

# **BMEA Constitution**

## ***Article I*** - Name

### Section 1

The name of this organization shall be the “Town of Barnstable Municipal Employees Association Inc.”

## ***Article II*** - Purpose and Aim

### Section 1

The purpose and aim of the Town of Barnstable Municipal Employees Association, Inc. is to protect and improve the condition of any employee relative to his/her employment.

## ***Article III*** - Membership

### Section 1

All persons who have been in continuous employment with the Town of Barnstable for more than thirty (30) days in a classification represented by this Association, on a permanent part-time or full-time basis, not affiliated with any other association, agency and/or union for collective bargaining, shall be eligible for active membership upon payment of dues and shall be considered members.

In addition, the positions recognized and listed in the Department Head Unit agreement shall be identified as Unit B with all others considered Unit A **(Regular Bargaining Unit)**.

### Section 2

Members (both Unit A & Unit B) shall be entitled to vote, hold office and participate in discussions which affect their respective Units, at all regular and/or special meetings of the Association.

### Section 3

Membership in the Association shall be terminated by dismissal, resignation, or retirement from employment. Membership shall also terminate upon transfer to a position that is not a position covered by the Association.

## **Article IV - Officers**

### Section 1

The officers of this organization shall be a President, Vice-President, Secretary, Treasurer and Board of Directors, all of whom shall be elected to a term of one year.

### Section 2

The President, Vice-President, Secretary and Treasurer may be any member elected by the membership at the first quarterly meeting.

### Section 3

The eight (8) stewards of Unit A shall be members from each of the designated sections appointed by the President or the highest ranking officer of Unit A within two weeks after the first quarterly meeting.

### **List of Stewards**

(as referenced to in Article IV, Officers, Section 3) (Amendment adopted November 13, 2001)

Unit A (Regular Bargaining Unit)

Town Hall – Two (2) Stewards

Town Offices (200 Main) – One (1) Steward

School Administration Building – One (1) Steward

HYCC – One (1) Steward

Structures & Grounds/Water Pollution Control – One (1) Steward

MEA/Police Department – One (1) Steward

Senior Services – One (1) Steward

Total – 8 (eight)

Unit B (Department Head Unit)

Total – 4 (four)

If any building does not have a BMEA Representative, one may be appointed by the President.

The four (4) stewards of Unit B shall be members from Unit B appointed by the President or the highest ranking officer of Unit B within two weeks after the first quarterly meeting.

#### Section 4

The board of Directors shall consist of thirteen members. The President, past President, Vice President, Secretary and Treasurer shall comprise of five members. The remaining eight members shall be the stewards.

#### Section 5

Any officer or director may be removed from office by a two-thirds majority vote of the Association membership present, upon presentation of sufficient evidence of one of the following:

- A. Dereliction of duty.
- B. Acting contrary to the desires and/or interests of the membership.
- C. Acting in violation of the By-Laws of the Association.

### ***Article V*** - Committees

#### Section 1

The President shall appoint annually the Membership Committees, the Auditing Committees, the Nomination Committee and any other committee as needed.

#### Section 2

The Board of Directors shall serve as the Grievance Committee.

#### Section 3

The Board of Directors shall appoint a Bargaining Committee consisting of three members and one alternate from the membership of the Association. The Bargaining Committee will continue to serve until any current bargaining culminates in a mutually acceptable contract or until otherwise directed by a majority vote of the Association.

#### Section 4

Each Committee is responsible for recording its own minutes and sending copies to the Secretary.

### ***Article VI*** - Meetings

### Section 1

The quarterly meetings shall take place **once in the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup> quarter** of each calendar year. Special meetings of the Association may be called by the President as conditions warrant, provided ten (10) days' notice is given of such meeting.

### Section 2

Members shall be notified in writing of all regular or special meetings at least ten (10) days prior to such meetings.

### Section 3

Emergency meetings of the Association may be called by the Board of Directors with no less than twenty-four (24) hour notice.

### **Section 4**

**In the event of an emergency, meetings may be held online as long as all votes are taken by roll call and quorum is met and maintained.**

## ***Article VII*** - Amendments

### Section 1

Amendments to the Constitution or the By-Laws of this Association shall be made at any quarterly meeting or any special meeting called for that purpose by a two-thirds vote of the members present. Written notice of the proposed amendments shall be sent to each member at least ten (10) days prior to the meeting at which the amendments are to be voted upon.

# Bylaws

## *Article I* - Meetings

### Section 1

The order of business for the transaction of business at the quarterly meetings shall be as follows:

- A. Post Agenda
- B. Call to Order
- C. Verification of quorum with certification
- D. Reading of minutes
- E. Report of the Treasurer
- F. Reports of the Committees
- G. Reading of Communications
- H. Unfinished Business
- I. New Business
- J. Adjournment

### Section 2

The order of business for the transaction of business at the special Meeting shall be as follows:

- A. Call to Order
- B. Secretary to verify if Quorum is present with certification
- C. Business Concerning Special Meeting
- D. Vote of Membership
- E. Adjournment

## *Article II* - Duties of Officers

### **BMEA PRESIDENT**

The President is an elected position of the Barnstable Municipal Employees Association, Inc. for one year. Annual elections are held at the first quarterly meeting of the year.

This is a paid position. **The amount paid per year is:**

Duties and Responsibilities:

Is a member of the Executive Board

Is a member of the Board of Directors

Appoints the Stewards and the Membership Clerk

Appoints annually the Auditing Committee, The Nominating Committee and any other Committee as needed. Shall serve as an ex-officio member of all Committees

Presides over Board Meetings, Executive Board Meetings and Membership meetings

Call Special Meetings as conditions warrant

Sets the agenda for all meetings

Meets and communicates with Town Representatives on an ongoing basis

Keeps the Vice President informed of all issues

Approves all expenses to be paid

Is authorized to spend up to \$1000 over the approved budgeted amount in any calendar year provided such funds are from available cash and not from the Association's Investment Portfolio

Supplies the Secretary with all records for the files

Communicates with Attorney on legal matters

Delegates others as necessary to communicate with the Attorney

May represent members and protect their rights

Advises the Board of Directors and the membership of any issues of concerns or ideas

Supports the Board of Directors and the Membership in other capacities as needed

Shall perform other duties as required by the Constitution and By-Laws

Has knowledge of the contract and Weingarten Rights

Has knowledge of the BMEA Constitution and By-Laws

Has knowledge of the Town's Personnel code

### **BMEA VICE-PRESIDENT**

The Vice-President is an elected position of the Barnstable Municipal Employees Association, Inc. for one year. Annual Elections are held at the first quarterly meeting of the year. In the absence of the President, the Vice-President shall have all the prerogatives of the President. This is a paid position. **The amount paid per year is:**

#### **Duties and Responsibilities:**

Is a member of the Executive Board

Is a member of the Board of Directors

May represent members and protect their rights

Meets and communicates with Town Representatives on an ongoing basis

Keeps the President informed of all issues

Assists the President with Committees and other obligations

Supplies the Secretary with all records for the files

Advises the Board of Directors and the membership of any issues of concerns or ideas

Attends Board Meetings and Quarterly Membership meetings

Supports the Board of Directors and the Membership in other capacities as needed

Has knowledge of the contract and Weingarten Rights

Has knowledge of the BMEA Constitution and By-Laws

Has knowledge of the Town's Personnel code

### **BMEA SECRETARY**

The Secretary is an elected position of the Barnstable Municipal Employees Association, Inc. for one year. Annual Elections are held at the first quarterly meeting of the year.

This is a paid position. **The amount paid per year is:**

#### **Duties and Responsibilities:**

Is a member of the Executive Board

Is a member of the Board of Directors

Retains all records of BMEA except for the Treasurer's records

Issues all notices of meetings, books the facility and prepares the agenda

Retains a record of the minutes of all meetings

Publishes the minutes to be presented during the next meeting

Verifies that a quorum is present before each meeting begins

Retains a current membership list for notifications to be sent to the membership

Types written correspondence as requested by the President

May represent members and protect their rights

Advises the Board of Directors and the membership of any issues of concerns or ideas

Attends Board Meetings and Quarterly Membership meetings

Supports the Board of Directors and the Membership in other capacities as needed

Keeps a current list of the BMEA Officers and Stewards. Notifies Town Officials and the membership of any changes

Updates the Constitution and By-Laws with amendments made

Has knowledge of the contract and Weingarten Rights

Has knowledge of the BMEA Constitution and By-Laws

Has knowledge of the Town's Personnel Code

### **BMEA TREASURER**

The Treasurer is an elected position of the Barnstable Municipal Employees Association, Inc. for one year. Annual Elections are held at the first quarterly meeting of the year.

This is a paid position. **The amount paid per year is:**

#### **Duties and Responsibilities:**

Is a member of the Executive Board

Is a member of the Board of Directors



Makes monthly deposits of dues and Agency Service Fees

Pays all bills once approved by the President

Reconciles bank statements monthly

Maintains a financial database on the laptop computer and a backup copy

Maintains petty cash

Maintains accurate authorized signers on credit cards with vendors

Provides monthly Treasurer's Report to the Board of Directors

Provides quarterly Treasurer's Report to the membership at meetings

Makes quarterly tax deposits to the Commonwealth Of Massachusetts

Prepares 1099s at year end

Compiles and forwards financial information to the Accountant for yearly tax filing

Submits to the Commonwealth Of Massachusetts all yearly filings

Requests and reviews budgets for entertainment functions and reports to the Board

Requests from Human Resources periodic reports on the Education Account for review

Ensures BMEA is reimbursed by the Town for education expenses paid for a member

May represent members and protect their rights

Advises the Board of Directors and the membership of any issues of concerns or ideas

Is a member of the Investment Committee

Attends Board Meetings and Quarterly Membership meetings

Supports the Board of Directors and the Membership in other capacities as needed

Has knowledge of the contract and Weingarten Rights

Has knowledge of the BMEA Constitution and By-Laws

Has knowledge of the Town's Personnel Code

### **BMEA PAST- PRESIDENT**

The Immediate Past-President shall remain a member of the Board of Directors after the election of a new President during the annual election held at the first quarterly meeting of the year.

#### **Duties and Responsibilities:**

Helps provide continuity to insure a smooth transition of the new Board of Directors

Attends Board of Directors and Membership meetings

Supports the Board of Directors and the Membership in other capacities as needed

Has knowledge of the contract and Weingarten Rights.

Has knowledge of the BMEA Constitution and By-Laws

Has knowledge of the Town's Personnel Code

(Prior presidents have a wealth of knowledge with issues that has been dealt with in the past. Past Presidents may be called upon, from time to time, to assist the Board of Directors with their experience and knowledge. They are bound by the same confidentiality as the current officers and stewards relative to grievances and other sensitive issues)

### **BMEA CHIEF STEWARD**

There is two units within the BMEA, the regular Unit (Unit A) and the Department Head Unit (Unit B). Each Unit has a Chief Steward. The Chief Steward of each Unit shall be chosen by the stewards of that particular Unit. This is a paid position. **The amount paid per year is:**

#### **Duties and Responsibilities:**

Represents members and protects their rights

Keeps their respective Memberships informed of the Association activities

Keeps the Board of Directors informed on member's requests and problems.

Serves as Chairperson of the Grievance Committee within his/her respective Unit

Recommends to the Grievance Committee a course of action on grievances

Holds stewards meetings to keep stewards abreast of grievance related events

Supplies the Secretary with all documentation received for the records

Attends Board of Directors meetings and Membership meetings

Supports the Board of Directors and the Membership as needed

Has knowledge of the contract and Weingarten Rights

Has Knowledge of the BMEA Constitution and By-Laws

Has knowledge of the Town's Personnel Code

### **BMEA STEWARD**

The position of Steward is an important role. A Steward is the one who interacts and converses regularly with the Membership. A Steward is usually the first person to hear of problems and Membership dissatisfaction with the Town, BMEA or the Contract. **This is a paid position.**

Duties and Responsibilities:

Knowledge of the contract and Weingarten Rights

Knowledge of the BMEA Constitution and By-Laws

Knowledge of the Town's Personnel Code

Represent Members and protect their rights

Keep the Membership informed of the Association's activities

Keep the Executive Board informed on member's requests and problems

Attend stewards, quarterly Membership meetings and other meetings as required

Supports the Board of Directors and the Membership in other capacities as needed

Inform the Membership Clerk of new Members

Inform Sunshine Committee of any needs of the Membership (illness, death, new arrival, etc.)

The Grievance Committee consists of the President, Vice President, Treasurer,

Secretary, Past President and the Stewards. **(Should this be in Article III Part 2?)**

### **BMEA MEMBERSHIP CLERK**

The Membership Clerk is an appointed position of the Barnstable Municipal Employees Association, Inc. by the President. This is a paid position. **The amount paid per year is:**

#### **Duties and Responsibilities:**

Keep Membership database current with names, addresses and positions

Notify new employees of their Membership in the Association

Present new employees with a copy of the BMEA Constitution and By-Laws

Verify with new employee that they have received a copy of the current contract

Check with Human Resources monthly for names of new Employees

Prints out labels for Newsletter mailings

Supports the Board of Directors and the Membership in other capacities as needed

### ***Article III - Committees***

#### **Section 1**

The Bargaining Committee shall act, as representative of the Association, in all collective bargaining procedures with the Representative of the Town of Barnstable for the development of a working contract if the Association feels this is necessary. All contracts shall be ratified by a majority vote of the Members present.

#### **Section 2**

The Grievance Committee of both Units A and B shall be responsible for determining the validity of all grievances and shall proceed in accordance with the grievance section as specified in the appropriate bargaining unit contract.

#### **Section 3**

The Membership Committee shall notify new employees of their Membership in our Association, present them with a copy of the Constitution and By-Laws, a copy of the Personnel By-Laws of the Town of Barnstable and a copy of the current contract. They

shall check monthly with the Human Resources Division for names of new employees.

#### Section 4

The Auditing Committees shall audit the Financial Ledgers and Secretary's Minutes at the end of the calendar year and submits their reports at the first quarterly meeting.

### **Article IV** - Elections

#### Section 1

The nominating committee shall present a slate of Officers at the first quarterly meeting for the following; President, Vice President, Secretary and Treasurer. The slate shall be submitted to the Members of the Association at least two weeks prior to the first Quarterly Membership Meeting. Further nominations may be made from the floor.

#### Section 2

The Election procedures are as follows:

- A. Enter meeting hall, sign in and pick up ballot
- B. The President will take nominations from the floor
- C. Vote for person of your choice using number list on board
- D. Nominating Committee will pick up Ballots and verify Legal Ballots
- E. Count Ballots and announce results

### **Article V** - Dues

#### Section 1

The amount of dues may be changed by the Membership at the first Quarterly Meeting of each year.

### **Article VI** - Quorum

#### Section 1

A representation of twenty (20) members shall constitute a quorum (Amended June 26,

1995).

**Article VII** - Dissolution

Section 1

The BMEA can be dissolved with the vote of the officers of the association and the general membership. All monies shall be distributed to a charity to be determined by the officers of the association upon dissolution or to another tax exempt organization with similar 501 statuses. (Amendment adopted September 5, 1995)