



# INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS

HAROLD A. SCHAITBERGER  
General President

THOMAS H. MILLER  
General Secretary-Treasurer

November 13, 2015

Raymond G. Furtado, Jr., President  
North Kingston Firefighters Association  
IAFF Local 1651  
56 Elton Avenue  
Warwick, RI 02889-3222

Dear Brother Furtado:

I have completed my review of your amended Constitution and By-Laws to determine its compliance with the IAFF Constitution and By-Laws. Thank you for making the changes outlined in my letter of August 31<sup>st</sup>. Your amended Constitution and By-Laws is consistent with the IAFF Constitution and By-Laws and is approved.

Enclosed is a copy of your approved Constitution and By-Laws. An electronic copy has been retained for our records on your local.

Sincerely and fraternally,

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Harold A. Schaitberger  
General President

Enclosure

HAS/DLS:rpd

Cc: A. Michael Mullane, Vice President, IAFF District 3

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**CONSTITUTION AND BY-LAWS**

**NORTH KINGSTOWN FIREFIGHTERS ASSOCIATION**

**LOCAL #1651 IAFF, AFL-CIO, RISAFF**



International Association of Fire Fighters  
AFL-CIO, CLC **APPROVED**

**A-**

IAFF, General President [n\,3\,!>](#)

Date

Approved by the NKFFA membership on October 14, 2015

## ARTICLE I

### SECTION 1

The name of this organization shall be the NORTH KINGSTOWN FIREFIGHTERS ASSOCIATION, LOCAL 1651, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS.

### SECTION II

References in this Constitution and By-Laws to “local”, or “local union”, shall refer to the Local as set forth in Section I above, and references to “Association” or “International” shall refer to the International Association of Firefighters.

### SECTION III

This Local Union, its officers, representatives, and members, shall recognize, observe and be bound by the provisions of the Constitution and By-Laws of the International Association and the interpretations rendered by the International General President, the resolutions, decisions, and directives of the Executive Board or officers of the Association when made in conformity with the authority granted by the Constitution and By-Laws of the Association, and the resolutions adopted and policies established by the delegates at conventions. Article XIII of the Constitution and By-Laws of the Association is recognized as providing the basic rules governing the local.

## **ARTICLE II**

### JURISDICTION

#### SECTION 1

Jurisdiction shall be as follows: All persons engaged in firefighting, fire prevention, fire alarm and maintenance, who are permanent or probationary paid employees of the North Kingstown Fire Department.

## **ARTICLE III**

### **MEMBERSHIP**

#### **SECTION 1**

Active – Any person of good moral character who at the time of making application is engaged in service within the jurisdiction of this local, as given in Article II, will be eligible for active membership. Anyone eligible for membership in this Local shall not be refused membership or, upon acceptance, be discriminated against because of race, color, gender, sexual orientation, creed, national origin, or by reason of disability.

#### **SECTION 2**

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

#### **SECTION 3**

Maintenance of Good Standing – Membership in good standing includes any person who has fulfilled the requirements for membership in this local and who has not voluntarily withdrawn, become ineligible for continued membership, or has been suspended or expelled as provided in the Constitution and By-Laws of the International of Firefighters or the Constitution of this local.

#### SECTION 4

Separation – When any member in good standing becomes separated from the fire service, the local union may allow said member to retain his active membership or, in lieu thereof, upon request of said member shall issue him a withdrawal card. This local union may issue withdrawal cards only to those members who leave the fire service or EMS in good standing or who are precluded by law or local ordinance or contractually from maintaining union membership by virtue of their fire department position. A former member holding a valid withdrawal card will not be charged a reinstatement fee upon reentry into the organization. A member who is duly elected as an officer of the International Association of Firefighters, or elected or appointed as a representative of or to an affiliated labor organization, shall retain his/her active membership in this local. Members who have retired from this union or have otherwise withdrawn as members in good standing may be allowed to return to this local union within one year as active-retired members.

#### SECTION 5

Delinquent Members – Members who fail to pay their dues or assessments within periods prescribed by the Constitution and By-Laws shall be notified by the local Secretary that they are delinquent and will be automatically suspended and lose their good standing if payment is not made within sixty days following such notification. Delinquent and suspended members are not entitled to voice or vote in the local or in the affairs of the Association.



## **ARTICLE IV**

### MEETING

#### S SECTION

##### 1

The Secretary shall post the date, time and location of all regular monthly meetings no later than the fifth (5<sup>th</sup>) day of January for that calendar year.

#### SECTION 2

Special emergency meetings may be called within 24 hours of a majority vote of the Executive Board. All members in good standing shall be notified of said special meeting and of the matters to be considered therein.

#### SECTION 3

Quorum – The quorum for any meeting of this local, either regular or special, shall be 25% of the active members in good standing; fractional results shall be considered the next highest number. The President may suspend or postpone any regular meeting for just cause.

#### SECTION 4

Rights of Members – Every member in good standing shall have the right to attend any meeting and to participate in such meeting in accordance with the recognized rules set forth in the manual of parliamentary procedure adopted by this local. Members shall conduct themselves in such a manner as not to interfere with the legal or contractual obligations of the International or of this local. It shall be the responsibility of each member to provide the local with accurate contact information for Union notification

purposes.

## SECTION 5

Rules for Meetings – The rules contained in Robert’s Rules of Order shall govern the meetings of this local in all cases not in conflict with this Constitution and By-Laws, or the Constitution and By-Laws of the International, or interpretations of these documents.

## SECTION 6

Meetings for Modification of Work/Shift Schedule - Whenever consideration of a change to the existing work/shift schedule of the local is proposed and approved at a regular or special meeting, the proposal shall be provided to each member in good standing, and at least thirty (30) days’ notice shall be provided in advance of the meeting at which a vote will be taken. This section shall allow members in good standing to vote by submitting a written, signed designation of proxy, given directly to any member of the Executive Board prior to the start of meeting at which the vote will be taken. Electronic designation of proxy is acceptable; however it is the responsibility of the member to confirm receipt of said proxy by a member of the Executive Board prior to the start of the meeting at which the vote will be taken. If the proposal receives approval of a two-thirds majority of the members in good standing voting by the procedures aforesaid, it shall be adopted; otherwise it shall stand rejected.

## ARTICLE V

### OFFICERS AND ELECTIONS

#### SECTION 1

Officers - The officers of this local shall consist of a President, Vice President, Secretary, Treasurer, and three members of the Executive Board, who shall hold office for one year, and until the election and installation of their successors unless removed from office as provided in this Constitution and By-Laws or in the Constitution and By-Laws of the International. The offices of Secretary and Treasurer may not be held by the same person.

#### SECTION 2

Eligibility for Office – Any member in good standing shall be eligible to be a candidate for office in this local; however, new probationary employees shall not hold office or serve on standing committees.

#### SECTION 3

Annual Meeting – The annual meeting of this local shall be considered the September regular meeting and the election of officers for the ensuing year shall be conducted at this meeting. The installation of elected officers shall occur on November 1. Nominations shall be made from the floor in accordance with Roberts' Rules of Order; election shall be made by secret ballot. There shall be no voting by proxy in the election of local officers. The candidate receiving a majority of the ballots cast shall be declared elected. If no candidate receives a majority of the ballots cast, the balloting shall continue until there is a majority vote. Each member in good standing shall be given at least fifteen (15) days advance notice, in writing, of the date, time, and place at which nominations

shall be made, and at least fifteen (15) days advanced notice, in writing, sent by U.S. mail to the last known address of the member, of the date, time, and place at which elections shall be held

#### SECTION 4

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

#### SECTION 5

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

#### SECTION 6

Preservation of Ballots – The ballots and all other records of an election shall be preserved by the Secretary for one year following such election.

## SECTION 7

Elections Committee – The President shall appoint an Election Committee from the members present which shall be responsible for distributing and tabulating the ballots. The Elections Committee, which shall consist of three members including the local Secretary, shall tabulate the ballots in the presence of the members. Each candidate for office shall be entitled to appoint one observer who shall be permitted to witness the meeting of the Election Committee when conducting the counting of the votes and the declaration of the winning candidates.

## SECTION 8

Vacancies in Office – When an office becomes vacant by reason of death, resignation, or removal of the incumbent, the Executive Board shall elect a successor as soon as possible and certainly no later than ten (10) days from the date of such vacancy. Such successor shall be elected by simple majority vote.

## **ARTICLE VI**

### DUTIES OF OFFICERS

#### SECTION 1

President – It shall be the duty of the President to preside at all meetings of the Local and at meetings of the Executive Board. He shall be the executive head of the Local. He shall be a member ex officio of all committees. He shall appoint such committees as may be provided for in this Constitution and By-Laws and such special committees as may be authorized by the Local. Together with the Treasurer, the President or his authorized designee shall sign all orders and checks lawfully and properly drawn. He shall enforce strict observance of the Constitution and By-Laws of the International as this document relates to the Local, and the Constitution and By-Laws of the Local. He shall have general supervision of the activities of the other officers and chairmen of committees.

The President shall discharge on behalf of the Local such duties as may be imposed upon him by applicable law including the execution and filing of any reports to Federal and State authorities, and he shall cause to be maintained by the Local such records as the law requires to be kept in support of reports filed by it.

The President, by virtue of his election, shall be a delegate of this local to the Convention of the International.

#### SECTION 2

Vice President – The Vice President shall assist the President in such a manner as the President may determine. In the absence of the President, he shall preside at meetings of the Local and of the Executive Board. If the office of the President becomes vacant, the Vice President shall be acting President until the office of President is filled by election by the Executive Board.

### SECTION 3

Secretary – The Secretary shall have custody of all documents, records, books, and papers belonging to the Local, except as may be otherwise provided by this Constitution and By-Laws. He shall keep an accurate record of the meetings of the Local and the Executive Board, of which he shall be the Secretary. He shall attest all documents with his signature and the seal of the Local. He shall conduct the correspondence of the Local promptly. He shall maintain the official list of members in good standing, which shall be kept accurately and on a current basis. The Secretary shall discharge on behalf of the Local such duties as may be imposed upon him by applicable law including the execution and filing of any reports to Federal or State authorities, and he shall cause to be maintained by the Local such records as the law requires to be kept in support of reports filed by it.

### SECTION 4

Treasurer – The Treasurer shall not take/hold office until the annual January audit of the books and accounts of this Local has been completed (See Article XI). The Treasurer shall receive all money due the Local, from whatsoever source, and shall disburse the same in an appropriate form, signed or otherwise authorized by the President or his designee. Non-budgeted expenditures in excess of \$200 must be authorized by majority vote of this Local. The form of such disbursement shall be determined by the Treasurer, and shall be signed or otherwise authorized by the President or his designee. He shall maintain and keep current a record of members with their dues payments, assessments, and all financial transactions promptly and accurately entered. He shall be prepared to exhibit receipts and vouchers upon the audit of his books. He shall forward the annual audit of the Local to the International General Secretary-Treasurer, over the seal of the Local, no later than June 1st of each year.



## SECTION 5

Executive Board – The Executive Board shall consist of the President, Vice President, Secretary, Treasurer, and three additional members who are elected at the annual meeting. It shall be the duty of the Executive Board to exercise general supervision and control of the invested funds and property of the Local. It shall have the authority to act in the name of the local during intervals between meetings, such acts being subject to confirmation by the membership at the next regular meeting of the Local. It (the Executive Board) shall provide for the January audit of the Treasurer’s books and accounts. The Executive Board shall meet at the call of the President or on call signed by a majority of its members. A majority shall constitute a quorum.

## SECTION 6

Bonding – All officers and employees of the Local who handle funds or property of the Local shall be bonded in such amounts as may be required by the Board of Trustees and the International General Secretary-Treasurer, in compliance with applicable law. The expense of the first \$5,000 of bond shall be borne by the International. If additional bond is necessary, the Local shall pay the additional premium. The local shall have sufficient bond to cover at least ten (10%) percent of its current liquid assets.

## **ARTICLE VII**

### **DELEGATES AND ALTERNATES TO INTERNATIONAL CONVENTIONS**

#### **SECTION 1**

Delegates – If, in accordance with Article IV, Section 2 of the International Constitution and By-Laws, this Local is entitled to delegates in addition to the President, they shall be elected by secret ballot of the members in good standing.

#### **SECTION 2**

Alternates – Alternates to Conventions shall be elected by secret ballot of the members in good standing. The credentials of delegates and alternates must certify to this method of election.

## **ARTICLE VIII**

### STANDING COMMITTEES

#### SECTION 1

Public Relations Committee - The Public Relations Committee shall be elected by a majority vote of the Executive Board immediately following the annual meeting. When making public statements or issuing press releases, particularly as said statements and press releases will be construed as representative of official union policy and position, the Public Relations Committee shall act in concert with and with majority approval of the Executive Board.

#### SECTION 2

Negotiating Committee – The Negotiating Committee shall consist of the Executive Board in its entirety. In addition, the Executive Board may elect any member in good standing to serve on the Negotiating Committee. Such election shall occur only upon unanimous vote of the Executive Board. This committee shall be in charge of all negotiations and arbitration with the administration in executing a contract regardless of salaries, fees, benefits, and working conditions, pursuant to state laws. The final contract must be voted upon by the members of the local at a regular or special meeting.

#### SECTION 3

Grievance Committee - The grievance committee shall consist of the Executive Board. This committee shall receive all grievances or infringements from members in good standing regarding salaries, fees, benefits, working conditions, or policies of the Fire Department. All said grievances shall be submitted in writing, signed by the complaintant(s). This committee shall determine what action on the grievance is warranted and shall proceed through the established chain of command as high a level as

deemed necessary. In the event that a satisfactory solution is not reached by the committee and the member is not satisfied, said member may request a vote of the Local at a regular or special meeting. The majority of the members present shall determine if the grievance shall be taken to a higher level by the committee or discontinued.

#### SECTION 4

Political Action Committee – The Political Action Committee (PAC) shall consist of the Executive Board, as well as any member in good standing duly nominated and elected by the membership at the annual meeting. Such election shall occur upon majority vote. The chairperson of the elected PAC shall be determined by majority vote of the Executive Board immediately following the annual meeting. The committee shall assemble a file of legislative actions and benefits available to the members and their families. The PAC shall also plan, organize, and promote any activities related to political/legislative areas of interest to the Local. Such activities shall include, but are not limited to fundraising, information gathering, and organizing membership presence at political functions.

#### SECTION 5

Vacancies – Vacancies, whether permanent or temporary, may be filled by the appointing authority.

## **ARTICLE IX**

### INITIATION, DUES, ASSESSMENTS

#### SECTION 1

Initiation Fees for New Employees– Initiation fees for new employees shall be one-quarter of the annual dues.

#### SECTION 2

Initiation Fees – Initiation fees for employees not joining as in Section 1 of this Article shall be one quarter of the annual dues.

#### SECTION 3

Annual Dues – Annual dues in an amount as determined by the Association shall be paid by the last day of each month. Dues shall be in the amount of \$119.79 paid monthly, resulting in total annual dues of \$1,437.48 per member, per year.

#### SECTION 4

Assessments – Assessments may only be made in the following manner: Each member in good standing shall be notified at least thirty (30) days in advance of the date on which the vote for an assessment is to occur. The proposed assessment shall become effective upon a majority vote of the members in good standing, by secret ballot, at a regular or special meeting.

## SECTION 5

Increases – Increases in rates of initiation fees, reinstatement fees, and dues shall require notice of such proposed increase to be given to the members in good standing at least thirty (30) days in advance of the date on which the vote for such increase is to occur. The proposed increase shall become effective upon a majority vote of the members in good standing, by secret ballot, at a regular or special meeting.

## SECTION 6

Reinstatement Fees – Reinstatement fees shall be one-quarter the annual dues plus any monthly dues in arrears not to exceed twelve (12) months.

## **ARTICLE X**

### MISCONDUCT, TRIALS, APPEALS

#### SECTION 1

Misconduct – Any member charged with misconduct as defined in Article XV of the International’s Constitution and By-Laws shall be served with written specific charges as required by Article XVI of the International Constitution and be given a reasonable time to prepare his/her defense and afforded a hearing as provided in Article XVII of the International Constitution.

#### SECTION 2

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

## **ARTICLE XI**

### AUDIT

#### SECTION 1

The books and accounts of this Local shall be subjected to the annual January audit, and the last such report of audit shall be forwarded to the International General Secretary-Treasurer over the seal of the Local not later than the first of June annually and shall include an accurate accounting of all employees within the Local Union's Fire Department.

#### SECTION 2

It shall be the responsibility of the Executive Board and the Treasurer to forward said annual January audit to the International as well as the I.R.S. by January 31<sup>st</sup>.



## **ARTICLE XII**

### AMENDMENTS

#### SECTION 1

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

#### SECTION 2

Increases – Whenever increases in the rates of initiation fees, reinstatement fees, dues, or assessments of local unions are proposed, notice of such proposal shall be given to the members and a date set for submission of the proposed increase which shall be at least thirty (30) days after such notice is given. On the date set, local unions shall submit the proposal for approval in either of two ways at the option of the local union:

- 1) By majority vote of the members in good standing, or
- 2) By majority vote of the members in good standing voting in a referendum conducted by secret ballot.

If the proposed increase receives approval of a majority of the members in good standing voting by either of the two procedures aforesaid, it shall be adopted; otherwise it shall stand rejected.

### SECTION 3

A proposed amendment to this Constitution, or any By-Laws made under its provisions, shall be submitted for approval to the International General President prior to its printing, issuance, or effectiveness.