

THE ATLANTIC PROVINCES PROFESSIONAL FIREFIGHTERS ASSOCIATION

of the
International Association of FireFighters



CONSTITUTION AND BY-LAWS

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Constitution & By-Laws

Revised by Convention
In Fredericton NB
July 2003

ARTICLE 1 NAME

Section No.1 Name of Organization

The name of this organization shall be the ATLANTIC PROVINCES PROFESSIONAL FIREFIGHTER'S ASSOCIATION, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS.

(a) - Purpose and Aims of this Organization

It shall be the purpose of this organization to:

- (1) Safeguard and improve the rights, status, wages and conditions of employment of the employees in the Fire Fighting profession and promote the organizing of the unorganized.
- (2) Encourage all Fire Fighters without regard to race, creed, colour, national origin, sex or by reason of disability to share in the full benefits of the organization.
- (3) Promote and advance the knowledge and techniques in our field.
- (4) Publicize the national and international importance of our field and promote the public understanding of the significant contributions made by our members in our field.

Section No.2 References to Name

References in this Constitution and By-Laws to "Body" shall refer to the organization as set forth in Section No.1 above, and reference to "Association" or "International" shall refer to the International Association of Fire Fighters (IAFF).

Section No.3 Recognition of Authority

This Body, its Officers, Representatives and Members shall recognize, observe and be bound by the provisions of the Constitution and By-Laws of the International and interpretations rendered by the General President, the resolutions, decisions and directives of the Executive Board of Officers of the International when made in conformity with the authority granted by the Constitution and By-Laws of the International and the resolutions adopted and policies established by the delegates at convention. Article XIV of the Constitution and By-Laws of the International is recognized as providing the basic rules governing this Body.

Section No.4 Fiscal Year

The fiscal year of this Association shall run a calendar year from January to December.

ARTICLE 2 JURISDICTION

Section No.1 Jurisdiction

The jurisdiction of this Body shall include the four (4) Atlantic Provinces (New Brunswick, Newfoundland, Nova Scotia and Prince Edward Island).

ARTICLE 3 MEMBERSHIP

Section No.1 Affiliation

Any local union affiliated with the International in any of the four Atlantic Provinces and making proper application may become a member of this Body.

Section No.2 Non-Affiliation

All full time, paid employees engaged in firefighting or emergency medical or rescue service activities or related services who are employed with a fire department having too few members to form a union, may apply for membership in this Body. Said applicant shall be required to pay the initiation fee and Per Capita Tax equal to that which is paid to this Body. The Body in turn shall remit to the International the necessary Per Capita Tax and initiation fee as provided for the International Constitution and By-Laws.

Section No.3 Maintenance of Good Standing

Member in good standing includes any local or member at large, who has fulfilled the requirements for membership in this Body 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 or the Constitution and By-Laws of this Body.

This Body 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 this Body. 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 Body.

Section No.4 Delinquent Locals or Members at Large

Locals or Members at Large who fail to pay their Per Capita Tax within the prescribed period provided for in the Constitution and By-Laws of the International, or as required by the Constitution and By-Laws of this Body, shall be notified by this Body that they are delinquent and will automatically be suspended and lose their good standing if payment is not made within sixty (60) days following such notification. Delinquent locals or members at large are not entitled to voice or vote in this Body.

Section No.5 Honorary Members

For meritorious service to this Body or for distinguished public service, persons may be elected Honorary Members by majority vote of the Executive Board or by delegates at convention. Honorary members shall not be required to pay dues, Per Capita Tax, or any other charges and shall have no voice or vote and will participate only when requested by the chairman. Honorary members shall have the privilege to attend social functions at their own expense. Such memberships are subject to revocation for good cause.

Section No.6 President Emeritus

The position of President Emeritus is hereby established, such position to be occupied by Ray Reid immediately upon and concurrently with the effective date of his retirement as President of the Body. This position shall carry with it ex-officio lifetime membership in the Body and automatic selection as a delegate-at-large to each of its conventions.

This position shall also carry with it the duty, on the part of the President Emeritus, to advise and consult with the President and/or the Executive Board upon request when such service is desired in the best interests of the Body.

The position of President Emeritus shall be afforded accommodations to attend convention and shall not be required to pay dues, Per Capita tax or any other charges.

ARTICLE 4 MEETINGS

Section No.1 Convention

This Body shall meet by convention every two years for the purpose of transacting business. The convention site to be decided upon by the delegates at the convention.

Section No.2 Delegates to a Convention of the Body

Representation of Local Unions as to the entitlement of delegates to Atlantic Provinces Professional FireFighters Association convention are as follows:

| No. of Members: | No. of Delegates: |
|-----------------|-------------------|
| 3 - 50 | 3 |
| 51 - 100 | 4 |
| 101 - 150 | 5 |
| 151 - 200 | 6 |
| 201 - 250 | 7 |
| 251 - 300 | 8 |
| 301 - 350 | 9 |
| 351 - plus | 10 |

Section No.3 Special

A special meeting of this Body may be held upon the request of any (7) seven Locals. Locals or members at large requesting a special meeting must be in attendance. The Secretary-Treasurer must give seven (7) days notice of special meetings to all locals in good standing of this Body. Furthermore, only business called for in the notice can be discussed at a special meeting. No one can bring up other matters not mentioned in the notice.

Section No.4 Quorum

Seven (7) locals or members at large, in good standing, shall constitute a quorum, and shall be qualified to transact the legal business of this Body.

Section No.5 Executive

The Executive shall meet upon adjournment of the Convention and at any time deemed necessary by the majority of the Executive Board.

Section No.6 Allowances and Expenses

All allowances and expenses incurred by the Executive members shall be reimbursed as per the APPFFA's expense policy.

ARTICLE 5 OFFICERS AND ELECTIONS

Section No.1 Officers Of The Body

Officers of the Body shall consist of a President, Immediate Past President, Secretary-Treasurer, one Vice-President from the province of the President and two Vice-Presidents from each of the remaining provinces. The President and Secretary-Treasurer shall be from the same area. Terms of all Officers shall be a two year period, while the position of Immediate Past President shall not exceed one term (a two year period).

Section No.2 Eligibility

Any member in good standing shall be a candidate for office subject to:

- (a) being a delegate in attendance at the convention and/or,
- (b) being a member of the Executive of this Body.
- (c) The Vice-Presidents of any one province shall not be from the same Local and the Vice-President from the province of the President shall not be from the same Local.

Section No.3 Nominations

Nominations shall be made from the Convention floor.

Section No.4 Ballot Preservation

Ballots shall be preserved for a period of two years.

Section No.5 Vacancy

When an office becomes vacant, other than the President, for any reason, the President shall appoint a successor from the same Local to act as interim officer, no later than thirty days from the date of such vacancy.

Section No.6 Locals Not Represented by a Vice-President

All locals not represented by a Vice-President may send a representative to meet with the board in the year opposite the convention. This member to be elected by the Local and his expenses be borne by the Local he represents.

ARTICLE 6 DUTIES OF OFFICERS

Section No.1 President

It shall be the duty of the President to preside at all conventions of the Body and at meetings of the Executive Board. He shall be the Executive Head of this Body. He shall be the first delegate to any convention or deputation where this body is represented. He shall be a member ex-officio of all committees.

He shall appoint an educational coordinator from the Executive for the purpose of planning Annual Educational Seminars and appoint other such committees as may be provided for in this Constitution and By-Laws. He shall also appoint special committees as may be required. He shall have general supervision of the activities of the other offices and chairmen of committees.

Together with the Secretary-Treasurer he shall sign all cheques lawfully and properly drawn. He is authorized to approve all expenditures legally incurred for the operation of this body.

He shall enforce strict observance of the Constitution and By-Laws of the International as this document relates to the Body and the Constitution and By-Laws of this Body.

The President shall discharge on behalf of the Body such duties as may be imposed upon him by applicable law including the executive and filing of any reports to federal or provincial authorities and he shall cause to be maintained by the Body such records as the law requires to be kept in support of reports filed by it.

Section No.2 Secretary-Treasurer

It shall be the duty of the Secretary-Treasurer to keep custody of all documents, records, books and papers belonging to this Body, except as may be otherwise provided for by this Constitution and By-Laws.

He shall keep an accurate record of all conventions, special meetings, Executive Board meetings and committee meetings. He shall attest all official documents with his signature and the seal of the Body. He shall conduct the correspondence of the Body promptly. He shall maintain the official list of all the Locals in good standing, which shall be kept accurately and on a current basis.

The Secretary-Treasurer shall discharge on behalf of the Body such duties as may be imposed upon him by applicable law including the executive and filing of any reports to federal or provincial authorities and he shall cause to be maintained by the Body such reports as the law requires to be kept in support of reports filed by it.

The Secretary-Treasurer shall receive all monies due this Body, from whatever source and shall disburse the same only by voucher signed by the President and Secretary-Treasurer. He shall maintain and keep current records of the Locals with their Per Capita tax 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 to the International General Secretary-Treasurer the annual audit over the seal of this Body no later than June 1st of each year.

Section No.3 Vice-Presidents

The Vice-President shall assist the President in such matters as determined by President. In the absence of the President, the Vice-President residing in the Province of that of the President, shall assume all duties and responsibilities of the President.

Section No.4 Executive Board

The Executive Board shall consist of the President, Immediate Past President, Secretary-Treasurer and all Vice-Presidents. It shall be the duty of the Executive Board to exercise general supervision and control of the invested funds and property of this Board. It shall have authority to act in the name of the Body during intervals between conventions.

Section No.5 Bonding

All officers and employees of this Body who handle funds or property of this Body shall be bonded in such amounts as may be required by the Board of Trustees and the Secretary-Treasurer in compliance with applicable law. The International covers the expense of the first \$2500.00 of bond for this Body. If additional bond is necessary the Body is responsible for the additional cost of the premium.

ARTICLE 7 DELEGATES AND ALTERNATES TO CONVENTION, SEMINAR AND CONFERENCE

Section No.1 Election of 2nd Delegate

As per Article 6 Section No.1, the President is the first delegate of the body. Any additional delegate(s) shall be elected by the membership at our convention.

Section No.2 Events to Attend

A delegate(s) of the body shall attend the following: the IAFF Convention, the Canadian Policy Conference, the Provincial Presidents Meetings and the Redmond Symposium. Delegates may be sent to other events if deemed appropriate by the Executive Board.

ARTICLE 8 PER CAPITA TAX

Section No.1 Per Capita Tax

The Per Capita Tax payable by affiliated Locals or members-at-large shall be based on one dollar and seventy-five cents (\$1.75) per member per month.

Section No.2 Changes

Changes in Per Capita Tax shall be by majority vote at convention.

Section No.3 Reinstatement Fee

Reinstatement fee of the Body shall be ten dollars (\$10.00) plus all back dues and assessments owed prior to leaving the Body, up to the day of their departure from the Body. From that point of time on, just the reinstatement fee will be charged to any local wishing to be reinstated.

ARTICLE 9 MISCONDUCT, TRIALS AND APPEALS

Section No.1 Procedure

Any member charged with misconduct as defined in Article 15 of the International Constitution shall be served with written specific charges as required in Article 16 of the International Constitution and be given a reasonable time to prepare his defense and afforded hearing as provided in Article 17 of the International Constitution, such appeal, in accordance with Article 18 of the International Constitution, must be filed with the General President of the International within thirty (30) days of the action to be appealed.

ARTICLE 10 AUDIT

Section No.1 Audit and Financial Statement

The books and accounts of this Body shall be audited annually by a general accountant and a copy of the annual audit shall be forwarded to the General Secretary-Treasurer of the International not later than the first day of June, annually. The Financial Statement shall be presented in its entirety at Convention.

Section No.2 Copy to Member Locals

A copy of the audit is also to be sent to all member locals.

Section No.3 Trustees

That Trustees be appointed by the President (one from each Province represented) for the purpose of auditing the books and reporting to the Members at Convention their findings. Said Trustees and their duties shall be dissolved at the end of convention.

ARTICLE 11 CONSTITUTIONAL AMENDMENTS

Section No.1 Amending at Convention

The Constitution and By-Laws of this Body shall be amended by the delegates at Convention. Amendments submitted from the convention floor by delegates shall require a two-thirds (2/3) majority vote.

Section No.2 General President Approval

All amendments to this Constitution and By-Laws shall be submitted to the International General President prior to its printing, issuance of effectiveness, after first being adopted by the Convention.

ARTICLE 12 RULES OF ORDER

Section No.1 Atwood's Rules of Order

Deliberations of this Body shall be governed by Atwood's Rules of Order to the extent that such rules are not superseded by express provisions of this Constitution and By-Laws or the Constitution and By-Laws of the International.

ARTICLE 13 CONVENTION RESOLUTIONS

Section No.1 Procedure

Resolutions submitted for the consideration of delegates of this Body shall be submitted to the Secretary-Treasurer of this Body prior to the convention day and shall require a majority vote by the convention delegates.

ARTICLE 14 FINANCIAL ASSISTANCE

Section No.1 Eligibility for Educational Seminar

Any Local Union of the Body in good standing shall be entitled to apply for a grant from the Body to send a member to any educational Seminar held under the jurisdiction of the Body. The Local must apply in writing to the Executive Board, stating the reason for the request, prior to the Seminar, for these funds and these requests will be submitted to the Executive Board for their approval. A reasonable financial statement of the applying Local will be required. This grant will only be available if the funds are available in the Body Treasury.

Section No.2 Eligibility for Arbitration

Any Local Union of the Body in good standing shall be entitled to apply for a grant from the Body to assist any Local involved in any precedent setting arbitration case. The Local must apply in writing to the Executive Board stating the reason for the request. A reasonable financial statement of the applying Local will accompany the request. This grant will only be available if the funds are available in the Body's Treasury.

END / Secretary - Treasurer