

BURBANK POLICE OFFICERS' ASSOCIATION, INC.

BY-LAWS

AMENDMENT TO THE BY-LAWS

December 28, 2009

Mike Parrinello, President, B.P.O.A

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ARTICLE I

PRINCIPAL OFFICE

The principal office for the transaction of business of the Corporation is fixed and located at Los Angeles County, California. The Board of Directors may at any time or from time to time, change the location of the principal office from one location to another in this County.

ARTICLE II

MEMBERS

Section 1. **Classification of Members:**

There shall be three classes of members of this Corporation. The first class of members shall be known as active members, the second class of members shall be known as reserve members, and the third class of members shall be known as retired members.

Section 2. **Qualification of Active Members:**

The active members of this Corporation shall be Corporation members who are regularly, commissioned, appointed, and active members of the Burbank Police Department, Burbank, California.

Section 3. **Qualification of Reserve Members:**

Any reserve police officer of the Burbank Police Department, Burbank, California, who is presently a reserve officer in good standing. A reserve member shall have no vote.

Section 4.

Qualification of Retired Members:

Retired members of this Corporation are active members who have retired from the Burbank Police Department, Burbank, California, and are in good standing with the Corporation. Members who have completed at least ten years on the Burbank Police Department or leave the department on a deferred retirement shall be eligible to remain a member of this Corporation in the capacity of a retired member. A retired member shall have no vote.

Section 4a.

Associate Membership:

The spouse of a deceased active, reserve or retired member is eligible to receive continued association membership, at the discretion of the Board. The associate membership dues shall be \$15.00 per year.

Section 5.

Election of Members:

Any person, upon appointment as a police officer with the Burbank Police Department, shall automatically be deemed a provisional member of the Corporation for the purpose of receiving any benefits afforded by the Corporation. Upon receipt of a written request for permanent membership, the Board of Directors, at the next scheduled meeting, shall vote on the request.

Section 5. Election of Members - Continued

Section 5. Election of Members - Continued

A majority vote of the Board of Directors shall be required for permanent membership. (Refer to ARTICLE IX OFFICERS AND DUTIES, Section 7. Corporation Secretary). If no written request is received by the Board of Directors by the time of the next scheduled meeting, the provisional membership is terminated and the officer is no longer a member of the Corporation.

Section 6. **Voting Rights:**

Each active member of this Corporation shall be entitled to one vote on any matter submitted to a vote of the members.

Section 7. **Termination, Suspension and Expulsion from Membership:**

- (A) Membership in this Corporation shall automatically terminate upon resignation or upon dismissal becoming final and absolute as an employee of the Burbank Police Department.
- (B) A member may be expelled for non-payment of dues or any assessment as detailed in ARTICLE III, infra.
- (C) Any member of this Corporation may be suspended or expelled by the Board of Directors upon the recommendation of the Committee on Suspensions and Expulsions with the approval

Section 7. Termination, Suspension and Expulsion from Membership - Continued

**Section 7. Termination, Suspension and Expulsion from
Membership - Continued**

of the Board of Directors for any violation of the purposes and objectives of this Corporation after notice and an opportunity for a hearing has been afforded said member. To this end, written notice shall be given to the member of:

- (1) The proposed hearing before the said committee;
- (2) The submission of the recommendation of the committee to the Board of Directors; and
- (3) The time and place of the meeting of the Board of Directors at which said recommendation is to be considered.

Expulsion or suspension, as herein provided for, shall require the affirmative vote of not less than five (5) members of the Board of Directors.

Section 8.

Transfer of Membership:

Membership in this Corporation shall not be assigned or otherwise transferred.

Section 9.

Conflicting Membership Disqualification:

In order to avoid any conflict of interest in representation of this Corporation, no active member of the Burbank City Employees Association shall be eligible for membership in this Corporation except in an honorary status.

Section 10.

Suspension of Membership:

Any member who secures a leave of absence from the Burbank Police Department, and engages in any other employment during such leave, shall be suspended from membership in this Corporation during the time of such leave of absence, and shall remain suspended until he/she returns to active duty in the Burbank Police Department. The provisions of this section shall not apply when a member has been granted a leave of absence on account of sickness, disability or military leave.

Section 11.

Reinstatement:

Any member of this Corporation under suspension for a period of less than one (1) year for non-payment of dues, fees, fines or assessments, shall, upon reinstatement by the Board of Directors, be required to pay all dues, fees, fines and assessments from the time of such

Section 11. Reinstatement - Continued

Section 11. Reinstatement - Continued

suspension. After suspension of more than one (1) year, he/she may be reinstated by a favorable vote of two-thirds (2/3) of the membership, provided they comply with all other requirements of this section.

ARTICLE III

FEES, DUES AND ASSESSMENTS

Section 1. **Initiation Fee:**

None.

Section 2. **Dues:**

Each active member shall pay dues of one and one-half percent (1-1/2%) of top step police officer's base pay per month. Each retired member, who retired prior to July 1, 1983, shall pay \$5.00 per year.

Each retired member, who retired after June 30, 1983, shall pay dues of one percent (1%) of top step police officer's monthly base pay per year. Each reserve member shall pay dues of \$20.00 per year.

Section 3. **Assessments:**

In case of emergency, assessments may be levied upon the active membership of this Corporation by an affirmative vote of two-thirds (2/3) of the active membership by secret ballot during specified seven (7) day period.

Section 3. Assessments - Continued

Section 3. Assessments - Continued

Notice of the requested assessment is to be posted for a seven (7) day period, and this period may run concurrently with the balloting period. At the end of this period, a quorum of the Board of Directors shall open the ballot box and count the votes.

Section 4.

Non-Payment of Dues and Assessments:

Any member neglecting or refusing to make payment of his/ her dues for thirty (30) days after date of such payment becoming due, or any active member neglecting or refusing to make payment of any assessment within thirty (30) days after same has been levied, shall be suspended from all rights and benefits of this Corporation.

Section 5.

Dues at Reinstatement:

Any former active member who voluntarily left the Corporation then applies for reinstatement shall begin paying dues effective the first day of the month immediately after being granted reinstatement by the Board of Directors.

ARTICLE IV

ANNUAL MEETING

A general membership meeting of members of this Corporation shall be held on an annual basis. The date, time, and location of said annual meeting shall be determined by the Board of Directors. Notice of said meeting shall be posted on BPOA bulletin board, which is immediately available to all members, at least ten (10) days prior to the date of said meeting, and notices sent to all retired members at least ten (10) days prior to the date of the meeting.

ARTICLE V

SPECIAL MEETINGS

Special meetings of the membership may be called at any time by a majority of the Board of Directors, the President of this Corporation, or shall be called on the written request of twenty-five (25) or more active members of this Corporation in good standing. Twenty (20) of the twenty-five (25) members who signed the written request must be present before the special meeting will be called to order, and they shall be given thirty (30) minutes to assemble prior to the Board of Directors dismissing any and all members present. (Any written request for a special meeting shall be headed with the above sentence).

Notice of said meeting shall be posted on the BPOA bulletin board, which is immediately available to all members, at least ten (10) days prior to the date of the meeting and notices sent to all retired members at least ten (10) days prior to the date of the meeting.

ARTICLE VI

QUORUM

The presence in person of one-fifth (1/5) of the active members of this Corporation shall constitute a quorum for the transaction of business at any meeting of the membership.

There shall be no voting by proxy. The presence in person of fifty percent (50%) of the active members of this Corporation shall be required to transact any business with regards to a job action.

ARTICLE VII

CONTRACT RATIFICATION

The Corporation shall hold two (2) meetings within a seven (7) consecutive day period, posted in accordance with ARTICLE V., in order to disseminate information with regards to a proposed contract. The day after the second meeting, a ballot box will be posted to allow those members who attended either of the two meetings, to vote on ratification of the proposed contract.

Attendance at either of the two meetings is mandatory to vote on the proposed contract. A numbered ballot will be issued to those in attendance at the meetings for purposes of voting. The ballot box will remain in place for seven (7) days.

ARTICLE VIII

DIRECTORS

Section 1.

Number:

The authorized number of Directors of this Corporation shall consist of nine (9) active members elected as provided below, one (1) retired member, and the immediate past president, who shall be director-at-large with full voting rights.

Section 2.

Qualification:

The Board of Directors shall consist of four (4) police officers from the officer rank, two (2) detectives, one (1) sergeant, one (1) lieutenant, the immediate past president, one (1) retired member and the president.

Section 3.

Election:

Two (2) or more members desirous of holding office as a Director shall be nominated for each vacancy. These nominations shall be made by a Nomination Committee appointed by the President with the approval of the Board of Directors. The names of said nominees

Section 3. Election - Continued

Section 3. Election - Continued

shall be posted not less than ten (10) days prior to the election. Any member of this Corporation wishing to nominate another member shall do so, in writing, and present such nomination to any member of the Nomination Committee not less than five (5) days prior to the election. All nominations made in this manner shall be added to the list of nominees and posted not less than five (5) days prior to the election. Each rank shall nominate and vote for their Director in their respective rank. Election for the vacancies on the Board of Directors shall be held in December of each year.

Section 4.

Term of Office:

The term of office for each member of the Board of Directors shall be two (2) years. There shall be no restriction on the number of terms of office, which may be held by any Director. All Directors shall hold office until their respective successors are elected, except in the case of resignation, death, disability, promotion or the removal of a Director. If the Director is promoted from the rank of the group he/she represents, he/she shall remain on the Board of Directors until he/she attains the probationary or permanent status of his/her new rank.

Section 4. Term of Office - Continued

Section 4. Term of Office - Continued

When he/she reaches probationary or permanent status of his/her new rank, he/she will then be replaced by the Board of Directors. In the police officer group, two (2) Directors shall be elected each year. In the detective group, one (1) Director shall be elected each year.

Section 5.

Removal of Directors:

Any member of the Board of Directors who is absent from two (2) consecutive meetings of the Board of Directors, except in the case of illness, regularly granted leaves of absence, or excused absence, after having been served notice of the meeting in accordance with these By-Laws, may be automatically dropped and the vacancy created shall be immediately filled by the Board of Directors in accordance with this Article, Section 6. Vacancy.

Section 5a.

Board Rules and Regulations:

Any Board member that is permanently assigned as an internal affairs investigator should resign from the Board to avoid conflict of interest.

Section 5a. Board Rules and Regulations - Continued

Section 5a. Board Rules and Regulations - Continued

Any member of the Board of Directors who becomes negligent in the performance of his/her duties, or guilty of any act contrary to the welfare of this Corporation may be removed by a two-thirds (2/3) vote of the total vote cast by the active membership. A request for such removal proceedings must be signed by at least twenty-five (25) percent of the members of this Corporation in good standing.

Section 6.

Vacancy:

All vacancies caused for any reason whatsoever on the Board of Directors shall be filled by appointment from the rank of which said Director was elected. Such appointment shall be made by the Board of Directors. The newly appointed Director shall serve for the unexpired term of the elected Director replaced.

Should the Director being replaced be the President, the Vice-President shall become President, and the Board of Directors shall elect a new Vice-President at the first Board of Directors meeting after the vacancy occurs. In the event that both the President and the Vice-President's positions become vacant, the Board of Directors shall hold a special election to replace them.

Section 7.

Meeting of the Board of Directors:

The Board of Directors shall hold a regular monthly meeting. The day, time and place shall be selected by the President.

Section 8.

Quorum:

A majority of the Board of Directors shall constitute a quorum at any meeting.

Section 9.

Powers of the Board:

Subject to the limitations of the Articles of Incorporation, other Sections of the By-Laws, and the General Non-Profit Corporation Law of California, all corporate powers shall be exercised by or under the authority of, and the business and affairs of the Corporation shall be controlled by the Board of Directors.

Without prejudice to these general powers, but subject to the same limitations, the Board of Directors shall have the following powers:

- (A) To appoint and remove all officers, agents and employees of the Corporation, and to prescribe powers and duties for officers, agents and employees as are not inconsistent with law, the Articles of Incorporation, or these By-Laws, to fix their

Section 9. Powers of the Board - Continued

Section 9. Powers of the Board - Continued

compensation, and to require from them security for faithful service.

(B) To conduct, manage, and control the affairs and business of the Corporation, and to make such rules and regulations as are not inconsistent with law, the Articles of Incorporation, or these By-Laws, as they may deem best.

(C) To adopt, make, and use a corporate seal and to alter the form of the seal from time to time as in their judgment they may deem best, provided the seal shall at all times comply with the provisions of law.

Section 10. **Compensation:**

The Directors shall receive no compensation for their services as Directors.

Section 11. **Voting Rights:**

Each member of the Board of Directors shall have an equal vote except the retired representative who shall have no vote on issues directly related to wages, hours and working conditions.

ARTICLE IX

OFFICERS AND DUTIES

Section 1.

Officers:

The Executive Board is comprised of the President, Vice President, Treasurer, and the Secretary. The primary purpose of the Executive Board is to oversee the day to day functions of the Association. The officers of this Corporation shall be a President, a Vice-President, Treasurer, and the Secretary, each of whom must be chosen from the membership of the Board of Directors of the Corporation. The Corporation may also have such other officers, who need not be Directors, as may be appointed by the Board of Directors.

The term of office of President shall be two (2) years. In the event that a board member is elected President in the second year of his/her two- year term, he/she will serve the full two (2) year Presidency at large. If this occurs, the vacancy on the Board of Directors created by this election shall be filled by the first runner up from the last election for the rank which had been represented by the newly elected President. This appointment will be for the duration of the remaining one (1) year period the newly elected President would have served on

Section 1. Officers - Continued

Section 1. Officers - Continued

the Board of Directors for his/her respective rank.

The terms of the Vice-President, Treasurer, and the Secretary shall be one (1) year, or until a successor is duly elected and qualified. There shall be no restriction on the number of successive terms to which an officer may be elected or appointed.

Section 2.

Election: (Refer to Section 2a. Change in Election Procedures)

The Board of Directors, at the first meeting after their election, shall elect the President, the Vice-President, Treasurer, and the Secretary. Not less than two (2) of their number shall be nominated for the Office of President. The first nominee receiving a majority of the votes cast shall be the President. Then, not less than two (2) of their remaining number, excluding the new President, shall be nominated for the office of the Vice-President. The first nominee receiving a majority of the votes cast shall be the Vice-President. The new President may vote for the Vice-President. Then, not less than two (2) of their remaining, excluding the President and the Vice-President, shall be nominated for the office of Treasurer. The first nominee receiving a majority of the votes cast shall be the Treasurer. The new President and the new Vice-President may vote for the Treasurer. Then, not less than two of their remaining, excluding the

Section 2. Election - Continued

Section 2. Election - Continued

President, Vice President, and the Treasurer shall be nominated for the office of Secretary. The first nominee receiving the majority of the votes cast shall be the Secretary. The new President, Vice President, and Treasurer may vote for the Secretary. Whichever rank the new President has been elected from will then have a new representative seated to represent said rank. The representative shall be the first runner up from the most recent election from said rank. The President may appoint, with the approval of the Board of Directors, an Office Manager, not a member of the Board.

Section 2a.

Change to Election Procedures: (Addition)

At least two Board members shall be nominated for President by the Board of Directors. The membership at large shall then vote to determine the President.

Section 3.

Vacancies, Removal and Resignations:

An officer may resign, or may be removed with cause by the Board of Directors at any time. A vacancy in any office because of death, resignation, removal, disqualification or otherwise, shall be filled by the Board of Directors.

Section 4.

President:

It shall be the duty of the President to sign all warrants, or other instruments in writing provided by the By-Laws of this Corporation and those approved by the Board of Directors. He/she shall call the Directors together whenever he/she deems it necessary, and shall have, subject to the advise of the Board of Directors, general supervision of the affairs of the Corporation. The President shall preside over all meetings. He/she shall nominate all standing committees in accordance with these By-Laws, subject to the approval of the Board of Directors and shall be an ex-officio member of the all committees.

Section 5.

Vice-President:

It shall be the duty of the Vice-President, in the absence or disability of the President, to perform all duties pertaining to the office of the President, and in so acting shall have all the powers of the President. The Vice-President shall have such other powers and perform such other duties as may be prescribed by the Board of Directors.

Section 6.

Corporation Treasurer:

It shall be the duty of the Treasurer to keep all records of whatsoever nature pertaining to the business of the Corporation; to receive, and receipt therefore, all monies belonging to the Corporation and the custodian of same; to keep records showing the amount received and disbursed by him/her, and at regular annual meetings, which shall close the calendar year, he/she shall report to the Corporation the amount of money on hand belonging to the Corporation.

The Treasurer may be required to obtain a surety bond, satisfactory to the Board of Directors, and the bond fee shall be paid by the Corporation.

The Treasurer, at the direction of the Board of Directors, will prepare or cause to be prepared, an annual audit for presentation to the membership at the annual meeting, or at any time deemed necessary by the Board of Directors.

Section 7.

Corporation Secretary:

It shall be the duties of the Secretary to record all minutes of the monthly Board of Directors meetings, the annual meeting of the membership, and any other meeting called for the benefit of the Association. The Secretary shall complete these minutes and disburse

Section 7. Corporation Secretary - Continued

Section 7. Corporation Secretary - Continued

them as directed. The Secretary shall keep and maintain a list of the delinquent members, a copy of which shall be kept posted on the BPOA bulletin board. He/she shall also maintain a membership book for the Corporation showing the name and address of each member of the Corporation.

The Secretary shall be responsible for any letter of notification to the members regarding elections, nominations and their results. The Secretary shall be responsible to accept any written report from any of the Committee Chairpersons, and provide the report to the Board of Directors.

Section 8. **Compensation:**

The Officers of this Corporation shall receive for their services such compensation as the Board of Directors may determine and reimbursement of expenses incurred in the performance of their duty.

Section 9. **Signing of Checks:**

All checks issued by the Corporation require two signatures. The two signatures shall consist of at least one Executive Board member and the Office Manager as authorized as the second signature.

ARTICLE X
COMMITTEES

Section 1. **Committee Appointments:**

The President, at the first meeting after his election each year shall appoint, subject to confirmation by the Board of Directors, the standing committees specified in this article, and such other standing and special committees as he/she may deem desirable or necessary.

The President shall be an ex-officio member of each committee. The members of each such committee shall serve until their resignation, their removal by the Board of Directors, or the end of that calendar year, whichever occurs first.

Each committee shall, to the extent not otherwise determined by the Board of Directors or provided in these By-Laws, elect its own Chairman and determine its own rules, and shall submit to the Board of Directors at each meeting thereof a report of the actions which such committee may have taken since the previous meeting of the Board of Directors. These actions shall be subject to revision or alteration by the Board of Directors, provided that no rights of third parties shall be affected adversely by any such revision or alteration.

Section 2.

Welfare Committee:

There shall be a Welfare Committee, consisting of the President and at least two other members of the Board of Directors, whose duty it shall be to attend to the welfare of members who are sick or incapacitated, and to visit the family or dependents of a deceased member of this Corporation and render any required service compatible with the objectives of this Corporation.

Section 3.

Entertainment Committee:

There shall be an Entertainment Committee responsible for arranging an annual entertainment activity and any other activities deemed necessary by the Board of Directors.

Section 4.

By-Laws Committee:

There shall be a By-Laws Committee consisting of three (3) Corporation members responsible for proposing amendments to the By-Laws. The committee shall report to the Board of Directors at least once each year. The report shall be made at least one (1) month before the annual meeting.

Section 5. **Salary Committee:**

There shall be a Salary Committee responsible for surveying the salary structure of law enforcement agencies. The Committee shall include at least one (1) member of the Board of Directors.

Section 6. **Suspension and Expulsion Committee:**

There shall be a Suspension and Expulsion Committee consisting of at least three (3) Corporation members, one (1) of whom shall be a member of the Board of Directors. This committee shall be responsible for recommending the suspension or expulsion of Corporation members.

Section 7. **Membership Committee:**

There shall be a Membership Committee who shall be responsible for advising all new police officers within ninety (90) days of their appointment to the Burbank Police Department of the existence of this Corporation, its aims, purposes and benefits. It shall be the duty of the Chairman of this committee to assist a new officer in applying for membership in this Corporation and to make a written recommendation to the Board of Directors for acceptance or rejection of any application for membership in this Corporation.

Section 8.

Public Relations Committee:

There shall be a Public Relations Committee who shall be responsible for carrying on public relation activities as the Board of Directors designates.

Section 9.

Nomination Committee:

There shall be a Nomination Committee consisting of at least two (2) Corporation members, one (1) of whom shall be a member of the Board of Directors. This committee shall be responsible for receiving the nominations for future vacancies on the Board of Directors, as provided for in Article VIII, Section 3. Election, of these By-Laws.

ARTICLE XI

AMENDMENT OF THE BY-LAWS

Section 1.

Approval Procedure:

The amendment, repeal or proposal of a By-Law change may be proffered by any member of the Corporation, or the By-Laws Committee. In either case, the By-Laws Committee shall file the proposed change in writing with the Secretary who shall date its receipt. The Secretary shall furnish a copy of the proposed change to each member of the Board of Directors at least seven (7) days before it is presented at a meeting of the Board of Directors. The proposed change shall be discussed by the Board of Directors, and approved if it receives a favorable vote of the majority of the Board of Directors at the meeting.

If a proposed By-Laws change has been submitted to the Board of Directors and is not approved, the proponents shall have the right to submit it for a vote of approval at the next annual meeting or at a special meeting, if such a meeting has been scheduled. A favorable vote of the majority of the members present shall constitute approval.

Section 2.

Ratification:

If a proposed By-Law change is approved, it shall then be posted for at least ten (10) days and then submitted to the Corporation members for ratification. A two-thirds (2/3) majority of the members voting is necessary for ratification. The post period may run concurrently with a ten (10) day balloting period.

Section 3.

Effective Date:

Any amendment to the By-Laws shall become effective immediately after ratification or adoption, unless otherwise stated in the amendment.

ARTICLE XII

DEATH BENEFIT

Section 1.

In the event of the death of an active or retired member of the Corporation in good standing, the beneficiary of said member shall receive Twenty-five Hundred Dollars (\$2,500.00) within seventy-two (72) hours of notification of said member's death.

The Twenty-five Hundred Dollars (\$2,500.00) shall be paid from the Relief Fund. It shall be incumbent upon the member to keep the Secretary informed of his/her current address.

ARTICLE XIII

LONG TERM DISABILITY BENEFIT

Section 1. **Eligibility:**

All active members of the Burbank Police Officers' Association shall be eligible for such Long Term Disability benefits.

Section 2. **Funds:**

The Corporation will contract with a Long-Term Disability Insurance carrier for the purpose of administering such plan for the active members of the Corporation. All payments and disbursements of said benefits will be in accordance with the provisions of the contracted plan and will supersede any disbursements from the Relief fund.

ARTICLE XIV

RELIEF FUND

Section 1.

Eligibility:

Only active members of the Burbank Police Officers' Association shall be eligible for such Relief Benefits.

Section 2.

Funds:

Funds shall be collected and disbursed by the Treasurer of the Corporation. Records shall be kept and presented to any Director of the Corporation upon request.

Section 3.

Authority to Pay Claims:

The Treasurer shall have the authority to pay regular claims by a member for loss of time due to an illness or injury in accordance with the rules, but is required to call an irregular claim to the attention of the Board of Directors before collecting or paying the claim. It is to be understood that there will be no payment where loss of time is connected in any way with childbirth.

Section 4.

Gross Payment:

All relief monies shall be grossed on base pay, minus withholding tax and retirement deductions (if any increase is made in the future regarding percentage of retirement paid by members) only. Income from outside insurance contracted for by the member will not be deducted. Compensation or salary earned while on sick leave will be deducted.

Section 5.

City, State or Civil Compensation:

When a member is off-duty due to illness or injury and is receiving state compensation, he/she shall furnish the Treasurer positive evidence as to the amount of compensation he/she is receiving from the state. Should a member, after receiving relief benefits for an illness or injury from the city or state, as service-connected, or from a civil judgment from a third party, said member shall reimburse the Burbank Police Officers' Association in full, all monies received from the Corporation for said illness or injury or the amount received in total should the amount received be less than owed the Corporation. Failure to do so shall be cause for suspension or expulsion from the Corporation.

Section 6.

Release Form:

Any member and spouse, prior to receiving any relief monies for an illness or injury, shall sign a release form provided by the Treasurer. Should any member or past member refuse to reimburse the Burbank Police Officers' Association (as stated in Section 5. City, State or Civil Compensation of this Article), the Board of Directors shall initiate civil action to recover the monies owed, plus the costs of such civil action. All claims by the Corporation to relief monies owed by the member shall be null and void upon the death of the member unless the claim can be paid under the circumstances as outlined in Section 5. City, State or Civil Compensation of this Article.

Section 7.

When Payment Begins:

If a member is off on accumulated sick leave for forty (40) hours or more for which he is paid by the city, and should his illness or injury extend beyond that time, the Corporation will start payment when the city stops. A member shall use all of his accumulated sick time, in-lieu time, and vacation time before he can draw benefits from the Corporation. The member may draw benefits from the Corporation for a maximum period of two (2) months.

Any member who has no accumulated sick time, in-lieu time or

Section 7. When Payment Begins - Continued

Section 7. When Payment Begins - Continued

vacation time, and who remains away from work due to an illness or injury will be paid by the Corporation beginning on the seventh (7) day of illness or injury. If a member, who is recently hired, has accumulated less than forty (40) hours of accumulated sick time, in-lieu time, or vacation time the member shall use whatever time available and after that time is exhausted the member may receive benefits from the Relief fund. In the event the member has accumulated no sick time, in-lieu time, or vacation time due to a recent hiring date, the member may receive benefits on the first (1) working day of the illness or injury. A member who is receiving relief payments and is released by both a city doctor and the member's own doctor to return to work and refuses to do so shall have all relief payments terminated immediately. All payments shall be made by check and correspond with regular established city pay periods.

Section 8.

Cessation of Benefits:

Benefits will cease at the end of two (2) months in any one illness or injury except in the case of a recurring illness; benefits will cease at the end of an accumulated two (2) month period. The two (2) month period of benefits will be granted automatically.

Section 8. Cessation of Benefits - Continued

Section 8. Cessation of Benefits - Continued

Recurring illness as defined in Dorland’s Medical Dictionary, Twenty-Third Edition: “Recurring illness is a disease having symptoms or signs which return from time to time. Illness is a condition marked by pronounced deviation from the health state.”

Section 9.

Disputes:

In case of any dispute concerning the payment of benefits, a ballot will be called at the discretion of a majority of the Board of Directors and the membership shall vote on the issue. A majority of the active member’s casting votes shall rule. The Board of Directors may request a doctor’s statement certifying a member’s illness or injury at any time.

Section 10.

Delinquency In Payment:

Any member who is delinquent in payment of assessments (See Article XIII, Section 2. Funds) for a period of three (3) paydays and refuses a request by the Board of Directors to pay the delinquencies, shall be suspended from the Relief Association by the Board of Directors and no monies shall be refunded. Should any member be suspended

Section 10. Delinquency In Payment - Continued

Section 10. Delinquency In Payment - Continued

through the regular procedure, or voluntarily resigns from the Relief Association, he/she must make up all past payments, which he/she has not made before becoming eligible for reinstatement and can openly become reinstated upon making written application to the Board of Directors and subject to their approval.

All responsibility may be terminated by a thirty (30) day notice on the part of a majority of the total membership.

Section 11. **Third Party Benefits - Addition**

A member shall use available vacation time, sick time, or compensatory time not to exceed one hundred and seventy-two hours (172) before relief monies will be considered.

It is incumbent upon the member to apply for any offsetting benefit/income amounts to which a member would be entitled following application or submission of appropriate forms, demands or statements or other appropriate action. If the member fails to apply for or waives any benefit or income to which they would normally be entitled to, they shall not be afforded any relief monies under this Corporation.

ARTICLE XV

PAYROLL DEDUCTION FOR DUES AND DEATH BENEFITS

Section 1.

Assessments:

Active members of the Burbank Police Officers' Association shall be assessed one and one-half percent (1-1/2%) of top step police officer's base pay per month, of which four dollars (\$4.00) will go to the Relief fund. One half (1/2) the assessment shall be made on each semi-monthly pay period.

The assessment shall be in the form of a payroll deduction upon signed authorization, submitted to the Treasurer of the Corporation, who will forward the authorization to the payroll office of the City of Burbank. The payroll deduction shall apply toward the required membership dues and sick relief payments. The relief portion of these funds shall be deposited in a special account and used exclusively for the payment of sick relief benefits to the members of the Corporation, and for the payment of the Death Benefits to the members of the Corporation as defined in ARTICLE XII DEATH BENEFIT of these By-Laws.

Section 2.

Payments Exceeding Funds:

In the event that relief payments exceed the amount in the fund, the difference shall be paid from the CII fund or any fund at the discretion of the Board of Directors. Any monies used from other funds for payment of relief may be replaced by a special assessment of the membership at the discretion of the Board of Directors. The special assessment shall not exceed Five Dollars (\$5.00) per member, per payday or until paid in full. Delinquencies caused by vacation or illness will be cleared by the Board of Directors.

Section 3.

Fund Balance:

Any balance in the Relief fund at the end of each fiscal year, shall remain in the fund and shall apply toward future relief payments. The fiscal year shall start at 0001 hours on the first of July.

Section 4.

Claims to Relief Fund Balance:

A member who leaves the Corporation for any reason shall have no claim to any balance of the Relief fund.

Section 5.

Authorization for Payroll Deduction:

Any police officer of the Burbank Police Department, upon receiving appointment to the Burbank Police Department and applying for membership in the Corporation, shall submit the signed payroll deduction authorization to the Treasurer. The Treasurer shall forward the signed authorization to the payroll office.

ARTICLE XVI

POLITICAL ACTION FUND, VOLUNTARY CONTRIBUTION

Section 1. **Voluntary Assessment:**

Active members of the Burbank Police Officers' Association shall be assessed one percent (1%) of top step police officer's base pay per month, of which two dollars (\$2.00) may go to the Political Action Committee fund (PAC). One half (1/2) the assessment shall be made on each semi-monthly pay period. The assessment shall be considered voluntary and automatic unless the member notifies the Treasurer in writing he/she does not wish to participate in the Political Action fund.

The PAC portion of these funds shall be deposited in a special account and used exclusively for the purpose of political contributions.

Section 2. **Payments Exceeding Funds:**

In the event that PAC donations exceed the amount in fund the difference shall be paid from the General Fund, upon the approval of two thirds (2/3) of the Board of Directors.

Section 3.

Fund Balance:

Any balance in the PAC fund at the end of each fiscal year, shall remain in the fund and shall apply toward future PAC payments. The fiscal year shall start at 0001 hours on the first of July.

Section 4.

Claims to PAC Fund Balance:

A member who leaves the Corporation for any reason shall have no claim to any balance of the PAC fund.

ARTICLE XVII

CHARITY FUND, VOLUNTARY CONTRIBUTION

Section 1.

Voluntary Assessment:

Active members of the Burbank Police Officers' Association may be voluntarily assessed (.002 %) of their base pay per month which will go into the Charity fund. One half (1/2) the assessment shall be made on each semi-monthly pay period.

The assessment shall be in the form of a payroll deduction upon signed authorization submitted to the payroll office of the of the City of Burbank. These funds shall be deposited in a special account to be distributed as requested.