee negotiating committee shall consist of members selected by the President. The chairperson shall be the President or a designee.
- B. The Negotiating committee shall be selected by the President of the Association in accordance with the provisions of committee appointments.
- C. Such committee shall represent every major classification mutually agreed upon by the City of North Las Vegas and this Association.
- D. Information on the negotiations can only be released through the President or a designee.

**Section 3. Contractual Agreement**

- A. In the event of failure to obtain a satisfactory agreement in direct negotiations, the President of the Association or a designee may seek legal counsel in proceeding further on contract negotiations.
- B. When the negotiating committee feels they have an acceptable offer in the course of direct negotiations or mediation, that offer shall be submitted to the Non-Supervisor's and/or Supervisor's Bargaining Unit at Special Meetings. A copy of the proposed changes to the Bargaining Agreement will be available to members at this meeting.
- C. Submission to the Non-Supervisor's and/or Supervisor's Bargaining Unit is to be made upon receipt of the offer by the President of the Association or a designee; such offer having been forwarded to him/her over the signature of the members of the negotiating committee.
- D. The President will make a submission at the Special Meetings, and the appropriate bargaining unit will vote by secret ballot on the negotiated proposed contract. The Secretary and committee members will count and maintain the

ballots. Results of the balloting will be posted within 48 hours of the Special Meetings.

- E. In the event either bargaining unit rejects an offer submitted to them by the negotiating committee, such committee shall return to direct negotiations or mediation, in an attempt to improve the offer.

**Section 4. Responsibility of Persons Affected**

All persons affected by a contract negotiated by the North Las Vegas Police Officers Association shall abide by Article XIV of this Association's Bylaws governing collective bargaining, whether or not they are members of the Association.

**Section 5. Collective Bargaining Meetings**

All meetings held for the purpose of informing and discussing contract negotiations shall be considered "Special Meetings" of this Association, and conducted in accordance with all provisions in the Bylaws governing same.

**ARTICLE XV**  
**GRIEVANCES - LEGAL REPRESENTATION**

**Section 1. General**

If an active member of the Association is in good standing, initiates a grievance and wishes legal representation furnished by the Association, they must obtain the approval of the Board of Directors. Upon obtaining written approval, the member shall be entitled to receive legal representation furnished by the Association without cost or charge to the member.

**Section 2. Legal Representation**

- A. Representation by an attorney, at Association expense, shall not be the right of a member, it shall be a privilege. The attorney shall be afforded solely at the discretion of the Grievance Committee (Board of Directors) as set forth hereafter.  
NOTE: Nothing contained herein shall prevent a member from hiring their own attorney at their own expense. However, the Association shall not be responsible for fees of any attorney so retained.
- B. An attorney may be provided for a member, upon request, when an investigation leading to disciplinary action, demotion, dismissal, transfer, administrative or

criminal charges is undertaken, regarding the action or inaction of a member, while the member was performing their duties as a peace officer.

- C. The Board shall not be authorized to pay for or provide an attorney's services when the investigation is for a member's actions non-related to authorized peace officers activities. A member may be properly refused an attorney's services, at Association expense, if the Grievance Committee determines such representation is not in the best interest of the Association, even though the member's conduct may be within the scope of authorized peace officer's activities.
- D. The General Counsel or any professional employed by the Association shall consider the Association as their client. Any grievant or appellant shall be advised that they are a third party beneficiary of such representation unless counsel is approved to discuss potential criminal conduct.

### **Section 3. Procedure and Notice**

If a member wishes an attorney's services provided for them, pursuant to these sections, they should contact a member of the Grievance Committee immediately. The Grievance Committee shall then attempt to obtain all information available regarding the alleged incident. A meeting will be scheduled, as soon as possible, with the member and the Grievance Committee, regarding the member's application for attorney services. After said meeting, a vote shall be held to determine eligibility of the member for attorney services. NOTE: At all times herein, a quorum (simple majority) of the Grievance Committee shall be authorized to proceed and act for the entire committee. A quorum (majority) shall be required to allow the member to obtain attorney services at the expense of the Association.

The Association reserves and shall have the absolute right to designate the attorneys to be used in the member's representation under the aforementioned section. If the Committee feels there is insufficient information on which to make a final decision and there is immediate need for attorney services, the Committee may authorize said services for a temporary period.

Similarly, if a situation exists where there is an immediate need for an attorney, the committee member first contacted will attempt to make contact with the other members, by phone or other means, to obtain a temporary authorization. In such a situation, if a quorum of members can be contacted, their vote will be determinative; if less than a quorum can be contacted, then a single committee member or simple majority of those contacted may authorize attorney services on a temporary basis, until the committee can schedule a meeting for a hearing on the matter. NOTE: When a vote is taken to

authorize attorney services and such vote results in a tie vote, the member shall be entitled to attorney services on a temporary basis until a meeting can be held at a later date to further consider and decide the issue.

#### **Section 4. Disapproval of Grievance**

- A. In the event the Board of Directors of the Association shall disapprove of such grievance, the member shall be notified in writing stating why the grievance was disapproved/denied. The member may appeal to the general membership; the memberships decision shall be final and binding.
  - 1. The member should notify the Department Head of their intent to appeal and ask for an extension, if one would be needed. An attempt to settle the grievance, at this time, is not allowed.

#### **Section 5. Authorized and Unauthorized Grievances**

Under no circumstances shall the Association become involved with the processing or handling of any grievance which:

- A. Is not filed in accordance with the time limits specified in the Agreement.
- B. Is not filed in accordance with the instructions of the North Las Vegas Police Offices Association Standard Grievance Form.
- C. Is filed by an individual, but may not benefit the welfare of the Association or a majority of its members.
- D. Is being processed or handled by legal counsel not employed by the Association.
- E. Is known to be the result of any illegal activity or action.
- F. The member has handled on their own, without consulting the Grievance Committee, or has contacted Supervision or City Officials without advising the Association of their actions.

### **ARTICLE XVI** **VOTING PROCEDURES**

#### **Section 1. Board of Elected Officers**

At all meetings of the Elected Officers, each officer and director in good standing shall have one vote and all questions coming before such Board shall be decided by a majority vote of the Board constituting a quorum in attendance at such meeting.

However, a roll call vote may be requested by any member in attendance.

## **Section 2. Members**

At all meetings of the general membership, each active member in good standing shall have one vote and all questions coming before such meeting shall be decided by a majority vote of the members in attendance at such meetings; except when a 2/3 majority is required, as outlined in several articles in the Bylaws.

## **Section 3. Tie Votes**

- A. Meetings - The presiding officer shall not vote on any question before a meeting except when his vote is necessary to overcome a deadlock or tie of that meeting, whether it be a Board, General, Emergency or Special Meeting.
- B. Ballots - When tie votes occur in any ballot conducted by this Association, in accordance with the Bylaws, all such tie votes shall be decided by the Board of Directors. When more than one tie vote exists at any one time in any balloting, such tie votes shall be resolved consecutively, beginning with the highest Association position or office for which the vote is tied.

## **Section 4. Method of Voting**

Whenever the nature of a question permits no modification or debate, the Chairman shall immediately put the question to a vote in one of the following manners:

- A. Voice vote - Aye, Affirmative, Nay, Negative
- B. Raising of hands - The Chair to count the vote
- C. Roll Call Vote - may be used when demanded by a member in good standing of the Association
- D. Ballot - This method is adopted only when required by the Bylaws of this Association, or when the assembly has ordered a ballot to be utilized.

## **Section 5. Balloting**

- A. The format of the ballot to be used by this Association shall be approved by the Board of Directors.
- B. The collection of the ballots shall be accomplished by either U. S. Mail or a

sealed Association Ballot Box to be placed at the regular place of business of this Association. The box will be available two weeks after nominations are made and will remain available until noon on the second Wednesday in July.

- C. Absentee and Proxy Ballots - shall be available to any member who:
1. Is scheduled to work at the time of the ballot
  2. Is sick or injured at the time of the ballot
  3. Has a pressing engagement which prevents the member from attending the meeting and casting their ballot.

## **ARTICLE XVII** **COMMITTEES**

### **Section 1. General**

The President shall have the power to appoint such committees as may be deemed necessary in the best interest of the Association. All committee members shall be Association members in good standing.

### **Section 2. Types of Committees**

- A. Standing Committees - Are those committees which shall serve for the formulated purpose until they are no longer needed or dissolved by the President. Current standing Association committees are:
1. Bylaws Committee
  2. Grievance Committee
  3. Negotiating Committee
  4. Civil Service Committee
  5. Political Action Committee (PAC)
  6. Insurance Committee
- B. Select Committees - Are those committees appointed by the President and/or Board of Directors for a specified purpose of short duration.

### **Section 3. Standing Rules**

Upon appointing a committee, the President shall furnish the Chairman of the committee with a notice of "Appointment", a list of members on the committee and instructions decided upon by the formulating body. These instructions shall consist of goals, objectives, and rules of operation for the committee.

**ARTICLE XVIII**  
**BUSINESS AFFAIRS**

**Section 1. Per Diem**

The association shall provide monthly incentive stipends for the following positions: President \$1000, Vice-President \$500, Chairman of the Board \$300, Secretary \$300, Treasurer \$300, and Board Representatives \$100.

**Section 2. Attending of Functions**

Association Officers shall obtain the approval of the elected officers to attend union conventions, seminars, or meetings when representing the North Las Vegas Police Officers Association.

**Section 3. Funds for Functions**

The Association shall provide funds for officers attending approved Union affairs.

**ARTICLE XIX**  
**Bylaws REPEALED**

All Bylaws or part of Bylaws in conflict herewith are hereby repealed.