

# **O.S.S.O. Constitution**

**Revised Draft 4/7/2010**

## **CONSTITUTION**

### **ARTICLE I**

#### **ORGANIZATION NAME AND OBJECT**

##### **Section I. Name of Organization**

This organization shall be known as the Houston Police Organization of Spanish Speaking Officers; hereafter known and referred to as O.S.S.O., which is an organization formed April 8, 1981.

This Organization is a non-profit organization and shall exist for the duration of the charter granted to it By the State of Texas.

##### **Section 2. Object of O.S.S.O.**

Strength through united effort, guided by intelligence, is the hallmark of any organization. Believing Such unity essential for the mutual protection and advancement of the interests and general welfare of Spanish Speaking law enforcement officers of the Houston Police Department, we have formed this Houston Police Organization of Spanish Speaking Officers, the object of which shall be: to unite all law Enforcement officers in the Houston Police Department who qualify for membership in this organization Under the guidelines set forth in O.S.S.O's Constitution and By-Laws; to raise the level of professionalism Of Spanish Speaking Houston Police Officers through continuing education and training; to promote fellowship and harmony between all members of O.S.S.O. by periodic social gatherings; to promote harmonious relations between all officers of the Houston Police Department and their employers; to enhance the public image of all Houston Police Officers by individual and/or group activities or projects in the community; and to accomplish these objectives in a lawful and orderly manner. To provide laws for the government of this organization, we adopt this Constitution and By-Laws which shall govern the officers, subordinate bodies and members of O.S.S.O in the exercise of their rights and discharge of their duties and obligations in accordance with the high standards of responsibility and conduct herein set forth.

## **ARTICLE II**

### **Section 1. Elected Officers**

The elected officers of this organization shall be a President, Vice-President, a Secretary, a Treasurer, and Six (6) Directors. The Board of Directors shall consist of Executive Officers and Directors. Each of the above shall hold office for a term as prescribed in this Constitution and-By-laws.

### **Section 2. Appointed Officers**

The appointed officers of this organization shall be the Assistant Secretary, the Assistant Treasurer, the Parliamentarian, and the Sergeant At Arms.

### **Section 3. Powers of Elected Officers**

All of the elected officers named and described in this article shall constitute the Board of Directors of O.S.S.O. Said board shall be the governing body and shall have legal custody, control and management of all funds, property and effects of O.S.S.O., except those powers of control and management vested in the membership as defined in Article IV.

### **Section 4. Powers of Appointed Officers**

The appointed officers of O.S.S.O. shall have no voting power on the Board of Directors and shall act only in the capacity as prescribed for the duties of that office.

### **Section 5. Powers of Members**

The Powers of O.S.S.O. shall be vested in its membership, subject to those specific powers and authorities granted to the Board of Directors by the members as defined by this Constitution and By-Laws.

### **Section 6. Terms of Office**

The President shall hold office for a term of two (2) years, or until his/her successor has been duly elected and qualified, and shall begin his/her term of office on the first Wednesday of April of each year. The Vice-President shall hold office for a term of two (2) years, or until his/her successors have been duly elected and qualified, and shall begin his/her terms of office on the first Wednesday of April of each year. The Secretary shall hold office for a term of two (2) years, or until his/her successor has been duly elected and qualified, and shall begin his/her term of office on the first Wednesday of April of each year. The Treasurer shall hold office for a term of two (2) years, or until his/her

successor has been duly elected and qualified, and shall begin his/her term of office on the first Wednesday of April of each year. Each Director shall be elected to a particular position of which there shall be Six (6) positions and identified as such. The Directors shall consist of Six (6) members who have been duly elected and shall hold office for a term of two (2) years after the first elected terms. Directors elected to even numbered positions will be elected on even numbered years. Directors elected to odd numbered positions, will be elected on odd numbered years. Each Director shall perform the duties of his/her office until his/her successor has been duly elected and qualified.

There shall be no limit placed upon the number of terms of office for all elected officers. The terms of office for all elected officers will expire on the first Wednesday of April of each year

upon the completion of the designated periods of service for that particular office, except as noted in this section below. Such expiration shall take place on the completion of the administering of the Oath of Office to all-incoming officers for those positions concerned.

The Parliamentarian and the Sergeant at Arms shall be appointed by the President and confirmed by a majority of the Board of Directors for a term of office not to exceed the term of office of the appointing President or until a successor has been properly appointed, approved and sworn.

### **Section 7. Qualifications of Office**

No member may be a candidate for office who is not in good standing in this organization. No officer may continue in office or perform the duties of office or exercise the powers of an office who is not in good standing in this organization. Good standing is deemed to mean that all dues and assessments have been paid, and that his or her membership in O.S.S.O. is not in jeopardy due to the provisions of this Constitution and By-Laws. Any retired member in good standing shall be eligible for any Board Position except the office of President and Vice President

### **Section 8. Duties of Officers**

#### **A. President**

The President shall call and preside at all meetings, appoint committees provided that the Board of Directors shall confirm committee appointments by majority vote, sign as President all certificates of membership, which have been first accepted by the members in attendance at the regular monthly meeting of this organization, and shall have, subject to the control of the Board of Directors, the general management and direction of the affairs of O.S.S.O., and shall perform such duties as may be consistent with his office.

The President shall be an ex-officio member of all committees.

## B. Vice-President

The Vice-President shall preside in the absence of the President and perform such other duties as directed by the President and the Board of Directors.

## C. Secretary

The Secretary shall keep, or cause to be kept, a record of all the proceedings of the Board of Directors and of all the general and special meetings of the general membership, and every other record made under or required by the provisions of the Constitution and By-Laws of O.S.S.O., and to receive and file all correspondence and other papers. He shall serve, issue, and publish all notices required to be given, prepare all ballots under the direction of the Board of Directors; receive all applications for membership, prepare all certificates of membership and other certificates or records required to be prepared and keep a complete record thereof.

The Secretary shall keep a record of all new members and members who have been suspended, withdrawn, terminated, or assessed under the provisions of the Constitution and By Laws of O.S.S.O. and shall report such records to the Board of Directors monthly.

## D. Treasurer

The Treasurer shall assist the President, the Vice-President, and the Finance Committee in preparing a yearly budget of the funds of O.S.S.O. and shall assist the Board of Directors in its deliberations regarding the passage of such a budget.

The Treasurer shall receive, disburse and/or dispose of and keep a record of all dues and assessments from members of O.S.S.O., receive, disburse and/or dispose of and keep a record of all donations, gifts, bequests, and contributions made to it, or monies belonging to O.S.S.O. in the manner provided herein or as otherwise directed by the Board of Directors. He shall receive all funds of this organization and shall dispose or invest such funds under the direction of the Board of Directors and shall keep an accounting of all receipts and disbursements of the funds of O.S.S.O. The Treasurer shall, upon taking office, notify each member of the Board of Directors in writing as to the name of the bank, its location and the manner in which the records are kept, and shall immediately upon any change in location or manner in which the records are kept; notify each member of the Board of Directors in writing, stating the reason therefore. The Treasurer shall give to each member of the Board of Directors in writing, and a verbal report to the general membership, a financial report at the beginning of each monthly general meeting of O.S.S.O. The Treasurer shall assume the duties of his office only after he has qualified by posting bond in the sum of fifty thousand dollars (\$50,000.00), with good and sufficient sureties acceptable to the Board of Director, which bond shall be conditioned upon the full, true, and faithful performance of all duties of his office and shall be payable to O.S.S.O. upon proof of default. The premiums for any expense connected with securing,

renewing, or posting such bond shall be borne by and paid for out of the funds of O.S.S.O.

The Treasurer shall perform any other duties as may be prescribed by the President and the Board of Directors. All checks, drafts, and notes of this organization shall be signed by the Treasurer. In the event the Treasurer shall be unable to sign, the President shall sign. In the event that the President shall be unable to sign, the Vice-President shall sign. A petty cash fund may be maintained by the Treasurer in the sum of fifty dollars (\$50.00), to be replenished upon sufficient proof to the Board of Directors that the monies were spent in the interest of O.S.S.O., provided further that the President may have available to him for purposes he may deem necessary in the interest and welfare of O.S.S.O., an emergency cash fund in the sum of one hundred dollars (\$100.00), to be replenished upon sufficient proof to the Board of Directors that the monies were spent in the interest and welfare of O.S.S.O. The Treasurer shall submit the financial records and any and all other records of O.S.S.O. deemed necessary, to a certified public accountant, annually for a complete audit of the financial business of O.S.S.O. The audit is to be completed and include all transactions up to and including April 30 of each fiscal year, a copy of which shall be submitted to all elected officers of O.S.S.O. A copy shall be made available to any and all members of O.S.S.O., upon request. The audit report shall be available no later than May 15th of each year. The certified public accountant shall be appointed by the President and approved by the Board of Directors. The fees for, and any expense connected with, securing of such audit shall be borne by and paid for out of the funds of this organization. The Treasurer shall call upon the Assistant Treasurer to assist in the carrying out of these duties. In case of absence, inability, refusal, or neglect of the Treasurer to perform any of the duties of his office, such duties may be performed by the Assistant Treasurer.

#### E. Directors

It shall be the duties of the Board of Directors to conduct, manage, govern, execute, and administer all of the affairs of O.S.S.O.; to cause to be kept a complete record of all meetings and acts; to supervise all officers, members, and employees of this organization and to see that their duties are properly performed; cause membership certificates and other types of certificates required to be issued on all applications which have been approved and accepted; and to pass upon all matters pertaining to the affairs of O.S.S.O. The Directors shall supervise the funds of O.S.S.O. by receiving and approving the budget governing the operations of O.S.S.O. no later than the first regular meeting of the Board of Directors in May of each year. Provided, however, that the Board of Directors shall be guided according to the passage or non- passage of any matter voted on by the membership as set forth in Article IV, Sections 4. and 6. Two-thirds (2/3) of the Board of Directors shall constitute a quorum.

#### F. Grievance Committee

The President shall appoint a Grievance Committee, with the approval of the Board of Directors, which shall investigate all grievances within thirty (30) days of receipt of such grievances from the Board of Directors, and report a recommended course of action for each grievance to the Board of Directors for its approval.

#### G. Assistant Secretary

The Assistant Secretary shall be appointed from the membership by the President and approved by the Board of Directors, to a term of office not to exceed the regular term of office of the appointing President, or until a successor has been duly appointed, approved, and sworn.

The Assistant Secretary shall perform those duties set forth in this section for the Secretary, at the direction of the Secretary and during the Secretary's absence, and perform other duties as the President or the Board of Directors may direct. In case of the absence, inability, refusal, or neglect of the Assistant Secretary to do or to perform any of the duties of this office, such duties may be performed by any member so directed by the President or the Board of Directors.

#### H. Assistant Treasurer

The Assistant Treasurer shall be appointed from the membership by the President and approved by the Board of Directors for a term of office not to exceed the regular term of office of the appointing President, or until a successor has been duly appointed, approved, and sworn.

The Assistant Treasurer shall perform such duties as directed by the Treasurer, and during the absence of the Treasurer, shall perform those duties set forth for the Treasurer, and may perform other duties as the President or the Board of Director may direct. Provided, however, that the Assistant Treasurer shall not have the authority to sign or countersign checks, or disburse monies for O.S.S.O. In the absence, inability, refusal, or neglect of the Assistant Treasurer to do or to perform any of the duties of the office, such duties may be performed by any member so directed by the President or the Board of Directors.

#### I. Parliamentarian

The parliamentarian shall be appointed from the membership by the President and approved by the Board of Directors, to a term of office not to exceed the regular term of office of the appointing President, or until a successor has been duly appointed, approved, and sworn.

The parliamentarian will rule on all points of order at all meetings of the Board of Directors and of the general membership where order is or may be in conflict with Robert's Rules of Order, unless otherwise specified in the Constitution and By-Laws of O.S.S.O.

#### J. Sergeant At Arms

The Sergeant At Arms shall be appointed from the membership by the President and approved by the Board of Directors to a term of office not to exceed the regular term of office of the appointing President, or until a successor has been duly appointed, approved, and sworn.

The Sergeant At Arms shall see that the conduct of all persons in attendance at all meetings shall be peaceful and shall expel or eject any member creating an undue disturbance, and any and all persons not authorized to be in attendance.

The Sergeant At Arms shall place himself inside the door of the meeting place during all Board of Directors meetings and all general membership meetings and allow no one to pass who are not members and who do not have permission to enter.

The Sergeant At Arms shall attend all other meetings of the Board of Directors and general membership and will exercise the duties of his office.

The Sergeant At Arms shall cause a record of members in attendance to be kept showing all those attending all regular general membership meetings and any special meetings. Such record will be submitted to the Secretary and will become a permanent record of O.S.S.O.

If, at any time, the President or Vice-President shall refuse or shall be unable or disqualified to act, the Board of Directors shall appoint some other member of the Board to do so, in whom shall be vested temporarily not more than thirty (30) days all of the duties, powers, and functions of such office.

#### **Section 10. Annual Operating Budget**

No later than the first regular meeting of the Board of Directors in the month of February of each year, the chairman of each standing, ad hoc, or special committee will submit an Annual Operating Budget for that committee to the Board of Directors and the Finance Committee for their scrutiny and comments.

The annual operating budget for O.S.S.O. will be prepared by the Finance Committee.

Such budget will be prepared in such a manner that would meet the requirements of a prudent business person, using well founded Accounting Principles.

Final approval by the Board of Directors of the Annual Operating Budget will be made no later than the first regular meeting of the Board of Directors in the month of May of each year and will cover the period of one (1) year, May first until the last day of May in the following year. No expenditures may be made without an approved budget, after the last day of April of each year, unless such expenditure is approved by the membership present at a special or regular general membership meeting. On approval and acceptance of the Annual Operating Budget, the Board of Directors will publish such budget, providing a copy of it to all the elected and appointed officers of O.S.S.O., The operating budget of O.S.S.O. will never be withheld from the membership of this organization and a special copy of the budget will be prepared and be available for any member's study. Such copy will be kept at the offices of O.S.S.O. Additionally, all budgets after adoption will become permanent records of O.S.S.O. and will be kept in the files of O.S.S.O.

After adoption of the Annual Operating Budget, monies allocated to one (1) area of expenditure may not be transferred, except to the general fund. Although, this transfer of funds may be done without the approval of the Board of Directors, it is incumbent upon the Treasurer to notify, in writing, each elected official of O.S.S.O.

## **Section 11. Election Committee**

The President shall at the first regular board meeting of his term appoint, with the approval of the Board of Directors, a chairperson of the Election Committee who shall serve for a term of office not to exceed the regular term of office of the appointing President, or until a successor has been duly appointed, approved, and sworn, the chairperson shall appoint members to serve on the Election Committee who shall serve under the direction of the chairperson. The chairperson and members of the Election Committee may not be candidates for any Board of Directors office nor be presently serving as an officer on the Board of Directors while serving on the Election Committee.

The duties of the Election Committee shall be to: (1) supervise and coordinate the holding of all elections of O.S.S.O.; (2) prepare all ballots; (3) provide ballots by mail; (4) serve as election judges; (5) tabulate and certify the results of any such elections to the Board of Directors. The Board of Directors will then vote to approve or disapprove the certification of the Election Committee's tabulation of the election and their decision will be final. The Election Committee shall report their certification of the results of the election within seventy-two (72) hours after the close of the balloting to the Board of Directors.



## **Section 12. Ad Hoc Committee**

Ad Hoc Committees may, from time to time, be appointed by the President with the approval of the Board of Directors, consisting of such number of members as shall be decided by the Board of Directors, whose duties it shall be to carry out the purpose for which it shall have been created and whose existence as a committee shall terminate when its purpose has been accomplished.

## **Section 13. Finance Committee**

The President shall on or before March 15th of each year, appoint a Finance Committee consisting of three (3) members of the general membership, who are not members of the Board of Directors, and one (1) member of the Board of Directors, who shall serve as the chairperson, whose duty it, shall be, in addition to the duties of the Finance Committee described in Section 11. of this Article, to scrutinize the various financial records of O.S.S.O. monthly, and to report their findings immediately, in writing to the Board of Directors and not later than the next regular meeting of the Board of Directors. In addition to the President, the Vice-President and the Treasurer shall be ex-officio members of the Finance Committee.

## **Section 14. Terms of Committees**

Each committee as herein provided shall serve until its duties shall have been fulfilled and completed and it has been discharged by the President, unless sooner discharged for any cause.

## **Section 15. Procedures for the Oath of Office**

The Oath of Office shall be administered to all elected and appointed officials of O.S.S.O. on the day of their assumption of their respective elected or appointed offices. The President will administer the Oath of Office to all incoming, re-elected, appointed, or re-appointed members of the Board of Directors. Any incumbent member of the Board of Directors, magistrate, government official, religious leader or any other respected member of the community of the President's choosing may administer the oath of office to the incoming or re-elected President.

**The Oath of Office shall read as follows:**

**I, (name in full), elected by the members of the Houston Police Organization of Spanish Speaking Officers as (name of office), do solemnly and faithfully swear and affirm, that I will support the Constitution of the United States and the Constitution of the State of Texas. I do solemnly and faithfully promise to be loyal to the Houston Police Organization of Spanish Speaking Officers and to support the Constitution**

**and By-Laws of the Houston Police Organization of Spanish Speaking Officers and to the best of my ability, strive to perpetuate the memory of Peace Officers who have made the supreme sacrifice, giving their lives in the pursuit of duty; to promote pride and professionalism in law enforcement in the City of Houston and the State of Texas;**

**All this I faithfully promise with my honor and call upon all here assembled to witness, so help me God.**

## **ARTICLE III**

### **MEMBERSHIP**

#### **Section I. Qualification for Membership**

Membership in O.S.S.O. shall be open to any sworn Houston Police Officer and Retired Houston Police Officers that shares an interest in this organization's goals and objectives. Members may hold any elected qualified office, serve on any standing, ad hoc, or special committees, hold any appointive office, attend all meetings, and vote on any issue before the membership. Members will receive all rights, benefits, and privileges of O.S.S.O.

#### **Section 2. Application for Membership**

Application for membership in O.S.S.O. shall contain and include the name, date of birth, and residence address of the applicant, and any other information deemed necessary by the Board of Directors. All such applications must be in writing upon the form approved, prescribed, and furnished by the Board of Directors. There will be an open enrollment period for all persons who qualify for membership as set forth in Section 1. of this Article, until January 1, 1982. All applications for membership dated after January 1, 1982, will be subject to the vote and approval of the general membership meeting following the date of application.

#### **Section 3. Dues, Fees, and Assessments**

All applicants for membership in O.S.S.O. shall pay dues of fifteen (\$15.00) per month. Ten (\$10.00) of that will to the Legal Fund, Four (\$4.00) will go for the operating expenses and One (\$1.00) will go to the building fund. Assessments, in addition to dues, may be levied by the Board of Directors should the state of the treasury require assessments.

#### **Section 4. Suspension for Non-Payment of Dues and Assessments**

Except as otherwise provided in this Constitution and By-Laws, any member of O.S.S.O. who has failed to pay his/her dues and/or assessments as required herein, shall stand

automatically suspended from membership, effective the seventeenth day of the calendar month immediately following the calendar month for which his dues have not been paid, provided however, that any member who shall stand suspended for non-payment of dues and/or assessments may file his/her application on such form as may be prescribed by O.S.S.O. for reinstatement. Reinstatement to membership in good standing as herein provided shall be subject to payment of all back dues and/or assessments and the approval of the Board of Directors.

## **Section 5. Termination, Suspension, Of Assessment of Membership**

### **A. Termination**

Termination is defined to mean permanent loss of rights of membership in O.S.S.O., including such benefits and privileges appertaining thereto except as provided in Section 6. of this Article.

### **B. Suspension**

Suspension from O.S.S.O. is defined to mean temporary loss of rights of membership, for a specified length of time. While on suspension from O.S.S.O., members shall continue to pay dues or shall be subject to termination under the provisions set forth in Article III, Section 4. Suspended members shall retain all benefits of their membership which are not paid for by their organization dues.

### **C. Assessment in Lieu of Termination or Suspension**

An assessment is defined to mean a monetary fine which may be levied against a member in lieu of termination or suspension. Such assessment shall not exceed one hundred dollars (\$100.00) per Offense nor shall it otherwise affect the rights of membership of any member. Failure to pay assessment within sixty (60) days shall cause the member to be terminated as set forth in Article III.

## **Section 5., Subsection D., Paragraph (4).**

### **D. Grounds for Termination**

Except as provided elsewhere in this Constitution and By-Laws, membership in O.S.S.O. will

terminate for the following reasons except that members may be suspended or subject to assessment

under Paragraph (9) below in lieu of termination:

(1) abandonment

(2) withdraw

- (3) non-payment of dues
- (4) surrender of membership
- (5) non-payment of assessments
- (6) death of member
- (7) resignation from the Houston Police Department
- (8) removal from position in the Houston Police Department
- (9) a member being found guilty of action against the interest and welfare of O.S.S.O. in the following manner:

Any member in good standing may file a written complaint with the President of O.S.S.O. accusing another member of action against the interest and welfare of O.S.S.O. The complaint must be in affidavit form and signed by the accusing member. The affidavit must be filed within ninety (90) days of the alleged action. Upon receiving such a complaint, the President will appoint a committee to investigate it.

The committee shall consist of five (5) members. The President and the accused member shall each appoint one (1) member from the Board of Directors, and one (1) member from the general membership, who is not a director, to serve on this committee. The four (4) members selected by the President and the accused member will select a mutually agreed upon fifth member of the committee who may be selected either from the Board of Directors or from the general membership.

If the President is the accused member, The Vice-President shall appoint members to the committee in the manner prescribed for the President above. This committee will investigate the allegations and report their findings along with their recommendations, to the Board of Directors within thirty (30) days. If the committee affirms the allegations, the Board will conduct a fair and open hearing. Such hearing will be held within thirty (30) days after the accused member has been notified, in writing, of the accusations and the date and time of the hearing. The accused member has the right to have representation of his choice present at the hearing. After conducting a fair and open hearing, the Board of Director will make a decision to terminate, suspend, levy an assessment, or retain the accused as a member in good standing.

Should the member be terminated, suspended, or assessed, such member may appeal the decision of the Board to the general membership, should any member be suspended, indefinitely suspended, or removed from position in the Houston Police Department, due to the member's activities on behalf of the membership of O.S.S.O., such member will retain any office that may be held by that member in this organization, without being required to pay dues or assessments, with all privileges of such office and/or membership. Such membership and the holding of any position will be continued until and if final adjudication of such suspension, indefinite suspension, or removal is finally

upheld. Only after such fact has taken place shall the member's membership be terminated. Should the suspension, indefinite suspension or removal be struck down, the member's membership will resume without any penalty. The reinstated member will not be required to bring current any wavered dues and/or assessments, but will resume membership without loss of seniority.

#### **E. Default of Board Member Status**

Default of a member's board status will result in the following manner: Any board member who for any reason is absent from three (3) Board of Directors meetings within a twelve (12) month period beginning with his/her first absence, will automatically place their position in jeopardy by such absence. At that time, such member will receive written notification that his/her position on the Board of Directors of O.S.S.O. is indeed in jeopardy. This notification shall be in letter form, signed by the President, and with board approval. This letter of notification will be sent by U. S. Registered mail. The letter will point out that the board member has failed to attend three (3) Board of Directors meetings, it will also advise the board member that if he/she is absent from one (1) more board meeting, then his/her board position is automatically vacated.

#### **Section 6. Reinstatement After Termination Under Section 5., Subsection D, Paragraph (9).**

Any member terminated under Section 5., Subsection 5., Paragraph (9) above may, after one year, apply for reinstatement. The application will be in writing and submitted to the Secretary of O.S.S.O. The Secretary will submit the application to the Board of Directors and they will accept or reject said application. Should the application be rejected, the terminated member may then appeal the decision to the general membership at a general membership meeting within forty-five (45) days of the rejection. A terminated member may apply for reinstatement only once every three hundred sixty-five (365) days.

#### **Section 7. Effect of Termination**

Whenever any member shall have been terminated in any manner, the person whose membership has thus terminated and all persons claiming under, by or through such person shall not be entitled to any refund of dues or fees paid into or contributions or donations made to O.S.S.O., nor any claim whatsoever upon any of the funds, benefits, or property of this organization.

#### **Section 8. Military Leave**

Members of O.S.S.O. in good standing entering the military service during a national emergency or leaving the Houston Police Department on account of compulsory service in any capacity in connection with the national defense in time of war or other national

emergency shall be carried as a non-dues paying member until his return to the Houston Police Department in accordance with the Charter of the City of Houston, providing, however, that any such member must have returned to full-time active duty on the Houston Police Department within five (5) years of the date of leaving.

### **Section 9. Voluntary Leave**

Whenever, and as long as a member of O.S.S.O. in good standing, is on official leave from the Houston Police Department for any cause or reason whatsoever (other than specified in Section 8. above), such member shall pay his dues in advance to the Treasurer of O.S.S.O.

### **Section 10. Suspension from the Houston Police Department**

Any member of O.S.S.O. who has been relieved of duty or suspended from the Houston Police Department in accordance with law, but not for reasons delineated in Section 5. of this Article, shall upon termination of his period of suspension from the Houston Police Department and his return to duty therein, continue his membership in O.S.S.O. at the discretion of the Board of Directors.

### **Section 11. Membership upon Retirement**

Any member in good standing who retires from active service in the Houston Police Department on pension for any reason shall continue their membership in O. S. S. O. as a non- dues paying member.

## **ARTICLE IV**

### **PROCEDURE**

#### **Section 1. Regular Meetings of General Membership**

The regular meetings of the general membership of O.S.S.O. shall be held on the first Wednesday of each month at 11:30 A.M. at the regular offices and/or meeting place of O.S.S.O

#### **Section 2. Special Meetings of the-General-Membership**

Special meetings of the general membership may be called by the President, or in his absence, the Vice-President, for the consideration or disposition of any matter properly presented by the presiding officer at any such said special meeting.

Any five (5) or more members of the Board of Directors may call a special meeting of the general membership. Provided, however, that all those members of the Board of Directors calling for a special meeting of the general membership must sign the notice and that specific subject to be discussed be announced. Other subjects may be discussed after proper presentation by the presiding officer. A complete notice may be posted on the bulletin boards at the Central Police Station, all Police Substations, the Helicopter Facility, the Police Academy, and any other command station/division or section offices not having ready access to information, at least seven (7) days prior to any special meeting. Should this organization be denied access to any or all of the facilities enumerated above, sufficient and proper notice of any special meeting will be deemed to have been given upon the mailing of such notice to each member's last known mailing address at least seven (7) days prior to any special meetings.

### **Section 3. Meetings of the Board of Directors**

#### **A. Regular Meetings**

There shall be one (1) regular meeting of the Board of Directors each month. The meeting shall be held on the first Wednesday of the month at (10:30 A.M.).

#### **B. Special Meetings**

Special meetings of the Board of Directors of O.S.S.O. may be called by the President or in the Absence of the President, by the Vice-President, for the consideration of any matter properly presented by the presiding officer at said meeting. Any five (5) or more members of the Board of Directors may call a special meeting of the Board of Directors. Provided, however, that all those members of the Board of Directors calling for a special meeting meeting of the Board of Directors must sign the notice and that a specific subject to be discussed be announced. Other subjects may be discussed after proper presentation by the presiding officer. Providing, however, that prior notice must be given to the members of the Board of Directors and the appointed officers of at least seventy-two (72) hours before the convening of such special meeting.

#### **C. Emergency Meetings**

Emergency meetings of the Board of Directors may be called by the President, or in his absence, the Vice-President, for the consideration of a particular matter properly presented by the presiding officer at any meeting. Any five (5) or more members of the Board of Directors may call an emergency meeting of the Board of Directors. Provided, however, that all those members of the Board of Directors calling for an emergency meeting of the Board of Directors must sign the notice and that only a particular subject to be discussed be announced. Provided, however, that other matters may be considered

and disposed of should at least seven (7) members of the Board of Directors be present at said emergency meetings

#### **Section 4. Majority of Membership to Pass on Question**

Any question, proposal, or proposition, affair or transaction, which has not been previously voted on by the Board of Directors, and which has been submitted to the general membership in attendance at a regular or special meeting of O.S.S.O. in the form of a motion or other properly presented form, and which has been voted on and passed by a majority of said members in attendance, shall become final in authority and the Board of Directors shall be guided according to the dictates of said majority.

#### **Section 5. Majority of Board of Directors to Pass on Question**

No question, proposal or proposition, affair or transaction, which may be wholly within the power and jurisdiction of the Board of Directors to decide, shall be so decided except upon a majority vote of the members of the Board of Directors present at the meeting at which said matter is presented, provided that such majority shall in no event be less than Six (6) in number even though a bare quorum be present.

#### **Section 6. Overriding a Vote of the Board of Directors**

Any question, proposal or proposition, affair or transaction, which has been previously voted on by the Board of Directors, may be overridden by the general membership in attendance at a regular or special meeting of O.S.S.O. in the form of a motion or other properly presented form, provided that at least twenty-five percent (25%) of the present membership of O.S.S.O. be in attendance. A majority vote of said members in attendance shall become final in authority and the Board of Directors shall be guided accordingly to the dictates of said majority.

#### **Section 7. Presiding Officer Not to Vote -- Exceptions**

The presiding officer shall not vote on any question before the house, which has been duly presented to and is before the Board for consideration except only when his vote is necessary to overcome a deadlock or tie vote of the Board, or when his vote shall be necessary to constitute the minimum majority of Six (6) votes as prescribed in Section 5. of this Article.

#### **Section 8. Vacancies- Filled by Appointment**

In the event that any permanent vacancy should occur in any office, the same shall be filled by appointment made by the President with the consent of the majority of the remaining members of the Board. Such appointee shall hold office until his/her successor



has been duly elected at the next regular election following the date of such appointment, and qualified, except as provided in Section 6. of this Article.

### **Section 9. Filing as a Candidate for Office**

Any member desiring to run for an office of O.S.S.O. must file with the Secretary between January first and seven(7) calendar days prior to the general membership meeting of February. The Secretary shall furnish the member an application for filing for the office he/she desires. The member must fill out the application, signs it, and return same to the Secretary. The application shall contain the name, division and/or assignment of the member and the office he/she seeks. No member may file for more than one office. The Secretary shall certify and inform the member at the time of filing if he/she is so qualified for certification. At the close of the filing date, the Secretary may post a list of all candidates who have qualified for office on the Organization of Spanish Speaking Officer's website.

### **Section 10. Nomination of Officers**

All candidates' names which have been filed with the Secretary and so certified, shall be read to the membership at the regular meeting of the general membership in the month of February. Members who have not filed as a candidate may be nominated from the floor and must physically be present at the February regular meeting to assure their acceptance. Nominations shall not cease until a motion has been entertained and properly carried.

### **Section 11. Voting Procedures**

#### **A. General Provisions**

All elections may be held by mail out ballots and or Email on the Organization of Speaking Officer's website. The content of the ballot to be placed on the website shall include the names, divisions, and assignments of the candidates and the offices they are seeking. In the event a proposition or amendment to the Constitution and By-Laws of the Organization of Spanish Speaking Officer's is proposed, the ballot shall contain a brief description of any such proposal or amendment. Voting shall be conducted under the guidance of members of the Election Committee who shall serve as election judges. The chairperson of the Election Committee will be responsible: to provide (1) for printing of all ballots; for providing complete voting lists on the Organization of Spanish Speaking Officer's website, fifteen (15) days prior to the election, (2) tabulating the results of each election; (3) for posting the tentative results of the election within twenty-four(24) hours after the close of the election; (4) for certifying the correctness of each election and results of each election to the Board of Directors at a Board meeting to be held within seventy two (72) hours after the close of the election. The Board of Directors shall certify the results of the election within seventy-two (72) hours after the close of the election and

cause the posting of same. The receipt of a majority of votes cast shall pass any proposition except as otherwise specifically described elsewhere in this Constitution and By-Laws. The chairperson, or his designee(s), may require additional identification of a member voting. Only those members in good standing shall be eligible to vote in any election.

## **Section 12. Election of Officers**

It shall be necessary that any candidate running for any office or position receive a majority vote to be elected. A primary election shall be held the first week of March and the runoff election shall be held, should a runoff be necessary, in the third week of March.

Election of officers shall be held annually during the month of March, and officers duly elected and qualified shall take office and assume the functions and duties thereof at the first monthly meeting in the month of April of the succeeding year, provided, however, that if any officer-elect is disqualified or refuses to take office then and in that event such office shall be filled by appointment made by the President with the consent of the Board of Directors.

## **Section 13. Removal or Recall of Officers**

Any officer of O.S.S.O., whether elected or appointed, may be recalled or removed for any willful neglect of the performance of that officer's duties or for any willful act inimical to the welfare of O.S.S.O. Provided, however, that whenever any elected or appointed officer is to be recalled or removed, the Board of Directors shall receive a written petition which will state specific reasons for such recall or removal and shall contain the signatures of not less than twenty-five percent (25%) of the present membership of O.S.S.O. Providing, that whenever any elected or appointed officer is to be recalled or removed, that officer will be served a copy of the petition and notice of the officer's suspension by the President. A notice of suspension shall be issued by the Board of Directors on receipt of a petition for the recall or removal of an official of O.S.S.O. Such notice shall contain a copy of the specific charges as stated on the petition and the date on which a hearing will be held. Such notice shall be issued and posted on O.S.S.O. bulletin boards no later than thirty (30) days prior to the date of any hearing. Provided, however, that the posting of such notice may be accomplished by alternative means as described in Section 2. of this Article. Any charges stated in the notice of suspension shall be in clear and concise language. The notice shall be signed by the President upon direction of the Board of Directors. If the officer against whom charges are pending should be the President, such notice of suspension shall be signed by the Vice-President, or any other member of the Board of Directors. The officer charged shall have the right to a full, fair, open and impartial hearing before the full Board of Directors on the matters concerning the charges preferred. Any charged officer may waive his right to the hearing and resign under protest. Any such hearing shall be held no later than forty (40) days

after the Board of Directors has received any petition for recall or removal. No subject or additional charges may be discussed other than those specific charges as stated in the notice of suspension. The Board of Directors shall act as a board of hearing for hearing of the charges against any suspended officer. The hearing shall be open to any members wishing to attend. Testimony may be heard from the members bringing petition and from the accused officer. The accused officer shall have the right to cross-examine any person offering testimony against the accused officer. After having heard all the arguments for and against the charged officer, the Board of Directors shall vote on whether or not to sustain the specific charges or any part of the charges. If, in the reasoned opinion of at least a majority of the members of the Board of Directors the charges are sustained, the Board of Directors shall submit their findings to the members and shall call a special election for the recall and removal of the charged officer. Such election shall be held no more than sixty (60) days from the date of the notice of suspension.

The recall election will be held for only this reason and the ballot shall contain no other issue or election. The ballot shall read:

\_\_\_\_\_ FOR THE RECALL AND REMOVAL (NAME OF ACCUSED)  
\_\_\_\_\_ AGAINST FROM (POSITION HELD)

If at least two-thirds of the members voting in the recall election shall vote for the recall and removal of an officer, the Board of Directors shall thereupon declare such office vacant.

If the Presidency is declared vacant, the Vice-President will assume the office of President until completion of that term. The then vacant office of the Vice-President will be filled by appointment of the President with approval of the Board of Directors. All such appointments shall be for the remainder of whatever term of whatever office is being filled.

All other vacancies occurring as a result of a recall election shall be filled in accordance with Section 8. of this Article. The President may remove any of the regularly appointed officers at any time, provided such vacant position is filled by appointment by the President with the approval of the Board of Directors within thirty (30) days after such removal.

A two thirds majority of the Board of Directors may call a hearing for the removal of any elected officer, providing that all the other provisions for petition and notice as defined in this Constitution and By-Laws are adhered to. A majority of the Board of Directors may make appointment to any vacant position if the President does not meet the requirements recommending a member for appointment within thirty (30) days after such position becomes vacant. A majority of the Board of Directors may remove any appointed officer.

#### **Section 14. Amendments to the Constitution and By-Laws**

No alterations or amendments to this Constitution and by-laws shall be made except by written resolution offered at a meeting of the Board of Directors by any member. Such resolution shall layover at least until the next regular meeting of the Board of Directors, or a minimum of twenty (20) days, after which it shall require a simple majority vote of the members of the Board of Directors to place such resolution on a ballot for vote of the general membership. Any passage of any such alteration or amendment of the Constitution and by-laws placed on the ballot for consideration shall require a simple majority vote of all members voting in such a result or special election. Any alteration or amendment so proposed may be posted in written form on the Organization of Spanish Speaking Officer's website for at least fifteen (15) days prior to any election. The entire wording of the alteration or amendment shall be posted on the Organization of Spanish Speaking Officer's website on the day of the voting. Provided, however, that the Board of Directors may, in lieu of the posting requirements of this section, elect to notify the membership of such proposed alteration or amendment by mailing a copy of same to each member's last known mailing address.

## **BY -LAWS**

### **ARTICLE I**

The meeting shall be called to order at the appointed hour.

### **ARTICLE II**

The business shall be proceeded with in the manner prescribed in the order of business.

### **ARTICLE III**

#### **ORDER OF BUSINESS**

1. Call the roll.
2. Reading the minutes of the previous meetings.
3. Reception of Credentials.
4. Application for Membership or Associate Membership.
5. Resignations.
6. Treasurer's Report.
- 31 Organization of Spanish Speaking Officer's
7. Communications and Bills.
8. Report of Committees.
9. Reading the Names of Members in Arrears.
10. Unfinished Business.
11. New Business.
12. Welfare of the Organization.

#### **Article IV**

Any member wishing to make a motion, deliver his opinion, or speak upon any subject, shall respectfully address the chair. He shall confine himself to the question under discussion and avoid personalities. If two or more members speak: at the same time, the President shall decide who shall speak first.

#### **Article V**

No member shall interrupt another in his/her remarks, unless to call them to order for words spoken. No member shall speak more than once on the same subject, until all the members wishing to speak have done so.

#### **Article VI**

A member, while speaking, being called to order by another, shall cease speaking until the question or order is determined.

#### **Article VII**

No motion shall be subject to action until seconded and stated by the chair.

#### **Article VIII**

When a question is before the membership, no motion shall be received except: (1) to adjourn; (2) to close the debate; (3) to take the previous question; (4) to lay on the table; (5) to postpone action to a definite or indefinite time; (6) to refer; (7) to amend; with precedence in the order herein arranged. The first four of which shall be decided without debate.

#### **Article IX**

A motion to adjourn shall always be in order, except when a member is speaking or a vote is being taken. A motion to adjourn failing of passage, cannot be renewed until some other proposition is made or business transacted.

#### **Article X**

When a motion has been passed, it shall be in order for any member voting in the majority to move for a reconsideration thereof at the same or next meeting.

## **Article XI**

No member shall be permitted to leave the room without the permission of the presiding officer.

## **Article X11**

Any member may call for a division of the question when the sense shall admit of it.

## **Article X111**

When reading of a paper or other matter is called for, and the same is objected to by any member, it shall be determined by a vote of the majority as whether it shall be read or not.

## **Article X1V**

No member shall vote on a question, which directly affects his personal interests.

## **Article XV**

The By-Laws, after adoption, shall not be suspended, altered amended or repealed except by a vote of a majority of the voting membership.

## **Article XV1**

All business transacted by the membership of O.S.S.O. shall be in accordance with Robert's Rules of Order, unless otherwise specified in the By-Laws.

## **Article XV11**

The membership may exclude from any meeting all persons not members of O.S.S.O.

## **Article XV111**

The By-Laws of O.S.S.O. shall apply to the Board of Directors, when they conduct business among themselves and for this purpose, those Articles above having the words "Members" and "Membership" shall also mean "Board" and "Board of Directors" respectively, for the use during board meetings.