

# BY-LAWS OF THE IOWA FIREFIGHTERS ASSOCIATION AND MUTUAL AID DEPARTMENT

Revised September 7, 2014

NAME:

Article 1. Sec. 1. The name of this association shall be the "Iowa Firefighters Association".

OFFICERS AND COMMITTEES:

Article II. Sec. 1. The officers of this association shall consist of a President, five Vice Presidents (a first, second, third, fourth and fifth, ranking according to prefix), who shall constitute the Board of Directors, each being a voting member of the Board, including the President. In addition, the immediate Past President shall be a member of the Board of Directors with all the privileges of a board member.

Sec. 2. Such officers shall be elected at the annual convention meeting of the Association for terms of one year, and their terms of office shall begin at the same annual convention meeting of the Association. The retiring officers shall deliver all books and other property belonging to the Association to their successors in office. No one candidate shall be elected to hold more than one office on the board of directors at the same time. To be elected to an office, a candidate must receive a majority (one-half plus one) of the votes cast. If there are more than two candidates for an office and no candidate receives a majority vote on the first ballot, the candidate with the least number of votes shall drop out and another ballot be taken. This procedure to be followed until one candidate receives a majority vote.

Sec. 3. No member shall be eligible to an elective office who has not been a member in good standing for a period of at least three consecutive years.

Sec. 4. The President shall appoint, with the approval of the Board of Directors, one member to each of the several standing committees for a term of three years, or until their successors are appointed and have accepted. The President shall also appoint, with the approval of the Board of Directors, members to fill any vacancies on any committee for the unexpired terms. A member may not be appointed on the same committee for at least one year after the expiration of his or her three-year term.

The standing committees are: Drill Rules Committee, 3 members; Auditing Committee, 3 members; Credentials Committee, 3 members; Resolutions Committee, 3 members; Proxy/Absentee Committee, 3 members.

Sec. 5. The President shall appoint, with the approval of the Board of Directors. A Legislative Committee of three or more members for a term of one year or until their successors has been appointed and has accepted.

Sec. 6. The President shall appoint, with the approval of the Board of Directors, a Drill Custodian for a term of one year or until his or her successor has been appointed and accepted.

Sec. 7. The President shall appoint as deemed necessary or as the Board may direct or the business of the Association may require any other special committees, with the approval of the Board of Directors. The members of these special committees shall serve until their successors are appointed and have accepted, or until the committee has been dismissed by the Board of Directors.

Sec. 8. The President shall appoint, with the approval of the Board of Directors, an Iowa Firefighter Memorial Committee. These members shall represent both volunteer and professional firefighters. A separate Iowa Firefighter's Memorial Fund shall be established for the funding of the construction of the memorial and memorial site and for the perpetual care of the memorial.

DUTIES OF OFFICERS:

Article III. Sec. 1. It shall be the duty of the President to preside over all meetings of the Association and all meetings of the Board of Directors; shall preserve order and decorum, and all questions of order shall be decided by him or her, subject to the appeal of the voting members at the meeting; have custody of the bond required of the Executive Director; appoint all committees as required; fill any vacancies therein; generally promote the welfare of the Association.

Sec. 2. In the absence of the President, the ranking Vice-President in attendance shall perform the duties of his or her office. In the event of the death of the President, the ranking Vice-President shall be elevated to perform the duties of the President for the unexpired term.

Sec. 3. It shall be the duty of the Executive Director to generally promote the Association through the solicitation of new members.

Sec. 4. The Executive Director shall be hired and have an annual salary contract set by a majority vote of the Board of Directors. The Executive Director shall report to the President of this Association or the 1<sup>st</sup> Vice President of the Association in the absence of the President. The Executive Director shall keep a complete record of all business transacted at all meetings of the Association and prepare and distribute extra copies of such minutes as directed by the Board of Directors, prepare for the printer all Association materials for printing of the annual proceedings and programs, to keep on file one annual printed proceedings and programs, to answer all correspondence relative to his or her office, promptly notify the fire department of each member in good standing of the annual convention meeting and mid-year business meeting and any other meetings as deemed necessary by the Board of Directors, receive and collect all money belonging to the Association, to keep a correct account of all money collected and properly credit same to the general fund, or the mutual aid fund, or to any other fund as the case may be and deposit such money in the name of the Iowa Firefighters Association or the Mutual Aid fund, or any other fund as the case may be in one or more depositories designated by the Board of Directors, and make disbursements of such investments of any surplus money as may be directed by the Board of Directors. Make a complete financial and membership report, including the mutual aid department and any other funds at each business meeting and at any other time called for by the Board of Directors, sign all orders drawn upon the funds of the Association and keep a complete record of the disbursement of any and all funds of the Association. The Executive Director shall also perform various other duties as directed by the Board of Directors as necessary. The Executive Director shall file with the President a bond to the Association in an amount determined and approved by the Board of Directors for the faithful performance of his or her duties. The Executive Director may have an office expense account at his or her disposal in an amount determined by the Board of Directors to make payment of immediate miscellaneous office expense. The Executive Director shall keep a complete record of any such expense and make reports to the Board of Directors as the Board may direct.

Sec. 5. The duty of the Board of Directors shall be to audit all bills against the Association and to transact all business of the Association between the Convention Meeting and the Mid Year Business Meeting of the Association. The Board of Directors shall have the power to fill vacancies in said Board, caused by resignation or otherwise, until the next regular meeting. The presence of five members elected to the Board shall be necessary for a quorum.

Sec. 6. It shall be the duty of the Custodian to have custody of ladders, couplings, pipes and all other drill or tournament equipment belonging to the Association; to have any necessary repairs made to same when so directed by the Board of Directors, and to deliver same to the Association at the next convention, together with an itemized inventory of said equipment and material; to deliver any of the said equipment to any other location as may be directed by the Board of Directors. All necessary expense thereto to be paid by the Association, and any salary to be paid to the Custodian shall be determined by the Board of Directors.

Sec. 7. The Association may join National Organizations with the approval of the delegates at any regular meeting. Any delegate or delegates and any alternate delegate or alternate delegates shall be appointed by a majority vote of the Board of Directors; any expense relating to such National Organizations shall be approved by the Board of Directors.

#### DUTIES OF COMMITTEES:

Article IV. Sec. 1. It shall be the duty of the Legislative committee to promote legislation in the interest of firefighters, fire protection and fire prevention, and oppose the enactment of legislation inimical thereto.

Sec. 2. The Drill Rules Committee shall from time to time recommend to the Board of Directors such changes in the drill rules and drills as will tend to improve the annual drills.

Sec. 3. (a) During the report of committees during the convention meeting and the mid-year business meeting, the Credentials Committee shall report the number of departments eligible to vote and their vote, along with the total number of votes, and at that time ask for any questions or challenges from the floor, plus asking for filing of any additional credentials slips. No credentials shall be accepted after the report is made and accepted. Any corrections or additions, in the total number of votes shall be certified to the convention as the total eligible to vote.

(b) The credentials forms shall be given to the Executive Director of the Association at the close of the business meetings to be filed with other election material.

Sec. 4. (a) During the report of committees during the convention or Mid Year meeting, the Proxy/Absentee Committee shall report the names of each department filing either a proxy or absentee vote, along with the total number of votes for each department voting by proxy or absentee, and also report to the convention floor, the total number of votes to be voted for each issue (i.e. 469 votes for fifth

vice-president, 357 votes for convention city, etc.; but not how each department voted). The committee shall not accept any proxy votes after their report has been made.

(b) When voting, the Proxy Committee shall list on its ballots, the name of the department, plus the number of votes each department has, plus the total vote on any question.

(c) The Proxy Committee shall not accept any proxy form to be voted that does not contain specific written instructions as to how the proxy shall be voted, and the Proxy Committee shall not cast any proxy ballots that are not committed to the question before the Convention.

(d) Following the balloting, the Proxy Committee shall give all proxy forms to the Executive Director of the Association to be filed with other election material.

Sec. 5. (a) The President shall appoint six Election Judges to conduct any election, count the ballots and shall compare the total vote on any ballot with the total reported by the Credentials Committee and note any discrepancy at the time of reporting the vote to the President.

(b) All ballots shall be placed in a sealed envelope and filed with the Executive Director of the Association noting the results on the outside of the envelope. The Executive Director of the Association shall keep all election material for one year from the date cast, after which they shall be destroyed, if no protest is made.

Sec. 6. The Resolutions Committee shall accept all resolutions presented and prepare such other resolutions as they may deem necessary. The chairperson of the committee shall file with the Executive Director of the Association, a copy of all resolutions presented to or sponsored by the committee. All resolutions shall include 100 or more extra copies with the resolution; must be submitted to a member of the Resolutions Committee; shall have a number assigned by the Executive Director of the Association. The Executive Director of the Association shall assign resolution numbers in the order such numbers are requested, immediately on request, beginning with number two. All resolutions shall be sent out with literature pertaining to the Mid-year meeting.

Sec. 7. It shall be the duty of the Iowa Firefighters Memorial Committee to establish a memorial site including a memorial of tribute to all fallen firefighters and maintain this site through perpetual care in such a manner as fitting to all firefighters.

#### MEETINGS:

Article V. Sec. 1. An annual Convention Meeting shall be held each year during the month of September, with the dates to be set by the Board of Directors after consulting with the host fire department.

Sec. 2. Selection of the convention city may be made two years in advance, and shall be by a majority vote of the delegates at the annual convention meeting.

Sec. 3. The Mid Year Business Meeting of the Association shall be held each year, between March 1 and April 30, but failure to hold such a meeting shall not work as a forfeiture of any of the rights of the Association. Special meetings may be called by the President when authorized by a majority vote of the Board of Directors. When such a special meeting is called, all member fire departments shall be notified prior to the meeting. A written notice mailed to an officer (officer includes chief, assistant chief, secretary, treasurer, president, records clerk or any other person designated by the fire department to receive such information) of the member fire department shall constitute such a notice. Twenty member fire departments shall constitute a quorum for the transaction of business.

Sec. 4. The Board of Directors shall meet at such time as may be necessary for the transaction of the business of the Association, at such time and place within the State of Iowa, as may be designated by the President.

#### MEMBERSHIP AND DUES.

Article VI. SEC. 1. Any member in good standing of any regularly organized fire department, or holds a ten year certificate by the city or town in which he or she resides, shall be eligible to active membership in the Association, and upon presentation of a certificate to such effect signed by the Chief or Secretary of such department to the Executive Director of the Association and the payment of the annual dues for the then current year, he or she shall be entitled to a certificate of membership. He or she shall thereafter be an active member, and shall be entitled to the rights and privileges of such membership so long as he or she pays their annual dues per year and remains in good standing in the Association. New members who join after June 30th and through the Convention Meeting of that current year, shall be entitled to a certificate of membership on payment of one-half the annual dues. New members who join after the close of the Convention Meeting shall be credited with their dues for the ensuing year, on payment of the full amount of the annual dues.

Sec. 2. The annual dues of the Association shall be payable on or before the first day of January of each year. Any member failing to pay the annual dues before March 1st of the year which they are due shall be suspended forthwith, without further notice.

Sec. 3. Any member who shall be suspended for non-payment of Association dues may be reinstated as to the Association membership by payment of current dues.

Sec. 4. Any active or retired firefighter who has served one or more years as President of the Association shall be placed on the honorary roll of this Association and shall be entitled to all the privileges of active membership without further payment of annual dues. All Past Presidents and Honorary Members who served the association under the name of the "Iowa Firemen's Association" will continue to be recognized as Past Presidents and Honorary Members of the "Iowa Firefighters Association".

Sec. 5. This Association shall have the power, at any annual meeting, to elect by a majority vote, such persons to honorary membership as it may see fit to so honor. Honorary members so elected shall be exempt from dues.

Sec. 6. Persons not active members of a fire department may join the Association as associate members by paying the annual dues, and may have all the privileges of any Association member except the right to vote and hold office.

Sec. 7. The amount of the annual dues of this Association can only be set or changed by the delegates at the Mid Year Business Meeting of the Association.

Sec. 8. The Annual dues of this Association shall be \$13.00 per member.

#### REPRESENTATION:

Article VII. Sec. 1. Every fire department having members in good standing in the Association shall be entitled to one vote for each member at any and all meetings of the Association, based on the recorded membership at the Mid Year Business Meeting if voting by proxy or off the floor. If a department votes by absentee ballot then that department will be entitled to one vote for each member based on the recorded membership at the time of their ballot request. In addition, any new fire department joining the Association after the Mid Year Business Meeting and before any other business meeting shall be entitled to one vote for each member at any business meeting. Any member may enter into discussion, make motions or call for a vote by ballot on any question at any meeting.

Sec. 2. All Voting shall be done by properly authorized delegates, each delegate voting one vote for each member in his or her fire department. Each delegate must be an active or retired firefighter of the fire department he or she represents.

Sec. 3. Honorary "active members" shall be entitled to the same representation in voting as other active members of this Association. Honorary "elected members" or associate members shall not be entitled to such representation, but shall have equal privileges of discussion and debate on the floor and may be appointed and serve as members of standing and special committees.

Sec. 4. In order to exercise its right to vote from the floor or by proxy ballot, each fire department must be represented by a delegate bearing credentials of authority as such signed either by the Chief or Secretary of such department if elected at a meeting of members, otherwise, by a majority of the active members in this Association in such department. Such credentials must be submitted to the Executive Director of the Association or a person or persons designated by the Executive Director to receive such credentials at the Association table at the Annual Convention meeting or the Mid Year Business Meeting, or to a member of the Credentials Committee, by the delegate of that fire department, authorized to submit such credentials, and has put in a personal appearance at that convention or meeting, and approved by the Credentials Committee before such delegate shall be entitled to cast the vote of that fire department. The credentials form must be signed at the time the credentials are submitted by the delegate authorized to submit such credentials and the person authorized to receive such credentials by and in the presence of each other.

Sec. 5. In order to vote from the floor or by proxy ballot, each delegate must be present at the meeting and cast his or her votes in person, except that any such delegate who has put in a personal appearance at the convention meeting and whose credentials have been approved, who is compelled to leave before voting takes place, may cast his or her votes by "Proxy" through the Proxy/Absentee Committee,. The proxy form must be signed at the time the proxy vote is filed by the delegate who has submitted and signed the credentials and is authorized to file such proxy vote and the person authorized to receive such proxy vote by and in the presence of each other.

Sec. 6. An individual attending the Convention Meeting or the Mid Year Business Meeting without the credentials to vote for his or her fire department, may vote as an individual, but no individual from a fire department represented by an authorized delegate may vote.

Sec. 7. A registered delegate carrying voting credentials may cast his/her votes for only one department, even though that delegate may belong to more than one fire department.

Sec. 8. (a) A fire department can exercise its right to vote via absentee ballot for any known issue or candidate. All known issues would have to be advertised through the Association at least 30 days prior to the date in which the meeting would take place in order for them to be open to absentee voting. If a known issue (resolution) is amended or changed in any way at a meeting the absentee votes on that issue are considered void. If a department chooses to vote by absentee on any known issues, they must do so by department. They also effectively give up their right to vote off the floor on any other issues at the meeting where their absentee ballot is to be cast.

(b) In order to exercise its right to vote by absentee ballot, each fire department must request a ballot from the Executive Director's Office. The ballot would be created with the following information to satisfy credentialing: question(s) to be voted on along with space to mark how voted, the department vote quantity (provided by the Executive Director, a place for the Fire Chief's signature, a place for another Chief Officer's signature, and a space for a notary to place their stamp. If the ballot is not filled out appropriately than it shall be considered void. The ballot will also be mailed with a confidential envelope for return security. The ballot will have a return postmark deadline of 14 days prior to the meeting where the vote would take place. The Executive Director will accept the ballots and record the sealed ballot for reporting purposes. The Executive Director will then secure the envelopes containing ballots in a lock box. This box will be delivered to the meeting where the question is to be voted on. The box will be given to the Proxy/Absentee Committee. The Proxy/Absentee Committee shall then open the sealed ballots, count the votes, and will then produce a report for the meeting.

#### AMENDMENTS:

Article VIII. Sec. 1. This Association shall have the power at its Mid Year and Convention Business Meetings to alter, amend and revise the Constitution or By-Laws by a two-thirds majority vote of the members represented at such meeting.

#### MUTUAL AID DEPARTMENT:

Article IX. Sec. 1. The Mutual Aid Department of this Association shall be administered in accordance with such Rules and Regulations consistent with the Constitution and By-Laws of the Iowa Firefighters Association as the membership of said Association may determine.

#### RULES:

Article X. Sec. 1. The presiding officer shall preserve order and decorum, and all questions of order shall be decided by him or her, subject to the appeal to the Association delegates at the meeting.

Sec. 2. All business not provided for in these by-laws shall be transacted according to "*Robert's Rules of Order Newly Revised*".

Sec. 3. The financial year of both the Association and the Mutual Aid Department shall be on a fiscal year basis, July first through June thirtieth.

**ORDER OF BUSINESS:**

Article XI, Sec. 1. Annual Convention meeting Order of Business:

- |                                       |                                   |
|---------------------------------------|-----------------------------------|
| 1. Call to Order                      | 6. Election/Installation Officers |
| 2. Opening Ceremonies                 | 7. New Business                   |
| 3. Reading of Minutes                 | 8. Selection of Convention City   |
| 4. Reports of Officers and Committees | 9. Good of the Association        |
| 5. Unfinished Business                | 10. Adjournment                   |

Article XI, Sec. 2. Mid Year Business Meeting Order of Business:

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|---------------------------|----------------------------|
| 1. Call to Order          | 5. Unfinished Business     |
| 2. Introduction of Guests | 6. New Business            |
| 3. Reading of Minutes     | 7. Good of the Association |
| 4. Reports of Committees  | 8. Adjournment             |

**MUTUAL AID DEPARTMENT of the IOWA FIREFIGHTERS ASSOCIATION**

**Rules and Regulations**

**NAME:**

Article I. Sec. 1. The name of this organization shall be the Mutual Aid Department of the Iowa Firefighters Association.

**OBJECT:**

Article II. Sec. 1. The object of this department shall be to extend financial aid immediately after the death of a member to his or her family or other dependents, and to promote a spirit of fraternal benevolence.

**MEMBERSHIP:**

Article III. Sec. 1. Membership in this Mutual Aid Department shall be limited to members in good standing of the Iowa Firefighters Association whose age does not exceed 40 years upon the date of application, and who are then in good health, both of which facts must be verified in writing by two members of the Iowa Firefighters Association or by Chief or Secretary of applicant's local fire department..

**ADMINISTRATION:**

Article IV. Sec. 1. The business of this department shall be administered by the Board of Directors of the Iowa Firefighters Association; the President, and Executive Director, of said Association acting in their respective offices in administrating the affairs and funds of this department as part of their official duties.

**DUES AND ASSESSMENTS:**

Article V. Sec. 1. Any firefighter on payment of the membership dues in the Iowa Firefighters Association, who is otherwise eligible, shall become a member of this department on application, and shall thereafter, within 30 days after issuance of each notice of assessment, pay the Executive Director the amount of such assessment for the Mutual Aid Fund.

Sec. 2. Assessments shall be made as follows: Membership less than 1,000; after each death. Membership more than 1,000 and less than 1,500; after each second death. Membership more than 1,500 and less than 2,000; after each third death. Membership more than 2,000; as the Board of Directors may determine.

Sec. 3. Each notice of assessment shall state the name of the deceased member and his or her affiliated fire department, and when the assessments are not made after each death, as herein provided, such notice shall give information concerning all deaths that have occurred since the last notice of assessment.

**SUSPENSION:**

Article VI. Sec. 1. A member shall automatically be suspended from the Mutual Aid Department if he or she fails to pay Association dues and/or Mutual Aid assessments on the delinquent date (30 days after issuance) of the second notice mailed to the last known address. The second notice shall indicate the delinquency with a suspension warning, and shall constitute sufficient notice of suspension. All checks are accepted subject to collection, and any receipt issued is automatically cancelled if the check fails to clear.

Sec. 2. A written notice, mailed to the last known address of a member shall be considered sufficient and legal notice of any Mutual Aid Assessment.

**REINSTATEMENT:** Article VII. Sec. 1. Any member suspended for nonpayment of Association dues and/or Mutual Aid Assessments may be reinstated in this Department within six months from the date of suspension upon reinstating in the Iowa Firefighters Association and the payment of all Mutual Aid Assessments that have been made during his or her suspension.

Sec. 2. After six months from the date of suspension, no reinstatement shall be made except on physician's certificate of good health, secured at the expense of the applicant, and payment of all said assessments, with the approval of a majority vote of the Board of Directors.

**BENEFITS:**

Article VIII. Sec. 1. Upon receipt of the required notice of death of a member in good standing in this department, there shall immediately be paid to his or her beneficiary a sum of \$1.00 per capita of the total membership in good standing in the Mutual Aid Department on the date of such death, if the membership does not exceed 500; or a sum of \$500.00 if such membership does exceed 500.

Sec. 2. Required notice of death shall consist of a written statement of such fact signed by the Chief or Secretary of the deceased member's affiliated fire department and the attending physician, medical examiner or funeral director.

**BENEFICIARY:**

Article IX. Sec. 1. Each member may, by written notice to the Executive Director, elect some person having insurable interest in his or her life to be the beneficiary, subject to the right of changing such beneficiary at will. In the absence of such election of beneficiary by a deceased member, payment of benefit shall be made to such person, in his or her immediate family or otherwise, as the Executive Director may determine in conformity with the object of the Department.

**MUTUAL AID FUND:**

Article X. Sec. 1. All moneys received from Mutual Aid Assessments shall be used only for payment of death benefits of members in good standing.

Sec. 2. There shall be no salary or employment paid out of the Mutual Aid Fund to any officer or member for any service that he or she may render in the administration of the Mutual Aid Department.

**AMENDMENTS:**

Article XI Sec. 1. The Rules and Regulations of the Mutual Aid Department may be amended by a two-thirds majority vote cast in a Mid Year Business Meeting of the Iowa Firefighters Association.