

Constitution and By-Laws of The Dover Police Association

ARTICLE I PURPOSES OF ORGANIZATION

- Section 1 This organization shall be known as the Dover Police Association.
- Section 2 This Association is organized for the purposes of securing a closer official and personal relationship among the officers and members of the Dover Police Department, to elevate the standards of police service, to uphold the honor and integrity of the police profession, to provide community service and support charitable organizations, and to transact the business of the Police Association.
- Section 3 This Association shall be operated as a non-profit organization, and all monies or other assets received by the Association shall be used in furtherance of the purposes of the Association in Article 1, Section 2.
- Section 4 In the event of dissolution of this Association, distribution of any assets remaining after such dissolution shall be made to such organizations being operated exclusively for charitable, educational, religious, or scientific purposes as shall then qualify as a tax exempt organization under the appropriate provisions of the Internal Revenue code, in accordance with a majority vote at any regular meeting of the Association, of the members of the Association who are eligible to vote and who are present and voting at such meeting. Any such assets not so distributed shall be distributed by the Strafford County Superior Court to such organizations, as said Court shall determine, which are being operated exclusively for such purposes.

ARTICLE II MEMBERSHIP

- Section 1 Membership in this Association shall consist of Active and Honorary Members.
- Section 2 Active Members shall consist of all non-supervisory employees of the Dover Police Department who are designated as either full or part time employees and who are police officers, dispatchers, parking enforcement officers, parking maintenance specialists,

secretaries, custodians, building specialists, social workers, counselors, prevention programmers, victim witness advocates, data analysts, and animal control officers, excluding the Secretary of the Chief of Police, the Chief of Police, the Secretary of the Prosecutor, and all Officers with the rank of Sergeant and above or who are assigned in a supervisory position of any unit or bureau within the Police Department

New members shall be elected by the majority vote of those Active members present and voting at any regular meeting of the Association.

- Section 3 Honorary Members. The Association may elect to Honorary Membership such persons who are approved by a majority of the Active members present at any regular meeting of the Association. Persons so elected shall have been either an Immediate Past President, or a member of this Association for ten (10) years, or any active member that has resigned or retired from the Association. Honorary members may attend regular meetings of the Association, but shall not be required to pay dues, shall not be eligible to vote, hold office, or attain membership on the Collective Bargaining Committee. It shall be the responsibility of the Honorary Member to keep the Association updated with their current address for notification purposes.

ARTICLE III ASSOCIATION OFFICERS

- Section 1 The Officers of this Association shall consist of a President, First Vice-President, Second Vice-President, Sergeant-at-Arms, Secretary and Treasurer. All Officers of this Association shall hold their respective offices for (1) year until their successor is elected, or they are re-elected at the annual meeting.
- Section 2 A calendar year, January 1st through December 31st, shall be the basis of operation for this Association.
- Section 3 How Nominated. Association members desiring to hold an office shall forward written notice to the current President indicating the office they wish to be considered for, no later than September 1st of each year. The President shall ensure that a ballot is prepared for election. Nominations may also be made from the floor at the Annual Meeting.
- Section 4 How Elected. The President, First Vice-President, Second Vice-President, Secretary, Treasurer and Sergeant-at-Arms shall be elected at the Annual Meeting to be held between September

15th and December 30th of each year, by a majority of the Active Members voting. Special Meetings may be called at any time by the President. The results of each year's elections shall become effective immediately.

- Section 5 If a position becomes open during the year, the President can call for an election at a regular meeting or an emergency meeting to fill the open position. The Association will be advised of the open position and those people interested shall forward written notice that they would like to be considered for the position. The position will be filled by a majority vote of the Association at a meeting.

ARTICLE IV POWERS AND DUTIES OF OFFICERS

- Section 1 The officers of the Association shall consist of a:

- A. President
- B. 1st Vice-President
- C. 2nd Vice-President
- D. Secretary
- E. Sergeant-at-Arms
- F. Treasurer

- Section 2 President. It shall be the duty of the President to preside at all meetings of the Association. The President shall appoint all necessary committees. The President shall have the power to fill all vacancies in any office that may occur between Annual Meetings of the Association, or he may elect to fill the position through a vote at the next Association meeting after soliciting interested members. The President has the authority to expend up to three hundred dollars (\$300) of Association funds without approval of the membership, provided that such expenditures do not exceed six hundred dollars (\$600) in any calendar month and any such expenditures are reported at the next Association meeting. This authority shall not extend to charitable donations and sponsorships in the Associations name.

- Section 3 First Vice-President. It shall be the duty of the First Vice-President to perform all duties of the President during any absence. The First Vice-President shall also be at the call of the President for whatever reason becomes necessary.

- Section 4 Second Vice-President. The Second Vice-President shall, by title of office, assume the duties of either the President or the First Vice-President if both are absent. The Second Vice-President

shall also be at the call of the President for whatever reason becomes necessary.

- Section 5 Secretary. It shall be the duty of the Secretary to keep a complete roll of the membership, to include Active and Honorary members; to receive and answer all communications submitted and to perform such Association duties as may be required by the President. The Secretary shall make a full report of the proceedings of each meeting of the Association. The Secretary shall keep the official records of the Association and deliver any successor all books and records.
- Section 6 Treasurer. It shall be the duty of the Treasurer to receive all general funds belonging to the Association, pay all orders drawn when signed by the President, and monitor the weekly dues payments for all members. The Treasurer shall disburse any and all funds designated and approved by the majority of those present at any full meeting of the membership. The Treasurer shall make a full report at the Association meetings of all monies received and disbursed. If the Treasurer is unable to attend any regular meeting, the President shall be notified. It shall be the responsibility of the President to obtain sufficient up-to-date information as needed to present a financial report at the meeting. The Treasurer shall promptly deliver all monies, books, records, and other property of the Association to any successor in office.
- Section 6a Treasury Book Review. The Treasurer shall ensure that the Association Financial Records are reviewed by an outside accounting agency once a year. The certified accounting agency is to be chosen by the President and Vice-Presidents of the Association. The results of the review shall be announced at the next regularly scheduled meeting of the Association.
- Section 7 Sergeant-at-Arms. It shall be the duty of the Sergeant-at-Arms to keep order at all meetings, to allow no one to enter any meeting who is not eligible or lacks approval from the President. The Sergeant-at-Arms shall be responsible to ensure that all persons voting are eligible and to count votes when cast. The Sergeant-at-Arms shall also be at the call of the President.

ARTICLE V

MEETINGS

- Section 1 Number. There shall be a minimum of two (2) meetings a year of the Association. One of the meetings shall be called the Annual

Meeting, to be held between September 15 and December 31 of each year.

- Section 2 How called. All meetings of the Association shall be on the call of the President. The date, place, and agenda of the meeting will be decided by the President. Any Active member may request a special meeting by contacting the President who will rule on the need of such a meeting.
- Section 3 Notice. Written notice of all meetings shall be conspicuously posted on a bulletin board located at Police Headquarters or e-mailed to all Active members at least one (1) week prior to the date of the meeting.
- Section 4 Quorum. Ten (10) Active members of the Association shall constitute a quorum to transact business at any meeting of the Association.
- Section 5 Voting. At all meetings called, whether regular or emergency, all Active members shall have a right to vote in all decisions. Those not present at any meeting may give their vote in writing or e-mail prior to or during the vote, to the Sergeant-at-Arms. The written vote shall be counted in the final tally of the vote of those present at the meeting and shall be considered as if the individual was present in person. All meetings in which votes are to be cast are to be posted with the notice of the meeting so that those wishing to vote with the absentee vote may prior to or during the meeting. No votes will be accepted after the tallying of the final vote is at hand. Voting outside of meetings can be handled via e-mail following the same guidelines.
- Section 6 The President may, at his discretion, call an emergency meeting of exclusively Active Members, provided that each Association Member has been personally contacted, or contact has been attempted, as soon as practical prior to the meeting. The President shall ensure that records are maintained of all notifications or attempts at notification made pursuant to this section. The records shall be forwarded to the Secretary and shall become part of the permanent records of that meeting.
- Section 7 Dues. Weekly membership dues deduction for an employee working 35 hours or more weekly shall be five dollars (\$5.00) per week.
- Dues for Dover Police Association employees working less than 35 hours a week shall be two dollars (\$2.00) per week.

The dues structure can be modified if approved by a majority vote at a general or special meeting.

ARTICLE VII COMMITTEES AND UNITS

- Section 1 How Appointed. The President shall appoint any number of committees he deems necessary to the functioning of the Association, except that a Negotiation Team shall be elected by a majority vote.
- Section 2 The Collective Bargaining Committee. This Association shall elect a Collective Bargaining Committee of five (5) members to perform the function of bargaining during contract negotiations. The composition of the Collective Bargaining Committee shall include at least one (1) non-sworn Active member and four (4) Active members of Police Officer rank. The members of the Collective Bargaining Committee shall be elected by a special vote of the Active members voting at a meeting to be called by the President no less than eight (8) months from the expiration of the existing collective bargaining agreement between the Association and the City of Dover. No member may be elected to serve on the Collective Bargaining Committee if that member has not completed 2 years as an Active member of the Association at the time of the election. Members wishing to be considered for the Collective Bargaining Committee shall submit written notice to the President no less than seven (7) days prior to the meeting at which a vote will take place. The President shall ensure that a ballot is prepared reflecting all eligible names. Nominations may be made from the floor during the meeting. Members of this team may be removed from this position from a two-thirds vote of all members voting at a regular meeting. Voting eligibility is based on those set forth in Article V, Section 4a of the Dover Police Association Constitution and Bylaws. All openings on the team shall be filled in a manner consistent with the provisions for voting contained in this section.
- Section 3 Collective Bargaining Committee. The members of the Collective Bargaining Committee shall be responsible to elect a chairman of the committee. The chairman shall be responsible to act as a liaison with the Association's legal representative for the purpose of bargaining. The chairman shall also be responsible to ensure that the City is appropriately notified of the Association's intent to bargain within the required time limits. The chairman may act as the spokesman for the team and be responsible for coordinating meetings of the Negotiation Team.

Section 4 Negotiation Procedures. The chairman and up to four (4) team members selected by the chairman shall attend the actual bargaining sessions with the representatives of the City. The Chairman shall have the authority to assign team members the responsibility to gather information or research bargaining issues. All team members shall have the opportunity to caucus periodically to review the progress of negotiations. Information relating to the progress of negotiations and the status of individual issues shall remain confidential, excepting that the Chairman shall keep the President regularly informed of the specific status of negotiations. Prior to the initiation of negotiations, the President and Chairman shall schedule a meeting to permit Association members to provide written or verbal comment on negotiation issues. A meeting shall again be scheduled at the conclusion of negotiations or if the parties have bargained to impasse. A majority of those members voting at a regular meeting must approve the terms of any tentative agreement or the filing of unfair labor practice. Approval of the negotiated collective bargaining agreement requires the President and Negotiation Team Chairman to sign this document on behalf of the Association.

~~Section 4a Non-negotiable item. All sections of the Collective Bargaining Agreement dealing with the grandfathered "paid health insurance" coverage for regular full-time employees retired with a minimum of 20 years of service... for any City employee active on or before May 30, 2000" shall be considered non-negotiable. The Collective Bargaining Committee shall not consider removing this benefit during contract negotiations with the City, however any offer from the City to expand this benefit to other DPA members may be considered. This amendment is made to protect the remaining few DPA members who have this benefit and prevents DPA members who do not have the benefit from casting votes to eliminate this benefit from the minority. The DPA and the City shall become liable if this benefit is reduced or eliminated contrary to the DPA Constitution and By-Laws.~~

Section 5 Grievances. Any member that feels they have a grievance under the existing collective bargaining agreement shall follow the procedure provided for in that agreement. If the grieving member feels that legal advice or consultation is necessary and/or the dispute is to go to arbitration, the member must first approach the Grievance Review Committee, which shall be comprised of the President and the two Vice-Presidents. This committee may authorize an immediate legal consultation with the Association's

attorney. Requests for more extensive legal representation or any expense associated with arbitration of the grievance shall be reviewed by the three (3) member committee and a recommendation made at a regular meeting. Any further expenditure must be authorized by a majority of those members voting at a regular meeting.

ARTICLE VII AMENDMENT TO THE BY-LAWS AND CONSTITUTION

Section 1 These By-Laws and Constitution may be amended by a two-thirds vote of those Active members voting at any regular meeting of the Association provided that a copy of such amendments to be voted on shall have been distributed to each Active member at least fifteen (15) days prior to said regular meeting.

Adopted February 13th, 2023