

Massachusetts Fraternal Order of Police Bay State Lodge # 30



Constitution

And

By-Laws

UPDATED: 01/17/23

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ARTICLE I NAME

Section 1: The name of this organization shall be – Massachusetts Fraternal Order of Police Bay State Lodge # 30

Section 2: No member of this lodge shall use the name of this lodge and/or seal of the FRATERNAL ORDER OF POLICE, or represent himself/herself to be a member thereof for the purpose of obtaining goods, services or any gratuity for the lodge or for himself/herself without the expressed written consent of the lodge.

Section 3: The Constitution and By-Laws of the Grand Lodge and the MA State Lodge are hereby made a part of this constitution and By-Laws. Where a conflict exists between this document and the Constitution and By-Laws of the Grand or MA State Lodge, the Grand or State Constitution or By-Laws shall govern.

ARTICLE II MEMBERSHIP

Section 1: Any regularly appointed or elected and full-time employed law enforcement officer within the Commonwealth of Massachusetts shall be eligible for membership subject to the National Constitution.

No person shall be denied membership on account of race, religion, creed, color, sex, age or national orientation.

All members must meet training requirements that are established by the Commonwealth of Massachusetts for a full-time law enforcement officer. The final determination of all training will be decided by the State Executive Board.

The lodge shall deny membership to anyone who is, or has been a member of the Communist Party, or any party regardless of what name knows, which advocated the abolishment, destruction or violent overthrow of our government or any political subdivision.

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Section 2: There shall be three classes of membership: Active, Associate and Honorary. This is in accordance with Grand Lodge Article 4.

A) Active Membership – Shall be comprised of any regularly appointed or elected active or retired law enforcement officers who are or were full-time employees of the United States, any State, County, City, Town or Political subdivision thereof who's duties now include or included prior to retirement the statutory right of arrest. Active members shall have voice and vote and may hold office.

B) Associate Membership – shall be comprised of friends and family

of law enforcement officers, responsible and respected business persons, professional men and women and citizens from all walks of life. People willing to devote a portion of their time and efforts toward assisting law enforcement and the mission of our lodge. Applicants for Associate Membership must be sponsored by an Active member in good standing of the lodge. Associate Membership will be reviewed by the Executive Board. If approved by the Executive Board Applicants will be voted on at the next scheduled regular meeting of the lodge. A two thirds majority vote of those members present at the regular lodge meeting is required for Associate Membership approval. Associate Members are not entitled to vote or hold office.

C) Honorary Membership – should be considered a privilege and may be permitted, denied or revoked at the discretion of the Executive Board. Honorary Membership shall be comprised of individuals who have been recognized by the Executive Board for exceptional service or contribution to the nation, the state, the law enforcement community or the Fraternal Order of Police. Honorary membership shall be for one year in duration from the date issued. The Executive Board shall review the membership upon its expiration and may extend or discontinue the membership at will. Honorary Members are not entitled to vote or hold office.

1. Honorary applicants must be sponsored by at least one active member. Sponsors will be held responsible for the character and actions of the honorary member he/she sponsors.

2. Honorary members shall be appointed only by unanimous vote of the Executive Board.

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3. Honorary members shall be permitted to attend meetings, but will not have voice or vote, or hold office in the lodge.

ARTICLE III Application for Membership

Section 1: Any qualified person wishing to join the lodge shall obtain and complete an application form and return it to the Lodge Secretary..

Section 2: The Executive Board shall review all applications for

membership. The Executive Board shall determine if the applicant is eligible for membership and for what class of membership they are qualified under Article II of the Lodge By-Laws. Applicants must be of sound mind and good moral character. Qualified applicants shall then be voted on by the Executive Board for membership.

Section 3: A two-thirds (2/3) vote in favor of the applicant by the Executive Board shall constitute acceptance into the lodge. In the event the applicant is not accepted, he/she may reapply after a period of ninety days (90) had elapsed and the procedure, as set forth in section I of this article shall be repeated.

Section 4: In the event that the applicant is transferring his/her membership from another lodge, a letter from such lodge must accompany his/her application form. Such letter shall certify that the applicant was a member in good standing of his/her former lodge. It shall be the duty of the secretary to obtain the aforementioned letter. In the event the other lodge fails to respond, the lodge may waive this requirement by a two-thirds (2/3) vote of the Executive Board.

Section 5: The secretary of the lodge will keep an updated roster listing all members, membership status and law enforcement affiliation. A copy of this said roster shall be available for review by the membership during lodge hours.

ARTICLE IV Rights, Duties & Responsibilities of Members

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Section 1: All members who have paid their lodge dues shall be considered members in good standing and shall enjoy all the rights and privileges of membership.

- A.** Any member who is more than 30 days but less than 90 days in arrears for his/her dues shall have no voice on any lodge matters and shall lose all rights and privileges of membership until such dues are paid. Loss of privileges would include entrance into the

lodge.

- B.** All members who are more than ninety days (90) in arrears of his/her dues shall be dropped from the membership.

officers in the proper performance of their duties and to support the lodge in all of its activities.

Section 3: It shall be the responsibility of every member, when attending any lodge meeting or function to:

- A.** Observe the rights of other members.
- B.** Observe the rules and policies of the lodge.
- C.** Conduct themselves in a sober, courteous manner.
- D.** In no way cause embarrassment to the lodge.

- C.** Lodge yearly dues amount will be determined and set by the Executive Board. Membership will be provided with significant notice prior to dues increase voted on by the Executive Board.

ARTICLE V Dues

Section 1: This lodge shall impose a yearly membership assessment on every member. This assessment will be called lodge dues. To be considered in good standing each member must have paid his assessment prior to the January meeting.

- A.** The Lodge treasurer will deposit all assessments into the General Fund.
- B.** The Lodge dues may only be changed with the consent of a two thirds (2/3) vote of the Executive Board. Lodge dues are currently set at \$50.00 per year.

ARTICLE VI Reinstatements

Section 1: Any member in good standing who is called for military service or is granted a leave of absence from his/her employer, may be reinstated as a member in good standing upon receipt of all assessments from the time of his/her return to full-time duty. A two-thirds (2/3) vote of the

Executive Board may allow the member to remain a member in good standing during his/her absence and suspend the necessity to pay dues.

Section 2: Any member who is temporarily suspended from service for disciplinary purpose may remain in good standing with the lodge by paying dues during the period of suspension.

Section 3: Any member who is discharged from duty and who is appealing his/her dismissal may remain in good standing with the lodge by paying dues during the period the appeal is pending.

- A.** If the board, committee or court, through which the member has appealed, rules against the appealing member and the dismissal is upheld, his/her membership shall cease forthwith.
- B.** If the board, committee or court, through which the member has appealed, has ruled in favor of the appealing member, such membership shall remain in good standing so long as his/her dues are up to date.

Section 4: Any member who resigns, is forced to resign or is given any type of dishonorable discharge from his/her position in law enforcement shall be immediately dropped from the lodge membership. If the member is returned to duty and reapplies for membership, he/she may be reinstated as a member in good standing by a vote of two-thirds (2/3) of the Executive Board. The reinstated member shall receive no benefits, voice or vote until thirty days (30) have expired after his/her reinstatement. This section has no relevance to a member in good standing that retires from active service.

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Section 5: Any member who is dropped from the membership for nonpayment of lodge dues and who desires to be reinstated shall be reinstated upon receipt of his/her back dues.

ARTICLE VII Meetings

Section 1: The regular meetings of the lodge shall be held on the 2nd Tuesday of every month. Meetings shall begin at 5:30 p.m. at a location

reasonably selected by the President. The President or his designee can, within reason, modify the regular meeting date, time and location for the convenience of the lodge. Such reason may be but not limited to, conflicts with holidays or other major activities. No guests, spouses or immediate family members will be present during meetings.

Section 2: Special meetings of the lodge may be called by a two-thirds (2/3) vote of the Executive Board or upon order of the Gran or State Lodge.

Section 3: Meetings will be held at the Fraternal Order of Police State Lodge Conference Room, unless good reason exists to alter venue or a two-thirds (2/3) vote of the Executive Board is cast.

Section 4: The regular meeting of the Executive Board may may be held at the call of the Lodge President, prior to the regularly scheduled Monthly Lodge meetings. Due to going demands of the Executive Board; special meetings can be called by the President and held if at least two-Thirds (2/3) of the Executive Board Members are present.

Section 5: Members shall be invited to attend monthly meetings in person or virtually, through an on-line platform. Those attending, via the on-line platform, will be counted as an attendance at the monthly meeting.

ARTICLE VIII Officers

Section 1: The officers of the FOP Bay State Lodge #30 shall be: President, 1st Vice-President, Secretary, Treasurer, 2nd Vice-President, 3rd

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Vice-President, 4th Vice-President, Sergeant at Arms, Trustee and Alternate Trustee, 2nd Sergeant at Arms, and Immediate Past President if applicable. The election of officers shall be conducted in a manner as prescribed in the By-Laws.

ARTICLE IX Duties of Officers

Section 1: The President shall preside at all meetings of the lodge, sign all official documents that are authorized by the lodge and fill any vacancies of the office and committees as provided for in the By-Laws.

Section 2: The 1st Vice –President shall assist the President in the performance of his/her duties and assume the duties of President in the event the President is absent, incapacitated, unable or refuses to perform.

Section 3: The 2nd Vice-President shall, in the absence of the President, Vice-President and Secretary, assume the duties of President, ensure all present at meetings are members in good standing and may remain, and perform all the duties prescribed in the Ritual of the Fraternal Order of Police.

Section 4: The Third and Forth Vice-Presidents will perform the duties assigned by the President or by two-thirds (2/3) vote of the Executive Board.

Section 5: The Secretary shall keep a correct record of all transactions at each meeting of the lodge, keep the By-Laws and Amendments to the By Laws, keep and update roster of membership, continue to keep membership informed of all lodge business and activities, and keep a record of attendance at both lodge meetings and Executive Board Meetings. In the absence of both the President and Vice-President, the Secretary shall assume the duties of President. In the absence of the Lodge Secretary at the monthly meeting, a member of the Executive Board will be assigned, by the Lodge President, to take the official minutes of the meeting.

Section 6: The Treasurer shall receive and take charge of all moneys belonging to the lodge, keep an accurate written record of all moneys received and expended, report to the lodge on the financial condition of its

Executive Board and membership and dispense funds and be subject to audits as provided for in there By-Laws.

Section 7: The Sergeant at Arms shall attend to the door and permit no entrance to any person not qualified by membership, unless ordered to do so by the President or by the Executive Board. The Sergeant at Arms shall also act as or appoint a Lodge Chaplain in time of need.

Section 8: Trustee or the Alternate Trustee shall be voting members who represent FOP Bay State Lodge #30 members at State Board Meetings.

Section 9: The Immediate Past President shall offer counsel and direction to the President and the Executive Board and can serve as a liaison to other lodges and the community.

ARTICLE X Nomination and Election of Officers

Section 1: The nomination and election of officers shall be conducted once every two years in a manner as prescribed in the By-Laws of the Lodge.

- A.** Members that have been a Bay State Lodge member, in good standing, for one (1) year will be eligible for nomination to hold officer on the Executive Board.
- B.** Only members in good standing who attend at least 50% of the regular lodge meetings will be eligible to run for a position on the Executive Board.
- C.** Elected officers must attend at least 50% of regular ledge meetings and 50% of the Executive Board meetings to be eligible for re election.
- D.** Nominees for the officer of President shall be limited to those persons who have been a lodge member, in good standing, for over two (2) years. Nominees for all other offices must be a member in good standing for at least one (1) year preceding their nomination.

Section 2: Nominations for office shall be made at the Lodge meeting in September of each odd number year.

- A. Any member who is nominated for office and who does not desire to hold office may withdraw his/her name from consideration, but he/she must do so at the time he/she is nominated. No member shall withdraw his/her name after nominations have been officially closed.
- B. In the event a member wishes to nominate another member who is unable to attend the September meeting, the nominating member shall present, at the time the nomination is made, a letter of consent signed by the member to be nominated.

Section 3: At the September meeting, three (3) Judges of Elections shall be appointed by the attending members. This will be done by verbal nominations and a ballot vote. The three members with the most votes will be the Judges of Elections. Judges of Elections must be volunteer and willing to accept the responsibility.

- A. Judges shall make an official ballot of all nominated members seeking office. The ballot shall indicate the vacant office and each person nominated for that office. This ballot will be turned over to the secretary who will verify that all nominations are eligible for nominations. The ballot will then be presented at least fourteen (14) days prior to the October meeting when the election will take place.
- B. It shall be the duty of the judges to provide each attending member only one ballot. Under no circumstances will a duplicate or second ballot be issued to any member.
- C. Ballots will be filled out in the presence of the judges and immediately collected. Once all ballots are collected, they will be tallied and the results announced and posted.
- D. In the event of an uncontested nomination for the Executive Board, the Lodge Secretary will cast one ballot for the nominated member.

Section 4: The installation of the newly elected officers shall be conducted at the November meeting. This meeting may be changed from a regular meeting to a special event, such as an installation or banquet.

ARTICLE XI Vacancies

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Section 1: Any officer shall have the privilege of resigning his/her position. Resignations will be in writing and submitted to the President who will notify the Executive Board and membership. The remaining Executive Board members shall take charge of the resigning officer's books, papers etc. and shall examine same to determine that said items are in proper order. In the case of the Treasurer, the Executive Board shall conduct a complete audit of the lodge's treasury. The Executive Board shall complete their examination prior to the office being declared vacant.

Section 2: In the event a vacancy exists, for any reason, prior to the November regular meeting, a special election shall be held to fill such vacancy. Should a vacancy exist after the November regular meeting, the Executive Board shall fill such vacancy by appointment.

ARTICLE XII Impeachment

Section 1: Any elected officer may be impeached for violation of provisions of the By-Laws or for failure or refusal to perform his/her duties. A two thirds (2/3) vote of the remaining members of the Executive Board can order a impeachment hearing where the officer in question can be given the charges against him/her and have an opportunity to state his/her case. At the end of a hearing a two-thirds (2/3) vote by the remaining Executive Board will impeach said member.

ARTICLE XIII Compensation

Section 1: The Lodge, due to the nature of its responsibilities, could compensate certain elected officers or members of the lodge. Officers or members who are authorized prior, by the Executive Board, to perform certain duties or purchase certain items shall be compensated. Such officer or member shall prepare a written request for payment, which shall contain an explanation of the nature of debt and how it was incurred. This request shall be submitted to the treasurer. Such request, unless unavoidable, should be entertained by the Executive Board in advance of the expenditure. A two-thirds (2/3) vote of the Executive Board shall authorize compensation of an officer or member for certain reasons which are

deemed to be beneficial to the lodge. Upon authorization the treasurer shall issue a check to the entitled officer or member.

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Section 2: Members of the Executive Board shall be compensated for their positions on the board. Those board members compensated shall be the President, Vice President(s), Treasurer and Secretary. Those positions will receive two-hundred and fifty dollars (\$250.00) per year. To be paid at the October meeting, for the previous year of honorable service to the lodge. In order to receive said compensation, board members must attend 50% of the monthly Lodge Board meetings in a calendar year. (January to December)

ARTICLE XIV Professional Assistance

Section 1: The Executive Board shall designate Attorneys, Accountants, and other professionals, special, or expert services that may be required for the lodge. It will be the responsibility of the Executive Board to seek professional assistance only when it is in the best interest of the lodge. A two-thirds (2/3) vote will be required by the Board to use such a professional.

ARTICLE XV Special Elections and Amendments

Section 1: Special elections may be ordered by a two-thirds (2/3) vote of the members to decide any issue or order of business that comes before the lodge. The method and procedure of balloting shall be the same as set forth in article XI section 3 of the By-Laws. The official ballot, instead of offices and candidate's names, will contain the issue, amendment or question to be considered. The balloting shall be conducted at the regular meeting following the meeting at which the special election is ordered.

Section 2: Amendments to these By-Laws must be presented to the lodge, in written form, at a regular meeting of the lodge. A special election shall be conducted at the following regular meeting where a two-thirds (2/3) vote must be cast for the amendment to pass.

Section 3: The following article, sections and paragraphs shall not be amendable:

- 1.)Article I sections 2 and 3
- 2.)Article XI section 1 paragraph A
- 3.)Article XVIII sections 1,2 and 3

ARTICLE XVI Committees

Section 1: The lodge may order the formation of any permanent or temporary committee as the need may arise. Committees will be made up of any member in good standing to include active, retired or honorary. Committee members will be voted onto the committee with a two-thirds (2/3) vote at the regular meeting where it is formed. The membership will decide at the meeting is a show of hands or ballot vote will be used. Committee members must be volunteer and willing to accept the responsibility of the committee. If a member is nominated but not in attendance he/she shall be contacted forthwith to ascertain if they would accept the position. If unable to contact said member, an alternate committee member shall be voted on, in the event that said member declines. After the said member is contacted and his/her decision is determined the secretary shall post the committee roster at the following lodge meeting, where it will be announced.

Section 2: Each committee shall meet regularly at a time and place convenient to its members. The President may select a chairman who shall preside at committee meetings and report the committee's activities at each regular meeting of the lodge.

Section 3: All Committee meetings will be opened to any interested lodge member in good standing. Any lodge members in good standing shall have the right to appear before and present to any committee, business that falls within that committee's scope of responsibility. Said member shall have the right to be heard on any item of business pending before such committee.

ARTICLE XVII Finances

Section 1: All moneys collected and received by the Fraternal Order of Police Bay State Lodge #30 shall be deposited in the general fund. The general fund shall be maintained in a banking institution that is local and

insured. The Treasurer will be made aware of all deposits into said fund.

Section 2: Moneys may be transferred, accumulated, deposited or dispersed from the general fund or any special funds that the lodge may

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desire to create. Any such transactions will be done by a two-thirds (2/3) vote of the Executive Board. Any such transaction shall be in the best interest of the lodge and shall be included in the treasurer's report, which will be read at all regular meetings.

Section 3: At least annually the lodge treasury shall be professionally audited and the results reported to the membership at the next regular meeting.

ARTICLE XVIII Discipline

Section 1: This lodge reserves its organizational rights to discipline its members for violations of the Lodge By-Laws, rules or unbecoming conduct. Any member found to be in violation of any article set forth in the By-Laws of this Lodge, shall be subject to discipline. Penalties that may be imposed by the lodge for violations of the above-mentioned are as follows:

- A. Fine: A member guilty of such violation may be fined, at the discretion of the Executive Board, from Fifty (\$.50) cents up to Fifty (\$50) dollars.
- B. Suspension: A member guilty of such violation may be suspended from the lodge and its meetings for a period not to exceed three (3) months.
- C. Expulsion: A member guilty of such violation may be permanently expelled from the lodge.

Section 2: Any disciplinary issues shall be immediately communicated to a member of the Executive Board and followed up in writing in a timely fashion. The Board will take immediate action to resolve the issue. If a punishment is imposed and is grieved by the defendant, a hearing will be set up in front of the Executive Board. At such hearing, the written charges shall be read, witnesses will be called, evidence will be presented and the defendant will be heard. If a member of the Executive Board is or was a

member of the same department as the defendant the Executive Board member shall have no voice or vote but may attend if they so desire. After all testimonies have been heard, the Executive Board will rule and impose just punishment. The defendant has the right to appeal the decision of the Executive Board to the State Lodge. Said defendant shall be suspended from the lodge and have no voice and vote until after his/her appeal is resolved.

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Section 3: Any member of this lodge agrees that, in consideration of benefits of membership conferred upon him or her pursuant to the terms of this constitution, he/she shall be subject to discipline for any action, inaction or omission which constitutes a violation of his/her duties as obligations as stated in these By-Laws. Every member agrees that termination of membership does not terminate his/her liability for discipline for acts occurring during the term of his/her membership. Any member may be disciplined for committing any one or more of the following offense:

- A.** Violation any provision of this Constitution and By-Laws or the Constitution and By-Laws of the State or Grand 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 any Subordinate Lodge from the State or Grand Lodge.
- E.** Working contrary to the interests of or accepting members of any labor organization whose interests are contrary to those of the Fraternal Order of Police.
- F.** Unreasonably, unlawfully or improperly disturbing the peace, harmony of any meeting of any Subordinate, State or Grand Lodge.
- G.** Embezzling, misappropriating, fraudulently receiving, wrongfully handling, or failing to account for the funds of this lodge. Knowledge of and failure to report the aforementioned, shall be treated the same as the violator.
- H.** Using the name and/or logo of this lodge or the Fraternal Order of Police for soliciting funds or advertising or similar activity without expressed written consent of the Executive Board of the State or Grand Lodge.

- I. Furnishing a complete or partial list of members of this or any lodge, without the expressed written consent of the Executive Board is prohibited.
- J. Deliberately interfering with any officer or representative of the Grand, State or any Subordinate Lodge in the performance of his/her duties.
- K. Violating any Membership obligations, bringing a guest who violates any part of this constitution, By-Law or rules of the lodge,

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or performing any unbecoming acts that in any way embarrass the lodge.

ARTICLE XIX Parliamentary Authority

Section1: The most current edition of Robert's Rule of Order shall be the parliamentary authority on all questions of rules and procedures on which the By-Laws of this Lodge, the State Lodge or the Grand Lodge are silent.

