

SAN DIEGO FIREMAN'S RELIEF ASSOCIATION



BOARD OF DIRECTORS' BYLAWS

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ARTICLE 1

NAME

SECTION 1. This Association shall be known as the San Diego Fireman's Relief Association.

SEAL

SECTION 2. The corporation seal of the Association shall consist of the following words: "San Diego Fireman's Relief Association" with the embossed or imprinted information: "Incorporated October 19, 1908."

OBJECT

SECTION 3. To bind the members together in a closer bond of fraternity for mutual protection, to assist the members and their families in sickness, distress and death, and to promote and improve social relations and welfare among the members.

CORE VALUES

SECTION 4. Making members and their families our first priority; honoring the traditions of our profession; being supportive and compassionate; promoting unity among our firefighter colleagues; integrity, honesty and mutual respect; accountability to stakeholders and the public; positive leadership and commitment that keeps us mission focused; and, excellence in all aspects of our organization.

BYLAWS

SECTION 5. All copies of the Bylaws of this Association are the property of the Association in general. Each fire station and Fire Department facility shall be furnished a copy of the Bylaws for use by members of the Association. These copies are not to be removed from the premises without express approval of the Board of Directors.

SECTION 6. Any article of the Bylaws may be altered, amended or suspended, by two-thirds vote of the members voting, provided such alterations, amendments, suspensions, or additions have been submitted in writing at any regular meeting of the Relief Association, and signed by 25 percent of the members of the Association in good standing. Said Proposition shall be submitted to a vote of the membership not less than one month, or more than three months after it has been received by the Board of Directors in regular meeting.

SECTION 7. An alteration or amendment of the Bylaws may be initiated without a petition by the membership upon a vote of two-thirds of all the members of the Board of Directors. Said alterations or amendments shall be submitted to a vote of the membership not less than one month, or more than three months after it has been voted on by the Board of Directors in regular meeting.

POLICY MANUAL

SECTION 8. An alteration or amendment of the Policy Manual may be initiate upon a vote of two-thirds of all the members of the Board of Directors.

ARTICLE II

MEMBERSHIP

- SECTION 1. Only members of the San Diego Fire-Rescue Department who have received appointments as firefighters under the Civil Service Rules and Regulations, and those other persons who are members of the San Diego City Firefighters Local 145 shall be eligible for membership in the Relief Association. At the discretion of the Board of Directors, any applicant for membership may be required to obtain, at his/her own expense, a certificate of good health from a physician designated by the Board as a pre-requisite for membership.
- SECTION 2. Applications for membership are required during the academy signup process. Application to continue membership by a newly retired member of the Fire Department shall be made within ninety (90) days of retirement with no back dues required.
- SECTION 3. No member of the San Diego Firemen's Relief Association upon terminating employment with the Fire Department shall be eligible to retain membership in the Association except when said termination is under the conditions of retirement.
- SECTION 4. Any former member of the Association who becomes reinstated to or who re-enters the Fire Department may be reinstated to membership in the Association if his/her written application is received within thirty (30) days from the date of his reinstatement or re-entry, to the Fire Department, and subject to all provisions of the Bylaws governing the admission of members.
- SECTION 5. A member of this Association participating in maneuvers or training in any active reserve of the Armed Forces or the National Guard for a period of thirty (30) days or less shall continue to pay all regular dues. His/her successors in interest may claim benefits for illness, injury or death resulting from such service less any compensation received from any agency of the government by reasons of military service.
- SECTION 6. Subject to any exceptions provided in these Bylaws, a member on military leave from the Fire Department for any continuous period of time in excess of thirty (30) days shall be suspended from all duties, obligations and dues pending reinstatement to membership. After termination of said military leave and re-entry to the Fire Department, a member shall resume dues payment within (30) days and shall complete all required paperwork. Member shall receive full benefits while on military leave.
- SECTION 7. Any member of this Association granted a leave of absence from the Fire Department for any reason other than illness or injury shall be entitled to no benefits or funeral expenses while on said leave of absence, unless the member maintains his/her city health insurance plan and pays his/her monthly Association dues. Upon returning to duty he/she shall be returned to a member in good standing upon payment of the regular monthly dues. Payment of back dues will not be required.
- SECTION 8. Any member who fails to pay his/her dues within thirty (30) days after they become due and payable shall, with or without notice, automatically be suspended from membership and from all privileges and benefits of the Association until reinstated by the Board. A \$10 late fee may be charged if dues have not been received by the 10th of the month that they are due. Likewise, any member who claims or receives benefits from the Association when not entitled to or who shall be guilty of conduct unbecoming to a member, may be suspended from membership, and benefits, with or without notice, by a majority vote of the Board upon such terms and for such period of time as may be fixed by said Board, or until reinstated to membership. Suspension from the Fire Department may be treated as grounds for suspension from membership. Upon being suspended, the member shall be notified of the suspension by registered mail at his/her last known address. Such notice shall contain a copy of the text of this section.

SECTION 9. Any member who fails to pay his/her dues within ninety (90) days shall thereupon automatically be expelled from membership and shall be notified of such expulsion by registered mail at his/her last known address. Such notice shall contain a copy of the text of this section. Likewise, any member who shall willfully claim or receive benefits from the Association when not entitled to, or who shall be guilty of conduct unbecoming a member of the Association or a member of the Fire Department, may be expelled from membership in the Association by a majority vote of the Board of Directors. Upon expulsion from membership, all the rights of the former member to receive benefits from the Association shall be forfeited and terminated. Such member shall be notified by registered mail at his/her last known address within ten (10) days after the meeting of the Board at which such action was taken, and be given an opportunity to make a statement and to produce evidence, oral or documentary, in resisting such expulsion.

SECTION 10. A member who has been suspended, expelled or resigned from membership for a period, not to exceed 6 months, may be reinstated to membership upon approval of his/her written application for reinstatement by a majority of the Board. Terms and conditions shall be prescribed by the Board, including the payment of all dues accrued to the date of reinstatement. Any member thus seeking reinstatement, who is an active member of the Fire Department shall sign an authorization for deductions for dues payable to the Association or pay his/her dues directly. Such reinstated member shall not be entitled to any benefits for a period of thirty (30) days following reinstatement, or for any disability having its inception during the period of suspension, expulsion or resignation.

SECTION 11. Any suspended or expelled member has the right to appeal the action of the Board at any time within two (2) months after notice of such suspension or expulsion has been sent to the last known address of the member by registered mail. Such appeal shall be a written notice mailed to the Association at its principal place of business by registered mail; such notice to state: (A) intention to appeal; (B) grounds for appeal; and (C) any new matter proposed by the appellant.

SECTION 12. Any reputable citizen of the United States may be elected to honorary membership by a majority of the Board. An honorary membership shall confer no privilege or benefit except that of honor. Honorary membership may be terminated at any time at the discretion of the Board of Directors.

SECTION 13. The Association shall not pay, promise, or agree to pay, either directly or indirectly for solicitation or procuring of memberships or applications for membership.

SECTION 14. Members retiring on a deferred or reduced pension shall have the right to all benefits of the Association that they would have as regular retirees, effective upon the date that retirement pay is actually paid. During the period of retirement without pay to when retirement with pay begins, affected members will have no benefits as outlined in Section 7 of this article.

SECTION 15. Retired former members who elected to resign from Relief Association membership at the time of their retirement are not eligible to rejoin the Association except by specific individual consideration by the Board of Directors.

ARTICLE III

CHAPTER I, BOARD OF DIRECTORS

SECTION 1. The Association shall be governed by and its business shall be conducted by a Board of eleven (11) Directors; nine (9) active and two (2) retired, consisting of a President, Vice President, Secretary/Treasurer and Directors at large.

SECTION 2. Active candidates shall be elected at large, by active membership, and must be a dues paying member of the

San Diego Fireman's Relief Association with one (1) or more years of service and be in good standing in the Association. No substitutes of the San Diego Fire Department shall act on this Board. No Director shall serve as an elected officer, Director, Trustee, or custodian of any other organization related to the San Diego Fire Department.

SECTION 3. Retired candidates shall be elected at large, by retired membership, and must be a dues paying member, in good standing, of the San Diego Fireman's Relief Association.

SECTION 4. Directors shall serve for a three (3) year term, or until their successors are elected and assume office, unless appointed or elected to fill an unexpired term in which case the term of office shall be in accordance with Article V, Elections, of these Bylaws.

SECTION 5. The Board of Directors shall meet at least once each month, upon such notice as the Board may prescribe.

SECTION 6. A majority of the members of the Board shall constitute a quorum for the transaction of business at any meeting or phone poll and a majority of such quorum shall have the power to act upon any matter except as otherwise specified in these Bylaws.

SECTION 7. The Board of Directors shall have the authority to furnish benefits for members and/or their families. It is optional with each member whether he/she shall subscribe to the benefits offered on behalf of his/her family.

SECTION 8. Any Director having three (3) successive unexcused absences from regular meetings, or six (6) regular meetings in any calendar year may have his/her office declared vacant by a majority vote of the Directors. Such vacancy or vacancies shall immediately be filled in the manner provided for in these Bylaws.

SECTION 9. Any Director can be removed from office upon receipt of a written request signed by 25 percent of the members of the Association in good standing, or upon two-thirds vote of the Board of Directors that a Director be removed. The Board shall set a date of the election to be held to determine final action thereon. Such election shall be submitted to a vote of the membership not less than one month, or more than three months after the date of receipt of written request or Board action. The request to remove a Director must be stated specifically in writing, signed by members making the request, and published with the ballot. A true and complete copy of such a request or record of action by the Board shall be delivered or mailed to the subject Director at his/her last known address within ten days following the first action of the Board. At such election the Director shall be removed from office upon the affirmative vote of a majority of the members voting on the request; otherwise, the Director shall continue in office for the unexpired portion of his/her term.

SECTION 10. To the extent approved by the Board, the Directors shall be reimbursed for expenses incurred in performing services or transacting business for the Association. Any member of this Association who, in the performance of any duty or service for the benefit of the Association, unavoidably loses time or pay, may be reimbursed by the Association, on presenting his/her claim to the Board of Directors, upon a vote of the Board of Directors. Two members of the Association in good standing must endorse such a claim. The Board of Directors must approve all claims.

SECTION 11. The President, Vice President, Secretary/ Treasurer, and the Directors at large shall furnish a surety bond in an amount fixed by the Board of Directors at the expense of the Association.

SECTION 12. The parliamentary procedure of the Board shall be as generally outlined in Roberts Rules of Order.

SECTION 13. Functions of Directors are classified as powers, duties, and liabilities.

PART 1, POWERS: The powers of the Board of Directors are limited by law, by charter, and by the Bylaws. The Directors have the power of general agents, and in the capacity may do any act reasonable and necessary to achieve the purpose of the Corporation, so long as this power is not expressly limited. Unless authorized by statute, they do not have the power to divert corporate assets for charitable purposes. Law bars them from using corporate funds for political purposes. As general agents, they have the power to do only what they are expressly authorized to do, or what may reasonably be implied as necessary to carry out their functions.

PART 2, DUTIES: The Directors are charged with the duty of establishing policies that will achieve the function of the corporation, selecting executives to carry out these policies, and supervising the executives to see that the policies are efficiently executed. They must act in person, not in proxy, in exercising all discretionary power. The Directors must also act as a group not as individuals; and in the absence of authority to the contrary, a majority of the Directors must be present before any binding decisions can be made. The Directors may delegate ministerial and routine duties to sub-agents, but the duty of determining all major corporate policies, except those reserved for the membership, must be assumed by the Board of Directors.

PART 3, LIABILITIES: As Trustees of the Corporation, the Directors are liable for bad faith, and for gross negligence. They are not liable for losses when they act with due diligence and reasonably sound judgment must be traceable to some ulterior motive to establish a breach of trust. Any Director is personally liable for any item purchased, ordered, or charged to the Association unless authorized by a majority of the Board of Directors at a Board meeting, except for office supplies that are necessary for the carrying on of Association business, or flowers sent in the event of a death of a member, his/her mother, father, wife, dependent children, and retired members. At the time of the death, a donation, not to exceed the normal amount paid for funeral flowers, is permitted to be made to the charity, or fund named by the beneficiary, in lieu of flowers.

**ARTICLE III
CHAPTER II, OFFICERS**

SECTION 1. The Board of Directors at the first regular meeting in January shall elect, from among themselves, a President, a Vice President, and a Secretary/ Treasurer to serve as the Executive Board of Directors. Only active members shall be eligible for election to position of President. Retired Directors shall be eligible for the position of either Vice President or Secretary/Treasurer. However, only one Retired Director shall serve on the Executive Board at one time. The term of office shall continue for one (1) year, or until their successors are elected, and qualified.

SECTION 2. The duties of the President, Vice President, and Secretary/Treasurer shall be as generally outlined in Roberts Rules of Order. Specific duties of all members of the Board of Directors shall be as set forth in Article III, Chapter I, Section 12, Part 2

**ARTICLE V
ELECTIONS**

SECTION 1. All elections which require a vote of the membership of the Association shall be by secret ballot. No names, numbers, or other markings shall be placed on the ballot to designate the name of the voter. The Secretary/ Treasurer shall issue ballots containing the propositions to be voted upon. Ballots shall not be sent to membership sooner than ten (10) days after notice of election.

SECTION 2. Elections shall be held for a period not to exceed two (2) weeks and any ballots received thereafter shall be void.

SECTION 3. Elections shall be conducted by U.S. Mail or a secure electronic method.

SECTION 4. During the month of October, of each year, a vacancy occurs on the Board of Directors. The Secretary/ Treasurer shall announce by the monthly minutes and bulletin sent to each fire station and/or letter to each retired member, if applicable, any vacancies on the Board of Directors for the coming year. Any member interested in being elected to a vacancy shall inform the Board of their candidacy by signed letter. Letters postmarked later than midnight, November 30, will not be accepted. Prior to December 1, retired member candidates may include a brief statement of 50 words or less of their qualifications which will be sent out with the ballots. Election shall be by secret ballot and held in the month of December of each year. The Board of Directors shall meet in a special session not later than January 1st to decide the outcome of the final election. Candidates receiving the greatest number of votes cast shall be declared elected. Successful candidates will take office the first regular meeting in January.
If in the election two (2) or more candidates receive the same number of votes and no plurality is reached, there shall be a runoff election held in the same manner as the original election. The candidate receiving a plurality of the vote shall be declared the winner.

SECTION 5. Upon receipt of a written request signed by 25 percent of the members of the Association that a Director be removed from office, the Board shall suspend the subject Director from office pending the election concerning his/her removal. The Board shall fix a date of election to be not less than one (1) month, or more than three (3) months after receipt of the written request. A true and complete copy of such a petition or record of action by the Board shall be delivered or mailed to subject Director at his/her last known address within ten (10) days following the first action of the Board thereon. At such election, the Director shall be removed from office only upon the affirmative vote of a majority of the members voting on the proposition; otherwise, the Director shall continue in office for the unexpired portion of his/her term.

SECTION 6. In the event of a vacancy in the office of a Director wherein the unexpired term is less than one (1) year, the Board, by majority vote, may appoint a Director to serve the unexpired portion of the term. If the unexpired term is one (1) year, or more, the Board shall cause an election to be held to elect a successor to serve the unexpired portion of the term. Such election shall be held upon notice, and in accordance with Article V of these Bylaws.

SECTION 7. Prior to each election, an Election Committee to assist the Secretary/ Treasurer will be appointed with duties that may include preparing the ballots for mailing, security of returned ballots, counting ballots, etc.

ARTICLE VI DUES

SECTION 1. The payment of dues shall be by means of authorized payroll deductions, or direct to the Association.

SECTION 2. The regular bi-weekly dues of active and retired members of this Association shall be 1 percent of a Firefighter II - E Step's pay per payday (effective 8/1/09 for retired members).

SECTION 3. All monthly dues by members not covered by payroll deduction are payable in advance on the first of the month.

SECTION 4. The dues as outlined in Section 2 of this Article may, upon approval of the Board of Directors, be waived and considered fully paid during those periods when a member in good standing is unable to pay his/her dues,

due to a severe financial hardship. The first year of membership dues will be waived for new members joining during the academy sign-up process. New members shall complete all required paperwork for membership at the sign-up meeting.

ARTICLE VII ORDER OF BUSINESS

1. Roll call of officers
2. Reading of minutes
3. Reading of communications
4. Reports of Committees
5. Unfinished business
6. New business
7. New members
8. Paying of benefits and bills
9. Good of the Association
10. Financial reports
11. Adjournment