

CONSTITUTION AND BY-LAWS
OF
THE ALBANY POLICE SUPERVISORS'
ASSOCIATION (APSA)

ARTICLE I – NAME

The name of this organization shall be The Albany Police Supervisors'
Association (APSA).

ARTICLE II - DECLARATION OF OBJECTIVES, PURPOSES
AND PRINCIPLES

The declared objective and purpose of this Association is to be an “employee organization” as defined by the Taylor Law and to have as its primary purpose, the improvement of the terms and conditions of employment of the supervisors of the Albany Police Department and the improvement of morale, leadership and working conditions for the police in the City of Albany. The organization does not assert the right to strike against any government, to assist or participate in any such strike, or to impose an obligation to conduct, assist or participate in such a strike.

ARTICLE III - MEMBERSHIP AND DUES

Section 1: All Sergeants and Lieutenants in the Albany Police Department shall be eligible for membership. The welfare of the membership shall be promoted without regard to race, color, religion, sex or national origin.

Section 2: Membership dues shall be in the amount of \$20.00 per week and all members' consent to said dues being deducted directly by the City from their pay.

Section 3: Assessments - From time to time the membership may decide that a special assessment of additional money is necessary for the Association to properly function. This must be voted on by the membership at a special meeting with, at least, five (5) days notice. It must be passed by a majority of those voting.

ARTICLE IV – MEETINGS

Section 1: Regular meetings of this Association shall be held once each month, at a time and place to be fixed by the membership of the Association or the Executive Board.

Section 2: Special meetings may be called by the President, Executive Board, or by petition filed with the President and signed by 10% of the members of the Association.

Section 3: The quorum for meetings of this organization shall be 10% of the membership in good standing.

ARTICLE V - OFFICERS, NOMINATIONS AND ELECTIONS

Section 1: The elective officers of this Association shall consist of a President; two (2) Vice Presidents (one who must be a Sergeant and one who must be a Lieutenant); Secretary and Treasurer. These five (5) people shall also constitute the Executive Board of the Union.

Section 2: The terms of all elected officers shall be for three (3) years. Except the first elected officers will serve three (3) years, plus whatever number of months until the February after a full three (3) years.

Section 3: No person shall be eligible to seek elective office unless they are a member in good standing in the association with all dues and assessments having been paid.

Section 4: The first election of officers shall be held within ninety (90) days of the Association's recognition as the bargaining agent for the Lieutenants and Sergeants of the Albany Police Department. A nomination meeting shall be held at least fourteen (14) days before the date for the election of officers. In order to be nominated, a person must have his name placed in nomination with at least two (2) other members in good standing seconding the nomination. Thereafter, nominations and elections will be held every three years with both to take place during the month of February. Those individuals elected will take their office at the meeting in March.

Section 5: All balloting for officers and executive board members shall be by secret ballot with the person who receives the most votes declared the winner. Each winner shall take over his office in March, the month following the election.

Section 6: In the event of an office becoming vacant, the executive board shall have the power to fill the vacancy by appointing a member who will serve until the following February when the office shall be filled by the membership at a regular election. When the executive board fills a vacancy, it must do so by majority vote of the board. If a majority cannot be reached, then the board shall order an election to be held by the membership within thirty (30) days of the vacancy. The vacancy shall then be filled by secret ballot vote, with the person who receives the most votes declared the winner.

Section 7: The Association shall be run by an interim set of officers until the first election.

ARTICLE VI - DUTIES OF OFFICERS AND EXECUTIVE BOARD

Section 1: The President shall preside at all meetings of the Association and of the Executive Board. He shall be a member of all committees except election committees. He shall countersign all checks drawn against the funds of the Association. He shall appoint all standing committees and all special committees of the Association, subject to the approval of the Executive Board. He shall report periodically to the membership regarding the progress and standing of the Association and regarding his official acts.

Section 2: Both Vice Presidents shall assist the President in the works of his office. In the absence of the President or in his inability to serve, the Vice President who is the same rank as the President shall preside at all meetings and perform all duties otherwise performed by the President. He may, with the approval of the Executive Board, be authorized to act as co-signer of checks drawn on the Association funds in place of either the President or the Treasurer.

Section 3: The Treasurer of the Association shall receive and receipt for all monies of the Association. He shall deposit all monies received by the Association in a local bank and money so deposited shall be withdrawn only by check signed by the President and the Treasurer. The Treasurer shall be bonded as decided by the Executive Board. The Treasurer shall report to the membership at each monthly meeting on amounts received, amounts expended and the amount remaining in the treasury.

Section 4: The Secretary shall keep official notes of all meetings of the Association and the Executive Board. Those notes shall be read at the next meeting and approved by the members and then kept in a book as official minutes of the Association on the Executive Board.

Section 5: The Executive Board shall be the governing body of the Association except when meetings of the Association are in session. All matters affecting the policies, aims and means of accomplishing the purposes of the Association and not specifically provided for in this constitution or by action of the membership at a regular or special meeting, shall be decided by the Executive Board. The Board shall meet at the call of the President or of a majority of the members of the Board. A report on all actions taken by the Executive Board shall be made to the membership at the next following meeting. A majority of the members of the Executive Board shall be required for a quorum.

ARTICLE VII - EXPULSION, SUSPENSION AND DISCIPLINE

A member may be expelled, suspended and/or disciplined but only after charges are brought and proven against him or her and all due process rights required have been afforded. Any accused member shall have a right to a trial with the Executive Board as Jury. The Executive Board decision should be by majority vote and the burden of proof to be met by the accuser is that he must show by clear and convincing evidence that the charges are true and that the charges prove either a violation of these By-Laws or that the actions proven bring discredit upon the Association or its members.

ARTICLE VIII - RULES OF ORDER

All meetings shall be held consistent with Roberts Rules. Those rules shall govern procedures in case of dispute, but only where the Association has not agreed to different rules.

ARTICLE IX – AMENDMENTS

The Constitution may only be amended by a two-thirds (2/3) vote of the membership voting at a special meeting and only after at least two (2) weeks notice of said special meeting.

ARTICLE X - ASSOCIATION ASSETS AND DISSOLUTION (AMENDMENT ONE)

Effective November 16th, 2006

No individual member may profit financially from the Association.

If the Association were to dissolve, any assets remaining after payment of debts would be distributed as follows:

Unused membership dues would be distributed equally to all current and active members;

Unused contributions would be donated to another charitable organization to be decided by the APSA Executive Board.

All outstanding debts being paid, all monies shall be distributed within (30) days of dissolution.