



**CONSTITUTION**

**Salt Lake Valley Law Enforcement Association**

**IUPA Local 77**

**INTERNATIONAL UNION OF POLICE ASSOCIATIONS**

**(I.U.P.A.)**

**ARTICLE I**

The name of this organization shall be Salt Lake Valley Law Enforcement Association ("the Association"), of the International Union of Police Associations, ("the I.U.P.A.").

**ARTICLE II**

**Affiliations**

The Association shall be affiliated with the International Union of Police Associations.

**ARTICLE III**

**Objectives**

The objectives of this Association shall be to carry out business on a local basis for employees engaged in law enforcement in the Salt Lake Valley.

**ARTICLE IV**

**Description of the Association**

The Association is an organization of Federal, State and Local public safety employees who are based within the boundaries of the State of Utah.

**ARTICLE V**

**Scope**

The Association shall be cognizant of all matters of concerns within the jurisdiction of the agencies represented by the Association and the interests of the Association's members and their dependents. The Executive Board, or in case of emergency The President, shall take such immediate action as shall be necessary to safeguard their welfare or interests by providing aid and such other services as deemed necessary.

**ARTICLE VI**

## **Membership and Dues**

Section 1. Qualifications. All law enforcement officers regularly employed in the Unified Police Department are eligible for membership in this Association subject to the requirements of the Constitution of the International Union of Police Associations. Public Safety employees from other Utah State law enforcement agencies may be approved membership status by approval of the Executive Board. The Executive Director of the Association, I.U.P.A., is eligible for membership and may exercise the right of membership upon approval of the Executive Board. The Director may serve as the delegate to any I.U.P.A. meeting, which is unattended by other Association members. The President, Executive Vice President and other Executive Board Members are delegates to the International Convention by virtue of their office.

Section 2. Application. Application for membership shall be made on a standard application form. Such form shall include a valid authorization for payroll deduction of dues. The application shall be accompanied by an application fee equal to one month's dues, which requirement may be waived by the President or the Executive Director.

Section 3. Dues. The monthly membership dues of the Association shall be \$38.00 monthly (\$17.54 per bi-weekly pay period) per member, unless and until increased by a majority vote of a membership meeting after a 30 day advance notice.

Section 4. Payment of Dues. Membership dues shall be payable monthly in advance to the Association Secretary-Treasurer and in no event shall be paid later than the 15th day of the month in which they become due. Any member who fails to pay dues by the 15th day of the month in which they become due shall be considered delinquent and upon failure to pay dues for two consecutive months shall stand suspended. Provided, however, that any person who is paying dues through a system of regular payroll deduction shall, for so long as such person continues to pay through such deduction method, be considered good standing. A member who is assigned to active military service will not be considered delinquent; so long as payment of dues resumes upon return to full employment.

Section 5. Reinstatement Fee. A member suspended under the above section may be reinstated to membership in the Association on payment of all arrearages or upon payment of a reinstatement fee of \$20.00 plus the current month's dues.

## **ARTICLE VII**

### **Meetings**

Section 1. Time and Place. Regular meetings of the Association shall be held at least once each three months, at a time and place to be fixed by the membership or the Association Executive Board, or the Executive Director. The Executive Director shall receive 5 days prior notice of any meeting. Executive Board meetings shall be open to all Association members in good standing.

Section 2. Annual Meeting. The Association shall have at least one meeting for all members in each calendar year to discuss and report the prior year's business of the Association to the membership. Such scheduled meeting shall be at a location selected by the Executive Board. Notice of the date, time and location shall be distributed to all membership at least fifteen (15) days before the meeting.

Section 3. Special Meetings. Special meetings may be called by a majority of the Executive Board, or by petition filed with an Executive Board member and signed by 20% of the members of the Association. Special meetings may also be called by the Executive Director or by the President.

Section 4. Quorum. The quorum for meeting of this Association shall be at least two thirds (2/3) Executive Board Members, for these purposes the Executive Director shall be counted as an Executive Board Member.

## ARTICLE VIII

### Officers, Nominations, and Elections

Section 1. Titles and Terms of Office. The officers of this Association shall be a President, an Executive Vice President and Vice Presidents at Large. These shall constitute the Association Executive Board. The first "special election" shall be held on August 1, 2015 and officers will assume duties on September 1 2015. The standard term of office shall be three years. The beginning of regular elections will begin August 2016. Executive Vice President Election will be held in August 2016, and subsequently every three years after. President Election will be held in August 2017, and subsequently every three years after. Vice President at Large elections will be held in August 2018, and subsequently every three years after. In addition, the Executive Board may appoint an Executive Director. If no Executive Director is appointed, the President shall serve as the Executive Director.

Section 2. Nominations. Nominations shall be made with at least fifteen days advance notice prior to the election date. A nominating committee may be appointed to accept nominations.

Section 3. Eligibility. To be eligible for office a member must be in good standing for one year immediately preceding the election. Nominees for President and/ or Executive Vice President may not be employed in an administrative rank position (Lieutenant or Higher) within their respective agency. Nominees for any Executive Board position may not be employed in an executive rank position (Captain or Higher) within their respective agency.

Section 4. Conduct of Election. Executive Committee officers and members shall be elected by method of secret ballot vote. The voting process shall be so conducted as to afford to all members a reasonable opportunity to vote. At least fifteen days' advance notice shall be given to the membership prior to the holding of the election. The positions of President and Executive Vice President shall be elected by all Association members in good standing. The positions of Vice President at Large shall be elected solely by their respective peers in their agency or work classification.

Section 5. Tie Vote. In the event of a tie, the Past President shall cast the determining vote. In the event the immediate Past President is not available, the most recent Past President, that is still a member in good standing, shall cast the determining vote.

Section 6. Existing Officers. Existing Officers shall automatically be nominated unless they request otherwise.

Section 7. No Contest. In the event of no contest for any elected position, the person shall be elected by acclamation.

Section 8. Vacancies. Vacancies in office shall be filled for the remainder of the unexpired term by vote of the Executive Board.

## **ARTICLE IX**

### **Duties of Officers and Executive Board**

Section 1. President. The President shall:

- A. Shall be the Chief Executive Officer (CEO) of the Association.
- B. Preside at all meetings of the Association and of the Executive Board.
- C. The President shall have authority to execute all contracts into which the Association may enter.
- D. The President shall have the authority to hire, retain and terminate contractors employed on behalf of the Association.
- E. Countersign all checks drawn against the funds of the Association.
- F. Appoint all standing committees and all special committees of the Association, subject to the approval of the Executive Committee.

- G. Report periodically to the membership regarding the progress and standing of the Association and regarding the President's official acts.
- H. The President shall have the ability to make Trustee appointments to the Executive Board on a temporary basis. Trustee appointments lasting longer than one year require the approval of the Executive Board. Every additional year will require the same Executive Board approval. All Trustee appointments shall be reviewed after the selection of a new President.
- I. Within twenty (20) days after the expiration of the President's term shall convey to the successor President all unfinished business, books, records, documents, materials and all other property belonging to the Association in their possession or control.

Section 2. Executive Vice President. The Executive Vice President shall:

- A. Assist the President in the work of the President's office.
- B. In the absence of the President or in the President's inability to serve, preside at all meetings and perform all duties otherwise performed by the President.
- C. Shall work under the direction of the President and/ or Executive Director. All activities and communications, in an official capacity, shall be professional and consistent with objectives set forth by the Executive Board.
- D. Upon approval by the Association Executive Board, be authorized to act as co-signer of checks drawn on the Association funds in place of either the President or the Secretary-Treasurer.
- E. Within twenty (20) days after the expiration of the Executive Vice President's term shall convey to the successor Vice President all unfinished business, books, records, documents, materials and all other property belonging to the Association in their possession or control.

Section 3. Secretary-Treasurer (Board Appointed Vice President at Large). The Secretary-Treasurer shall be an elected Vice President at Large Board Member, as nominated by the President and appointed by the Executive Board:

- A. Receive and receipt for all monies of the Association.
- B. Deposit all money so received in the name of the Association in a bank or banks selected by the Executive Board.
- C. Prepare and sign checks for such purposes as are required by the Constitution or are authorized by the membership or the Executive Board.
- D. Prepare and submit the monthly membership report to the International Union office and see that a check is drawn in payment of the Association's per capita tax each month and sent to the International Secretary-Treasurer.

- E. Keep an accurate record of receipts and disbursements, and shall once every month, submit to the Executive Board an operating statement of the financial transactions of the Association for the previous month.
- F. The operating statement of financial transactions, and the minutes of meetings of the Board and Committees shall be open to inspection on the written request of any voting member at any reasonable time, for a purpose reasonably related to the business of the organization. Such requests shall be submitted to the Secretary-Treasurer and/ or President.
- G. See that any financial report required by the International Union Constitution be submitted in accordance with the International Union Constitution.
- H. Shall make a budget for each prior year available to Association members.
- I. Keep a record of the proceedings of all membership meetings and of all Executive Committee meetings.
- J. Maintain current signed Credit Card Policy forms for all Executive Board members.
- K. Carry on the official correspondence of the Association, except as the Executive Board may direct otherwise.

Section 4. Vice Presidents at Large. These Executive Board Members shall:

- A. Assist the President in the work of the President's office.
- B. Shall fill positions on designated committee's and serve at the direction of the President.
- C. Shall be required to attend and actively participate in Union events, fundraising, critical incident response and Executive Board meetings.
- D. Shall work under the direction of the President and/ or Executive Director. All activities and communications, in an official capacity, shall be professional and consistent with objectives set forth by the Executive Board.
- E. Shall consist of Unified Police Department sworn members in good standing, or any Law enforcement organization sworn members (represented group) who is a member in good standing.
- F. Each represented group shall be allocated one elected Vice President position on the Executive Board after establishing and maintaining a minimum membership of 40 members. Subsequent Vice President position shall be allocated to each represented group with each additional 200 members. If the represented group membership drops below the minimum membership level they will be given a 120 days to bring the membership above the minimum level. If after 120 days the minimum membership level is not re-established the represented group shall lose elected representation on the Executive Board.

- G. Within twenty (20) days after the expiration of the Vice President's term shall convey to the successor Vice President all unfinished business, books, records, documents, materials and all other property belonging to the Association in their possession or control.

Section 5. Executive Director. The Executive Director shall be the chief operating officer of the Association and shall direct the day-to-day operations of the Association. The Executive Director shall be appointed and retained by the Executive Board and may serve through a designee.

Section 6. Executive Board. The Executive Board shall be the governing body of the Association. All matters affecting the policies, aims and means of accomplishing the purposes of the Association 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 Executive Board shall meet at the call of the President, the Executive Director, 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. Minutes of every meeting shall be promptly forwarded to the Executive Director.

Section 7. Executive Board Voting. When deciding matters to accomplish the successful operation and planning of the Association, the Executive Board shall vote on all such matters. The Executive Board will be the voting body of the Association. Only those elected positions shall hold voting rights and trustees shall not be granted voting authority. The only exception shall be in the event of a tie vote, whereby the Executive Director shall have voting powers to break such a tie. If the position of Executive Director is vacant, this provision shall not apply nor give any person additional voting weight.

## ARTICLE X

### Compensation

The Executive Board shall determine the amounts of monies of the Association which shall be paid as compensation to the officers, members of the Executive Board, negotiators, contractors and attorneys of the Association. The Executive Board shall also have the power to determine and expend monies of the Association to pay the expense of the officers, members of the Executive Board, negotiators, contractors and attorneys of the Associations.

## ARTICLE XI



## Miscellaneous Provisions

Section 1. International Constitution. This Association shall be subject to the provisions of the Constitution of the I.U.P.A.

Section 2. Authorization Necessary to Represent the Association. Except to the extent specified in this Constitution, no officer of the Association shall have the power to act as agent for or otherwise bind the Association in any way whatsoever. No member or group of members or other person or persons shall have the power to act on behalf of or otherwise bind the Association except to the extent specifically authorized in writing by the President of the Association or by the Executive Board of the Association.

Section 3. Conflict of Interest. When a conflict of interest arises between an Executive Board Member(s) and their primary assignment or primary employment responsibility, the following shall be occur:

- A. The conflict, or potential conflict, shall be disclosed to a neutral member of the Executive Board.
- B. A neutral Executive Board Member(s) shall be assigned to manage the matter in question.
- C. An Executive Board Member involved in a conflict of interest shall be prohibited from voting on the matter in which there is a conflict.

Section 4. Administrative Assistant. The Executive Board may appoint an Administrative Assistant which may or may not be a member of the Association. Any Administrative Assistant performing services for the Association, at the direction of the Executive Board, may receive a monthly stipend as shall be determined by the Executive Board. However, any such person shall not be a voting member of the Executive Board.

Section 5. Member Retirement Gift. The Association may compensate any retiring member, in good standing, with up to \$300 towards the purchase of a retirement gift. A method for the Executive Board as to calculate the amount contributed to a retiring member shall be as follows:

Sworn and Civilian Members Paying Full Dues:

- 1 Full Year Membership = \$100.00
- 2 Full Years Membership = \$200.00
- 3+ Full Years Membership = \$300.00

Civilian Members Paying Reduced Dues for Local Legal only (No I.U.P.A.):

- 1 Full Year Membership = \$50.00

- 2 Full Years Membership = \$100.00
- 3+ Full Years Membership = \$150.00

The retiring members shall notify any Executive Board member of their upcoming retirement date. The retiring member shall also advise as to how they would like to use the contributed funds (i.e. purchase of duty weapon(s), purchase of retirement plaque or display, etc.).

The Executive Board shall make the ultimate determination regarding any funds of the Association being used towards the purchase of retiring member gifts.

Section 6. Political Candidate Endorsement. The Association may choose to endorse a political candidate for government elections. The procedure for candidate endorsement will be as follows:

- A. The candidate will express interest in seeking Association support to any member of the Executive Board. The contacted board member will advise the Executive Board of such request, without unreasonable delay.
- B. The Executive Board will collect relevant candidate information and disseminate such information to Association membership, for review.
- C. The Executive Board shall facilitate a membership vote of such candidate with the following options; "For", "Against", or "Abstain." The results of any membership vote will be published for all Association members.
- D. The Association shall not publicly endorse any political candidate until after the conclusion of Primary Elections, if applicable.
- E. In the event multiple candidates for the same elected position seek endorsement from the Association, the Association Executive Board will facilitate a neutral membership vote in a consistent manner with a vote for a single candidate endorsement.
- F. In the event multiple Association members are seeking endorsement for the same elected position, the Association Executive Board will remain neutral in endorsing any campaign of said Association members; so long as each member has maintained continual membership in good standing for 1 year prior to the election date. Under these circumstances no membership vote for endorsement of any competing Association member candidates will be held or disseminated.
- G. If any unforeseen political endorsement concerns arise, excluded for any other provisions detailed in this section, the Association Executive Board shall have the authority to vote and decide on said concern. The results of any such action will be disseminated to Association Membership without unreasonable delay.

Section 7. Rules of Order. *Robert's Rules of Order, Revised*, shall be the guide in all cases to which they are applicable and in which they are not inconsistent with this Constitution and special rules of this Association or of the I.U.P.A.

## ARTICLE XII

## **Amendment**

This Constitution may be amended, revised, or otherwise changed by a majority vote of the members voting on such proposed change. Proposed amendments to this Constitution must be made with at least fifteen (15) days advance notice prior to the vote. A written/ transmitted copy of the proposed amendment shall be furnished to every eligible voter prior to the vote being held.

## **ARTICLE XIII**

### **Charges, Trials and Penalties**

#### **Section 1. Definitions of Misconduct**

The following shall constitute misconduct:

A. Refusal or failure to comply with or abide by the provisions of this Constitution, the valid decision of any officer or officers or the decisions of the Executive Committee.

B. Committing any act of fraud, embezzlement, larceny, or misappropriation of any funds or property or other thing of value, or refusing, failing, or neglecting to comply with the provisions of the Constitution which require full and accurate accounting of all funds, property, books, and records for examination and audit.

C. Libeling or slandering or causing to be libeled or slandered any officer of the Association. Properly filed charges of misconduct do not constitute libel or slander.

D. Failing, refusing, or neglecting to appear as a prosecution witness after filing charges against a member or officer.

E. Conduct unbecoming a member provided, however, that utilization of this provision shall be valid only when the charges are set forth in specific terms specifying the act or conduct which forms the basis of the allegation.

#### **Section 2. Who May Prefer Charges?**

Any individual member in good standing may prefer charges of misconduct against any other member, including the I.U.P.A. officers.

#### **Section 3. Form of Charges.**

To be properly filed, charges must be:

A. Filed in writing;

B. Signed by the charging party or parties;

C. Specifically state the acts which are alleged to have constituted misconduct;

D. Specifically identify, by Article and Section number, the provisions of this Constitution which are alleged to have been violated. In the event an alleged violation involves established policies, decisions, rules, regulations, or other governing principals of the I.U.P.A. which are not set forth in this Constitution, the charging document shall so state.

E. Filed within 60 days of the time that the charging party first became aware of, or reasonably should have been aware of, the alleged offense.

Prior to the notification to a member that charges have been filed against him, the Trial Committee shall review the charges and determine whether they have been properly filed.

Charges shall be considered not properly filed if:

A. The charges do not specifically state that acts which are alleged to have constituted misconduct, as required by Section 3, or otherwise fail to meet the requirements of Section 3.

B. The charges are untimely under Section 3(e).

C. The acts complained of clearly do not constitute a violation of the Constitution under Section 1.

If the Trial Committee determines that the charges are not properly filed, the Trial Committee shall so notify the charging party and the accused in writing. The charging party may appeal any determination that the charges were not properly filed pursuant to the procedures in Section 9. Charges that are not properly filed shall not be further processed.

#### Section 4. Filing Procedure.

A copy of any charges filed against any member, officer, or subordinate body shall be delivered to each member of the Executive Committee, and to the accused.

The Secretary, if he/she is not the accused, shall, upon receipt of properly filed charges, notify the accused that he/she is formally charged. If the Secretary is the accused, the President shall perform this duty.

#### Section 5. Response to Charges.

The accused shall have thirty (30) days from the receipt date from the Secretary (or President) to respond to the charges. The response must be filed with the Secretary (or President). If the accused fails to respond, the charges shall stand as filed.

The accused may deny the allegations in which case a Trial Committee shall commence not sooner than thirty (30) and not later than forty-five (45) days from the receipt date which denies said allegations.

The accused may admit the allegations and file a written explanation. The letter of admission must be signed by the accused and notarized. If the accused is a subordinate body, the current President of the subordinate body shall sign the letter of admission.

#### Section 6. Trial Committees.

The Trial Committee shall be the Executive Committee.

The Trial Committee for officers shall be the Executive Committee excluding any officer who is accused, a charging party, a witness, or the chosen representative of the accused or the charging party.

The Chairman and presiding officer of all Trial Committees shall be the President unless he is the accused or otherwise disqualified, in which case the Vice President shall be the Chairman.

If both are disqualified the International Executive Secretary shall preside. If the entire Executive Committee is disqualified, the Executive Committee excluding those members who are disqualified shall choose a presiding officer.

#### Section 7. Rules of Conduct of the Trial.

If the accused denies the allegations or fails to respond, a Trial Committee shall be convened in a location that comprises the employment location or jurisdiction of the accused. The trial shall be commenced within the time limits set forth in Section 5 of this Article.

Except as otherwise provided herein, Trial Committees may promulgate their own set of rules for the conduct of the trial formulated in consultation with both the accused and charging party or parties and distributed to them in writing at least fifteen (15) days prior to the commencement of the trial. Additional rules of procedure may be determined by the Trial Committee if situations not covered by the rules as originally adopted should occur.

Each party to the case shall have the privilege of designating any person, including any member in good standing of the I.U.P.A. except a member of the Trial Committee or other member involved in the proceedings, to act as his counsel in the trial proceedings.

For good cause shown, the accused or party preferring charges may request a postponement of the date set for trial. Such motion shall be addressed to the Chairman of the Trial Committee and shall be subject to approval or rejection within the discretion of the members of the Trial Committee.

Spectators who are members shall be permitted to attend the trial, space permitting.

Each Trial Committee shall electronically record the trial proceedings. All documents or other items offered as exhibits shall be preserved by the Trial Committee. A copy of the official minutes or transcript shall be furnished to the accused without cost.

Should the accused fail to appear for trial after due notice, or should the accused appear but refuse to comply with the rules for the conduct of the trial prescribed in this Constitution or formulated by the Trial Committee, or should the accused engage in conduct designed to obstruct the trial, the Trial Committee shall proceed to conduct the trial in the accused's absence. The accused, the party preferring charges, counsel for either party, or any witnesses or spectators who are guilty of misconduct before the Trial Committee, at the discretion of the Chairman of the Trial Committee, shall be excluded thereafter

from the trial proceedings and the trial shall continue in their absence. After all evidence has been presented and arguments made by all parties or their representative, the Trial Committee shall conclude the trial and, as soon as may be practicable, assemble for consideration of its decision.

#### Section 8. Decisions of Trial Committees.

All decisions of Trial Committees shall be rendered within sixty (60) days from the conclusion of the trial or from the date the accused files a letter of admission. This time may be extended by the Trial Committee for good cause shown with the consent of both the accused and the charging party or parties.

In the event the accused files a letter of admission, the Trial Committee shall consider the case as submitted and shall thereafter render a decision as to the penalty to be imposed.

The decision of the Trial Committee shall be by majority vote of its members, shall be reduced to writing, and shall contain a statement of the pertinent facts involved, the violations charged, reference to all relevant Articles and Sections of this Constitution or other governing laws involved, a pronouncement of the guilt or innocence of the party charged, and the penalty to be imposed in the event the verdict is one of guilt.

Prescribed penalties shall be reprimand, suspension from the right to hold or seek any elected position, fine, suspension from membership, or expulsion and in the case of a charged subordinate body, revocation of Charter.

#### Section 9. Appeals.

When the Executive Committee acts as a Trial Committee, its decision may be appealed in writing within thirty (30) days to the Executive Committee, excluding any Executive Committee member charged. The Executive Committee may, by two-thirds (2/3) vote of the total number of members qualified to hear the appeal, overrule the decision of the Trial Committee. Unless otherwise ordered by the Executive Committee, the appeal shall be decided based on the record before the Trial Committee and any written arguments submitted by the parties to the Executive Committee.

### **ARTICLE XIV**

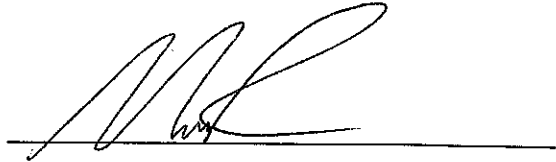
#### **Dissolution Amendment**

Section 1. Dissolution. The Association shall not be dissolved so long as the majority of voting members in good standing acknowledge its jurisdiction and authority and continue to comply with this Constitution.

The proposal of dissolution shall first be voted on by the Executive Board. If by majority vote the Executive Board is in favor of dissolution, it issue shall then be presented for a general membership vote. If the majority of voting members in good standing vote in favor of dissolution, it shall be dissolved by order of the Executive Board.

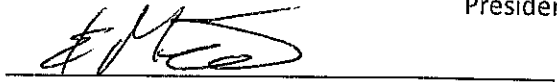
Section 2. Disbursement of Funds Upon Dissolution. Upon dissolution, all of the Association's real and personal property shall be liquidated into cash by public or private sale conducted under the supervision of the Executive Board and all of its debts and expenses shall be paid from the proceeds of such sales. Any funds in excess of those necessary to pay debts and expenses shall be donated to a recognized national charitable organization selected by the Executive Board.

Date: 10/12/23



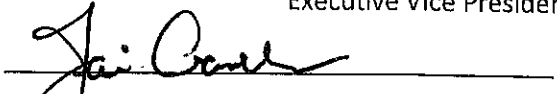
President

Date: 10/12/2023



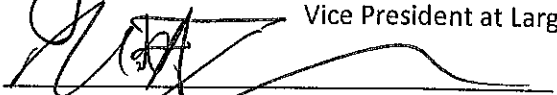
Executive Vice President

Date: 10/12/2023



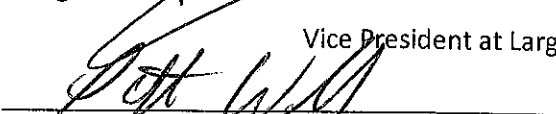
Vice President at Large

Date: 10/12/2023



Vice President at Large

Date: 10-12-23



Vice President at Large