

Dayton Fraternal Order of Police
Capt. John C. Post Lodge No. 44
Addendum to the Lodge Constitution

FOP 44 Retirees



Constitution

*as last amended
September 16, 2003*

RETIRES' ADDENDUM

FOP 44 Retirees Constitution

WHEREAS, History and experience has demonstrated that unity of action is essential for major accomplishments which cannot be attained by individual efforts alone, and,

WHEREAS, Retired police officers desire to better their mutual welfare,

THEREFORE BE IT RESOLVED,

That we, the retired police officers of the City of Dayton, County of Montgomery, State of Ohio, do hereby form an association within FOP Capt. John C. Post Lodge No. 44 for the purpose of uniting in friendship, encouraging mutual ideas among us, promoting our welfare and safeguarding the lawful rights and benefits of our pensions,

AND BE IT FURTHER RESOLVED,

That to this end we adopt the following Constitution.

*Adopted July 15, 1980
[revised 1991; 2003]*



*In Memory of
Charles H. Woodhall
First President
Dayton FOP 44 Retirees*

Retirees' Addendum (Continued)

FOP 44 Retirees Constitution

ARTICLE I

Name

The name of this association shall be the Fraternal Order of Police 44 (Retired) or FOP 44 Retirees. The FOP 44 Retirees is formally recognized under Article XX of the local Lodge Constitution. The FOP 44 Retirees shall operate by its constitution and will not be in conflict with the articles of incorporation, constitution or bylaws of the local, State or National FOP.

(Article eff. 7-15-80; amend. 9-16-03)

ARTICLE II

Objectives

The aims of the FOP 44 Retirees shall be to unite its members in friendship, to promote and protect the benefits of their pensions, to better the mutual welfare of its members and to be a voice of experience for, and join in fraternity with, our brother and sister Lodge members who have active law enforcement careers.

(Article eff. 7-15-80; amend. 9-16-03)

ARTICLE III

Membership

Membership in FOP 44 Retirees is open to all retired full-time law enforcement officers. Anyone in this category can petition for membership, however, must be approved at the next meeting by a majority vote of the members who are present.

(Article eff. 7-15-80; amend. 1-17-91)

ARTICLE IV

Dues

The yearly dues of the FOP 44 Retirees shall be set by the membership for expenditures as determined by the retiree membership. In the year in which a member in good standing reaches age 75, the member's dues will be paid by the membership at large. The annual membership dues will be \$22.00, of which \$2.00 will be applied to dues for members who are age 75 and older.

(Article eff. 7-15-80; amend. 1-17-91; 9-16-03)

Retirees' Addendum (Continued)

FOP 44 Retirees Constitution

ARTICLE V
Officers

The officers of the FOP 44 Retirees shall consist of President, Vice President, Immediate Past President, Secretary, Treasurer and two (2) Trustees. One elected FOP 44 Retirees' board member will serve on the local Lodge's Executive Board as the Trustee Emeritus (*retired*) pursuant to the Constitution of the local Lodge.

(Article eff. 7-15-80; amend. 1-17-91; 9-16-03)

ARTICLE VI
Duties of Officers

President: The President shall preside at all meetings of the association; enforce a due observance of the constitution and by-laws and see that all officers and members of committees perform their respective duties; appoint all committees not otherwise provided for in this constitution and by-laws; cast the deciding vote – in the event of a tie – on all matters or questions before the membership (*except in the election of officers*); announce the result of all balloting or other votes at the meeting; and, may call a special meeting when necessary and shall perform such other duties pertaining to his office. While in the chair, the President shall not take part in any debate or make a motion or second a motion.

Vice President: The Vice President shall assist the President in the discharge of his duties and perform such other duties as directed by the president or this association.

Treasurer: The Treasurer shall be responsible for collecting dues and keep a record of all financial transactions involving the FOP 44 Retirees. He shall pay all legitimate and authorized bills of the FOP 44 Retirees. He shall assist the President as needed. Checks may be signed by the President or Treasurer.

(Section amend. 1-17-91; 9-16-03)

Secretary: The Secretary shall keep minutes of all meetings that are to be read at the following meeting. He shall keep a current file of members and their addresses and perform other duties designated by the President as needed.

(Section eff. 1-17-91)

Trustees (2): The Trustees shall see that rules are followed and assist the President as needed.

(Section eff. 1-17-91)

Retirees' Addendum (Continued)

FOP 44 Retirees Constitution

Immediate Past President: The Immediate Past President will assist the officers in guiding the FOP 44 Retirees and perform such duties as directed by the President or the FOP 44 Retirees.

Trustee Emeritus: A Trustee Emeritus (*retired*) shall serve on the local Lodge Executive Board as a liaison between the Lodge's retired membership and the local Lodge. He shall have voice and vote on Lodge issues that affect the Lodge, similar to other Lodge Executive Board members, with one exception. The Trustee Emeritus (*retired*) will have voice but no vote on collective bargaining issues or related matters.

(Section eff. 9-16-03)
(Article eff. 7-15-80; sections amended)

ARTICLE VII
Elections

Nominations: FOP 44 Retiree members will nominate from its membership candidates for elective office that have attended at least four (4) retiree meetings in the previous 12 months. Nominations and election will be in October of the odd year.

(Section amend. 9-16-03)

Elections: In the event of contested races, the election may be conducted by secret ballot in a manner prescribed by the floor. The balloting will be on the day of the election meeting. There will be no absentee voting.

(Section eff. 9-16-03)

Term of Duty: Officers will be elected for a two (2) year term. All elected officers will be formally seated in January of the even year.

(Article eff. 7-15-80; sections amended)

ARTICLE VIII
Meetings

The meetings shall be held at 7:30 p.m. on the third (3rd) Tuesday of the month at the FOP 44 Lodge Hall located at 4275 Powell Road, Huber Heights, Ohio, unless otherwise specified.

All meetings will be held on an informal basis, however, if a question arises of parliamentary procedure, then "Robert's Rules of Order" shall prevail. A quorum shall consist of seven (7) members present.

(Article eff. 7-15-80)

Retirees' Addendum (Continued)

FOP 44 Retirees Constitution

ARTICLE IX
Order of Business

1. Call to Order
2. Opening Prayer
3. Pledge of Allegiance to the Flag
4. Devotion of Silence in Memory of Departed Members
5. Roll Call of Officers
6. Reading of the Previous Minutes
7. Report of Committees
8. Report of Officers / Treasurer's Report
9. Bills and Communications
10. Unfinished Business
11. New Business
12. Nominations or Election of Officers or Delegates (*when in order*)
13. Good of the Order
14. Adjournment
15. Closing Prayer

(Article eff. 7-15-80)

Captain John C. Post Lodge No. 44



Dayton Lodge Constitution
(excerpts related to the Retirees)

LODGE CONSTITUTION

Dayton Fraternal Order of Police
Captain John C. Post Lodge No.44

ARTICLE III ***Lodge Membership***

Section 1: All sworn members of the Department of Police for the City of Dayton, Ohio, shall be eligible for membership in Captain John C. Post Lodge No.44. All regularly employed full-time Law Enforcement Officers of surrounding cities, villages, agencies of the State of Ohio, the United States of America and their local subdivisions who possess the *POWER OF ARREST* shall also be eligible for membership. Law Enforcement Officers from any of these aforementioned agencies who have been honorably retired on service pension or because of disability also qualify for membership.

Section 2: No eligible Law Enforcement Officer shall be denied membership to this Lodge based on Sex, Race, Creed, Color, Religion, or political affiliation (*except as noted below*).

The Fraternal Order of Police Captain John C. Post Lodge No.44 shall deny membership to anyone who is, or has been, a member of the Communist Party, or of any party regardless of what name known which advocates the abolition or destruction of our Government, either by force or subversive means.

Section 3: There shall be two (2) classes of membership: *Active* and *Honorary*.

The Active membership shall be comprised of all law enforcement officers actively engaged from the areas enumerated above in ***Section 1***, and shall be entitled to voice and vote. Included in this category are those members in *GOOD STANDING* who are retired on service or disability pension, whose annual dues shall be paid by the Lodge.

The Honorary membership shall be comprised of retired law enforcement officers, who withdraw from Active membership after retirement.

Section 4: Any member of this Lodge who is dismissed or resigns his/her position as a law enforcement officer shall forfeit their car emblem, rights and all claims as a member of the FRATERNAL ORDER OF POLICE.

LODGE CONSTITUTION

Dayton Fraternal Order of Police
Captain John C. Post Lodge No.44

ARTICLE IV *Lodge Officers*

Section 1: The officers of this Lodge shall be known as the *Executive Board* and shall be comprised as follows:

President	Recording Secretary	Conductor
First Vice President	Treasurer	Trustees (3)
Second Vice President	Inner Guard	Trustee Emeritus (<i>retired</i>)
Chaplain	Outer Guard	Immediate Past President

Section 2: All officers shall be elected for terms of two (2) years. In the case of retirement, resignation, death or vacancy for any cause, said vacancy shall be filled by the Executive Board in a meeting for that purpose and such appointment shall be for the unexpired term of the office in which the vacancy occurs.

Section 3: Any officer of this Lodge who is absent for three (3) consecutive meetings or fails to attend six (6) meetings in a calendar year, except for reasons of sickness or other valid cause (*approved by a two-thirds vote of the Lodge*), shall be deemed to have lost interest in said office and the office shall be declared vacant. Said vacancy shall be filled as stated in **Section 2** above.

Section 4: No member of this Lodge shall be entitled to hold two elected offices.

ARTICLE VIII *Duties of Officers*

Section 11, Trustee Emeritus (*retired*): The Trustee Emeritus shall be placed on the Executive Board of the Lodge by the local Lodge President after the FOP 44 Retirees have duly elected the officer under terms enumerated by this Constitution.

The primary duty of the Trustee Emeritus is to serve the Lodge as a liaison between the Lodge and the Lodge's retired members. He/she shall have voice and vote on Lodge issues that affect the Lodge, similar to other Executive Board members, with an exception.

Whenever in Executive Board session, the Trustee Emeritus may offer voice on matters related to the administration of the collective bargaining agreement, but under no circumstance will he/she vote on pursuing grievances to arbitrations or any collective bargaining matters, including but not limited to matters required by the Ohio Revised Code Chapter 4117. The Trustee Emeritus shall perform all other duties required by the Lodge President and otherwise serve in all manners as would the other Executive Board members.

LODGE CONSTITUTION

Dayton Fraternal Order of Police
Captain John C. Post Lodge No.44

ARTICLE XX ***F.O.P. 44 Retirees***

Section 1: The Lodge recognizes that there is a significant segment of the membership, those members retired from law enforcement careers, who have distinct interests and unique issues that merit representation of a special nature. In accordance with ARTICLE III, *Section 2* of the Constitution of the Fraternal Order of Police of Ohio, Inc.; there is formed an associated fraternity within this Lodge to be known henceforth as the FRATERNAL ORDER OF POLICE 44 RETIREES. The membership of the FOP 44 Retirees shall be comprised of individuals who are retired on service or disability pension or who have such other qualifications pursuant to ARTICLE III of this Lodge's Constitution.

Section 2: The aim of the FOP 44 Retirees shall be to advance respect for law and order, to unite its members in friendship, to promote and protect the benefits of police officer pensions, to better the mutual welfare of its members, to support the goals and objectives of the local Lodge, and to be advocates for and unite in friendship with their brother and sister officers who have active careers in law enforcement.

Section 3: The FOP 44 Retirees shall govern its affairs based on a Constitution of articles defining its objectives, dues, officers and meetings; it shall be submitted to the local Lodge and be in compliance with the Constitution of the Fraternal Order of Police of Ohio, Inc.¹ The FOP 44 Retirees shall not adopt or operate under a constitution or bylaws in conflict with the articles of incorporation, constitution or bylaws of the local Lodge, State Lodge or National Lodge.

Section 4: Under terms enumerated by its Constitution, the FOP 44 Retirees shall have duly elected officers, one of whom will be presented to the President of the local Lodge, in January of the even numbered year, to serve a two-year term on the local Lodge's Executive Board as the Trustee Emeritus (*retired*). The Trustee Emeritus must have met the eligibility requirements as prescribed in this Lodge's Constitution under ARTICLE V but, in sanctioned departure from ARTICLE VI and VII, shall instead be required to meet the nomination and election provisions of the FOP 44 Retirees' terms for election.

Section 5: FOP retirees shall have voice and vote on all Lodge issues that affect the local Lodge, with an exception. Retirees may be recognized to offer voice on subjects related to collective bargaining but under no circumstance will retirees vote on any collective bargaining matter, including but not limited to elections required by the Ohio Revised Code Chapter 4117.

Section 6: Any expenditure of funds for the purpose of administering to the objectives of the FOP 44 Retirees will be through the FOP 44 Retirees' treasury or, if accomplishing its objectives necessitates the expenditure of local Lodge funds, it shall require the approval of the local Lodge. Any expenditure of local Lodge funds in excess of One Thousand Dollars (\$1,000.00) must receive approval from the floor of the local Lodge.