

MINNESOTA
STATE PATROL
TROOPERS ASSOCIATION



CONSTITUTION

And

BY-LAWS

REVISED APRIL 2017

ARTICLE I

NAME: The name of this organization shall be the Minnesota State Patrol Troopers Association.

ARTICLE II

PURPOSE: The purpose of this Association shall be: To foster and encourage a high degree of skill and efficiency; to cultivate friendship and fellowship among its members; to urge the adoption of a fair and adequate wage scale; to elevate and improve the morale of its members, and their intellectual, social and economic welfare; to promote unity among the members of the various stations; to protect its members against injustice and in all things to promote and maintain the good name of this Association and its members.

ARTICLE III

Section 1. Any member of the Minnesota State Patrol, may become a full member of this Association and shall make application for membership to the Secretary; provided individuals holding the rank of lieutenant or above, and individuals who are on leave of absence from the Minnesota State Patrol, shall be considered Associate members and the Association shall set special dues for Associate membership.

Section 2. Each Association member shall pay the regular Minnesota State Patrol Troopers Association dues each pay period to the Treasurer of the Association, dues are payable on January 1 of each year, either in cash or by signing a payroll deduction card. Members who opt to be fair share will be assessed a minimum of 85% the normal dues by payroll deduction.

The Association shall determine the amount of the Association dues. The amount of dues, collected by the

Association shall automatically increase proportionate to the percentage increase agreed by contract. The Association will advise the State Department of Payroll of any change in the regular deductions for dues seven (7) days in advance of the effected pay period. In no event shall the amount deducted for dues exceed six tenths of a percent of a starting Troopers monthly base salary rate of any pay period in effect at the time of the deduction for dues.

In addition to regular dues, each member shall be assessed three (3) hours of vacation time per fiscal year to be placed into the Association time bank. The hours in the time bank to be used at the discretion of the Association President under the oversight of the Executive Council for purposes of conducting Association business.

Each member may authorize the Treasurer of the Assn. to place one dollar (\$1.00) of their dues per pay period in the dedicated fund to be known as the "Contingency Fund" which contingency fund may be expended only for political activities, and only as shall be authorized by the Budget Committee of the Association's Executive Council.

Section 3. Whenever an Association member shall cease to be a member of the Minnesota State Patrol, they shall no longer be a member of this Association. Any trooper who is put on disability retirement while a member of the State Troopers Association, in good standing, shall be carried as a member in good standing without payment of dues during the time of their disability and until such disability is terminated with the trooper returning to work or reaches retirement age.

Section 4. Any Association member may be expelled from the Association for cause, on the same terms and in the same manner as provided in Article IV, Section 8, Subdivision 3 hereof.

Section 5. Any full Association member involved in a contract grievance shall follow the steps outlined by the contract. They shall be represented by an officer or member of the Executive Council for a finding or further action if the grievance cannot be handled in the preliminary steps.

ARTICLE IV

Section 1.. The officers of the Association shall be: President, Vice President, Secretary, and the Treasurer.

The Vice President, Secretary, and the Treasurer shall be non-voting members of the Executive Council. The President shall have tie-breaking authority.

There shall be an Executive council comprised of the Officers and one Delegate from each Patrol District, two delegates at large: one from the northern part of the state and one from the southern part of the state. District 2000 shall be comprised of the training center, central office flight section, investigative services section and executive protection. District 2000 members may vote in the district they reside. The district delegate will forward that vote to the district 2000 delegate. All other exempt rank Sergeants and District 4700 Troopers to be represented by the district which they are assigned.

Section 2. Each member of the Executive Council, the President, and, the Vice President shall be elected for a 2 year term. The Secretary and the Treasurer shall be elected to a 4 year term.

At the President's discretion, a date for the primary election shall be set. The time of the primary election shall not be later than November, of each odd numbered year.

The general election shall be held no later than 28 days, after the primary election. Primary and general elections shall be by secret ballot.

Only election ballots *received* within 14 days, of ballots being sent out, shall be counted.

In the event that only one candidate is running for a particular office, after the primary election, the President may declare a white ballot.

Section 3. Officers and members of the Executive Council shall assume the duties of their respective offices on January 1 following election.

Section 4. All members in good standing shall be eligible to vote and hold office in the Association.

Section 5. No Officer or member of the Executive Council shall be elected unless they receive a majority of the votes cast.

Section 6. Each Officer and member of the Executive Council shall before taking office subscribe to the following:

"I _____ do hereby pledge honor to perform the duties of my office, as required by the constitution of this Association, to bear true and faithful allegiance to the organization: to deliver all books, papers, and other property of the Association at the end of my term, to my successor in office, and at all times to conduct myself as becomes a member of this Association."

Section 7. Each Officer and member of the Executive Council shall hold office during their term and until their successor shall have been elected and qualified.

Section 8. Any office shall be declared vacant for any of the following reasons:

1. The resignation or death of an officer or member of the Executive Council.

2. Absence of any Officer or member of the Executive Council from three consecutive meetings without reasonable excuse. The President shall, in each case, declare the office vacant.

3. For cause as follows:

Any member of the Executive Council, including Officers, may be recalled from office, or may be expelled from membership in the Association, by a majority vote of the Executive Council, after a hearing as hereinafter provided, and in either case their office shall be declared vacant.

Any member of the Association may make a complaint against any Officer or member of the Executive Council for just cause. The complaint shall be made in writing and provided to the District Delegate in the district where the complaint originated, or, provided to the Northern or Southern Delegate for such area. The Delegate shall present the complaint at the first district meeting held after receipt of the complaint. A special meeting of the district members may be called by the President or Vice President if a conflict arises, upon petition of three members of such district. A vote shall be taken at such meeting by secret ballot to determine if the complaint has been made for just cause. If by majority vote the complaint is substantiated it shall be filed with the Secretary, and a full and complete copy thereof shall be furnished to the accused in writing at least twenty days before the hearing. All members of the Executive Council shall be notified of the time

and place of such hearing, and the name of the accused, at least ten days before the date thereof.

Upon such hearing, the Executive Council shall hear all evidence presented in support of such charges, and the accused shall be entitled to present any evidence in their own behalf. Executive Council shall make its decision within ten days after the adjournment of said hearing, by majority vote.

Section 9. At the first district meeting held after the general election, each district shall elect an alternate delegate, by secret ballot. If a vacancy occurs, in the district delegate position, the respective alternate district delegate shall finish the unexpired term, as the district delegate. The district shall elect a new alternate district delegate at their next district meeting.

If a vacancy occurs, in the office of the Vice President, Secretary, Treasurer, Northern Delegate, or, Southern Delegate, the unexpired term shall only be filled by a special election, if called by the President. The special election shall be by secret ballot, and, consist of a primary and general election. Only election ballots *received* within 14 days, of ballots being sent out, shall be counted. In the event that only one candidate is running for a particular office, after the special primary election, the President may declare a white ballot.

If a vacancy occurs, in the office of the President, the Vice President shall become the President, for the unexpired term.

ARTICLE V

LEGISLATIVE DELEGATE:

Section 1. The Executive Council shall appoint a Legislative Delegate or Delegates.

Section 2. The Legislative Delegate or Delegates shall act under the direction of the Executive Council.

ARTICLE VI

DUTIES OF OFFICERS:

Section 1. It shall be the duty of the President to preside at all meetings of this Association, to preserve order during its deliberations, to appoint all committees not otherwise ordered, to keep any secret work in his possession and not divulge it to any one but a member in good standing, to transact such other business as may of right pertain to the office.

Section 2. The Vice-President shall, in the absence of the President, perform the duties of the office and he shall preside at all meetings when the President is absent.

Section 3. The Secretary shall keep the records of the Association including the minutes of all meetings, the books especially provided for that purpose, and shall perform such duties as may be designated by the Executive Council. The Treasurer shall deposit the funds of the Association in the name of the Association, keep records of all monies received and expended, and shall make a report of this office whenever called upon by the Executive Council. The salary of the Secretary and Treasurer shall be established by the Executive Council. The Secretary and Treasurer shall also be reimbursed for all necessary expenses incurred in the performance of their duties.

Section 4. The Delegates from the respective districts shall serve as members of the Executive Council. They shall also serve, within their respective patrol districts, as grievance committees for such districts.

Section 5. The Delegates at Large shall serve as members of the executive Council.

Section 6. The Executive Council shall audit or cause to be audited, the books of the Treasurer, during the month of December each year, and report their findings to the Association. It shall be required that all financial accounts of the association be covered by surety bonds in such sums as to be determined by the Executive Council.

ARTICLE VII

MEETINGS: Section 1. The size and nature of this organization is such that it is impractical, if not impossible, for enough of the members to be away from their duties at the same time to hold a regular meeting of the entire Association. It is necessary, therefore, to conduct the regular meetings of the Association in district meetings, to be held in each district. The district Delegate is empowered to act for their district in all executive Council proceedings.

Section 2. Special meetings of the members of any or all of the district organizations may be called by the President; and any three members of any district may petition the President to call a special meeting for such district.

Section 3. Special meetings of the Executive Council may be called by the President or upon written request of three members of the Executive Council to the Secretary, who upon receipt of such written request, shall set a date for such meeting and notify the members of the time and place at least ten days before the date thereof. The date for such meeting shall be set by the Secretary to be not less than fifteen days after receipt of such written request. A quorum of nine shall be required for each regular or special meeting of the Executive Council.

Section 4. Meetings of the Association shall be open to all members and retired members. Only full Association members in good standing and in attendance shall be allowed to offer motions, second motions or vote.

Section 5. All meetings shall be conducted in a business like manner, with the rules of the meeting determined by the officer presiding over the meeting. Robert's Rules of Order may be used by the presiding officer as a resource on meeting procedures. The Board shall, in its discretion, have the authority to establish specific rules of procedure

Section 6. All Executive Council meetings shall be open to any full member of the Association.

Section 7 All voting of the Executive Council shall be by a recorded vote.

ARTICLE VIII

COMMITTEES:

Section 1. The President shall appoint such committees from time to time determine to be necessary, or as the Executive Council may direct.

Section 2. A Grievance Committee shall be formed. This committee shall have the final say as to move forward with a grievance beyond Step 2, as spelled out in the Grievance Procedure-Article 16. The committee shall consist of: President, Vice President, Northern Delegate, Southern Delegate, and the District Delegate filing the grievance. A two-thirds majority shall rule.

Section 3. The Budget Committee shall consist of the President, Vice President, Secretary, Treasurer, Northern Delegate and Southern Delegate.

ARTICLE IX

REVENUE: The revenues of this Association shall be derived from annual dues, special assessments or revenue raising methods that may be voted by the Executive Council.

ARTICLE X

FUNDS: The funds of this Association shall be used to defray the necessary expenses of the Association and for such other purposes as the Executive Council may from time to time determine. The Officer incurring any bill shall sign the same and it shall be paid by the Treasurer upon approval of the Executive Council.

ARTICLE XI

LEGAL REMEDIES:

Section 1. No member shall use the name of the Association for any purpose other than those expressed in these by-laws.

Section 2. That in contested disciplinary actions, all facts surrounding the incident shall be submitted to the Association attorney. After the attorney has reviewed all available information, shall make the determination as to what course of action the Association could take and that action is considered. If the trooper retains their own attorney, it shall be done at their own expense.

Section 3. A member in good standing will be afforded legal representation in a manor provided by the Executive Council. The MSPTA will provide legal representation as soon as possible to full members directly involved in critical incidents. A critical incident is defined as any incident resulting in death, great bodily harm, and substantial bodily harm. or any incident where deadly force is used by or against a member while the member is in the performance of official duties. A member of the MSPTA Executive Council will advise the trooper directly involved how to contact legal assistance. The attorney will determine whether response to the scene is warranted after consulting with the involved member. If legal representation is unable to respond to the scene of a critical incident immediately, the member is to be provided with legal representation as soon as possible. The Executive Council Delegate or Assistant Delegate will immediately notify the President or Vice President, or in their absence, the Secretary or Treasurer of the critical incident. The Association's financial responsibility is limited to the policy set by the Executive Council. In no event does the initial response to a critical incident obligate the MSPTA to represent any member against criminal charge arising out of such incident.

ARTICLE XII

AMENDMENTS: This constitution and its by-laws may be amended, therefore, by two-thirds vote of all members voting at district meetings in the various districts throughout the state. Notice of the proposed amendments shall be filed in writing with the Delegate of each district, two weeks prior to any regular or special district meeting, and when each of the district organizations have met and voted thereon, the total vote of all members voting shall be counted to determine whether or not the amendment has succeeded or failed.