

CONSTITUTION

AND

BY-LAWS

FRATERNAL ORDER OF POLICE

CHICAGO LODGE NO. 7

AS REVISED

SEPTEMBER 20, 2005

**CONSTITUTION AND BY-LAWS
FRATERNAL ORDER OF POLICE
CHICAGO LODGE NO. 7**

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CONSTITUTION

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**CONSTITUTION
AND
BY-LAWS
FRATERNAL ORDER OF POLICE
CHICAGO LODGE NO. 7**

**A LOCAL ORGANIZATION AFFILIATED WITH THE
NATIONAL ORDER AND STATE OF ILLINOIS ORDER
OF THE FRATERNAL ORDER OF POLICE**

INTRODUCTION

On January 7, 1963, a charter was granted by the Grand Lodge of the Fraternal Order of Police, incorporated in Pittsburgh, Pennsylvania, May 15, 1915. Under that charter, Chicago Lodge No. 7, Fraternal Order of Police, was, on January 7, 1963, constituted a Subordinate Lodge with full power to work under their jurisdiction in the City of Chicago, State of Illinois.

The Constitution and By-Laws were presented and read to the Board of Directors on the 7th day of January 1963.

The Constitution and By-Laws were approved and accepted by the Board of Directors and membership on the 7th of January 1963.

On the 18th of May 1981, amendments to the Constitution and By-Laws were presented and read to the Board of Directors, at which time the Board recommended that the amendments be passed by the general membership. The amendments were presented, approved and accepted by the general membership by a 2/3 vote of the members present on the 26th of May 1981.

On the 7th day of December 1983, amendments to Article IV of the By-Laws were presented to the Board of Directors, and the Board recommended adoption by the general membership. The two proposed amendments to Article IV of the By-Laws were presented, approved and accepted by the general membership by a 2/3 vote of the members present on the 14th day of December, 1983.

On the 3rd day of November 1987, amendments to the Constitution and By-Laws were presented to the Board of Directors and the Board recommended adoption by mail ballot to the general membership. The amendments were presented to the membership by mail ballot, and on the 15th day of December 1987, 2/3 of those returning said ballots approved and accepted said amendments.

On the 7th of November 1989, amendments to the Constitution and By-Laws were presented to the Board of Directors and the Board recommended adoption by mail ballot to the general membership. The amendments were presented to the membership by mail ballot, and on the 27th day of February 1990, 2/3 of those returning said ballots approved and accepted one amendment.

On the 5th day of March 1991, amendments to the Constitution and By-Laws were presented to the Board of Directors and the Board recommended adoption by mail ballot to the general membership. The amendments were presented to the membership by mail ballot and on the 4th day of September 1991, 2/3 of those returning said ballots approved and accepted said amendments.

On the 1st of October 1992, amendments to the Constitution and By-Laws were presented to the Board of Directors and the Board recommended adoption by mail ballot to the general membership. The amendments were presented to the membership by mail and on the 30th day of December 1992, 2/3 of those returning said ballots approved and accepted said amendment to, Article VI Section of the By-Laws.

On the 25th of October 1993, amendments to Article III and Article IV of the By-Laws were presented to the Board of Directors and the Board recommended that the amendments be passed by a vote of the general membership. On the 16th of November, 1993, the amendments to Article III and Article VII of the By-Laws were presented, approved and accepted by the general membership by a 2/3 vote of the members present at the general meeting.

On the 5th of April 1995, amendments to Article III of the By Laws were presented to the Board of Directors and the Board recommended that the amendments be passed by a vote of the general membership. On the 18th of April 1995, and on the 16th of May 1995, the amendments to Article III of the By-Laws were presented, approved and accepted by the general membership by a 2/3 vote of the members present at the general meeting.

On the 8th of August 1995, amendments to Article V of the Constitution were presented to the Board of Directors and the Board recommended that the amendments be passed by a vote of the general membership. On the 17th of October 1995, the amendments to Article V of the Constitution were presented, approved and accepted by the general membership by a 2/3 vote of the members present at the general meeting.

On the 3rd of June, 1997, the amendment to Articles VII and VIII of the Constitution as well as amendment to Articles III and XII of the By Laws were presented to the Board of Directors and the Board recommended that the amendments be passed by a voice vote at the general membership meeting. On the 17th of June, 1997, the amendments to Articles VII and VIII of the Constitution as well as amendments to Articles III and XII of the By-Laws were presented, approved and accepted by the general membership by a 2/3 vote of the members present at the general meeting.

On the 9th of May, 2000, the amendments to Article III, Section 3 of the Constitution as well as amendment to Article I, Sections 2 and 3 of the By Laws were presented to the Board of Directors and the Board recommended that the amendments be passed by a voice vote at the general meeting. On the 19th of September, 2000, the amendment to Article III, Section 3 of the Constitution as well as amendments to Article I, Sections 2 and 3 of the By Laws was presented, approved and adopted by the general membership by a 2/3 vote of the membership present at the general meeting.

On the 29th of July, 2003, an amendment to Article V, Section 3 of the Constitution was presented to the Board of Directors and the Board recommended that the amendment be passed by a voice vote at the general meeting. On the 16th of September, 2003, the amendment to Article V, Section 3 of the Constitution was approved and adopted by the general membership by a 2/3 vote of the membership present at the general meeting.

On the 21st of September, 2004, after the Board of Directors determined that the proposals were properly submitted and after publication in the Lodge's newsletter, in accordance with the Board of Directors recommendations changes were approved and adopted by the general membership by a 2/3 vote of those present at the meeting. Changes were made to the following sections: the Preamble, the Constitution: Article III Section 3, Article VI, Section 2 and 3, Article VII, Sections 2 and 7, Article VIII, Sections 1, 2; 6 and 7, the By-Laws: Article II, Sections 4, 5 and 6, Article II Sections 1 and 10, Article III Sections 1b, 7, 8 and 9, Article V, Sections 1, 2 and 2a, 3, Article VI, Section 1, Article VII, Section 1 and 2, Article X, Section 1, Article XII, Sections 1, 2, 6 and 7.

On the 20th of September, 2005, after the Board of Directors determined that the proposals were properly submitted and after publication in the Lodge's newsletter, in accordance with the Board of Directors recommendations changes were approved and adopted by the general membership by a 2/3 vote of those present at the meeting. Changes were made to the following section: By-Laws Article X, Section 1.

Mark P. Donahue
President

Sidney M. Davis
Recording Secretary

**FRATERNAL ORDER OF POLICE
CHICAGO LODGE NO. 7
CONSTITUTION AND BY-LAWS**

PREAMBLE

We, the Police Officers of the City of Chicago, do hereby associate ourselves for the following purposes:

To support and defend the Constitution of the United States; inculcate loyalty and allegiance to the United States of America; to promote and foster the enforcement of law and order with justice; to improve the individual and collective proficiency of our members in the performance of their duties; to work for and provide improvements in the salary and fringe benefits and other terms and conditions of employment of the sworn members of the Chicago Police Department; to advocate for appointment and promotion; to create a tradition of esprit de corps insuring fidelity to duty under all conditions and circumstances; to cultivate a spirit of fraternalism and mutual helpfulness among our members and the people we serve; to increase the efficiency of law enforcement and thus more firmly establish the confidence of the public in the service dedicated to the protection of life and property.

All terms used herein to denominate gender shall be generic and, whenever appropriate, the singular shall include the plural and the plural shall include the singular. Titles to articles, sections and subsections have been included for clerical convenience and are not deemed conclusive as to the contents or meaning of an article, section, or subsection.

**FRATERNAL ORDER OF POLICE CHICAGO LODGE NO. 7
CONSTITUTION**

**ARTICLE I
NAME**

- Section 1. This Lodge shall be known as the FRATERNAL ORDER OF POLICE, CHICAGO LODGE NO. 7.
- Section 2. The Constitution and By-Laws of this Lodge shall conform with the Constitution and By-Laws of the Grand Lodge and the State Lodge of Illinois.

**ARTICLE II
OBJECT**

We, the members of the Fraternal Order of Police, Chicago Lodge No. 7, associate ourselves for the following purposes:

- (1) To unite all Police Officers eligible for membership into one group, in an effort to seek and obtain the most favorable, beneficial and secure wages, hours and other terms and conditions relating to employment, through collective bargaining, legislative activity and all other lawful means.
- (2) To provide a medium for the exchange of information, knowledge and experience in the law enforcement field, which will aid our members in improving their professional standards.
- (3) To protect the constitutional, statutory and contractual rights of all members of the Lodge No. 7 bargaining unit.
- (4) To fairly represent Officers in resolving meritorious grievances arising out of their employment.
- (5) To encourage higher professional standards of conduct among our members.
- (6) To engage in and carry on such functions that will serve the best interests of this organization and our membership.
- (7) To serve our members in time of sickness or distress and to lend such assistance that will aid their speedy recovery and tend to diminish their misfortune.
- (8) To foster true patriotism among all our citizens, and to educate and encourage them to respect and defend law and order.
- (9) To promote the aims and principles of the Fraternal Order of Police on a local, state and national level.

**ARTICLE III
MEMBERSHIP**

- Section 1. Lodge membership shall be as set forth in the Grand Lodge, State Lodge and Local Lodge Constitution and By-Laws.
- Section 2. The Fraternal Order of Police, Chicago Lodge No. 7, shall not strike or by concerted action, cause a cessation of the performance of police duties, or induce other Lodges to do likewise. The penalty for such action by any member shall be immediate expulsion from this Lodge.
- Section 3. Every member, as described by the Illinois Labor Board, by virtue of his membership, authorizes the Lodge to act as his exclusive representative relating to his wages, hours and other terms and conditions of employment with his employer, and grants to the Lodge final authority to present, process and adjust any grievance or dispute arising under a collective bargaining agreement or out of employment as is determined by the officers to be in the best interest of the Lodge.

**ARTICLE IV
BOARD OF DIRECTORS**

- Section 1. This Lodge shall have one administrative body, which shall be known as the Board of Directors.
- Section 2. The Board of Directors shall be the governing body of the Lodge and shall have and exercise full administrative powers subject to and in accordance with this Constitution and By-Laws and the Constitution and By-Laws of the National and State Lodges.
- Section 3. The Board of Directors shall be composed of the Lodge President, the Immediate Past President, the 1st, 2nd and 3rd Vice-Presidents, Recording Secretary, Financial Secretary, Treasurer, three (3) Sergeant-at-Arms, and seventeen (17) Trustees. The term of office for each of the positions listed in this Section shall be three (3) years.
- Section 4. Any vacancy of the Board of Directors shall be filled by appointment by the Lodge President with the advice and consent of the Board. In the event of a vacancy in the office of the President, the 1st Vice President will act as President until such time when an election for an acting President is held by the Board of Directors. The acting president, elected by the Board of Directors, will fill the remaining term of the departing President.
- Section 5. The Board of Directors shall constitute the Membership Committee of the Lodge and shall actively participate in the recruitment of new members of the Lodge.

**ARTICLE V
REPRESENTATIVES**

- Section 1. A Lodge representative for each District, Area, or other Police Unit shall be elected by the members of the Unit he/she represents and he/she be a member of the Unit he/she represents. Said elections are to be held within 90 days, following the election of Lodge Officers. The elected Unit Representatives of the Lodge may, by virtue of their office, be delegates to the State and National Conferences.

- Section 2. In the event that the elected unit representative will be unable to perform his or her duties due to extended Medical Leave, I.O.D. Leave, extended assignment to details outside of the representative's unit or departmental suspension of more than 30 days, the President shall be empowered to appoint an interim unit representative to discharge the duties and responsibilities of unit representative until such time as the elected unit representative is able to return to the unit and resume his or her elected responsibilities.
- Section 3. It shall be a duty of the Unit Representatives to review any negotiated agreement and to vote for or against the adoption of said agreement, this vote shall be advisory only to the Board of Directors to assist the Board of Directors in their decision to recommend the ratification of said collective bargaining agreement to the membership or a return of the negotiated agreement to the bargaining committee for further negotiation.
- Section 4. Representatives shall not be agents of the Lodge, but shall have and exercise only such authority as may be given to them in this Constitution and By-Laws, or as may be assigned to them in writing by the President.

ARTICLE VI DELEGATES

- Section 1. Only members in good standing who have attended at least one-half of the regular business meetings as provided in these By-Laws and Constitution in the past 12 months may be candidates for delegates to the State or National Conference.
- Section 2. Nominations of additional candidates, if desired, to represent this Lodge as delegates to the State Conference or National Biennial Conference of the National Lodge, shall be held at a regular business meeting, at the discretion of the President of the Lodge.
- Section 3. The Lodge may elect as many additional delegates and alternates as they may be entitled to according to its membership. After the election of additional delegates, the candidates shall be listed in numerical order according to the number of votes received. Upon final determination of the number of delegates desired, that number highest on the list shall be declared delegates and a like number immediately following on the list shall be declared elected as alternates to the delegates and shall receive preference in order listed in case of a vacancy among the delegates.

ARTICLE VII NOMINATION AND ELECTION OF OFFICERS AND TRUSTEES OF CHICAGO LODGE NO. 7

The elected Officers of the Lodge shall consist of a President, 1st, 2nd and 3rd Vice Presidents, Recording Secretary, Financial Secretary, Treasurer, three (3) Sergeants-at-Arms, and seventeen (17) Trustees. The term of office for elected officers of Lodge No. 7 shall be three (3) years. The duly elected officers of the Lodge and elected/appointed unit representatives by virtue of their office shall be delegates to the State and National Conference.

A. NOMINATION AND QUALIFICATIONS FOR OFFICERS:

- Section 1. Only Active members below the rank of Sergeant, who have been in continuous good standing for two (2) years, and who have attended at least one half of the regular business meetings held in the past twelve (12) months may be candidates for office in this Lodge. The official sign-in book and excused absences for good cause shall be the sole materials used to determine eligibility for office. Nominations may be made in December of each third year following December 1986. Nominations will be made from the floor by any member in good standing and do not require a second. The nominations cannot be re-opened after being duly closed at the nomination meeting. Any qualified candidate will be required to sign a letter of acceptance during the month of nominations in order to be eligible for election.

- a) Excused Absences. In order to obtain an excused absence, a member must make a written request to the Recording Secretary prior to the date of the meeting for which the excuse is requested. The written request must state the member's name and star number, the date of the meeting for which the excuse is requested and the reasons why the member believes that he or she is entitled to receive an excused absence from this meeting. Upon receipt of a request for an excused absence from a member, the Recording Secretary shall determine whether the request for an excused absence demonstrates good cause for the granting of an excused absence. If the Recording Secretary determines that the member has good cause for an excused absence, the Recording Secretary shall grant that member an excused absence. If the Recording Secretary determines that the member has failed to demonstrate good cause for an excused absence, the member shall not be credited with an excused absence, but shall have the right to appeal the denial of an excused absence to the full Board of Trustees for review. If a majority of the Board of Trustees believes that the member has demonstrated good cause for an excused absence, the member shall be credited with an excused absence.
- Section 2. The President shall promulgate election rules governing the procedures(s) and conduct of the election not inconsistent with this Constitution and By-Laws, and shall appoint an election committee and Chairman. It shall be the responsibility of the election committee to arrange the preparation of ballots in a form which will assure a fair, secret and expeditious tally of all ballots cast, and such ballots will be processed by mail in March of the year following nominations. Each ballot shall list the nominees by the office for which they are running so that qualified voters can vote in the manner set forth by the Election Committee.
- In the event that any individual who has been properly nominated and who is eligible to hold an office or be a unit or watch representative in Lodge No. 7 is running unopposed, that individual will be declared elected by acclamation, without the need for a vote of membership.
- Section 3. The Chairman of the election committee shall appoint members of the election committee to serve as assistants and clerks. The election committee shall provide notice of the election to all members of the Lodge at their last known home addresses.
- Section 4. The election committee shall appoint an election judge who shall have full authority to decide all challenges, disputes and objections to the conduct of the election, including determinations of voter eligibility, election procedures, counting of ballots and issuance of certification of election results. Counsel for the Lodge shall be available for such legal advice and service as may be warranted.
- Section 5. The election committee shall conduct the election in a manner which permits only eligible members to vote while simultaneously guaranteeing that the secret ballot system is preserved.
- Section 6. A copy of the Lodge's membership list shall be available for inspection only, and not for distribution or copying, to properly nominated candidates upon request once during the month of February preceding the election. In the event that a candidate wishes to distribute campaign literature to the Lodge's membership, the candidate shall provide the literature to the Lodge, which shall make the distribution at the candidates' expense. A deposit sufficient to cover such distribution shall be made to the Lodge Treasurer before such distribution is made.
- Section 7. With the exception of the Office of the President, the person having a plurality of the votes cast on the day of the election shall be deemed winner of the Office for which he is running. Each candidate or slate of candidates shall be entitled to one (1) observer who shall be a member in good standing, who shall not be a candidate and who shall be entitled to be present at the polls and to watch the counting of votes by the Judges of Election. Credentials for observers shall be given out by the Chairman of the election committee. Any challenges shall be referred to the election committee immediately and committee ruling shall be final and binding upon this Lodge. No candidate for office shall take active participation in the counting of the ballots.

- Section 8. The Candidate having at least 50% plus one of the votes cast for the Office of the President shall be deemed the winner of that office. If no Candidate receives a 50% plus one plurality, a run-off election between the two top vote getters will determine the election to that office. This run-off election is to be held within 30 days of the day original of the election results.
- Section 9. The incumbent President will retain Office of the Presidency until the completion of the run-off election.
- Section 10. All elections of Officers in this Lodge by ballot shall be by secret ballot and each member in good standing, after being qualified by the election committee, shall have one (1) vote.
- Section 11. The newly elected Officers shall take office in April at the first business meeting following the election. Arrangements for the installation of Officers shall be handled by the outgoing President. The installing Officer must have attained at least the office of Past President or be a National President.
- Section 12. All election materials, used and unused, shall be impounded by the Chairman, and maintained by the Lodge President or his designee for one (1) year from the date of the election, along with the results. If no protests are registered as to certification of results, such materials must be destroyed one year after the day of the election. The Election Committee shall dissolve thirty (30) days after the election.

ARTICLE VIII AMENDMENTS

- Section 1. Only Active members, in good standing of this Lodge, may propose an Amendment to this Constitution. Such proposals shall be attested by the signature of eleven (11) Active members in good standing. The signatures will not be necessary when the proposals are made by the Constitution and By-Laws Committee appointed by the President and 1st Vice President. An amendment on a particular subject may be presented and/or voted upon only once in a twelve (12) month period, unless reconsideration of the proposed amendment is approved by a majority vote of the Board of Directors.
- Section 2: Proposed amendments to this constitution shall be submitted in writing to the Recording Secretary within a two month period commencing April 1st and ending May 31st of each year or when an issue has been identified as having significant importance to the Lodge by the President, with the consent of the Board of Directors. The Recording Secretary upon receiving any proposed amendments in the proper manner will then attest his or her signature, date of receiving, attest the Seal of the Lodge and forward the proposed amendment to the Board of Directors for review, consideration and recommendations.
- Section 3. If the proposed amendments, upon the review of the Board of Directors, are found to be in conflict (read unconstitutional) with the State or National constitution or unlawful, these amendments will not be forwarded to the membership for a vote. In the event the submitting member does not agree with the decision of the Board of Directors, he may appeal said decision in the following manner. The member may appeal the decision of the Board of Directors to the State Board of the Fraternal Order of Police of Illinois and may further appeal to the State Conference, and thereafter if the State Board upholds the decision of Lodge No. 7 Board, the member may further appeal to the National Board of the Fraternal Order of Police, and further, if necessary, make a final appeal to the National Biennial Conference of the Fraternal Order of Police.

- Section 4: The Board of Directors shall have the option of determining whether such vote shall be by mail ballot or voice vote of members who attend the applicable membership meeting. Members will be given notice of any impending vote on amendments to the By-Laws or Constitution by use of the regular monthly mailing of Lodge No. 7, prior to any vote.
- Section 5: All amendments to be submitted to the membership for a voice vote will be read and voted upon at the General Business Meeting of September of that year. All amendments to be submitted to the full membership for a mail ballot shall be mailed in the first week of September of that year for return and counting before the General Business Meeting of October of that year.
- Section 6: When an issue has been identified as having significant importance to the Lodge by the President, with the consent of the Board of the Directors, the President shall propose an amendment to these Constitution and By-Laws. Members will be given notice of any impending vote on such amendment by use of the regular monthly mailing of Lodge 7 prior to any vote. The Board of Directors shall have the option of determining whether such vote shall be by mail ballot or voice vote of members who attend the applicable membership meeting. If the proposed amendment is sent for a mail ballot, it shall be returned and counted within twenty-one (21) days of the mailing.
- Section 7: A two thirds (2/3) majority of the Active members present and voting at said meeting or in a mail ballot shall be required for adoption of any amendment.

**FRATERNAL ORDER OF POLICE LODGE NO. 7
BY-LAWS**

**ARTICLE I
MEMBERSHIP ELIGIBILITY**

- Section 1. All persons are eligible for membership in the Fraternal Order of Police, Chicago Lodge No. 7, whose membership is not otherwise restricted or precluded by this Constitution, or the Constitution(s) and By-Laws of the Grand Lodge and/or Illinois State Lodge, provided that no such restriction or preclusion shall be based upon race, creed, color, sex, national origin or age. Suspended or expelled members, or any person who is not a member in good standing, i.e. not current in the payment of dues, assessments or other financial obligations shall not be considered members for any purpose.
- Section 2. An Active member is any person in good standing who is a sworn employee or on pension from sworn employment with the City of Chicago Police Department. The Board of Directors of Lodge No. 7 may determine that the circumstances warrant acceptance of, or extension of, a qualified individual's active membership. Only Active members in good standing shall be permitted to vote, except that only those members in good standing below the rank of Sergeant, in a bargaining unit may vote on ratification of the collective bargaining contract and related matters affecting that bargaining unit.
- Section 3. No member shall be simultaneously a member of Chicago Lodge No. 7 and any other Subordinate Lodge.
- Section 4. All applications for membership in Chicago Lodge No. 7 shall be upon forms maintained for that purpose by Chicago Lodge No. 7.
- Section 5. All Active members shall be required, as a condition of membership, to pay all dues established by Chicago Lodge No. 7 for Active members. All Associate members shall be required, as a condition of Associate membership, to pay all dues established by Chicago Lodge No. 7 for Associate members.
- Section 6. Any person who is a member of, or subscribes to, or support the principles of any organization having as its purpose the overthrow of the government of the United States by force or violence or to deny to citizens the guarantees of the Bill of Rights shall not be eligible for admission to membership in Chicago Lodge No. 7, nor shall any such person hold membership in Chicago Lodge No. 7. If any member is found guilty of a violation of this section after a trial in accordance with the procedures set forth in this Constitution and By-Laws, he or she shall be barred from membership in this Lodge.
- Section 7. The Board of Directors is the regularly constituted membership committee of Chicago Lodge No. 7 and a majority vote of the Board of Directors shall be required for approval or disapproval of membership applications.
- Section 8. Applications rejected for membership shall be sent notification of rejection and a refund in full of any monies turned over to the Lodge at the time of application. Said rejected applicant shall be eligible for reapplication after a lapse period of ninety (90) days from the date of first rejection.

- Section 9. Any member who desires to resign from membership in the Lodge shall provide timely written notice of the desire to resign to the President, who, upon verification that the request is timely, will provide the member and the Financial Secretary of the Lodge with written notice that the withdrawal has become effective, provided that any delinquency or obligation due and owing is first fulfilled or paid. Notice of intention to withdraw from membership in the Lodge shall be deemed timely if it is received by the President between ninety (90) and sixty (60) days prior to the scheduled expiration date of the collective bargaining agreement covering the member seeking withdrawal. Upon receipt of notice that a request for withdrawal has been approved, the Financial Secretary shall provide notice of the withdrawal, along with notification that the individual, is to be converted to the payment of fair share fees, to the member's employer.
- Section 10. In the event that any active member becomes disabled or ill for a period of six months or more and finds himself unable to pay his current dues, the Lodge will, upon application of the member, pay his per capita tax and will carry him or her as an Active member in good standing until returned to duty.
- Section 11. Any member who will enter military service by recall or selective service, the Lodge will, upon application by that member, assume his per capita tax for each year in the service until thirty (30) days after discharge from such military service.

ARTICLE II DUTIES AND OBLIGATIONS

- Section 1. Every member of this Lodge agrees that, in consideration for the benefits of membership conferred upon him or her pursuant to the terms of this Constitution, he or she shall be subject to discipline for any action, inaction or omission which constitutes a violation of his or her duties and obligations as stated in this Constitution and By-Laws. Every member agrees that termination of membership does not terminate his or her liability for discipline for acts occurring during the term of his or her membership.
- Section 2. Any member may be disciplined for committing any one or more of the following offenses:
- (a) Violating any provision of this Constitution and By-Laws, or the Constitution and By-Laws of the Grand or State Lodge;
 - (b) Failing to pay dues, fines, assessments, fees and other financial obligations in a timely manner;
 - (c) Obtaining membership through fraudulent means or misrepresentation;
 - (d) Causing or attempting to cause withdrawal or secession of this or any Subordinate Lodge from the State or Grand Lodge;
 - (e) Working contrary to the interests of or accepting membership in any labor organization whose interests are contrary to those of the Fraternal Order of Police.
 - (f) Unreasonably, unlawfully or improperly disturbing the peace or harmony of any meeting of the Grand or State Lodge or of this or any other Subordinate Lodge, or any of their offices;
 - (g) Embezzling, misappropriating, fraudulently receiving, wrongfully handling, or failing to account for the funds of this Lodge;
 - (h) Using the name and/or logo of this Lodge or the Fraternal Order of Police for soliciting funds or advertising or similar activities except as provided elsewhere in this Constitution and By-Laws;
 - (i) Furnishing a complete or partial list of the members of this Lodge; the State Lodge or the Grand Lodge to any person other than those whose governmental position or Grand, State or Subordinate Lodge

office entitles them to have a list, without specific written approval from the President of the organization whose membership is being disclosed;

- (j) Deliberately interfering with any officer or representative of the Grand, State or any Subordinate Lodge in the discharge of his or her duties;
- (k) Violating the membership obligation or performing any acts of insubordination against the authority of the Grand, State or any Subordinate Lodge; or causing or attempting to cause withdrawal from, decertification of or undermining the exclusive status of this organization;
- (l) In the case of any officer or representative of this Lodge, failing to faithfully perform the duties of his or her office or position or accepting dual compensation or expenses for the performance of duties related to his or her office or position.

Section 3. Any member may be charged, tried and disciplined for violation of any of the above provisions, or for offenses set forth in the Grand or State Lodge Constitution or By-Laws, in accordance with the procedures provided below.

Section 4. Charges shall be in writing and shall describe the alleged violations. Upon receipt of such charges, the Recording Secretary shall immediately distribute copies of the charges to the accused member and to the members of the Board of Directors of the Lodge. The President, with the advice and consent of the Board of Directors, shall appoint an impartial special committee of three (3) members of the Board, including a Chairperson, who shall act by majority vote. The Chairperson shall schedule a date, place and time for a hearing on the charges, not less than thirty (30) days from the date on which a copy of the written charges are served upon the accused member. Written notice of the special committee hearing date, time and place shall be provided to the parties and reasonable requests for a continuance shall be directed to the panel for decision.

Section 5. At the hearing, a recording of the proceedings shall be maintained, and the accused member shall be provided with an opportunity to present evidence in opposition to the evidence presented in support of the charges against the member. At the next scheduled board meeting, the committee shall present its recommendation as to whether the evidence as a whole supports the charges against the member, and what, if any, penalty the special committee believes is appropriate in the event that the accused member is found guilty. Penalties may include fines, suspension, loss of privilege and/or expulsion from membership in the Lodge.

Section 6. The accused member may appear before the Board to contest the recommendation.

Section 7. Any member who shall fail to pay Lodge dues at the time that they are due to the Lodge shall be expelled from membership in the Lodge upon the Lodge's determination that an arrearage exists. Upon request of the expelled individual, a hearing will be held before the Board of Directors to determine whether the members shall be reinstated to membership and the fine, if any, to be imposed upon the individual upon his reinstatement.

Section 8. Any individual who possesses information that a member of this Lodge has engaged in actions or inactions which, if proven, would constitute a violation of the Constitution or By-Laws of this Lodge or the Constitution and By-Laws of the Grand or State Lodges shall file specific written charges against the member with the Recording Secretary.

- Section 9. After a hearing by the Board of Directors, and in the event found guilty of such act or omission by a two-thirds (2/3) vote of the Board of Directors, the member shall forfeit his membership and all benefits of this Lodge and the Fraternal Order of Police. Following such a decision, this member has the right to appeal the decision of the Board of Directors to the State Board of the Fraternal Order of Police of Illinois and may further appeal to the State Conference, and thereafter if the State Board upholds the decision of Lodge No. 7 Board, the member may further appeal to the National Board of the Fraternal Order of Police, and further, if necessary, make a final appeal to the biennial conference of the Fraternal Order of Police.
- Section 10. Any member who shall present his membership card, auto emblem, or decal to any unauthorized person or persons, shall, upon the filing of a complaint and the presentation of proof of said actions, be immediately dismissed from the Lodge. The President and the attorney for the Lodge may then take action to prosecute the recipient of said materials under 720 ILCS 5/17-2.

ARTICLE III DUTIES OF OFFICERS

- Section 1. The President shall:
- (a) Be the Chief Executive Officer of the Lodge. He or she shall preside at all meetings of membership and meetings of the Board of Directors. He or she shall have general management and supervision of the business and affairs of the Lodge, its officers and employees, and shall see that all orders and resolutions of the Board of Directors are carried into effect. He or she shall execute any and all contracts that may be authorized by the Board of Directors. He or she shall appoint all Lodge Representatives as stated in the Collective Bargaining Contract with the advice and consent of the Board of Directors. He or she and the 1st Vice President shall appoint all committees; the President shall appoint the majority members with 1st Vice President appointing the minority members. The President shall be an ex officio member of all committees. He or she shall have power to appoint a committee picked in this fashion from the Board of Directors or membership to inquire into any affair or matter affecting or concerning the welfare of Lodge No. 7, or to appoint such other committees as he deems relevant to the interests of the Lodge. The President shall furnish a surety bond for the faithful performance of his or her duty in such amount as shall be specified by the Board of Directors and paid for by the Lodge.
 - (b) He or she shall call special meetings of the Board of Directors when he or she deems it necessary or upon petition of a majority of the Board of Directors. At each session of the Board, he or she shall ensure that a full and complete report of the official business transacted by him or her subsequent to the last meeting of the Board is submitted, together with such recommendations as he or she may deem advisable. He or she shall ensure that a budget is submitted to the Board of Directors for approval. He or she shall convey to his or her successor all unfinished business of the Lodge.
 - (c) Together with the Financial Secretary and/or Treasurer and/or Recording Secretary he or she shall attest all warrants or vouchers for disbursement from any fund of the Lodge. He or she shall appoint a parliamentarian for this Lodge. By virtue of his office, he or she shall be a delegate to the Biennial State Conference and to the Biennial National Conference.
 - (d) He or she shall be responsible for all labor disputes involving this Lodge and shall have the authority to take such action as in his or her judgment will further the best interests of the Lodge and its members.

- (e) He or she shall have the authority to interpret the Constitution and By-Laws subject to the review of the Board of Directors.
- (f) He or she shall fill vacancies not otherwise provided for in this Constitution and By-Laws for the term of such office, provided that the individual appointed to fill the vacancy shall fulfil the same eligibility requirements as stated for that position and the appointment shall be approved by a majority of the Board of Directors.
- (g) The salary of the President shall be equal to a D-8 level as set forth in the 1987 Chicago Police Department Position and Salary Schedule and shall be increased periodically in the same amount as percentage increases granted to bargaining unit officers.
- (h) The individual holding the Office of the President shall be limited to three (3) consecutive terms as President and upon completion of the third consecutive term shall no longer be eligible to stand for election to the Office of the President.

Section 2. The Immediate Past President Shall:

Attend the Biennial State Conference and meetings of the Board of Directors. He or she shall advise and assist the President and Board of Directors in the performance of their respective duties and shall execute such assignments as may be ordered by them or either of them. When there is no living Immediate Past President, these duties shall be performed by the last living Immediate Past President.

Section 3. The First Vice President shall:

Preside at meetings of the Board of Directors and General meetings in the absence of the President, and otherwise generally perform the duties of the President during his or her absence. He or she shall appoint the minorities to all committees and perform other duties that are incident to this office as directed by the Board of Directors. By virtue of his or her office, he or she shall be a delegate to the Biennial State and National Conferences.

Section 4. The Second Vice President shall:

- (a) Fulfill the duties of the 1st Vice President during his or her absence. He or she shall see that everyone in attendance during the regular monthly business meeting signs the registration book.
- (b) Compile a list of the members of this Lodge in good standing who have fulfilled the requirements of these By-Laws relative to becoming a candidate for office or for delegates. He or she shall also present a full and complete copy of this list to the President and Recording Secretary on the day such nominations are to be accepted. By virtue of his or her office, he or she shall be a delegate to the Biennial State and National Conferences.

Section 5. The Third Vice President shall:

Preside at meetings of the Board in the absence of the President and 1st and 2nd Vice Presidents. He or she shall assume duties laid out in Sections 3 and 4 of this Article. By virtue of his or her office, he or she shall be a delegate to the Biennial State and National Conferences.

Section 6. The Recording Secretary shall:

- (a) Have custody of books, records, documents, seal of the Lodge, office paraphernalia and equipment, under the general authority of the President and Board of Directors. He or she shall take a record and transcribe minutes of all general meetings, meetings of the Board and shall submit the same for approval or rejection at the next meeting. He or she shall conduct the general correspondence of the Lodge. Together with the President, he or she shall attest all warrants or vouchers for cash disbursements from any fund of the Lodge. He or she shall attest, under the seal of the Order, all duly authorized contracts of the Lodge. He or she shall be the official custodian of the Constitution and By-Laws, which shall be authenticated by the seal of the Lodge and signature of the President and Secretary. He or she shall be responsible for determining whether a member is entitled to be credited with an excused absence from a Lodge meeting and for all other matters pertaining to attendance at Lodge meetings and their effect on eligibility for Lodge office. He or she shall sign all checks duly authorized by the President and Secretary and cosigned by the President or Treasurer.
- (b) Keep a record of the official amendments adopted, amending the Constitution and By-Laws, duly authenticated by the seal of the Lodge and signatures of the President and Secretary, in a book known as the Book of Amendments to the Constitution and By-Laws. By virtue of his or her office, he or she shall be a delegate to the Biennial State and National Conference.

Section 7: The Financial Secretary shall:

Along with the Treasurer be custodian of the funds of the Lodge. He or she shall perform a quarterly review of the deposits to assure that all monies received by the Lodge have been forwarded to the Treasurer and deposited in the proper accounts of the Lodge. He or she shall furnish a surety bond for the faithful performance of his or her duties in such an amount as shall be specified by the Board of Directors and paid for by the Lodge. By virtue of his or her office, he or she shall be Chairman of the membership committee. He or she shall assist the President in the selection of the Unit and District Representatives. He or she shall sign all checks duly authorized by the President and Secretary and co-signed by the President and/or Treasurer for disbursement of funds. By virtue of his or her office, he or she shall be a delegate to the Biennial State and National Conferences.

Section 8. The Treasurer shall:

Assure that all incoming monies for the Lodge shall be delivered into the record for deposit in the proper accounts of the Lodge and shall, with the Financial Secretary be the custodian of the funds of the Lodge. He or she shall furnish a surety bond in the amount specified by the Board of Directors, which surety bond shall be approved by the Board of Directors and financed by the Lodge. He or she shall sign all checks duly authorized by the President and Secretary, and co-signed by the President and/or Financial Secretary and/or Recording Secretary for disbursements of funds. He or she shall keep an itemized record of all receipts and disbursements, and shall deposit all funds collected in a bank approved by the Board of Directors. He or she shall set up special accounts for special funds and allocate to each respectively, the amounts allocated and collected therefore. He or she shall perform such duties as usual and incident to the office. He or she shall prepare quarterly reports for the Board on the conditions of the funds. By virtue of his or her office, he or she shall be a delegate to the Biennial State and National Conferences.

Section 9. The Three (3) Sergeant-at-Arms shall:

Have charge of ascertaining that all present at meetings are in good standing. They shall have charge and control of all meeting places and permit only qualified persons to enter or remain. They shall assist the President in the execution of such duties he may order. By virtue of their office they will be delegates to the Biennial State and National Conferences.

**ARTICLE IV
DUTIES OF BOARD OF TRUSTEES**

- Section 1. The seventeen (17) elected Trustees with the other elected officers shall constitute a Board which shall be known as the Board of Directors. They shall elect from among the Board of Trustees, by voice vote or other means, one member to be known as Chairman of the Board of Trustees.
- Section 2. It shall be the duty of this Board to manage the permanent and invested funds of the Lodge. Permanent and invested funds are to include buildings, property, equipment, furniture, and all other invested funds of the Lodge.
- Section 3. This Board shall obtain bonds for all Officers as prescribed by these By-Laws.
- Section 4. The Chairman of this Board at the end of each fiscal year shall select four (4) Trustees to be responsible for the audit of the Treasurer's books.
- Section 5. The seventeen (17) Trustees by virtue of this office, shall be delegates to the Biennial State and National Conferences.
- Section 6. The Board of Trustees shall review all appeals from denials of excused absences rendered by the Recording Secretary.

**ARTICLE V
MEETINGS AND ORDER OF BUSINESS**

- Section 1. The Board of Directors shall meet once each month, the date and time to be set by the President and at such other times as the Board or the President may determine. A quorum of fifteen (15) of its members shall be necessary for the transaction of business.
- Section 2. The general membership meetings of Chicago Lodge No. 7 shall be held each month, on a date and time specified by the Board of Directors. The general membership meetings of July and August may be suspended each year by the Board of Directors.
- Section 2(a). At a general membership meeting or any special meeting of this Lodge, a quorum shall be not less than five (5) elected officers and fifty (50) members of the Lodge in good standing.
- Section 3. **ORDER OF BUSINESS**
1. Opening Prayer and Pledge of Allegiance
 2. Reading of previous meeting minutes
 3. Report of Officers
 4. Report of Board of Directors
 5. Report of Board of Trustees
 6. Bills and Communications
 7. Reports of Committees
 8. Introduction of resolutions
 9. Unfinished Business
 10. New Business
 11. Nomination petitions accepted and filed
 12. Election of Officers
 13. Good of the Order
 14. Installation of Officers
 15. Adjournment

**ARTICLE VI
DUES**

- Section 1. The Active membership dues of this Lodge shall be collected pursuant to the checkoff provision of the relevant collective bargaining agreement and shall be increased by a majority secret ballot vote, except as specified below, upon reasonable advance notice, of those Active members in good standing at the meeting where the vote is taken. Any increases in the state and/or national per capita taxes will be passed along to the active membership to the nearest \$.25 (twenty-five cent) increment per pay period.
- Dues as of ratification of the 1987 Amendments, shall be \$7.50 per pay period and shall be increased each year thereafter (to the nearest half-dollar) by the percentage annual increase in pay provided to members of the bargaining unit under the terms of the collective bargaining agreement.
- Effective 30 days after ratification of this amendment or by 1 January 93, whichever is sooner, the dues for members covered by Legal Defense will be increased by one dollar (\$1.00) per pay period. This increase will be used exclusively for Legal Defense. The Legal Defense Committee will establish the guidelines for disbursement from this fund and said guidelines will be subject to approval by two-thirds (2/3) majority of the Board of Directors. The Legal Defense Fund will be audited separately and the audit results will be published annually.
- Section 2. Failure by any member, regardless of class, to pay dues upon notification of this obligation shall result in the member's immediate expulsion from membership in the Lodge.
- Section 3. Each year the Lodge shall notify all members of the bargaining unit of the Lodge's expenses for the prior year. The purpose of this notice shall be to allow fair share employees, who are not members of the Lodge, but who are required to pay a fair share fee to the Lodge, to object to the fair share payments required by the collective bargaining agreement between the Lodge and the City of Chicago. The amount of these fair share payments is determined by the Fair Share Committee pursuant to the Lodge's fair share policy.

**ARTICLE VII
EXPENSES AND COMPENSATION**

- Section 1. The Board of Directors members, as such, shall not receive any stated salaries for their services, but by resolution of the Board, a fixed sum and expenses, if any, may be allowed for attendance at each regular and special meeting, provided, that nothing herein contained shall be construed to preclude any Officer from serving the Lodge in any other capacity and receiving compensation therefore.
- Section 2. The Board of Directors is authorized and empowered consistent with these By-Laws and Constitution, to provide and fix the salaries and terms and conditions of employment for all Officers and employees of this Lodge, including, but not limited to such fringe benefits as vacations with pay, holidays, sick leave, time off for personal reasons, and in connection therewith to make payments covering health, welfare and pension benefits and/or the purchase or lease of automobiles and the maintenance and expense thereof, and the Board of Directors is further authorized and empowered to provide allowances, direct and indirect disbursements, expenses and disbursement of expenses for such Officers and employees. The allowances and disbursements stated above will be reviewed at least yearly by the Board of Trustees who will present their recommendations to the Board of Directors for approval. Provided that the salary, terms, and conditions of any Officer shall not be decreased or reduced during an officer's term of office.

Since the Officers and employees are constantly performing duties on behalf of this Lodge, during all hours of the day and night and they are also incurring expenses for the benefit of the Lodge, the Board is hereby authorized to provide weekly expense allowances to be received by the Officers and employees. These allowances are to be paid over and above salaries, it being estimated that well over the amounts of such allowances are expended by the Officers and employees in connection with the work of this organization. These allowances will be reviewed at least yearly by Board of Trustees who will present their recommendations to the Board of Directors for approval.

In addition to the allowances set forth above, all Officers and employees may be reimbursed for all other expenses incurred in connection with their activities upon presentation of appropriate written statements or accounts. The written statements will be subject to audit by the Board of Trustees who will present their recommendations to the Board of Directors for approval.

Any actions taken by the Board of Directors in this Section must be reported at a General Meeting following the Board of Directors meeting at which such actions take place.

The Board of Directors shall set the salary of the Lodge Representatives at an amount equal to the D-5 level as set forth in the 1987 Chicago Police Department Position and Salary Schedule and shall be increased periodically in the same amount as percentage increases granted to bargaining unit police officers represented by Chicago Lodge No. 7.

**ARTICLE VIII
FISCAL YEAR**

Section 1. The fiscal year of the Lodge shall begin on the first day of January and end on the last day of December in each Calendar year.

**ARTICLE IX
FAIR SHARE PROCEDURES**

Section 1. A fair share shall be collected pursuant to policy approved by the Board of Directors, which is consistent with applicable law.

**ARTICLE X
COMMITTEES**

Section 1. After the installation of Officers of this Lodge and no later than the June Board meeting, the President and 1st Vice President shall appoint the standing committees. Any member in good standing may serve as a committee member and each committee shall have at least three (3) members. The President will start the appointments by naming the committee chairperson and the appointments will alternate with the President appointing the majority and the 1st Vice President appointing the minority of the members. A complete list of the Standing Committees and their members shall be presented to the Board of Directors by the June Board meeting for the Boards approval.

A. The following will be the Standing Committees:

- | | |
|-----------------|-----------------------------|
| 1. Grievance | 5. Retiree |
| 2. Safety | 6. Constitution and By-Laws |
| 3. Legal | 7. Legislative |
| 4. Disabilities | 8. Health and Insurance |

B. Each of the Standing Committees will meet monthly or as needed and report to the Board of Directors at each a Board meeting.

Section 2. Either the President or the Board of Directors may move for the creation of Special Committees to investigate any issue confronting the Lodge. Special Committees will be appointed by the same method used for appointing Standing Committees. Special Committees will cease to function when they have completed their duties and made a report.

ARTICLE XI PROFESSIONAL ASSISTANCE

Attorneys, Accountants and such other professional, special or expert services as may be required for the organization shall be designated by the President with the advice and consent of the Board of Directors.

ARTICLE XII AMENDMENTS TO THE BY-LAWS

Section 1. Only active members, in good standing of this Lodge may propose an amendment to these By-Laws. Such proposals shall be attested by the signature of eleven (11) active members in good standing. The signatures will not be necessary when the proposals are made by the Constitution and By-Laws Committee appointed by the President and 1st Vice President. An amendment on a particular subject may be presented and/or voted upon only once in a twelve (12) month period, unless reconsideration of the proposed amendment is approved by a majority vote of the Board of Directors.

Section 2: Proposed amendments to these By-Laws shall be submitted in writing to the Recording Secretary within a two month period commencing April 1st and ending May 31st of each year or when an issue has been identified as having significant importance to the Lodge by the President, with the consent of the Board of Directors. The Recording Secretary upon receiving any proposed amendments in the proper manner will then attest his or her signature, date of receiving, attest the seal of the Lodge and forward the proposed amendment to the Board of Directors for review, consideration and recommendations.

Section 3. If the proposed amendments, upon the review of the Board of Directors, are found to be in conflict (read unconstitutional) with the State or National By-Laws or unlawful, these amendments will not be forwarded to the membership for a vote. In the event the submitting member does not agree with the decision of the Board of Directors, he may appeal said decision in the following manner. The member may appeal the decision of the Board of Directors to the State Board of the Fraternal Order of Police of Illinois and may further appeal to the State Conference, and thereafter if the State Board upholds the decision of Lodge No. 7 Board, the member may further appeal to the National Board of the Fraternal Order of Police, and further, if necessary, make a final appeal to the National Biennial Conference of the Fraternal Order of Police.

Section 4: The Board of Directors shall have the option of determining whether such vote shall be by mail ballot or voice vote of members who attend the applicable membership meeting. Members will be given notice of any impending vote on amendments to the By-Laws or Constitution by use of the regular monthly mailing of Lodge No. 7, prior to any vote.

- Section 5: All amendments to be submitted to membership for a voice vote will be read and voted upon at the General Business Meeting of September of that year. All amendments to be submitted to the full membership for a mail ballot shall be mailed in the first week of September of that year for return and counting before the General Business Meeting of October of that year.
- Section 6. When an issue has been identified as having significant importance to the Lodge by the President, with the consent of the Board of the Directors, the President shall propose an amendment to these Constitution and By-Laws. Members will be given notice of any impending vote on such amendment by use of the regular monthly mailing of Lodge 7, prior to any vote. The Board of Directors shall have the option of determining whether such vote shall be by mail ballot or voice vote of members who attend the applicable membership meeting. If the proposed amendment is sent for a mail ballot, it shall be returned and counted within twenty-one (21) days of the mailing.
- Section 7: A two thirds (2/3) majority of the Active members present and voting at said meeting or in a mail ballot shall be required for adoption of any amendment.