

**National League of Justice and  
Security Professionals**

**Constitution**

Adopted formally 7/10/2012

Inception date 07/01/2012

# **The constitution of The National League of Justice and Security Professionals**

## **Article I**

### **Name, Affiliation, Jurisdiction and Objectives**

- 1.1 This organization shall be named, “The National League of Justice and Security Professionals”.
- 1.2 The duration of this labor organization shall be in Perpetuity.
- 1.3 This constitution shall govern the parent organization, The National League of Justice and Security Professionals, hereinafter referred to as The League and all affiliated locals.
- 1.4 The jurisdiction of this organization shall all phases of the work undertaken by employees of all employers engaged in providing security services or police services to the federal government or any public entity. This jurisdiction is undiminished if the employer is a contractor or an agency of the the federal government or other public entity.
- 1.5 The purpose of this organization, as a non-profit organization, is to represent members in bargaining units by promoting their general welfare, wages, and working conditions through lawful organizational activities, democratic processes and collective bargaining.
- 1.6 This constitution may only be changed by the affirmative vote of two-third(2/3) in an open ballot vote conducted at a regular or special convention or by a two-third(2/3) vote of the executive board upon notice to all locals. All amendments to this constitution shall be effective immediately upon adoption unless otherwise specified in the amendment. All prospective amendments to the constitution require the affirmative recommendations of either one(1) local or two(2) executive board members thirty(30) days prior to the convention.
- 1.7 Conventions of the National League will be held every five(5) years to elect Executive officers. Vacancies between terms shall be filled by the President with consensus of the International Executive Board. Special Conventions will be called when three(3) members of the Executive Board signs a bill for Special Convention citing the purpose for such a convention and serve it upon the Secretary of the National League. Voting of delegates at regular conventions will be weighted with Executive Officers casting one(1) vote and local delegates casting one(1) vote for the first fifty(50) members they represent and an additional vote for every one hundred(100) additional members up to three hundred(300) members. No local delegate shall have more than three(3) weighted votes. Local delegates to the regular convention shall be elected in the year prior to the convention in the manner approved for local executive officers. Delegates to the Special Conventions shall have one(1) vote and shall be appointed by the Local President with the consensus of the Local Board.

## **Article II**

### **Offices and Records**

- 2.1 The principal address of the League will be established by the President of the League and will be reflected in all official correspondences.
- 2.2 A standing committee on finance shall be established. All financial documents shall be kept with the Treasurer who shall serve as the Chief Financial Officer and serve on the financial committee as the chair.
- 2.3 All other records including copies of official correspondence shall be kept with the Secretary who shall serve as Chief Administrative Officer and shall serve on the Governance Committee as the chair.
- 2.4 All correspondence from the President acting as the Executive of the League will be copied to the Secretary for a correspondence file.
- 2.5 All records financial or otherwise are subject to inspection by any member in good standing. Copies of such documents are available to members at a time convenient to the Custodian of such records. Members are not subject to copying fees for documents than thirty(30) pages long. The fees for documents greater then thirty(30) pages shall be . 15/per page.

## **Article III**

### **Membership and Dues**

- 3.1 Membership shall be open to all employees of an employer in the jurisdiction of the League or any affiliated local who are not clerical or supervisory employees as defined in the National Labor Relations Act.
- 3.2 All new members of the League and enrolled Objectors shall pay an initiation fee of \$10.00 unless joining the League as part of a newly-organized unit or within the first thirty(30) days of employment in a unit under a valid collective bargaining agreement.
- 3.3 All members shall pay dues equivalent to two(2) hours of straight time pay per month. The dues shall reflect a payment of one and a half(1 and ½) hours for League dues and a half(½) hour for local dues. However no local of the League shall hold any money in trust for the local membership until after the filing of a (1) local LM-1, (2) a set of Local by-laws and (3) the appropriate surety bond.
- 3.4 In those units of the League with a CBA containing a union shop provision, the Union will at all times comply with the directives of Beck V CWA and other provisions governing the treatment of Objectors who shall pay the equivalent fees in lieu of dues

for the representational duties of the Local and the National League.

## **Article IV**

### **Representation**

- 4.1 All members and objectors within the jurisdiction of the League or it's affiliated locals shall have a right to equal representation in matters with their respective employers.
- 4.2 No member or objector shall have a right to move a grievance or issue to arbitration without an affirmative vote of the Executive Board in a recorded vote.
- 4.3 Members of the Executive Board, stewards appointed by the President and qualified members selected by the member requesting representation shall represent members up to the arbitration step of any collective bargaining agreement negotiated by the League or it's affiliated locals.
- 4.4 No member shall be compensated by the union for time spent on his personal grievance.

## **Article V**

### **Election of Officers**

- 5.1 The five(5) authorized members of the Executive Board of the National League of Justice and Security Professionals shall be President, Senior Vice-President, First Vice-President, Secretary, and Treasurer. Vacancies in the Executive Board offices can be filled by the Presiding Officer in an ad hoc vice basis using other Executive Officers. The election of this board shall be by secret ballot at a regular convention held every five(5) years. All the elections of Local Officers shall be conducted every two(2) years in elections conducted by US mail. Locals shall have as a minimum three(3) fiduciary officers and vacancies shall be filled by elections. Two(2) quarters without at least two(2) Officers is grounds for trusteeship. Vacancies to the Executive Board of the parent organization shall be filled by appointment by the League President subject to a confirming vote by the League's Executive Board. The League President shall exercise sole authority over the organization between meetings of the Executive Board.
- 5.2 All elections shall be in accordance with LMDRA 1959 as amended.
- 5.3 Local Union Officers shall be elected every two years. No member may stand for election unless they are and have been a member in good standing for six months. Only members in good standing are eligible to participate as qualified electors or hold any office on the Executive Board. A list of qualified electors shall be provided to all candidates. This is to include names, current address and an identification of the specific unit to which a member belongs.

- 5.4 The Local President shall appoint a committee of no less than three(3) members to oversee all aspects of the election cycle. This committee drawing upon the records of Treasurer and Secretary will certify the list of qualified electors. Members not found on the list of qualified electors are barred from candidacy for that election cycle upon ten days notice that their names fails to appear on that list. The payment of any unpaid dues, fees or assessments lifts the bar.
- 5.5 The Officers of all Locals shall be elected by members certified as in good standings thirty(30) days prior to ballots being mailed out.
- 5.6 Shop Stewards shall be appointed by the Local President to serve in the various collective bargaining units but have no seat on the Executive Board.
- 5.7 Nominations for the elections of Officers shall be in the quarter prior to elections and made in writing to the committee appointed by the President which shall be composed of three(3) members.
- 5.8 The Election Committee shall conduct all aspect of the election. All elections shall be conducted by mail. The Committee shall mail ballots to all electors qualified by the Secretary and Treasurer that shall include a stamped return envelope and a secrecy envelope to maintain the sanctity of the secret ballot. The balloting shall be for at least thirty(30) days. All returned ballots post marked by the last day allowed shall be counted and accounted for and each secrecy envelope placed in a ballot box. The secrecy or ballot envelope will then be opened and counted by no less than three(3) members in attendance. The results will be published to the members, the International Union and Employers immediately. All Officers are installed after the publishing of the count and a signed execution of the Local by-laws.
- 5.9 Proxy votes or any not received by US mail and post marked by the deadline on the ballot or hand delivered by an eligible elector at the count location and prior to the beginning of the count shall be ruled invalid. These invalid votes in their secrecy envelopes shall be counted unopened. These unopened ballots will be totaled and clearly marked as invalid. These invalid ballots will then be destroyed unopened after certification of the election by the Election Committee.

## **Article VI**

### **Discipline**

- 6.1 All discipline will be conducted in a manner consistent with established due process guidelines and this International Constitution as amended. However no attorney shall be used by either party in strictly Union procedures brought for alleged violations of Local by-laws or this constitution.
- 6.2 Discipline will be confined to alleged violations of properly adopted policies, the by laws of an affiliated Local or this constitution. Accusations shall contain charges and specifications signed by three(3) members in good standing and presented to any member of the Executive Board not accused.

- 6.3 Any member of the Executive Board presented with such an accusation signed by three(3) becomes the Convening Authority for any possible Trial Board.
- 6.4 Local officers in receipt of such a complaint or accusation shall immediately contact the National League President for assistance in the proceedings.
- 6.5 Accusations against the entire Executive Board should be mailed directly to the National League President and one copy provided to any member of the Executive Board.

## **Article VII**

### **Officers**

- 7.1 The Officers of this organization shall be the President, Senior Vice-President, First Vice-President, Secretary, and Treasurer. These five(5) Officers constitute the Executive Board of the National League and exercise equal authority. The President presides over all meetings of the Board and conventions.
- 7.2 The Executive Board shall meet at the call of the President or upon the consensus of three members other than the President. The duties of Executive Board Officers not enumerated in the Constitution are as directed by the President.
- 7.3 All meetings of the parent organization and any affiliated Local are open to all members in good standing. The only exception to this open meeting rule is when a member seeking representation asks for a closed session to discuss his/her particular case. This exception does not apply when the member seeking representation is a member of the Executive Board.
- 7.4 Vacancies to the Local Boards shall be filled by appointment of the President with the approval of the Executive Board for a period of no more than ninety(90) days after which an election will be conducted among qualified members to fill the unexpired term. The only exception for a new election to fill an unexpired term occurs when the vacancy occurs in the quarter before the regular biennium term ends. A Local Board may have as many as seven(7) but not less than three(3) officers. The make up of a Local Board must include a Presiding Officer, a Vice-president and Secretary/Treasurer. The numbers and duties of officers to be established adopted in Local by-laws.
- 7.5 The President of an affiliated Local shall:
  - 7.5.1. Preside at all meetings of the Executive Board and the general membership meetings in plenary session.
  - 7.5.2. Appoint, with approval of the Executive Board, two Permanent Standing Committees. These Committees shall be the standing committees of finance and rules composed of three members in good standing that shall serve for the

duration of the biennium and may only be removed for cause under the trial provisions of the International Constitution.

- 7.5.3 Appoint all other committees, with the advice of the Executive Board.
- 7.5.4 Exercise the Executive duties of a local between meetings of the Executive Board and meetings of the general membership meeting in plenary session.
- 7.6 A Vice-President shall immediately assume the office of President in the event of a vacancy in the office and act as ad hoc vice for any Executive Board position until a vacancy is filled either by temporary appointment or election. The Vice-President shall also serve as the Chief Steward.
- 7.7 All Officers shall execute by signature an original copy of the extant by-laws as an oath to abide by same upon their installation as Officers. Failure to do so constitutes the abandonment of the office upon which they are about to enter.

## **Article VIII**

### **General Membership Meeting as Plenary Session**

- 8.1 Local Unions shall meet in plenary sessions as necessary but not less than quarterly after notice of no less than thirty(30) day. Notice of such meetings shall be on all Union bulletin boards or mailed to the last known address of members in good standing. Notice shall include an agenda, the date, time and place of the meeting, a section on the agenda for old and new business and any policies the Executive Board or the Standing Committees wish to adopt.
- 8.2 No policy of a Local can be executed until it is adopted in plenary session of the general membership. All policies will be numbered and filed with the Secretary or Treasurer signed by the same and contain a date of adoption.
- 8.3 The general membership shall meet upon the call of the President or upon the consensus of three members three(3) of the Executive Board.
- 8.4 A quorum for the transaction of Union business exists at any meeting of the plenary body when three members of the Executive Board are present at a regular quarterly meeting or special meeting after required notice.

## **Article IX**

### **Collective Bargaining Agreements**

- 9.1 All collective bargaining agreements shall be negotiated by committees appointed by the International President. These committees shall have at least three(3) members and no more than five(5). These committees will have local officers and rank and file members. There shall be at least two(2) members from the affected unit. The parent organization

reserves the right to place a National League representative as the chair of any such committee.

- 9.2 No collective bargaining agreement is effective until after ratification by majority vote of the complete document in mail ballot conducted in a manner consistent with the elections of officers for the effected bargaining unit.

## **Article X**

### **Strikes and Labor Disputes**

- 10.1 No strikes shall be called by any local except after the passage of a strike resolution by two-thirds(2/3) vote by the affected members of a unit at a plenary session of the membership at either a regular or specially called meeting.
- 10.2 All strike resolutions must then be ratified in a manner consistent with the ratification of a collective bargaining agreement by the majority of the membership of an effected unit of any affiliated local.
- 10.3 It is recognized that labor disputes are better resolved by discussion, negotiation, mediation then by work stoppages which have serious impact on all parties.
- 10.4 The Executive Board will not move a strike ratification voted by mail ballot without first attempting the involvement of the Federal Mediation and Reconciliation Service or FMCS.
- 10.5 A properly authorized strike will require the full support of all members of any affiliated Local not just the affected unit.
- 10.6 An improperly authorized strike also called a "Wildcat Strike" will be suppressed by all members of a local and any Officer of a Local that attempts one will have committed a per se violation of this constitution and abandoned his position.

## **Article XI**

### **Fiduciary Relationship**

- 11.1 All National League Executive Officers are fiduciary officers and will execute a surety bond of one hundred thousand(100,000) dollars.
- 11.2 Annual budgets are required to be submitted to the Finance Committee.
- 11.3 Quarterly reviews of all expenditures are required by the Finance Committee.
- 11.4 Expenditures of one thousand(1,000) dollars or more require prior approval of the Finance Committee.



- 11.5 All fiscal policies require an affirmative vote of the Finance Committee for a referral to the Executive Board of the National League.
- 11.6 All governance policies of the National League and by-laws of any affiliated Local are subject to review, modification and revocation by the Governance Committee at their discretion.

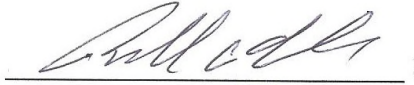
## **Article XII**

### **Supremacy of this Constitution and other Authorities**

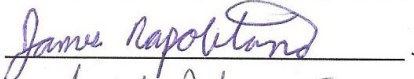
- 12.1 All Local by-laws as written and amended recognize the supremacy of this constitution as amended.
- 12.2 If any provisions or clauses of a Locals by-laws is declared or becomes invalid because of an act of the Executive Board of the National League or Agencies of the US Department of Labor, or a court of competent jurisdiction, that clause or provision will be suspended until notice is forwarded to all members of an affected local. Ten days after notice is sent by US mail to all members the affected section will be removed. The remainder of the by-laws will be unaffected and remain in full force.
- 12.3 Trials conducted to determine the validity of accusations discipline or the removal of any officer or member shall be conducted as the exclusive jurisdiction of the parent body. The President of the NLJSP shall convene either a formal or informal proceeding in the Local area. The party accusing an officer or member of misconduct must be a member in good standing with charges and specifications signed by three members in good standing and prepared to argue the position at either an informal proceeding or a formal one. The accused member can argue either for himself or be represented by another member. An accused declining to appear or be represented will have his/her interests represented by a member appointed by the presiding officer who shall either be National League President or his designee. Formal and informal proceedings shall be recorded with the presiding officer deciding the nature of the proceedings. The presiding officer is empowered to make a decision that includes removal from office and member disaffiliation based solely on the evidence presented at the hearing. A member convicted at a formal hearing has ten(10) calendar days to file an appeal with the Executive Board. This appealed filed timely with the Secretary of the parent organization stays the judgment of the formal hearing until the Executive Board reviews the transcript of the hearing. The Executive Board shall either sustain the judgment of the hearing officer or overturn the judgment by a majority vote at a regular or special meeting held at least thirty(30) days after the hearing. The President of the parent organization may chair but may not vote or participate in the discussion of any member's judgment under appeal. There shall be no provision for attorneys, fines, or further appeal in formal, informal or appellate proceedings.
- 12.4 The only basis for accusations against an officer or member shall be violations of this constitution, Local by-laws, specific labor laws, coercive or discriminatory acts

against members, fiscal misconduct or betrayal of the collective interests of the Union.

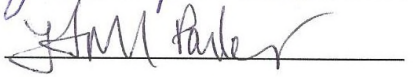
- 12.5 Specifications shall include specific acts, date and method of violation.
- 12.6 Dismissal of charge(s) and specifications by the Parent Body shall be final.



Ronald A. Mikell, President



James Napolitano, Senior Vice-President



Horace "Charlie" Parker Treasurer