



Constitution and Bylaws
of the
Sacramento County Alliance
of Law Enforcement

Contents

ARTICLE I – NAME AND AFFILIATION	3
ARTICLE II – OBJECTIVES	3
ARTICLE III – MEMBERSHIP	3
ARTICLE IV – DUES	4
ARTICLE V – ELECTED OFFICIALS	5
ARTICLE VI – DUTIES OF OFFICE	5
ARTICLE VII – MEETINGS.....	8
ARTICLE VIII – ELECTION AND RECALL.....	9
ARTICLE IX – COMMITTEES	11
ARTICLE X – ANNUAL AUDIT	13
ARTICLE XI – AMENDMENT OF CONSTITUTION AND BYLAWS	13
ARTICLE XII – FISCAL YEAR	13
ARTICLE XIII – PARLIAMENTARY PROCEDURE.....	13
ARTICLE XIV – ASSOCIATION FUNDS	13
ARTICLE XV – MISCELLANEOUS PROVISIONS.....	14

ARTICLE I – NAME AND AFFILIATION

The name of this organization shall be the Sacramento County Alliance of Law Enforcement (SCALE).

ARTICLE II – OBJECTIVES

It shall be the purpose of the association to secure improved wages, medical benefits, hours, working conditions and other advantages for its members through negotiations and the collective bargaining process and through other lawful methods.

ARTICLE III – MEMBERSHIP

1. SCALE shall have five (5) classes of membership: Active, Inactive, Associate, Retired, and Fair Share. (Amended 12/07)
 - (a) Active members shall be those persons within the Peace Officer's Unit (POU), Law Enforcement Support Unit (LESU), and Supervisory Law Enforcement Unit (SLESU). Active members, in good standing, have the right to full benefits of the organization including the right to vote and the right to hold office. (Amended 12/07)
 - (b) Inactive membership is limited to those persons dismissed, laid off, rejected during probation, or otherwise separated from County service while an appeal is pending, or those persons taking any leave from County employment who were Active members at the time of separation or leave, and who expressly request to become Inactive members. Inactive membership is subject to approval of the Board of Directors and is limited to the duration of the appeal or period of voluntary separation.
 - (c) All personnel within County departments, not included within the Peace Officer Unit, Law Enforcement Support Unit, or Supervisory Law Enforcement Support Unit, where SCALE has representation rights, are eligible for Associate membership. Associate members shall have all of the rights and privileges of regular members except as limited within. Associate members shall not have the right to vote or hold elective office, or serve on standing committees. (Amended 2/01)
 - (d) All Active members in good standing, upon retirement, may become Retired members. Retired members, upon request shall receive publications and will be allowed to participate in Association group benefit plans. However, Retired members will not be eligible to vote or hold elective office.
 - (e) Fair Share members are employees within any of the represented bargaining units who have chosen not to become active members of the Association. Fair Share members shall not be entitled to voice or vote in the association, nor to participate in any of the Association's activities. Fair Share is a condition of employment. (Amended 2/01)

ARTICLE IV – DUES

1. Dues for all Active members shall be one percent (1%), per pay period, of the top step of their classification, except that no Active member shall pay more in dues than the highest paid sworn member of the Peace Officer Unit. (Amended 5/94)

All dues shall be assessed upon base salary only. Overtime, incentives, differentials, etc. shall not be calculated into the assessed amount.

2. Dues for Associate members shall be ¼ of 1% (.25%) per pay period of the base salary of the highest salary within the Peace Officers Unit. (Amended 6/95)
3. Effective January 1, 2008, the dues rate for Retired members will be \$20.00 per year. (Amended 12/07)
4. Fair Share member dues shall be based exclusively on a fair share of the cost of negotiating and enforcing the collective bargaining agreement and subject to the terms and conditions of the relevant sections of such agreement. See Article 2, Section 2.6 of the MOU. (Amended 12/07)
5. All active members shall pay \$5.00 per pay period during the first two years of membership to the SCALE Legal Defense Fund. The Legal Defense Fund amount shall be in addition to the dues described in Article IV(1) above. (Amended 12/07)
6. Proposals to alter the amount of dues and/or to levy special assessments are generally upon recommendation of the Board of Directors, formalized by a motion and seconded from the floor by an Active member. Independent motions to alter dues or levy special assessments are in order from any Active member, accompanied by a second. Voting on all motions to modify the dues structure shall take place by secret ballot in a general or special election. A modification of dues must be approved by a simple majority of those members who voted. (Amended 12/07)
7. Any Associate member who is three (3) months delinquent in dues shall be terminated from Association membership. Reinstatement may be granted only upon approval of the Board of Directors and payment of all delinquent dues. (Amended 2/01)
8. Any Active member who cancels his or her membership in the association for reasons other than resignation, termination, retirement or transfer to a position not represented by SCALE shall automatically become Fair Share Members and pay a Fair Share Fee accordingly. (Amended 2/01)
9. No monies shall be deducted from any member's paycheck without their express written authorization. This would include, but not be limited to, dues, special assessments, representation fees, PAC fees, etc. (Amended 6/95)

ARTICLE V – ELECTED OFFICIALS

1. The elected officials of the association shall be the President and the Board of Directors. The Board of Directors shall select a Vice President, Secretary and Treasurer from among the elected Board members. (Amended 4/95)
2. The term of office for all officers shall be two (2) years with half standing for election in even numbered years and the other half in odd numbered years. The representative for Supervisors, District Attorney, Welfare Fraud, Coroner, and Department of Child Support Services shall stand for election in even years. The office of President and the representative for Crime Lab, Park Ranger, and Public Defender shall stand for election in odd years. (Amended 12/07)
2. The President shall be elected by a vote of the general membership. Each director of the Board of Directors shall be elected from their respective constituent group as defined in Article VI, Section 5(a). (Amended 2/01)
3. Vacancies shall be filled by appointment by the Board of Directors. Any such appointment shall be for the completion of the previous incumbent's term of office provided that there are less than six (6) months to the completion of the term. (Amended 2/01)
4. In the event an incumbent leaves the Board and there is more than six (6) months left for the completion of the term, a special election (among that incumbent's constituent members) shall be held. See Article VIII, Section 18. (Amended 12/07)
5. All Officers shall be bonded or included in an insurance policy containing as a minimum Errors and Omissions, Duty of Fair Representation and Liability coverage. (Amended 2/01)
6. SCALE shall defend, indemnify, and hold harmless any officer or director for any legal action, claim, demand, suit or other legal proceeding brought against SCALE, or an officer, or a director for any matter arising from their duties and responsibilities as an officer or director. The Board of Directors shall in its sole discretion determine whether an officer's or director's actions were within the course and scope of his or her duties as an officer or director for purposes of application of this section. (Amended 2/01)

ARTICLE VI – DUTIES OF OFFICE

1. **President**
 - (a) The President shall be the Chairperson of the Board and shall be an ex-officio member of all committees.
 - (b) The President shall preside over all general and special membership meetings.
 - (c) The President shall appoint committees and committee chairpersons subject to approval of the Board of Directors.

- (d) The President shall perform the executive functions of the Association, including but not limited to, the signing and execution of contracts and the co-signing with the Vice President, Secretary, or Treasurer of drafts for Association expenditures.
- (e) The President is the only person authorized to be released, on a full time basis, from his/her employment with the County. The Board of Directors may authorize additional persons for special projects or on an as needed basis. All persons, including the President, who are released from County employment for Association business, shall be compensated at the rate of pay that they receive from the County. This amount would include all incentives, differentials, insurance's, retirement, etc. that the County would contribute were the individual to remain at their assignment.

2. Vice President

- (a) The Vice President shall assist the President in the fulfillment of his/her duties and shall discharge other duties as may be assigned to him/her by the President.
- (b) In the absence of the President, the Vice President shall assume the duties of the President.
- (c) The Vice President shall assume the responsibilities of the Association Parliamentarian and shall act accordingly in all Association meetings.

3. Secretary

- (a) The Secretary shall be responsible for the administrative duties of the Association, maintaining whatever records are necessary for the orderly conduct of the Association business. The Secretary shall be directly responsible to the President, or in the President's absence, the Vice President.
- (b) The Secretary shall be responsible for the proper dissemination of all Association correspondence.
- (c) The Secretary shall keep the minutes of all meetings of the Association and shall maintain a current copy of the Charter, Constitution and Bylaws. (Amended 2/01)
- (d) The Secretary shall turn completed meeting minutes into the business office within ten (10) days following any Association meeting in which minutes are recorded for distribution to all Board Members for review in advance of future board meetings. (Amended 2/01)
 - (i) A complete copy of all approved Association minutes shall be kept on file at the Association business office. All Association members in good standing may review the minutes from all open meetings during normal Association business hours by appointment. Approved Association minutes for the current year can also be viewed online on the SCALE website. (Amended 12/07)

4. **Treasurer**

- (a) The Treasurer shall collect, receive, and have charge of all Association funds, depositing such funds in a bank designated by the Board, and shall provide for the expenditure of such funds. Any two (2) of the following Officers may co-sign Association drafts: President, Vice President, Secretary, or Treasurer.
- (b) The Treasurer shall provide a current financial report at each regular meeting of the Board and the general membership. (Amended 2/01)
- (c) The Treasurer shall be responsible for verifying deposit history, bank statements and the reconciliation of the bank statements. (Amended 12/07)

5. **Board of Directors**

- (a) Members of the Board of Directors shall be elected by their Constituent groups. The Constituent groups shall be represented employees in the following areas: [1] Crime Lab; [2] Coroner's Office; [3] Public Defender's Office; [4] Park Ranger; [5] Department of Child Support Services; [6] District Attorney's Office; [7] Welfare Fraud; [8] Supervisor. (Amended 12/07)
- (b) The Board of Directors is responsible for carrying out the objectives of the Association as specified in all articles of this document. The Board of Directors shall transact the general business of the Association. They shall have the powers expressly granted by these Bylaws and such general authority not inconsistent therewith, to formulate the program and administer the affairs of the organization between meetings of the Association.
- (c) The Board is authorized to employ such technical, legal, clerical or other assistance as may be required to administer the affairs of the Association.
- (d) The Board of Directors shall establish major administrative policies governing the affairs of the Association and implement these policies for the Association's growth and development.
- (e) The Board of Directors shall approve appointments to all committees and committee chairpersons.
- (f) Board Members shall serve as Stewards for their constituent groups. Each Board Member shall have the authority to appoint a maximum of three (3) assistants, from their constituent group to aid in this responsibility. The Board of Directors must approve such appointments.
- (g) All Association expenditures in excess of one thousand dollars (\$1,000.00) shall require the prior approval of the Board of Directors.
- (h) The President shall serve as chairperson of the Board and shall vote only in the case of a tie.

- (i) The Board of Directors shall provide equal representation to all Active and Fair Share members. When conflicts arise between members, where the Board would provide representation to one member, the Board shall provide separate representation to the other member upon request. (Amended 12/07)
- (j) The Board of Directors may establish and serve as the Political Action Committee. With Board approval, any other active member in good standing may also serve on the PAC Committee. (Amended 12/07)
- (k) Attendance – In order to effectively represent the interest of their constituents, all Board members are expected to attend all scheduled Board, General, Special, and assigned committee meetings. (Amended 2/01)
 - (i) Upon majority vote of the Board of Directors, a Board member or the President may be removed from office if he/she has three (3) consecutive unapproved absences in any calendar year or four (4) unapproved absences overall. (Amended 12/07)
 - (ii) Absences must be approved by majority vote of the Board. (Amended 12/07)
- (l) Members of the Board shall deliver to his/her successor, within one month after leaving the Board, all Association materials within his/her possession. (Amended 12/07)

ARTICLE VII – MEETINGS

1. The Board of Directors shall meet at least monthly. The president or a quorum of the Board of Directors, as required, may call other meetings. Board of Directors meetings shall be open to all Association members excluding Fair Share members; however, this provision shall not preclude the Chairperson or a member of the Board of Directors from declaring an executive session to discuss a personnel matter. (Amended 12/07)
2. A majority of the Board Members shall constitute a quorum at any meeting of the Board of Directors. (Amended 12/07)
3. General membership meetings shall be held quarterly, with not more than four (4) months between meetings. (Amended 2/01)
4. Special meetings may be called by the Association President, the Board of Directors or by petition filed with the President and signed by ten (10) percent of the membership of the Association and shall be called for specifically identified purposes. Business conducted at such special meetings shall be limited to those specific purposes only. (Amended 12/07)
5. Fifteen (15) active members, which may include the Board of Directors of the Association constitutes a quorum at general or membership meetings. In the absence of a quorum, no business may be conducted. (Amended 12/07)

6. The President shall submit an agenda to each Board officer at least one (1) week prior to each general or special membership meeting who then shall post and distribute the agenda to each member. (Amended 12/07)
7. Notice for all general or special membership meetings shall be mailed to all members and/or posted in conspicuous places in the location or locations of employment. Notice of a meeting shall, insofar as practicable, be given five (5) working days prior to the calling of such meeting. (Amended 2/01)
8. Minutes of every general membership meeting shall be kept and shall be either distributed or made available for the inspection of any member. A reasonable amount of time will be afforded the secretary to comply with requests to review minutes.
9. Except as otherwise specified in these Bylaws, a simple majority of the votes cast shall determine any issue before the membership.
10. A secret ballot of those members in attendance at a meeting shall be required to decide any issues upon adoption of a motion calling for such a secret ballot.
11. Pursuant to policies and procedures established by the Board, the Directors may exercise written, signed proxies from the membership in their constituent group on issues at general or special membership meetings. (Amended 2/01)

ARTICLE VIII – ELECTION AND RECALL

1. Any active member in good standing within the Peace Officer Unit, Law Enforcement Support Unit, or Supervisory Law Enforcement Support Unit may hold the position of President. (Amended 12/07)
2. Any active member in good standing *may not* hold the office of President and representative of their constituent group simultaneously. (Amended 12/07)
3. The Vice President will sit as chairperson of the nominating committee. Nominations shall be declared open by the Vice President on the first working day of September. (Amended 2/01)
4. On the first working day after the 15th of September (excluding Monday and/or Friday), a membership meeting shall be held. At this time no more than two (2) names for each office shall be placed into nomination by the Vice President as chairperson of the nominating committee. An unlimited number of names may be placed into nomination by active members, from the floor, except that nominations for each Board position shall be made only by members from that respective constituent group. (Amended 12/07)
5. In the absence of a quorum at the membership meeting, the nominations of the nominations committee shall stand as the slate of candidates for election. (Amended 2/01)
6. Within ten (10) days after nominations, the Secretary shall determine by responses in writing, the willingness of each candidate to serve if elected. (Amended 2/01)

7. Election ballots shall be distributed to all active members so they will be received by the members on the first working day after the 1st of October. (Amended 2/99)
8. Election ballots shall be counted and the results declared no later than the 15th of October. (Amended 2/99)
9. Election to any office in the Association shall require a simple majority of the votes cast. When no candidate receives a simple majority, the two (2) candidates receiving the greatest number of votes shall compete in a runoff election. In such case, the runoff election shall be completed and results declared within fifteen (15) calendar days.
10. All newly elected officials shall take office on January 1st following the election. (Amended 2/01)
11. The Association President shall appoint at least three (3) members not vying for office, to temporarily function as an Election Committee. This committee is responsible for operating polling places, counting ballots, investigating all challenges and irregularities pertaining to the election process, and publishing election results.
12. Any election protest shall be filed in writing with the Secretary within three (3) working days after the election results are announced. The Election Committee shall investigate the protest and report the findings to the Board of Directors, whose decision on the matter will be final.
13. Voting for Officers shall be by secret written ballot. Unless specified herein voting on all other matters, at regular and special meetings shall be by a show of hands or voice vote. (Amended 5/94)
14. Recall of Association Officers shall be for cause only and limited to allegations of incompetence, neglect of duty, or dishonesty. (Amended 12/07)
15. Recall of the President may be initiated by a petition signed by twenty percent (20%) of the active members. The President shall be provided with prior notice, in writing, setting forth the charges. A public hearing, if requested, shall occur prior to acting upon the petition. The petition shall be acted upon no later than thirty (30) days upon receipt. Action on the petition shall be by secret ballot and approval shall be by two-thirds (2/3) of the active members voting. (Amended 6/95)
16. Recall of a Board member may be initiated by a petition signed by twenty percent (20%) of the active members from the Board member's constituent group (Article VI, Section 5 (a)). The affected Board member shall be provided with prior notice in writing setting forth the charges. A public hearing, if requested, shall occur prior to acting upon the petition. The petition shall be acted upon no later than thirty (30) days upon receipt. Action on the petition shall be by secret ballot and approval shall be by two-thirds (2/3) of the active members voting from the Board member's constituent group (Article VI, Section 5 (a)). (Amended 2/01)
17. Should the office of the President become vacant, the Board members shall appoint a President immediately from among themselves. Such person shall serve for the completion of the previous incumbent's term of office. (Amended 2/01)

18. In the event a special election is needed to fill a Board vacancy, nominations shall be solicited from the membership affected and represented by the vacated Board position. Within ten (10) days after nominations, the willingness of each candidate to serve, if elected, shall be determined in writing. Ballots shall be mailed out to the affected membership, and those ballots shall have a postmark due date of ten (10) calendar days from the date of mailing. The ballots shall be counted by at least two (2) Board members (not including the departing Board member) within four (4) calendar days of the postmark due date. The winner must be selected by a majority vote of those casting ballots. The results of the ballot counting shall be announced no later than twenty (20) days after the date of mailing. (Amended 12/07)

19. In the event a special election or vote is needed to address an issue of member concern (including, but not limited to, contract ratification, directional votes, etc.), the President or the Board may call for a special meeting in order to address the issue or the issue can be addressed at a previously scheduled General Membership meeting. Notice of the intention to have a special election in conjunction with the issue must be published prior to the meeting.

If there is to be a special election or vote at the conclusion of the meeting, that intention must be published, and ballots must be distributed at the conclusion of the discussion. Ballots will be counted by at least two (2) Board members immediately after the vote is concluded, and the results will be announced immediately after the counting is completed. The election or issue shall be decided by a majority vote of those casting ballots. The use of proxy votes will be decided on an issue-by-issue basis.

If the election or vote is to be conducted by mailed ballot, this too shall be announced in conjunction with the publishing of the special meeting. Ballots shall be mailed out to the affected membership, and those ballots shall have a postmark due date of ten (10) calendar days from the date of mailing. The ballots shall be counted by at least two (2) Board members within four (4) calendar days of the postmark due date. The election or issue will be decided by a majority vote of those casting ballots. The results of the ballot counting shall be announced no later than twenty (20) days after the date of mailing. (Amended 12/07)

ARTICLE IX – COMMITTEES

There shall be four (4) standing committees: the Sworn Team Negotiating Committee, the Enforcement Team Negotiating Committee, the Supervising Team Negotiating Committee, and the Political Action Committee. (Amended 12/07)

Other committees, deemed necessary or helpful in conducting the orderly Association business, may be created and dissolved subject to the approval of the Board. (Amended 12/07)

A simple majority of the members of any committee constitutes a quorum. (Amended 12/07)

1. Negotiating Committees

(a) All Officers and Board Members shall serve on the Negotiating Committee. In addition, the President may appoint a representative cross-section of the membership knowledgeable on vital issues being negotiated and capable of speaking for occupational communities of

interest. In all instances, the Negotiating Committee shall obtain recommendations from the membership regarding the subjects of negotiations. (Amended 2/01)

- (b) The Negotiating Team shall be appointed by the President, with concurrence of the Board of Directors. (Amended 12/07)
- (c) All proposed or tentative Agreements or contracts entered into by the Negotiating Team(s) shall be ratified by only the members of the unit to which the contract applies. (Amended 6/95)

2. Political Action Committee (Amended 6/95)

- (a) The Board is authorized to establish a Political Action Committee.
- (b) The name of this Committee shall be the SCALE Political Action Committee (“PAC”).
- (c) The general purpose of the PAC is to support and further the goals and policies of the Association. The specific purposes are:
 - (i) To support candidates and positions on ballot measures endorsed by the Association.
 - (ii) To further the common good and general welfare of the residents by promoting improvements in and educating the public about Public Safety issues.
 - (iii) To encourage the improvements of benefits, compensation, working conditions and retirement status of our active and retired members.
- (d) Members of the Association may make contributions to the PAC directly or through payroll deduction. In addition, the Board of the Association may earmark a portion of member dues for the PAC upon a majority vote made by the membership at a general membership meeting. This amount may be changed from time to time.
 - (i) Effective August 1, 2007, the Association will no longer request to fund the PAC account with a separate dues deduction paid for by the member. (Amended 12/07)
 - (ii) Effective January 1, 2008, the Association will fund the PAC account in the amount of one dollar (\$1) per member, per month. Fair Share members are excluded from the member count. (Amended 12/07)
- (e) The control and direction of the PAC shall be vested with a Board of Directors, which shall consist, ex-officio, of the members of the Board of Directors of the Association. The Board shall have control over the funds and affairs of the PAC and shall establish and carry out all policies and activities. The Board may delegate all or some of the responsibilities of the PAC to an Executive Committee, a committee of the Board, or a separate committee comprised of members appointed by the Board.

ARTICLE X – ANNUAL AUDIT

Annually, all financial records and transactions will be submitted to an independent accounting firm so that an audit can be completed at the end of each fiscal year. Once this audit has been completed all reports will be distributed to the Officers and Board Members. This audit report as well as all financial records of the Association shall be open, at the Association office, for review by any active member in good standing.

The annual audit shall be the basis upon which the Fair Share fee to be paid by Fair Share members shall be determined in accordance with the provisions of the existing Collective Bargaining Agreement. (Amended 2/01)

ARTICLE XI – AMENDMENT OF CONSTITUTION AND BYLAWS

The Constitution and Bylaws of this Association may be amended or revised by the vote of two-thirds (2/3) of the members voting at any General or Special meeting of the membership, provided that the notice of such meeting contains a summary of the proposed amendment or amendments, and provided that the amendments are not inconsistent with the Association Charter or the general law. (Amended 2/01)

ARTICLE XII – FISCAL YEAR

The fiscal year of this Association shall be January 1 through December 31. (Amended 12/07)

ARTICLE XIII – PARLIAMENTARY PROCEDURE

The rules contained in the current edition of Robert's Rules of Order on parliamentary procedure shall govern meetings of this Association in all cases which they are applicable and in which they are inconsistent with these Bylaws.

ARTICLE XIV – ASSOCIATION FUNDS

(Amended 2/01)

1. Source of Funds – The funds of the Association shall be derived from dues, assessments, fines, interest, dividends, and from other lawful sources. (Amended 12/07)
2. Expenditures – The funds of the Association may be expended in furthering the object and purpose of the Association, in proper deposits and investments, and for such other purposes as this Constitution and Bylaws provide. No investments exceeding one thousand (\$1,000.00) dollars shall be made until such investment has been investigated and approved by the Board of Directors. (Amended 2/01)

3. Financial Dealing with Association Members – No loans shall be authorized to any Association member or employee. Except upon dissolution of the Association, the funds of the Association shall not be divided among its members. (Amended 2/01)

ARTICLE XV – MISCELLANEOUS PROVISIONS

(Amended 2/01)

1. Power to Bind Association – Except to the extent specified in this Constitution and Bylaws, no officer of the Association shall have the power to act as agent for or otherwise bind the Association in any way whatsoever. No member or group of members or other persons shall have the power to act on behalf of the Association except to the extent specifically authorized in writing by the President or by the Board of Directors of the Association. (Amended 2/01)
2. Receipts and Expense Accounts – All receipts and other evidence of expenditures on behalf of the Association shall be made available for inspection by any Association member eligible to vote in Association elections. Members who wish to review receipts or other evidence of expenditures shall do so upon reasonable notice to the office manager and in the presence of the President, and/or, Vice President and/or Treasurer. (Amended 2/01)

Adopted this ____ day of _____, 2007

Caryn King, President

Bill Wetzel, Vice President

Brian Sweeney, Treasurer

Jeff Herbert, Secretary

Paul Goyette, Legal Advisor