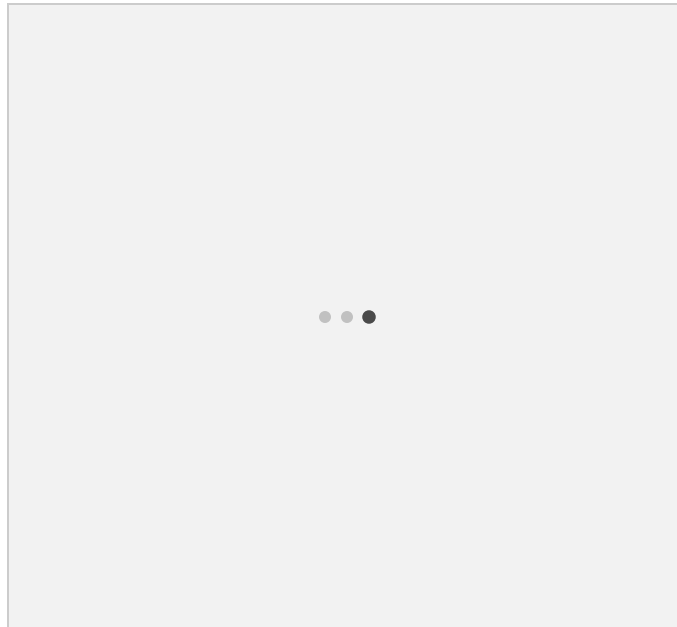


BY-LAWS OF THE

San Luis Obispo County Deputy Sheriffs' Association

**Correctional Deputies, Dispatchers,
Crime Prevention and Identification Technicians**



Adopted January 1, 2012

REVISED

December 2, 2009

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BYLAWS
of
San Luis Obispo County Deputy Sheriffs' Association

A California Nonprofit Mutual Benefit Corporation

ARTICLE I NAME AND TERMS

- Section 1:** The name of this organization shall be the “San Luis Obispo County Deputy Sheriffs’ Association.
- Section 2:** The principle office of the Association for the transaction of its business is located at the Sheriff’s Main Facility in San Luis Obispo, California.
- Section 3:** The Board of Directors includes both the Officers and the Representatives. The Executive Board includes the President, Vice-President, Treasurer, Secretary and Sergeant At Arms. Representatives are a member and an alternate from the North Station, South Station, Coast Station, Civil Division, Custody Division, Detective Division, Sergeants, Dispatchers and Property Officer.

ARTICLE II OBJECTIVES AND PURPOSES

- Section 1:** The objective of the Association shall be the advancement of the professional, educational, economic and social welfare of its members; providing representation for its members regarding wages, hours, benefits and other terms and conditions of employment; to achieve these and all other purposes and objectives through appropriate means beneficial to the collective membership; assist in the betterment of the communities and citizens of our communities; to maintain a non-profit organizational status.
- Section 2:** The Association shall maintain its status as a non-profit organization as regulated by State and Federal Law.

ARTICLE III MEMBERSHIP

- Section 1:** The Association shall only have one class of member. The Association’s property, voting rights, interests, and all other privileges of each member shall be equal.

Section 2: Any individual regularly employed by the County of San Luis Obispo Sheriff's Department but not limited to the following job classifications shall be eligible for membership: Deputy Sheriff, Senior Deputy Sheriff, Identification Technician, Sergeant, Correctional Officer, Senior Correctional Officer, Dispatcher, Senior Dispatcher and Property Officer.

Section 3: Application for Membership

Application for membership shall be submitted to the Board in a manner that the Board deems appropriate. Any person seeking membership may be required to sign an application which shall contain a statement that such person has received a copy of these Bylaws and agrees to abide by their provisions. In addition, any new regular member shall also sign a dues check-off card with the County authorizing deduction of the employee's dues and assessments by the County. The Board shall act upon each application within sixty (60) days after submission, or at the next regularly scheduled Board meeting, whichever comes later.

Section 4: Good Standing

Those members who have paid the required dues, fees, and assessments in accordance with these Bylaws, and who are not suspended, shall be members in good standing.

Section 5: Termination and Suspension of Membership

(A) Causes of Termination. A membership shall terminate on occurrence of any of the following events:

- (i) Resignation of a member, on reasonable notice to the Association;
- (ii) Expiration of the period of membership, if any, unless the membership is renewed on the renewal terms fixed by the Board;
- (iii) Failure of a member to pay dues, fees, or assessments as set by the Board within sixty (60) days after they become due and payable;
- (iv) Occurrence of any event that renders a member ineligible for membership, or failure to satisfy membership qualifications;
- (v) A good faith determination by the Board, or a committee or person authorized by the Board to make such a determination, that the member has failed in a material and serious degree to observe the rules of conduct of the Association, or has engaged in conduct materially and seriously prejudicial to the purposes and interests of the Association, and termination of membership is

the appropriate remedy for the Association.

- (B) Resignation. Resignations of members shall be in writing and will be accepted by the Board. In the event that a member resigns and is indebted to the Association, the resignation shall not preclude the Association from taking any legal action to recover any indebtedness including all dues and assessments. The resigning member shall not have standing to raise a question during any meeting nor can he/she expect representation on any matter. A member resigning shall surrender all rights in and to any office he/she holds and to all assets and property of the Association.
- (C) Suspension or Expulsion of Membership. A member may be suspended or expelled, under this Section, based on the good faith determination by the Board, or a committee or person authorized by the Board to make such a determination, that the member has failed in a material and serious degree to observe the Association rules of conduct, or has engaged in conduct materially and seriously prejudicial to the purposes and interests of the Association. A person who has been expelled or whose membership is suspended shall not be considered a member during the period of expulsion or suspension.
- (D) Procedure for Expulsion or Suspension. If grounds appear to exist for expulsion or suspension of a member under this Section of these Bylaws, the procedure set forth below shall be followed:
- (i) The member shall be given fifteen (15) days prior notice of the proposed expulsion or suspension and the reasons for the proposed expulsion or suspension. Notice shall be given by any method reasonably calculated to provide actual notice. Any notice given by mail shall be sent by first-class or registered mail to the member's last address as shown on the Association's records.
 - (ii) The member shall be given an opportunity to be heard, either orally or in writing, at least five days before the effective date of the proposed expulsion or suspension. The hearing shall be held, or the written statement considered, by the Board or by a committee or person authorized by the Board to determine whether the expulsion or suspension should take place.
 - (iii) The Board, committee, or person designated by the Board shall decide whether or not the member should be expelled, suspended, or sanctioned in some other way. The decision of the Board, committee, or person shall be final unless one-third (1/3) of the members of the Association petition for the matter to be put on the agenda at the next meeting of the members. In the event that the matter is heard by the members, two-thirds (2/3) of the members present at such a meeting will be required to overturn or modify

any action taken by the Board against the member.

- (iv) Any action challenging an expulsion, suspension, or termination of membership, including a claim alleging defective notice must be commenced within twenty (20) days after the date of the expulsion, suspension, or termination.

Section 6: Transfer of Memberships

No membership or right arising from membership shall be transferred. All membership rights cease on the member's death.

Section 7: Reinstatement

Any member who has withdrawn from the Association shall not be eligible for reinstatement unless withdrawal was due to having left the employment of the County and that individual is subsequently re-employed by the County, or unless a member in good standing petitions the Board of Directors for reinstatement of the withdrawn individual and a two-thirds (2/3) majority vote of the Board of Directors affirms reinstatement. A decision of the Board of Directors to deny reinstatement to a withdrawn member may be appealed to the general membership by a member in good standing. Reinstatement by the general membership after denial by the Board of Directors requires a two-thirds (2/3) majority vote of the general membership affirming reinstatement.

Section 8: Nondiscrimination

No member of this Association shall be favored or discriminated against, directly or indirectly, in any facet of the Association membership, right, privilege or benefit because of the member's race, creed, color, sex, national origin, religion, rank, or political affiliation.

ARTICLE IV DUES

Section 1: Membership dues shall be made by payroll deduction at a rate of \$9.50 per bi-weekly pay period. Dues shall be reviewed annually by the Board of Directors and changes may be proposed by the Board and ratified by ballot by a majority of the voting members.

ARTICLE V

MEETINGS

Section 1: Meetings of the Association shall be held at a place designated by the Board of Directors.

- Section 2:** General membership meetings of the Association shall be held twice annually.
- Section 3:** Meetings of the Board of Directors shall be held once each month at a time and location designated by the Board members. A quorum shall be a simple majority of those present.
- Section 4:** A quorum for a General Membership meeting shall consist of a number equal to one-fifth of the total membership. Proxy votes will be allowed for an absence as a result of sickness, vacation, or duty status.
- Section 5:** Only members in good standing may take part in any meetings of the Association. Visitors may be allowed with the approval of the Executive Board.
- Section 6:** Meetings shall be presided over by the President, or in his absence, by the Vice-President, or in the absence of both, by a chairman chosen by a majority of the members present. The Secretary of the Association shall document all meetings, in the absence of the Secretary, an acting Secretary will be appointed by the presiding officer.
- Section 7:** Meetings shall be governed by Robert's Rule of Order, except when in conflict with these by-laws or with any provision of law.
- Section 8:** The order of business at regular meetings of the Board of Directors and General Membership meetings shall include:
1. Call to order and roll call
 2. Approval of previous minutes
 3. Report of Treasurer
 4. Correspondence
 5. Report of committees
 6. Old business
 7. New business
 8. Announcements
 9. Adjournment
- Section 9:** The order of business at special meetings of the Board of Directors or General Membership shall be:
1. Call to order and roll call
 2. Business of meeting
 3. Adjournment
- Section 10:** The office of any Officer or Representative shall be declared vacant when they become delinquent in their dues or lose membership.
- Section 11:** A copy of the minutes from all meetings shall be distributed by the Secretary to

each officer and Representatives, who will in turn post a copy of those minutes in the area which they represent.

ARTICLE VI OFFICERS

Section 1: The officers of the Association shall be the:

- President
- Vice President
- Treasurer
- Secretary
- Sergeant At Arms

Section 2: The President shall be the Chief Executive Officer of the Association and shall, in general, supervise and control the affairs of the Association. He shall perform all duties incident to the office and such other duties as may be required by law or the by-laws of the Association. The President shall be chairman of the Board of Directors and shall preside over and conduct all meetings as required within the by-laws. The President shall have the authority to administer all matters not otherwise expressly delegated, shall appoint all committees and shall have the power to call special meetings of the Association. The President shall not have the power to vote during any meetings of the Association except for the election of officers and to resolve a tie vote by the Board of Directors.

Section 3: The Vice-President shall perform the duties of the President during the President's absence and serve the Board of Directors as instructed by the President. In the event of a vacancy of the office of President, the Vice-President shall assume the duties of that office for the remainder of the unexpired term of office.

Section 4: The Secretary shall keep and distribute minutes of all meetings of the Association and shall perform the usual duties of the Secretary. The Secretary shall see that all notices are duly given in accordance with the provisions of these by-laws and as directed by the President. The Secretary shall keep and maintain membership records and historical records of the Association.

Section 5: The Treasurer shall have charge and custody of, and be responsible for, all funds and securities of the Association at such banks, trust companies or other depositories as shall be selected by the Board of Directors. The Treasurer shall be present at all meetings of the Association and be prepared to review and explain all financial matters of the Association. Books shall be available to the membership and the Association accountant at all times, and be made available as otherwise instructed by the Board of Directors. Before entering upon his/her duties, the Treasurer shall be bonded in the amount of \$50,000, which shall be paid by the Association.

Section 6: The Sergeant At Arms shall attend all meetings of the Board of Directors and General Membership meetings to maintain order, determine the existence of a

quorum, admit only Association members when appropriate, and count votes during such meetings.

Section 7: The Association Officers shall assume an office for a two year term upon being elected. Officers shall serve until their successors are duly elected.

Section 8: An office declared vacant by the Board of Directors shall be filled by a majority vote of ballots cast by Association members at a special election.

Section 9: If any officer is absent for three Association meetings for reasons other than personal illness, illness in family, vacation or absence on official business, that office may be declared vacant by a majority vote of the Board of Directors present.

Section 10: Any office shall be declared vacant upon the separation from employment with the Sheriff's Department.

Section 11: Qualifications of Directors and Officers

Any member who has successfully completed their employee probationary period with the County and has been a member of the Association in good standing for a period of twenty four (24) consecutive months as of the date he/she will take office shall be eligible to serve as director or representative. The member must maintain his/her status as a member in good standing throughout the term of their office. The offices of the president, vice-president, secretary, treasurer and sergeant at arms shall be held by a member who has been a member of the Association in good standing for a period of thirty six (36) consecutive months as of the date he/she will take office. The member must maintain his/her status as a member in good standing throughout the term of office.

ARTICLE VII DIVISIONAL REPRESENTATION

Section 1: Each division of the Sheriff's Department shall elect a member to sit on the Board of Directors, with an alternate to that Representative also elected. Additional representatives may be allowed as deemed necessary by the Board of Directors to insure that that the concerns of all special groups or sections are attended to.

Section 2: Representatives shall be provided from the following areas:

- North
- Coast
- South
- Civil
- Custody

- Detectives
- Sergeants
- Dispatch
- Property

ARTICLE VIII ELECTIONS

- Section 1:** Nominations shall be held during the December General Membership meeting every two years.
- Section 2:** Ballots will then be distributed to each Association member, listing the nominations for each office which will be completed and deposited in the station ballot boxes within ten (10) calendar days from distribution. The Sergeant At Arms, along with one other Board member, shall count the ballots. Election results will be determined by the majority of ballots returned.
- Section 3:** Representatives, and their alternates, will serve a one year term. Officers will serve a two year term, upon election, unless vacated and filled under authority of other sections(s) of these by-laws.
- Section 4:** Officers and Representatives will assume office on January 1st, following the elections, and will be formally installed at the Annual Awards Banquet in January.

ARTICLE IX COMMITTEES

- Section 1:** The President is authorized to appoint special committees to investigate and report on any specific subject or Association concern. Upon completion of the assignments, the committees are automatically dissolved.

ARTICLE X RECALL

- Section 1:** Any Executive Officer of the Board of Directors is subject to recall for conduct for unbecoming an officer for any violation of trust or violation of law. A petition for the recall of an Officer must state in general terms the nature of the conduct giving rise to the petition. The petition must be signed by at least one-third of the members of the Association.
- Section 2:** A petition for recall of a Division Representative shall be signed by at least one-half of the number of members which are represented by that person, and shall state the reasons.

Section 3: Upon receipt of said petition, the President must call a special election of the membership for an Officer recall or of a Division for a Representative recall. A majority of the affected membership at a special election to recall such Officer or Representative.

Section 4: To fill a vacancy created on the Board of Directors by recall action, the President shall accept nominations and hold a General Membership election by mailed ballots in accordance with regular election procedures.

ARTICLE XI EXECUTION OF INSTRUMENTS, DEPOSITS AND FUNDS

Section 1: The Board of Directors, except as otherwise expressly provided in the by-laws of the Association, may by resolution, authorize any officer or agent of the Association to enter into any contract and deliver any instrument in the name of and on behalf of the Association, and such authority may be general or confined to any specific instances, provided, however, that such contract or delivery is within legal limitations and not expressly prohibited by the by-laws of the Association.

Section 2: The Treasurer shall pay all debts of the Association and may sign checks on behalf of the Association.

Section 3: All funds of the Association shall be submitted to the Treasurer and deposited periodically to the credit of the Association at such banks, trust companies, or other depositories as selected by the Board of Directors.

Section 4: The Board of Directors shall hire an independent Certified Public Accountant to assist in financial investment decision-making and prepare all required governmental reporting of income. The Certified Public Accountant shall complete a financial report to the Association every April, August, and December on the financial status of the Association.

Section 5: No financial assistance to a member of the Association shall be granted except on a contractual basis. With Board approval and understanding that only \$2,000.00 is recoverable should civil litigation become necessary, a higher amount can be loaned.

Section 6: No purchase or expenditures shall be incurred by an individual Board member without Board approval.

ARTICLE XII AMENDMENTS TO THE BY-LAWS

Section 1: The Association by-laws may be changed by mail ballot with a three-fourths vote of the returned ballots required for passage, providing that a notice of said changes has been posted for two weeks. Any member may submit proposed changes to the by-laws for review by the Board of Directors.

Section 2: The By-laws of the Association may be amended by a two-thirds vote of the

Board of Directors, providing all Directors have been notified in writing of an intended by-law amendment within two weeks prior to such meeting. After a by-law amendment has been accomplished by the Board of Directors, a copy of such amendments shall be provided to each member of the Association.

ARTICLE XIII

ANNUAL REPORTS OF THE ASSOCIATION

Section 1: The fiscal year of the Association shall be the calendar year.

Section 2: The Treasurer shall provide an annual financial statement, audited by the Board of Directors and a certified public accountant. Additionally, the Treasurer shall file all required California State and Internal Revenue Income Tax statements within the allowed filing periods.

CERTIFICATE OF SECRETARY

I certify that I am the duly elected and acting Secretary of the [Police Officers Association], a California Nonprofit Mutual Benefit Corporation, that the above bylaws, consisting of [thirty (30)] pages, are the bylaws of this Association as adopted by the Board of Directors on [date], and that they have not been amended or modified since that date.

Executed on [date], at [place], California.

Secretary