

North Las Vegas Police



Supervisors Association

Bylaws

As adopted on
September 3, 2014

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ARTICLE I

GENERAL

Section 1. Name

This Association, with such rights and obligations as may be prescribed by law, is to be known as the **North Las Vegas Police Supervisors Association**, North Las Vegas, Nevada.

Section 2. Definitions

- A. The word "Bylaws": when used herein mean the Bylaws of the North Las Police Supervisors Association.
- B. The word "Association" when used herein shall mean the North Las Vegas Police Supervisors Association.
- C. The term, "member in good standing" when used herein shall mean any person who has fulfilled the requirements for membership in this Association and who has not voluntarily withdrawn, become ineligible for continued membership, or been suspended or expelled as provided in the Constitution and Bylaws of this Association.

Section 3. Powers of the Association

The powers of the Association shall be vested in its membership, but may be exercised by the elected officers consisting of the President, Vice President, Secretary, Treasurer, Chairman of the Board and the Board of Directors.

Section 4. Membership Code of Ethics

As a Law Enforcement Officer and a member of the North Las Vegas Police Supervisors Association, my fundamental responsibility is to serve my Association and its membership.

I shall remain honest in thought and deed, while supporting fellow Association members. I shall be exemplary in following and obeying the Bylaws of this Association.

I will support the majority of the membership's views on the operation and purposes of this Association.

By my actions or deeds, I shall never purposely ridicule, bring dishonor or disgrace upon any fellow member or an elected officer of the Association.

ARTICLE II

OBJECTIVES AND PURPOSES OF THE ASSOCIATION

Section 1. Objectives

- A. To render pecuniary aid to surviving spouses, orphans, families or nominees of deceased members of this Association.
- B. To render emergency services and extend relief to its members and their families in cases of sickness, injury or need.

- C. To provide entertainment, excursions and social meetings for the benefit of its members.
- D. To make Bylaws, rules and regulations for the governing of its members, contributors and donors.

Section 2. Purposes

- A. To aid its members in the performance of their duties.
- B. To receive contributions or donations and disburse and distribute same in accordance with the directions of said contributors and donors.
- C. To receive and hold real and personal property as may be necessary to carry on or promote the objectives of this Association whether said property is obtained by purchase, gift of devise.
- D. To invest Association funds in bonds of the Sovereign State of Nevada, the United States Government or such other investments deemed proper by the elected officers of the Association.
- E. To represent its members in employment relations with the City of North Las Vegas.
- F. To stimulate mutual cooperation between law enforcement agencies, strive toward the establishment and maintenance of equitable wages, hours, retirement and working conditions for the mutual welfare, protection and advancement of our members.

- G. This Association shall not engage in any strike against the City of North Las Vegas nor advocate the overthrow of any legal government under any circumstances.
- H. To promote mutual respect and honor within the Association and the members by adhering to the Association's Code of Ethics.

ARTICLE III

RULES

Section 1. Seal and Emblem

- A. The Seal and Emblem of this Association shall be determined by a majority vote of the membership and affixed to all stationary and other materials printed or sponsored by this Association.

Section 2. Rules Of Order

- A. All regular, special, emergency and Board of Directors meetings shall be governed by the latest copy of "Roberts Rules of Order". A recent edition of Roberts Rules of Order will be maintained in the NLVPSA office for review by any member upon request.

Section 3. Quorum

- A. A majority of the members of the Board of Directors (and Executive Committee) shall be necessary to constitute a quorum for the transaction of business.

- B. At all general, special and emergency meetings of the members of this Association, a majority vote of the members present shall be necessary to transact any business of the Association and the nomination of its officers and directors, unless stated otherwise in another article of these Bylaws.

ARTICLE IV

OFFICER ELECTIONS

Section 1. Qualifications

- A. To be eligible to become or remain President or an Officer of this Association, a member must be:
1. A member in good standing with this Association, and;
 2. Have been a member in good standing for more than eighteen (18) consecutive months prior to nomination, except within the first eighteen (18) months of the acceptance of the Association as a collective bargaining unit by the City of North Las Vegas on November 3, 2010, have been a member in good standing without interruption since November 10, 2010.

Section 2. Type of Office and Tenure

- A. There shall be a President, Vice President, Secretary, Treasurer, Chairman of the Board and a Board of Directors.

- B. All elected officers shall serve for two (2) years.
- C. The Board of Directors shall also be known as the Grievance Committee.
- D. The Chairman of the Board of Directors shall be appointed by the President and must be confirmed by the Board of Directors for a term of two (2) years. If the Board of Directors does not confirm the appointment, the Board of Directors will open the position to all Board members. Board members interested in being appointed as the Chairman of the Board, shall submit a written request within 15 days of the non-confirmation to the Board of Directors and interviews will be conducted within 30 days or before the next General Membership meeting, whichever comes first.
- E. All officers and directors of this Association may hold their elected positions until their successors have been duly elected and qualified.

Section 3. Election of Officers

- A. Nominations to run for office of the Association will take place in the October General Membership meeting. Those persons wishing to run for office of the Association must file in writing with the Secretary between September 1st and October 1st their intention of running for office. Incumbents are required to follow the above procedure. A list of those who filed to run for election shall be read to the membership at the October General Membership Meeting. A member must be present to be nominated, unless they are sick, on duty or on vacation. Those persons running for office must be nominated from the floor and receive a second of the nomination from the floor. The nominated member must be in agreement with their nomination and will orally accept

the nomination, or in writing if not present. The election will be held in accordance with Article XV, Section 5 (Balloting).

B. Nominations for the Board of Directors must adhere to the following guidelines:

1. Presidential nominees shall select their Vice Presidential running mate; they shall notify the current Secretary of their selected choice within seven (7) calendar days of the nomination of officers and it shall be in writing.
2. President, Vice President and Secretary and Treasurer shall run "at large". Eligible active members in good standing may be nominated from any position, division or rank and shall be voted for by all Active members in good standing.

C. Nominations for the Board of Directors must adhere to the following guidelines:

1. Nominated members must be assigned to the representation group for which they are nominated to represent.
2. The Board shall be comprised of representatives from the different representation groups as listed in a, b and c below. Each group is entitled to one representative on the Board for 3 to 60 dues-paying members.
 - a. Police Sergeant and Lieutenant
 - b. Detention Sergeant and Lieutenant

c. Marshall Sergeant and Lieutenant

3. If a nomination is not received for one of the above positions that qualify for a representative, the President shall declare that position an "at large position" and nominations for that position may be made from the general membership.
4. All new positions created by expansion of staffing levels in that classification shall be appointed by the President and approved by the Board until that position can be filled by election at the next regularly scheduled Board of Directors election, for that classification.
5. Should a represented group contain less than 3 dues paying members, that member (or those members) shall be represented by the group representative with the fewest number of members.

D. The General Election of the Association shall be held for a minimum of fourteen (14) days prior to the November General Membership meeting and will be held by secret ballot form in accordance with Article XV, Section 5 (Balloting). The results of the election will be made known during the November General Membership meeting.

E. Board of Directors elections for Secretary, Treasurer, Detention Sergeant/Lieutenant representative and Marshall Sergeant/Lieutenant representative will be held on odd numbered years. If there is more than one Representative within the same classification, then their election years shall be staggered.

1. Board of Directors elections for President, Vice-President and Police Sergeant/Lieutenant Representative will be held on even numbered

years. If there is more than one Representative within the same classification, then their election years shall be staggered.

- F. The nominee(s) receiving the majority of the votes cast for a particular office shall be elected.
- G. Should two or more candidates receive the same number of votes for a particular position, that position shall be decided as stated in Article XV, Section 3, Subsection (B) of the Bylaws.

Section 4. Vacancies/Resignations

- A. Upon giving thirty (30) days written notice to the Secretary, and subject to the Board of Directors' approval, any officer of this Association may resign their position provided no charges exist against them regarding their management of Association activities.
- B. Any elected or appointed officer may be impeached for violation of the provisions of the Bylaws. All charge(s) filed shall be referred to a committee of five (5) members selected by a member of the Board of Directors and the person filing the charge(s) by drawing names from the entire membership, one each from the various classifications as outlined in Article IV, Section 3, Subsection C2, and two members at large. Elected officers shall not serve as members of this committee. A majority vote of this committee is required to order a hearing on the charge(s), and if so ordered, the charge(s) shall be read into the minutes of the next general meeting, if approved by the majority of members present, posted for one month and put on the agenda, the hearing shall be held at the next general membership meeting. If the charges are upheld by a majority of the

members present, the elected officer shall be required to resign from office at that time.

Section 5. **Appointments**

- A. Vacancies caused by the resignation, death or disability of an elected officer or any new positions created by expansion of staffing levels shall be filled by a Presidential appointment. The selected members shall come from the groups vacated or increased if a member in these positions is interested; if not, the position will be declared "at large". All replacements must be approved by a majority of the Board of Directors, prior to taking office. A member so appointed shall serve in that capacity until the next general election for that position.

ARTICLE V OFFICER DUTIES

Section 1. **President Pro-Tem**

- A. If, at any time, the President and Vice President, refuse or are unable, or disqualified to act, the Chairman of the Board of Directors (or, in his absence, the Board of Directors) shall appoint a member of the Board to act as President Pro-Tem in whom shall be vested all the duties, powers and functions of such office.

Section 2. **Officer Duties and Powers**

- A. President: It shall be the duty of the President to:

1. Preside at all meetings of the members and the elected officers.
2. Enforce observance of the Bylaws of the Association.
3. See that the Officers of the Association and committee members perform their respective duties.
4. Appoint all committee members unless provision for appointment has been otherwise specified.
5. Shall not vote on any matter except to cast the deciding vote on all deadlocked matters.
6. Inspect and announce the results of balloting or other Association vote.
7. Countersign all warrants and checks drawn by the Treasurer.
8. Execute all contracts and other written instruments authorized and signed off by the Board of Directors.

B. Vice President: It shall be the duty of the Vice President to:

1. Represent and coordinate duties as assigned to him by the President. If the office of the President of the Association is vacated by reason of death, resignation, absence, inability or refusal to act, the Vice President shall forthwith and without delay become acting President of the Association for the remainder of the unexpired term of such office.

2. Countersign all warrants and checks in the absence of the President or the Treasurer.

C. Secretary: It shall be the duty of the Secretary to:

1. Prepare all ballots under the direction of the Board of Directors.
2. Receive all membership applications.
3. Prepare and record membership and death benefit certificates, if applicable.
4. Email a full and complete copy of the minutes of the latest General Meeting to all members as soon as possible.
5. Keep a record of all proceedings of the Board of Directors and all regular, emergency and special meetings.
6. Keep all records required by the provisions of the Bylaws and as directed by the President of the Association.
7. Receive and file all correspondence and pertinent documents.
8. Serve, issue and publish all necessary notices and/or correspondences.

9. Serve as Parliamentarian of the Association and ensure all meetings are conducted according to the latest edition of "Roberts Rules of Order".
10. Email an agenda of upcoming meetings to all members five (5) days prior to General Membership meeting and twenty-four (24) hours prior to any Special Membership meeting.

D. Treasurer: It shall be the duty of the Treasurer to:

1. Draw and countersign all warrants on the Treasury for all disbursements as approved by the elected officers and deliver same to the President for his signature. In the absence of the President, Treasurer or both, warrants on the Treasury may be signed and countersigned by any two of the following:
 - a. President
 - b. Vice President
 - c. Chairman of the Board of Directors
2. Collect all dues, fees and assessments and deposit same to the Treasury.
3. Receive and safeguard all monies of the Association.
4. Maintain an accurate accounting of the finances of the Association.
5. Upon request, provide a full accounting to the Board of Directors of the financial condition of the Association and reporting:

- a. Monies received and paid
 - b. Source of receipt of monies
 - c. Purpose of payments
6. Deposit all monies and securities received in the name of the Association in bank(s), trust company(ies) or safe deposit vaults as designated by the Board of Directors.
7. Act as custodian of the Association Seal and Emblem and affix as required.
8. Act as custodian for all property of the Association, maintain and inventory of same, unless otherwise provided in the Bylaws.
9. Surrender all monies, books, papers and other effects belonging to the Association to his successor.

E. Chairman of the Board of Directors: It is the duty of the chairman to:

1. Oversee and conduct all meetings of the Grievance Committee.
2. Assign individual grievances to Board Members.
3. At the June general meeting, make a full report of the previous year's activities, involving the Board of Directors.
4. Assign individual Requests for Representation to the Board Members.

F. Board of Directors: It shall be the duties of the Board of Directors to:

1. Handle all written grievances.
2. Supervise the handling of all Association funds and properties.
3. Have the authority to employ required legal service to represent the Association and its members in any controversy or grievance, the collections of debts due and the handling of investments.
4. Cause an audit/review of the finances of the Association at least once a calendar year to be presented to the membership at the June general meeting. The audit/review shall be available for review by any member.
5. Represent members of the bargaining unit in employment related disputes with the City as allowed by law. The board member representing the member should be from the same classification as that member. In the absence of the appropriate representative, any board member may represent that member.

G. Duties and responsibilities for attending meetings:

It shall be the responsibility of the Association's elected officers to attend all scheduled Board, General, Special and Emergency Meetings. All elected officers should present a professional image and dress appropriately while attending meetings and functions.

If an elected officer can't attend a scheduled meeting, that person must notify a member of the Board of Directors and provide a reason for missing the meeting.

Any three unexcused absences, in a one year period, can result in sanctions ranging from a written warning to an expulsion from their elected position. The entire Board of Directors, with the exception of the member being reviewed, will vote on the appropriate discipline and the decision will be binding.

ARTICLE VI

MEMBERSHIP

Section 1. Eligibility

- A. Only duly sworn personnel holding the rank of Sergeant or Lieutenant of the North Las Vegas Police Department or Marshals of the North Las Vegas Municipal Court that are covered by one of the current pertinent Collective Bargaining Agreements (CBA's) may apply for membership.

Personnel that elect not to become a member at the time they become eligible, may join at any time after their initial enrollment date.

- B. Those eligible persons desiring membership in the Association shall submit a written application to the Secretary. The application will be subject to approval by the elected officers.

Section 2. Complaints Against a Member

- A. A complaint may be filed against any member of the Association. Upon receiving the complaint, the Board of Directors shall appoint a five (5) member Fact Finding Committee to investigate the charges. The committee shall consist of seven random members from the Association who agree to take part in the investigation. The Fact Finding Committee will submit their findings, on each specific charge, to the Board of Directors. A closed hearing will be held with the accused member and his counsel or representative of his choice. Decision and punishment, for each charge, will be ruled on by the Board of Directors. A finding against the accused member must be an affirmative vote by two-thirds (2/3) of the Board members in attendance at said meeting for each charge. By a majority vote, the elected officers of the Association present at that meeting have the authority to levy a fine against the accused for each substantiated charge, suspend the accused for a prescribed period of time for each sustained charge or bring to the membership at the next General Meeting for a vote to expel the accused member from the Association *for each sustained charge*. There must be an affirmative vote by two thirds (2/3) of the members attending for expulsion of the member.

Section 3. Rights and Privileges

Any member who is called to active duty with the armed forces of the United State of America shall remain a member in good standing as long as he or she is on official leave from the City of North Las Vegas. If the member is subjected to any wage reduction from this official leave, then the member's dues will be waived for the duration of his/her leave.

Section 4. Classes of Members

A. Active members are those members who meet the following criteria, apply for membership and are voted to be accepted as Active Members:

1. They are full time employees and commissioned peace officers with the City of North Las Vegas and are of the rank of Sergeant or Lieutenant.
2. They are assessed and have paid all current full time Association dues.

B. Retired members are those members who meet the following criteria, apply for membership and are voted to be accepted as retired members:

1. They are honorably retired full time and commissioned peace officers with the City of North Las Vegas and held the rank of Sergeant or Lieutenant at the time of retirement.
2. Must have been a member in good standing of the Association.
3. Dues and fees are waived for retired members.
4. Retired members are associate members and have no right to vote or be a member of the Board or any committee.

Section 5. Termination of Membership

A. Membership in this Association shall cease upon the resignation or dismissal of the member from service in the North Las Vegas Police Department or

the North Las Vegas Municipal Court. However, any member who has contested his dismissal pursuant to the appropriate legal channels shall retain his membership until he has exhausted all available channels of appeals. However, these members will not be allowed to vote in Association matters or attend any meeting until their appeal is final.

- B. Thereafter, such member shall have no claim whatsoever upon any fees or to contributions which may have been paid to the Association nor to any benefits of the Association.
- C. Any person not a member of the North Las Vegas Police Supervisors Association shall not be eligible to receive the benefits from the Association.
- D. A member who fails to pay dues or assessments as described in Article VIII, will be considered grounds for that member to be expelled from the union.

Section 6. Application - Form and Substance

- A. An application for membership in this Association shall contain the name, CNLV employee number, mailing address, telephone number, personal email address, and the department/division of assignment of the applicant.
- B. All applications must be on the form approved by the Board of Directors and provided by this Association.

Section 7. Appointed Members

Any person who is appointed as a member of NLVPSA or its affiliated Associations for the limited purpose of acting as an employee, agent or

representative of the NLVPSA or its affiliated Associations, including, but not limited to representing NLVPSA or its affiliated Associations before selected agencies or Boards, during contract negotiations, or for other specially designated purposes, may be installed as an Appointed Member by a majority of the voting Board of Directors of the NLVPSA. Appointed Members do not have the right to legal representation or grievance procedures and they do not benefit from contract negotiations. Appointed Members have no voting privileges. Appointed Members must submit any requested documentation and an outline of their designated responsibility to the Executive Board of the NLVPSA or the affiliated Associations prior to being approved as members. This is a non-dues paying membership. An Appointed Member may be removed by a majority of the voting Board of Directors of the NLVPSA, with or without cause.

ARTICLE VII

MEETINGS

Section 1. General Meetings of the Membership

- A. A General Meeting of this Association shall be held at the regular place of business or meeting place of the Association.

- B. An agenda for General or Special Meetings of this Association shall be emailed to all members no later than five days prior to the General Meetings and twenty-four (24) hours prior for Special Meetings. The notice shall contain the following:
 - 1. Time and date of meeting.
 - 2. Place of the meeting.
 - 3. Type of meeting.
 - 4. Purpose of the meeting.

C. Order of business at general meeting:

1. Meeting called to order by the President.
2. Pledge of Allegiance to the flag.
3. Reading of the minutes of the previous meeting.
4. President's report.
5. Chairman of the Board of Director's report.
6. Treasurer's Report.
7. Committee reports.
8. Unfinished business.
9. New business:
 - a. Proposals must have a second. A brief discussion period will follow the proposal. The proposal will be placed on the agenda for the next general meeting if approved by a majority vote.
 - b. A call from any member to end a discussion, when seconded, will be put to a vote and with majority approval the discussion will end. If a proposal is pending, a vote on the proposal will then be taken.
 - c. The President can rule a proposal an emergency and call for an emergency/special meeting.
10. Adjournment

Section 2. Special Meetings

- A. Special meetings may be called by the President for the Secretary, upon the request of a majority of either elected officers or the members.
- B. Special meetings of the Board of Directors may be called by the President or a majority of the elected officers.

Section 3. Emergency Meeting

The President can call an Emergency meeting at any time if the majority of the elected officers agree that the business to be discussed is of an emergency nature and can't wait until the next general meeting.

Section 4. Meetings of Elected Officers

Regular meeting of the Board of Directors shall be held as often as the elected officers deem necessary and at the time agreed upon by the officers.

Section 5. Attendance at Meetings

Any person not a member or member in good standing of the North Las Vegas Police Supervisors Association shall not be eligible to attend any meeting identified in Sections 1, 2, 3 or 4 of this article except:

- A. A non-member invited by the Board of Directors for purposes of making a presentation regarding membership business or benefits. Such presentation shall be made at the beginning of a meeting, after a motion to amend the order of business. The invited person shall be excluded from the remainder of the meeting once they have concluded the business for which they were invited.

ARTICLE VIII

DUES

- A. The union dues shall be \$65.00 per pay day.
- B. Any new membership application must be accompanied with a \$100 application fee in lieu of the first pay day deduction.

Dues will be payable by payroll deduction on each pay day.

- C. Any Member who does not pay their dues for a period of thirty (30) days, without cause, is delinquent and shall be excluded from all benefits of this Association. The Treasurer will make every effort to contact the member, prior to the thirty (30) day limit, and remind them that their dues have not been paid. If the dues are not paid, the Treasurer shall enter the same in the minutes of the next scheduled board meeting and the member does not need to be notified of such exclusion. The membership will be informed of the exclusion at the next scheduled general meeting.
- D. A member whose name has been stricken from the membership roll for nonpayment of dues and/or assessments may be reinstated to the membership by:
 - 1. Written application
 - 2. Payment of all dues and/or assessments accrued since the member became delinquent.
 - 3. The dues and assessments can be waived by a majority vote of the Board of Directors if the member petitions so.
- E. Members who are suspended without pay for eighty (80) hours or more may request to waive payment of dues for a period equal to the length of the suspension.

- F. A member who resigns from the Association and then requests reinstatement must pay all back dues from the time of resignation to the time of reinstatement. The back dues will be calculated by multiplying the number of pay periods since the resignation with the current dues rate at the time of reinstatement.
1. All back dues can be waived by a majority vote of the Board of Directors.

ARTICLE IX

FUNDS

Section 1. Association Funds

- A. The Association funds shall consist of all dues, fees, assessments, penalties, donations gifts, interest from savings accounts and bonds, dividends and all other monetary receipts from any other source.
- B. Such funds may be segregated and divided into as many separate accounts as provided in the Bylaws or otherwise determined by the Treasurer. The transfer of funds from one account to another account may be made upon the direction of the elected officers.

- C. Upon receipt, the funds of this Association shall be deposited in any Federal Reserve Bank or credit union designated by the elected officers as a depository for such funds. Withdrawals must be authorized by the elected officers of the Association and all warrants must be signed and countersigned by any two of the following:

1. President
2. Vice President
3. Secretary
4. Treasurer
5. Chairman of the Board of Directors

Section 2. Types of Funds

- A. All funds received by the Association, with the exception of funds solicited or designated for a specific fund, shall be deposited to the General Fund. All incurred expenses shall be paid from this Fund.
- B. The Treasurer, subject to terms, conditions and provisions in the Bylaws, has full custody, control and management of all funds received or disbursed by this Association.

Section 3. Investment of Funds

- A. The funds of this Association shall be used for:
1. Investments as provided in the Bylaws.
 2. Expenses incurred as determined by elected officers.
 3. Approved social activities.

- 4. Other expenses approved by the Board of Directors in support of the Association Objectives and Purposes.
- B. There shall be no expenditures from any fund or disbursements of any investment unless authorized by a majority vote of the elected officers.

Section 4. Loans of Funds

- A. Loans of Association funds shall not be made.

ARTICLE X

CHANGES TO THE BYLAWS

Section 1. Bylaws Amendment Procedures

The Bylaws will be amended in the following manner:

- A. The author of the proposed amendment will submit the proposal to a member of the Bylaws committee, prior to June 1st of every year.
- B. The Committee will review the proposed amendment for conflicts with other articles in the Bylaws. The Committee will introduce the proposal and identify the author at the July General Membership Meeting; the Committee will make a recommendation to the membership. The proposal(s) will be posted and put on the agenda for the August General Membership Meeting. The proposed changes to the Bylaws will be emailed to the NLVPSA Membership not less than twenty days prior to the August General Meeting

- C. The proposal(s) will be put on the agenda for the August meeting; it will be discussed and presented to the members for approval or rejection. To be approved the proposal must receive an affirmative vote by two-thirds (2/3) of the members attending the August meeting.
- D. By a Presidential decree, a proposal may be submitted at any time to correct a discrepancy or problem with our Bylaws.

ARTICLE XI

ADOPTION OF THE BYLAWS

Section 1. Procedures

- A. All sections, parts of sections, words, phrases, clauses and sentences of these Bylaws shall become effective when approved by the Association in the manner herein provided.
- B. Copies of these Bylaws shall be filed with the Secretary immediately after adoption by the membership, unless:
 - 1. It is objected to in writing and,
 - 2. Objections must be filed with the Secretary by at least ten percent (10%) of the membership within thirty (30) days after such posting.
- C. The same shall be deemed effective provided that any article, section, parts of sections, clauses, phrases, words or word contained in the Bylaws of this

Association are not included in or in conflict with any article, section, parts of sections, clauses, phrases, words or word to be repealed.

- D. Any article, section, parts of sections, clauses, phrases, words or word that was in force and effect prior to the adoption of these Bylaws and not in conflict with the same shall be deemed continuations of the same.
- E. Any liabilities devolving upon this Association prior to the adoption of the Bylaws shall be deemed to be continued in accordance with the terms and conditions herein and as herein modified.

Section 2. Objections to proposed Bylaws

- A. Any objections to the Bylaws filed with the Secretary of the Association in the manner herein provided shall be reviewed by the Board of Directors as follows:
 - 1. The Board will accept or deny the objection with the good of the Association in mind.
 - 2. Should the decision of the Board of Directors be unacceptable to the objecting members, they may request and receive a special hearing at the next General meeting of the membership, or they may call for a Special meeting as provided for in Article IV, Section 2.
 - 3. The decision of the members attending a General or Special meeting for the purpose of hearing such objection shall be final and the results posted on the North Las Vegas Police Supervisors Association.

ARTICLE XII

ASSESSMENTS

Section 1. Procedures

- A. Assessments may be levied on a member to pay an expense which was not approved by a majority vote of the elected officers.
- B. Members being reinstated shall be assessed, pursuant to Article VIII of the Bylaws.
- C. Any person who is part of the represented collective bargaining unit who is not a member of the Association, and who seeks representation by the Association for any internal affairs interrogation, grievance or on any employment dispute against the City, as outlined in Article XIV, shall be assessed a non-refundable fee of \$500, paid in advance for expenses incurred for that representation. Expenses beyond \$500 will be incurred at time and a half of Board Members' hourly rate. Any person who is not a member is not entitled to legal representation at Association expense. If an

attorney is requested and provided, the attorney or other representative's hourly rate and associated fees will be the responsibility of the non-member. The non-member will be required to submit a \$3,500.00 deposit to the NLVPSA prior to the Association beginning such representation and shall be required to pay said attorney's fees and costs as individually agreed to with said attorney. In addition, if the non-member is involved in arbitration, he/she shall be responsible for the arbitrator's fees and shall pay a deposit of \$15,000.00 to the NLVPSA prior to the Association beginning such representation.

ARTICLE XIII

COLLECTIVE BARGAINING

Section 1. **General**

This Association is a Supervisor Bargaining Unit and shall include only those of the rank of Sergeant or Lieutenant.

Conferences or negotiations shall not be initiated, held or concluded in the name of this Association by any member(s) to make or establish employment agreements relating to rates of pay, rules, or conditions of employment without the prior approval of the President of the Association. Any agreement, contract or document shall not become effective, binding or operative until they are ratified by the membership and bear the signature of the President of the Association and one other member of the Board of Directors.

Section 2. **Negotiating Committee**

- A. The employee negotiation committee shall consist of members selected by the President. The chairperson shall be the President or a designee.
- B. Such committee shall represent every major classification mutually agreed upon by the City of North Las Vegas and this Association.
- C. Information on the negotiations can only be released through the President or a designee.

Section 3. Contractual Agreement

- A. In the event of failure to obtain a satisfactory agreement in direct negotiations, the President of the Association or a designee may seek legal counsel in proceeding further on contract negotiations.
- B. When the negotiation committee feels they have an acceptable offer in the course of direct negotiations or mediation, that offer shall be submitted to the Association at a Special Meeting. A copy of the proposed changes to the Bargaining Agreement will be available to members at this meeting.
- C. Submission to the Association is to be made upon receipt of the offer by the President of the Association or a designee; such offer having been forwarded to him/her over the signature of the members of the negotiating committee.
- D. The President will make a submission at the Special Meeting and the Association will vote by secret ballot on the negotiated proposed contract. The Secretary and committee members will count and maintain the ballots.

Results of the balloting will be posted within 48 hours of the Special Meeting.

- E. In the event the Association rejects an offer submitted to them by the negotiating committee, such committee shall return to direct negotiations or mediation, in an attempt to improve the offer.

Section 4. Responsibility of Persons Affected

All persons affected by a contract negotiated by the North Las Vegas Police Supervisors Association shall abide by Article XIII of this Association's Bylaws governing collective bargaining, whether or not they are members of the Association.

Section 5. Collective Bargaining Meetings

All meetings held for the purpose of informing and discussing contract negotiations shall be considered "Special Meetings" of this Association and conducted in accordance with all provisions in the Bylaws governing same.

ARTICLE XIV

REPRESENTATION/GRIEVANCES

Section 1. Representation

Members requesting representation shall be entitled to representation in the following situations and forums:

- A. To appeal a dispute regarding the application or interpretation of a provision of the Collective Bargaining Agreement (a non-discipline grievance) providing the Board of Directors believes that the matter is meritorious;
- B. To appeal a dispute regarding the application or interpretation of any Department rule, regulation, policy or procedure that governs the Department, providing the Board of Directors believes the matter is meritorious;
- C. To appeal a dispute regarding the application of a disciplinary action (a discipline grievance), providing the Board of Directors believes the matter is meritorious;
- D. At formal departmental investigative hearings, pre-disciplinary hearings and disciplinary hearings.
- E. To address other legal issues as the Board of Directors may from time to time, and upon motion, deem to be an additional benefit to its members, providing resources allow such additional benefits. (NOTE: The Association has the discretion to suspend these additional benefits, or any portion thereof, provided it gives 30 days written notice to the membership.)

Any person who is part of the represented collective bargaining unit who is a non-member, or is not a member in good standing, and who seeks representation by the Association on any employment dispute (as described above) against the City, may secure representation and/or legal counsel at their own expense, as outlined in this Bylaw, only after proper request, approval and payment of assessments as outlined in Article XII, Section 1C.

Section 2. Procedure for Requesting Representation

- A. Prior to any consultation or representation by a member of the NLVPSA for the purpose of representation at any departmental administrative hearings (e.g. CRB, Pre-Disciplinary hearing) or any formal departmental interrogations, the affected person whether a member, or not, shall submit a representation request using the current NLVPSA Representation Request form.
1. The form must be completely filled out and signed.
 2. Requests which do not comply with the specified guidelines can, at the discretion of the NLVPSA Board of Directors, be denied.
- B. The completed Request for Representation form and all associated documents, reports and/or memorandums relevant to the issue shall then be submitted to the Chairman of the Board, or delivered to the NLVPSA business office.
- C. A verbal request for a particular representative may be asked; however, the assignment of the NLVPSA representative is the responsibility of the Chairman or his designee.
- D. It is the responsibility of the person requesting representation to inform the NLVPSA and/or their assigned representative of all upcoming dates or pending hearing at their earliest opportunity; but, in any case not later than two (2) working days (Monday through Thursday, excluding holidays) prior to any scheduled event. Non-compliance with this requirement effectively waives the request for representation and a representative will attend at the discretion of the NLVPSA, based on availability.

- E. Representation by an attorney, at the Association's expense, is not the right of a member, but shall be afforded solely at the discretion of the Board of Directors.
- F. An attorney may be provided to the member, upon the member's written request and following subsequent majority approval by the Board of Directors, for administrative interrogations, interviews or hearing which can lead to suspension, demotion or dismissal of the member for their actions while performing their duties as a peace officer. The Board of Directors reserves the absolute right to designate the attorney which will be used in the representation of the member.
- G. If a member or non-member declines representation by the Association's representative counsel and/or elects to be represented by their own retained non-NLVPSA representative or counsel, the NLVPSA's duty of fair representation shall be considered fulfilled and the NLVPSA shall not have any further involvement (e.g. voting, consultation, representation, paying of fees and costs) in the representation in that matter or any subsequent appeal which may arise.
- H. Nothing herein is intended to preclude a member from employing the services of his/her personal choice of counsel, at the member's own expense, for assistance in matters other than labor relations and contract issues. A member's selection of his/her own counsel, shall act as a waiver of any rights and privileges outlined in this Constitution and Bylaws for that particular matter.
- I. In all of the foregoing matters, the Board shall determine, in its sole discretion, on the basis of the facts presented along with the request for

representation, whether a matter is meritorious and to what extent representation will be provided at the expense or burden of Association resources, and whether outside counsel will be employed, as well as designation of any outside counsel to be employed. Generally, the Board of Directors will refer legal matters for representation to its legal counsel unless the Board of Directors, in its discretion, determines that circumstances dictate otherwise. The Association is not an insurer.

- J. The legal counsel or any professional employed by the Association shall consider the Association as their client and any grievant or appellant shall be advised that they are a third party beneficiary of such representation unless legal counsel is approved to discuss any potential matter other than that set forth above.
- K. A request for Representation at the Association's expense may be denied where the member is entitled to representation at the expense of a governmental agency.
- L. In any matter, when a member is entitled to legal representation through this Association and another labor association, labor organization, or other valid policy of insurance, the member has the right to choose the legal counsel he/she will utilize.. A member's selection of counsel from another labor association, labor organization, or other valid policy of insurance shall act as a waiver of any rights to representation. However that, this selection of counsel from outside this Association will not waive the member's right to reasonable costs and expenses (excluding representation and/or legal fees) associated with the appeal, providing the Board of Directors believes the matter is meritorious. For purposes of this Bylaw, reasonable costs and expenses shall mean the average costs and expenses of the past five (5)

similar appeals handled by this Association's legal counsel (i.e., the reasonable costs and expenses of arbitration hearing shall be the average costs and expenses of the past five (5) arbitration hearings handled by the Association's legal counsel.)

Section 3. Legal Representation

- A. If an active member in good standing wishes legal representation furnished by the Association, they must obtain the approval of the Board of Directors. Upon obtaining approval, the active member in good standing shall be entitled to receive legal representation furnished by the Association without cost or charge to the member.

- B. If a non-member or member not in good standing wishes legal representation provided by the Association, they must sign and comply with a "Non-member Representation Agreement" form and pay any assessments as outlined in Article XII, Section 1C.

- C. Representation by an attorney at the Association's expense, shall not be the right of a member, it shall be a privilege. The attorney shall be afforded solely at the discretion of the Grievance Committee (Board of Directors) as set forth hereafter.

NOTE: Nothing contained herein shall prevent anyone from hiring their own attorney at their own expense. However, the Association shall not be responsible for fees of any attorney so retained.

- D. An attorney may be provided for a member, upon request, when an investigation leading to disciplinary action, demotion, dismissal, transfer,

administrative or criminal charges is undertaken, regarding the action or inaction of a member, while the member was performing their duties as a peace officer. An attorney may be provided for a non-member, upon request, completion of the appropriate forms, and payment of assessments and fees in accordance with Article XII, Section 1C.

- E. The Board of Directors shall not be authorized to pay for or provide an attorney's services when the investigation is for a member's actions not related to authorized peace officer activities. A member may be properly refused an attorney's services, at Association expense, if the Grievance Committee determines such representation is not in the best interest of the Association, even though the member's conduct may be within the scope of authorized peace officer activities.
- F. The legal counsel or any professional employed by the Association shall consider the Association as their client. Any grievant or appellant shall be advised that they are a third party beneficiary of such representation unless counsel is approved to discuss potential criminal conduct.

Section 4. Grievances

A grievance is defined as a complaint regarding working conditions, wages, benefits, departmental rules and regulations or interpretation and application of the current pertinent collective bargaining agreement.

Informal Procedure:

- A. Prior to submitting a written grievance, the member may discuss the subject matter with his immediate supervisor or the Department Chief and an Association Representative. Verbal resolution between the Association and immediate supervisor may only be attempted for the first ten (10) working days from the date of the incident, or ten (10) working days from the time the employee has reason to know the circumstances giving rise to the grievance.

Formal Procedure:

- A. If a member or non-member wishes to file a grievance pursuant to these sections, they should:
1. Complete a Grievance Request form, and submit it immediately to the NLVPSA office or a member of the Grievance Committee. Any and all supporting documentation needs to be submitted as an attachment.
 2. The Grievance Committee shall then attempt to obtain all information available regarding the alleged incident.
 3. A member not in good standing or a non-member must sign and comply with a "Non-member Representation Agreement" form, as well as submit any all assessments as outlined in Article XII, Section 1C.
 4. A meeting of the Grievance Committee will be scheduled as soon as possible to determine whether or not the grievance is meritorious.
 5. After said meeting, a vote shall be held to determine if the grievance will be accepted or declined. The acceptance of the grievance does

not constitute an obligation upon the Association to provide legal representation.

6. The grievance will then be processed in accordance with the current pertinent Collective Bargaining Agreement (CBA), Article 23, Section 3, Step 1. If the grievance is related to an Internal Affairs investigation, then the Association will request a complete copy of the Internal Affairs investigation, as guaranteed under NRS 289 and the current pertinent CBA, Article 22.

Note: At all times herein, a quorum (simple majority) of the Grievance Committee shall be authorized to proceed and act for the entire committee.

B. If an active member in good standing wishes Legal Representation provided through the Association, pursuant to these sections, he/she must:

1. Contact any member of the grievance committee or the NLVPSA office, and advise them of such request.
2. The representative shall then attempt to obtain all information available regarding the alleged incident.
3. A meeting will be scheduled as soon as possible with the Grievance Committee regarding the request for attorney services.
4. After said meeting, a vote shall be held to determine eligibility of the member for attorney services. If approved by the Grievance Committee, the member shall be entitled to receive legal

representation furnished by the Association without cost or charge to the member.

C. If a non-member or member not in good standing wishes Legal Representation provided through the Association, pursuant to these sections, he/she must:

1. Sign and comply with a "Non-member Representation Agreement" form, and pay any assessments as outlined in Article XII, Section 1C.

NOTE: At all times herein, a quorum (simple majority) of the Grievance Committee shall be authorized to proceed and act for the entire committee. A quorum (majority) shall be required to allow an active member in good standing to obtain attorney services at the expense of the Association.

The Association reserves and shall have the absolute right to designate the attorneys to be used in the representation under the aforementioned section. If the Committee feels there is insufficient information on which to make a final decision and there is immediate need for attorney services, the Committee may authorize said services for a temporary period.

Similarly, if a situation exists where there is an immediate need for an attorney, the committee member first contacted will attempt to make contact with the other members by phone or other means, to obtain a temporary authorization. In such a situation, if a quorum of members can be contacted, their vote will be determinative; if less than a quorum can be contacted, then a single committee member or simple majority of those contacted may authorize attorney services on a temporary basis, until the committee can schedule a meeting for a hearing on the matter.

NOTE: When a vote is taken to authorize attorney services and such vote results in a tie vote, the active member in good standing shall be entitled to attorney services on a temporary basis until a meeting can be held at a later date to further consider and decide the issue.

Section 5. Disapproval of Grievance/Legal Representation

- A. In the event the Board of Directors of the Association shall disapprove of such grievance, and/or refuse to provide legal representation to the member for such grievance, the member shall be notified, in writing within ten (10) days, why the grievance and/or why legal representation was disapproved/denied. The member may appeal to the general membership; the membership's decision shall be final and binding.
- B. In the event the Board of Directors of the Association shall disapprove a member's grievance and/or refuse legal representation for such grievance, the Association will still process the member's grievance as outlined in accordance with the current, pertinent, Collective Bargaining Agreement in Article 23, Section 3, Step 1, so long as the member executes and complies with the "Non-member Representation Agreement" form.

Section 6. Authorized and Unauthorized Grievances

Under no circumstances shall the Association become involved with the process or handling of any grievance which:

- A. Is not filed in accordance with the time limits specified in the Agreement.

- B. Is not filed in accordance with the instructions of the North Las Vegas Police Supervisors Association Standard Grievance Form.
- C. Is filed by an individual, but may not benefit the welfare to the Association or a majority of its members.
- D. Is being processed or handled by legal counsel not employed by the Association.
- E. Is known to be the result of any illegal activity or action.
- F. The member had handled on their own, without consulting the Grievance Committee, or has contacted Supervision or City Officials without advising the Association of their actions.

Section 7. Duty of Member/Non-Member to Cooperate with Association

- A. In the event the Association agrees to represent or sponsor a member or non-member with respect to a grievance, the member or non-member shall cooperate with the Association as to the prosecution of the grievance as follows:
 - 1. The member or non-member shall provide the Association with:
 - a. Notice as to the Department action giving rise to the grievance;
 - b. Reasonably obtainable information with respect to the time, place and circumstances of the incident(s) giving rise to the Department action; and

- c. The names and addresses of available witnesses.
2. Immediately send the Association copies of any demands, notices, correspondence or summons received by the member or non-member in connection with the action giving rise to the grievance;
3. Authorize the Association to obtain records or other information;
4. Cooperate with the Association in the investigation, settlement or prosecution of the grievance.

ARTICLE XV

VOTING PROCEDURES

Section 1. Board of Elected Officers

At all meetings of the Elected Officers (Board of Directors), each officer and director in good standing shall have one vote; except for the President who only votes in the case of a tie. Questions coming before such Board shall be decided by a majority vote of the Board constituting a quorum in attendance at such meeting. However, a roll call vote may be requested by any member in attendance.

Section 2. Members

At all meetings of the general membership, each active member in good standing shall have one vote and all questions coming before such meeting shall be decided