

## ***ARTICLE I: Name***

Section 1: The name of this organization shall be Massachusetts Corrections FOP Lodge 28

Section 2: The mission of the organization shall be to encourage and promote fraternal, educational, charitable and social activities among our members. To create and maintain a tradition of esprit de corps, to cultivate a spirit of fraternalism and mutual helpfulness for and among our members.

Section 3: No member of this lodge shall use the name of this lodge and/or seal of the Fraternal Order of Police, or represent himself/herself to be a member thereof for the purpose of obtaining goods, services and any gratuity for the lodge or for himself/herself without the expressed written consent of the lodge.

Section 4: The Constitution and By-Laws of the Grand Lodge and the Massachusetts State Lodge are hereby made part of this Constitution and By-Laws. Where a conflict exists between this document and the Constitution and By-Laws of the Grand Lodge or the Massachusetts State Lodge, the Grand Lodge or State Lodge Constitution or By-Laws shall govern.

## ***ARTICLE II: Membership***

Section 1: There shall be three (3) classes memberships: Active, Retired and Honorary. This is in accordance with the Constitution and By-Laws of the Grand Lodge, Article 4, Section 3.

**Active:** Membership shall be comprised of the regularly appointed, armed, full-time law enforcement officers with statutory powers of arrest. Members of this lodge who retire from full-time service and are in good standing with the lodge shall have the option to retain full rights and privileges as an active member. Only Active and Retired members shall have voice and vote or hold office.

**Retired:** Membership shall be comprised of Active members who withdrew from active membership upon or after retirement from their law enforcement agency. Officers who apply for membership after retirement from their law enforcement agency would be given a retired membership.

**Honorary:** Membership should be considered a privilege and may be permitted, denied or revoked at the discretion of the Executive Board. Honorary membership shall be comprised of individuals directly involved in law enforcement, but do not qualify as an active or retired member or individuals who have been recognized by the Executive board for exceptional service or contribution to the nation, the state, the law enforcement community or the Fraternal Order of Police.

Honorary applications must be sponsored by at least one active member. Sponsors will be held responsible for the character and actions of the honorary member he/she sponsors. Honorary members shall be appointed only by unanimous vote of the Executive Board. Honorary members shall be permitted to attend meetings, but shall not have any voice or vote or hold office in the lodge.

### ***ARTICLE III: Application for Membership***

Section 1: Any qualified person wishing to join the lodge shall obtain and complete application forms and return it to a member of the Executive Board. The executive board, following receipt of the application shall then consider the applicant. Applicants shall be of sound mind and good moral character.

Section 2: A two-thirds (2/3) vote in favor of the applicant by the Executive Board shall constitute acceptance into the lodge. In the event the applicant is not accepted, he/she may reapply after a period of ninety days (90) had elapsed and the procedure, as set forth in Section 1 of the article shall be repeated.

Section 3: In the event the applicant is transferring his/her membership from another lodge, a letter from such lodge must accompany their application form. Such letter shall certify that the applicant was a member in good standing of his/her former lodge. In the event the other lodge fails to provide said letter, the lodge may waive this requirement by a two-thirds (2/3) vote of the Executive Board.

#### ***ARTICLE IV: Section Reserved***

#### ***ARTICLE V: Dues***

Section 1: This lodge shall impose a yearly assessment of every active and honorary member amounting to thirty-nine dollars (\$39). This is the initial dues of the lodge and will apply to the first year's installment. The following year and every year thereafter shall be thirty-nine dollars (\$39). To be considered in good standing, each member must have paid his/her assessment prior to January of the forth-coming year. Any member that has not paid his/her dues by January will incur a six-dollar (\$6) additional assessment for the forth-coming year. Active members may pay his/her dues through payroll deduction into the lodge's financial institution at a rate of one dollar and fifty cents (\$1.50) per bi-weekly pay period.

Section 2: This lodge shall impose a yearly assessment of every retired member amounting to twenty-five dollars (\$25). This is the initial dues of the lodge and will apply to the first full year of the members' retirement.

#### ***ARTICLE VI: Reinstatements***

Section 1: Any member in good standing who is called for military service or is granted leave of absence from his/her employing agency, may be reinstated as a member in good standing upon receipt of all assessments from the time of his/her return to full duty. A two-thirds (2/3) vote of the Executive Board may allow the member to remain a member in good standing during his/her absence for a period not to exceed two years.

(2). The Executive Board, on a case by case basis by a unanimous vote, may allow the member to remain a member in good standing for an additional two (2) years.

Section 2: A member who is temporarily suspended from service for disciplinary purposes may remain a member in good standing with the lodge, by paying his/her dues during the period of suspension.

Section 3: A member who is discharged from their employing agency and who is appealing his/her dismissal may remain a member in good standing with the lodge by paying his/her dues during the period of a pending appeal. If the board, committee or court through which the member has appealed, rules against the appealing member and the dismissal is upheld, his/her membership shall cease forthwith. If the board, committee or court through which the member has appealed, has ruled in favor of the appealing member, such membership shall remain in good standing so long as his/her dues are up to date.

Section 4: Any member who resigns, is forced to resign or is given any type of dishonorable discharge from his/her employing agency in law enforcement shall be immediately dropped from the lodge membership. If the member is returned to duty and reapplies for membership, he/she may be reinstated as a member in good standing by a two-thirds (2/3) vote of the Executive Board. The reinstated member shall receive no benefits, voice or vote until thirty days (30) have expired after his/her reinstatement. This section has no relevance to a member in good standing that retires from active service.

Section 5: Any member who is dropped from the membership for nonpayment of lodge dues and who desires to be reinstated, shall be reinstated upon receipt of his/her back dues and a two-thirds (2/3) vote of the Executive Board.

## ***ARTICLE VII: Meetings***

Section 1: The regular meetings of the lodge shall be held on the 2nd Friday of each month starting at 3:45 p.m. at a location reasonably selected by the President. The President or his/her designee, can, within reason, modify the regular meeting date, time and location for the convenience of the lodge. Such reasons may be, but not limited to, conflicts with holidays or other major activities. Guests, spouses or immediate family members may not be permitted to attend certain meetings.

Section 2: Special meetings of the lodge may be called by a two-thirds (2/3) vote of the Executive Board or upon order of the Grans or State lodge.

## ***ARTICLE VIII: Officers***

Section 1: The officers of this organization shall be: President, Vice President, 2<sup>nd</sup> Vice President, Secretary, Treasurer, Sergeant at Arms, State Trustee and Immediate Past President. The election of officers shall be conducted in a manner as prescribed in the by-laws.

## ***ARTICLE IX: Duties of Officers***

Section 1: The President shall preside at all meetings of the lodge, sign all official documents that are authorized by the lodge and to fill any vacancies of office and committees as provided for in the by-laws.

Section 2: The Vice President shall assist the President in the performance of his/her duties and assume the duties of the president in the event the President is absent, incapacitated, unable or refuses to perform his/her duties.

Section 3: The Secretary shall keep an accurate record of all transactions at the meeting of the lodge. The Secretary shall keep the membership informed of the by-laws as well as keep and update the roster. The Secretary shall keep the lodge membership informed of all lodge business, activities and keep record of attendance at both lodge meetings and Executive Board meetings. In the absence of both the President and Vice President, the Secretary shall assume the duties of the President.

Section 4: The Treasurer shall receive and take charge of all monies belonging to the lodge and keep an accurate written record of all monies received and expended. The Treasurer shall submit a report to the lodge on the financial condition of its treasury at each regular meeting. He/she shall disperse funds as voted on by the Executive Board and membership. The Treasurer shall be subject to a review by the lodge trustee(s) at any time.

Section 5: The Sergeant at Arms shall attend to the door and permit no entrance to any person not qualified by the membership, unless ordered to do so by the President or by the Executive Board. The Sergeant at Arms shall also act as or appoint a Lodge Chaplin in time of need.

Section 6: The Immediate Past President shall offer council and direction to the President and the Executive Board and can serve as a liaison to other lodges and the community.

Section 7: The Executive Board of the lodge appoints all Trustees. There shall be a limit on the number of the Trustee(s) appointed to the lodge. The Executive Board shall appoint one (1) trustee for every fifty (50) members. Trustees are required to conduct reviews of the Treasurers financial records and report back to the Executive Board any findings in that review. The President can appoint a Trustee to fill in for the Secretary when he/she is not present for a meeting. A Trustee is not a member of the Executive Board.

Section 8: The President of the lodge shall appoint a new State Trustee when the State Trustee is incapacitated, unable or refuses to perform his/her duties within thirty (30) days.

## ***ARTICLE X: Nominations and Election of Officers***

Section 1: The nomination and election of officers shall be conducted every two (2) years in a manner as prescribed in the by-laws of the lodge. Only members of Massachusetts Corrections FOP Lodge 28 will be eligible for nomination to hold office on the Executive Board.

**A)** Only members in good standing who attend at least fifty percent (50%) of the regular lodge meetings will be eligible to run for office on the Executive Board,

**B)** Nominees for the office of President shall be limited to those who have been members for at least two (2) years. Nominees for all other officers must be members for at least one (1) year preceding their nomination.

**C)** Members may only run for one (1) position in an election year.

Section 2: Nominations for all office shall be made at the lodge meeting in April of each odd numbered year. Any member who is nominated for office and who does not desire to hold office, may withdraw his/her name from consideration, but he/she must do so at the time he/she is nominated. No member shall withdraw his/her name after nominations have been officially closed. In the event a member wishes to nominate another member who is unable to attend the April meeting, the nominating member shall be present, at the time the nomination is made, a letter of consent signed by the member to be nominated.

**Section 3: At the April Meeting:**

The current Secretary shall make an official ballot of all nominated members seeking office. The ballot shall indicate the vacant office and each person nominated for that office. The ballot will be turned over to the President who will verify that all nominees are eligible for nomination. The ballot will then be posted at least fourteen (14) days prior to the May meeting when the election will take place. It shall be the duty of the Secretary to provide each attending member only one (1) ballot. Under no circumstances will a duplicate or second ballot be issued to any member. Ballots will be filled out in the presence of the Secretary and immediately collected. Once all ballots are collected, they will be tallied, the results announced and posted.

Section 4: The installation of the newly elected officers shall be conducted at the June meeting, with his/her position officially commencing July 1st.

***ARTICLE XI: Vacancies***

Section 1: Any officer shall have the privilege of resigning his/her position. Resignation will be in the writing and submitted to the President, who will notify the Executive Board and membership. The remaining Executive Board shall take charge of the resigning officers' books, papers etc. and shall examine same to determine that said items are in proper order. In the case of the Treasurer, the Executive Board shall conduct a complete review of the lodge's treasury. The Executive Board shall complete their examination prior to the office being declared vacant.

Section 2: In the event a vacancy exists, for any reason, where the term exceeds one (1) year or greater, a special election shall be held to fill such vacancy. Should the term be less than one (1) year, the President along with the consent of the Executive Board shall fill the vacancy by appointment.



## ***ARTICLE XII: Removal from Office***

Section 1: Any elected officer may be removed from office for violation of the provisions of the by-laws or for failure or refusal to perform his/her duties. A two-thirds (2/3) vote of the remaining members of the Executive Board can order an impeachment hearing where the officer in question can be given the charges against him/her and have the opportunity to state his/her case. At the end of the hearing, a two-thirds (2/3) vote by the remaining Executive Board will remove said member from office.

## ***ARTICLE XIII: Professional Assistance***

Section 1: The Executive Board shall designate attorneys, accountants and other professional, special or expert services that may be required for the lodge. It will be the responsibility of the Executive Board to seek professional assistance only when it is in the best interest of the lodge. A two-thirds (2/3) vote will be required by the Executive Board to use such a professional.

## ***ARTICLE XIV: Special Elections and Amendments***

Section 1: Special elections may be ordered by a two-thirds (2/3) vote of the membership to decide any issue or order of the business that comes before the lodge. The methods and procedures of balloting shall be the same as set forth in Article XI, Section 3 of the by-laws. The official ballot, instead of offices and candidates' names, will contain the issue, amendment or question to be considered. The balloting shall be conducted at the regular meeting following the meeting at which the special election is ordered.

Section 2: Amendments to these by-laws must be presented to the lodge, in written form, at the regular meeting of the lodge. A special election shall be conducted to the following regular meeting where a two-thirds (2/3) vote must be cast for the amendment to pass. As set forth in **Article XI, Section 3, sub-paragraph A**, judges of the elections will be elected and must post the amendment in its written form at least fourteen (14) days prior to the next meeting where it will be voted on.

Section 3: The following Articles, Sections and paragraphs shall not be amendable:

**Article I, Section 2 and 3**

**Article XI, Section 1, Paragraph A**

**Article XVII, Sections 1, 2, 3**

#### **ARTICLE XV: Committees**

Section 1: The lodge may order the formation of any permanent or temporary committee as the need may arise. Committee will be made up of members in good standing to include Active, Retired or Honorary. Committee members will be voted onto the committee with a two-thirds (2/3) vote at a regular meeting where it is formed. The membership will decide at the meeting in a show of hands or a ballot vote will be used. Committee members must be voluntary and willing to accept the responsibilities of the committee. If a member is nominated but not in attendance he/she shall be contacted forthwith to ascertain if they would accept the position. If unable to contact said member, an alternate committee member shall be voted in the event said member declines.

Section 2: Each committee shall meet regularly at the time and place convenient to its members. The President may select a chairman who shall preside at committee meetings and report the committee meeting and report the committee's activities at each regular meeting of the lodge. member in good standing. All committee meetings including date, time and location shall be forwarded to the members at least seven (7) days prior to.

Section 3: All committee meetings will be opened to any interested lodge the meeting. Any lodge member in good standing shall have the right to appear before and present to any committee, business that falls within the committee's scope of responsibility. Said member shall have the right to be heard on any item of business pending before such committee.

#### ***ARTICLE XVI: Finances***

Section 1: All monies collected and received by the Massachusetts Corrections FOP Lodge 28 shall be deposited into the general fund. The general fund shall be maintained in a banking institution that is local and insured. The Treasurer will be make any and all deposits into said fund.

Section 2: Monies may be transferred, accumulated, deposited or dispersed from the general fund or any special funds that the lodge may desire to create. Any such transactions will be done by the Treasurer and shall be in the best interest of the lodge. Any and all transaction shall be included in the Treasurer's report, which will be read at all regular meetings.

Section 3: At least annually, the lodge treasury shall be reviewed and the results reported to the membership at the next regular meeting.

#### ***ARTICLE XVII: Discipline***

Section 1: The lodge reserves its organizational rights to discipline its members for violations of the lodge's by-laws, rules or unbecoming conduct. Any member found to be in violation of any article set forth in the by-laws of this lodge shall be subject to discipline. Penalties that may be imposed by the lodge for violations of the above mentioned are as follows:

***Suspension:*** A member guilty of such violation may be suspended from the lodge and its meetings for a period not to exceed three (3) months.

***Expulsion:*** A member guilty of such violation may be permanently expelled from the lodge.

Section 2: Any discipline issues shall be immediately communicated to a member of the Executive Board and followed up in writing in a timely manner. The Executive Board will take immediate action to resolve the issue. If a punishment is imposed and is grieved by the defendant, a hearing will be set up in front of the Executive Board. At such hearing, the written charges shall be read, witnesses shall be called, evidence will be presented and the defendant will be heard. After all testimonies have been heard, the Executive Board will rule and impose just punishment. The defendant has a right to appeal the decision of the Executive Board to the State Lodge. Said defendant shall be suspended from the lodge and have no voice or vote until after his/her appeal has been resolved.

Section 3: Any member of this lodge agrees that, in consideration for benefits of membership conferred upon him/her pursuant to the terms of this constitution, he/she shall be subject to discipline for any action, inaction or omission which constitutes a violation of his/her duties as obligations as stated in these by-laws. Every member agrees that termination of membership does not terminate his/her liability for discipline for acts occurring during the term of membership. Any member may be disciplined for committing any one or more of the following offences:

- Violating any provision of this Constitution and By-Laws or the Constitution and By-Laws of the State or Grand Lodge,
- Failing to pay dues, fines, assessments, fees and other financial obligations in a timely manner,
- Obtaining membership through fraudulent means or misrepresentation,
- Causing or attempting to cause withdrawal, secession of any subordinate, State or Grand lodge,
- Working contrary to those of the Fraternal Order of Police,
- Unreasonably, unlawfully or improperly disturbing the peace, harmony of any meeting of any subordinate, State or Grand lodge.

- Embezzling, misappropriating, fraudulently receiving, wrongfully handing or failing to account for the funds of this lodge. Knowing of and failure to report the aforementioned, shall be treated the same as the violator,
- Using the name of or logo of this lodge, the State lodge or the Grand lodge for soliciting funds or advertising or similar activity without the expressed written consent of the Executive Board of this lodge, the State or Grand lodge,
- Furnishing a complete or partial list of members of this or any lodge, without the expressed written consent of the Executive Board,
- Deliberately interfering with any officer or representative of the Grand, State or any subordinate lodge in the performance of his/her duties,
- Violating any membership obligation, bringing a guest who violates any part of the constitution, the by-laws or rules of the lodge, or performing any unbecoming acts that in any way embarrass the lodge.