

**BYLAWS OF THE
FRESNO COUNTY DEPUTY PROBATION OFFICER'S ASSOCIATION**

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**FRESNO COUNTY DEPUTY PROBATION OFFICER'S ASSOCIATION
BYLAWS**

Adopted November 9, 2023

ARTICLE 1 – NAME

Section 1: Name: The name of this organization shall be the Fresno County Deputy Probation Officer's Association and may be referred to herein as FCDPOA, Association, or Corporation. It shall include all Deputy Probation Officers in classifications DPO I, II, III & IV employed by the County of Fresno.

Section 2: Offices: The principal office for the transaction of the business of the Corporation, is located in Fresno, California.

ARTICLE 2 – CORPORATION

Section 1: Nonprofit Mutual Benefit Corporation: This Association is a nonprofit mutual benefit corporation organized under the Nonprofit Mutual Benefit Law, California Corporations Code.

ARTICLE 3 – PURPOSES

Section 1: Purposes of the Association: The purposes of the Association are as follows:

- a. To provide and maintain a "labor organization" as the term is used in section 501(c)(5) of the Internal Revenue Code that has as its principal purpose the representation of its members in matters regarding employment, wages, hours of labor, working conditions, economic benefits and other terms and conditions of employment;
- b. To support the highest professional standards for peace officers by encouraging the establishment of training schools and other methods of instruction; and
- c. To encourage activities tending to improve the morale and general welfare of the members.

Section 2: Accomplishment of Purposes: The Association shall take the necessary steps for the accomplishment of these purposes.

Section 3: Name Authorization: The name of the FCDPOA may not be used or represented without the written permission of the Executive Board.

ARTICLE 4 – MEMBERSHIP

Section 1: Non-discrimination: There shall be no discrimination or restriction on membership because of race, color, creed, national origin, sex, age, religion, citizenship, sexual orientation or disability.

Section 2: Classes of Membership: There shall be two (2) classes of membership in this Association.

a. Members:

- (1) Membership shall be limited to Active and Fee-Paying members who are employed by the Fresno County Probation Department.
- (2) Any member who is dismissed or terminated and who appeals such dismissal or termination, may remain a member in good standing pending the outcome of said appeal, including any judicial review.
- (3) Additional classifications may be added by a majority vote of the Board of Directors.

b. Retired Members (Social Membership):

- (1) Any member in good standing who retires from active service, or retires from service due to a work-related disability, or those retiring whom held prior membership but withdrew due to promoting classifications within the Probation Department, may receive a social membership with the Association. Social members shall be excluded from holding any elective office within the Association, shall have no voting rights, or receive any legal representation on behalf of the Association. They may be appointed to the Board of Directors in an advisory capacity only, by majority vote of the active members.

Section 3: Responsibilities of Members: It shall be the responsibility of all members to attend all general and special membership meetings and to keep themselves informed regarding the proceedings of all membership meetings. It is the responsibility of each member to become familiar with the operational rules of the Association, including these bylaws, and actively contribute in Association functions.

Section 4: Termination of Membership:

- (1) Any change in a member's employment status making such member ineligible for active membership shall automatically terminate or change their membership status within the Association.
- (2) Membership shall be automatically terminated for any Association member who files suit against the Association, or who takes any action against the best interests of the Association.
- (3) Associations obligation to provide any services to any individual member in any particular case may, at Associations option, be terminated whenever the member acts against the advice of Associations representatives or fails to cooperate by providing necessary

information or materials or misrepresents the facts of the case to Association representatives, or makes any statements or otherwise acts to the detriment of the defense without prior consultations with Associations representatives.

- (4) Any individual, whose membership is terminated, shall be eligible to apply to the Association Board of Directors for reinstatement following a waiting period of six (6) months.

ARTICLE 5 – BARGAINING UNIT

Section 1: Bargaining Unit: This Association is the sole and exclusive representative for all classifications covered by the FCDPOA Memorandum of Understanding (MOU).

ARTICLE 6 – DUES

Section 1: Dues Rates: Dues shall be calculated using the following formula:

- a. Monthly cost per member of the following items and services:
 - (1) Law Firm Retainer
 - (2) Legal Defense Fund
 - (3) Utilize property owned by the Association
- b. Plus, monthly dues as determined by a recommendation by the Board of Directors and a two-thirds affirmative ballot vote of the members.

Section 2: Initiation and Reinstatement Fee: Anytime a member joins the Association after their initial forty-five (45) days of employment the member shall pay an initiation fee of the current monthly dues equal to the number of months the member has been employed and not as a member of the association. If a member is wanting to be reinstated after quitting the association there will be a reinstatement fee of two thousand four hundred dollars (\$2,400). Upon the adoption of new Bylaws, the Initiation Fee shall be waived for the initial fourteen (14) business days upon ratification; exceptions may be made by the Executive Board for those who were on authorized leave during this period.

Section 3: Payment of Dues: Payment of dues shall be by authorized payroll deduction. Dues shall be deducted Bi-weekly. Reinstatement and initiation fees will be paid directly to FCDPOA.

ARTICLE 7 – DIRECTORS AND OFFICERS OF THE ASSOCIATION

Section 1: Corporate Powers: The executive and administrative power of the Corporation shall be vested in its Board of Directors. Directors shall be members of the Association. The activities and affairs of the corporation shall be conducted, and all corporate powers shall be exercised by or under the direction of the Board of Directors. The Board of Directors shall have all powers necessary to carry out all purposes of the Corporation including, but not limited to, entering contractual agreements for purposes of providing professional services for the benefits of the members. Nothing in these bylaws shall be construed to prohibit or limit the exercise of power by the Board of Directors insofar as such exercise is authorized by the Constitution of the State

of California or by California statute.

Section 2: Access to Corporate Records: Members have the right to inspect bylaws, standing rules, minutes, audited and unaudited financial reports and membership lists during normal business hours, within thirty (30) days of a written request being received by the Secretary or President, for purposes reasonably related to the person's interest as a member. Directors have an absolute right to inspect and copy any record of the Corporation at reasonable times.

Section 3: Board Duties:

- a. Member Assistance: In all cases of disciplinary action by the County against a member of which the Board of Directors becomes aware, the President or designee shall inform the member of the availability of professional assistance. Representation shall be provided to the member in accordance with the agreement between the Association and the provider of professional assistance. All professional assistance must be approved by the Board of Directors.
- b. Emergency Action: The Board of Directors shall in matters they deem as urgent, or of an emergency nature, take immediate action on any and all matters that adhere to the avowed purposes of the Association.
- c. Members Best Efforts: Each member of the Board of Directors shall be familiar with the Articles of Incorporation and the bylaws of this Association, and each member shall devote their energies to promote the purposes of this Association.
- d. Voting: All board members shall be entitled to vote on any matters concerning this Association.
- e. Standing Rules: The Board of Directors has established the Roberts Rules of Order to ensure the orderly operation of the Association.

Section 4: Directors and Representatives: The Board of Directors (Executive Board) shall consist of four (4) members: President, Vice Present, Treasurer, and Secretary.

- a. President: The President shall:
 - (1) Be the chief executive officer and shall preside at all meetings of the Association and of the Board of Directors,
 - (2) Enforce a strict observance of these bylaws and all other laws, rules, and regulations applicable to the governing of the Association and the Board of Directors;
 - (3) Be empowered to designate committees and appoint membership thereto;
 - (4) Be an ex officio member of all committees;
 - (5) Announce the decision of the Association or the Board of Directors on all subjects;
 - (6) Sign all reports, certificates, documents, or correspondence;
 - (7) Perform such other duties as required by the Board of Directors
 - (8) Call meetings of the Board of Directors and the Association;
 - (9) Act as spokesperson for the Board of Directors;
 - (10) Prior to vacating office, the President shall deliver to the Board of Directors, all

- records, passwords, and equipment belonging to the Association; and
- (11) Provide a President's report and a report of the Board of Director's activities at each membership meeting.
- b. Vice-President: The Vice-President shall:
- (1) Ensure that committee reports are made on time;
 - (2) Provide direction for committees in cooperation with the chairman;
 - (3) Be empowered to assume the responsibilities of the President when the President is absent;
 - (4) Contact all new eligible members and explain the benefits of membership and the objectives of the Association;
 - (5) Collect, copy, and disseminate all Association mail;
 - (6) Prior to vacating office, the Vice-President shall deliver to the President, all records, passwords, and equipment belonging to the Association; and
 - (7) Perform such other duties as assigned by the President or the Board of Directors.
- c. Treasurer: Treasurer shall:
- (1) Collect and receive all monies to the Association, either by dues, donations, or any other manner whatsoever; Pay all orders, charges, and expenses of the Association as directed by the Board of Directors;
 - (2) Ensure that all monies are properly accounted and receipted for, and such monies, except for petty cash, be maintained in banks or other financial institutions as designated by the Board of Directors;
 - (3) Maintain the financial records of the Association;
 - (4) Supervise preparation of audited and unaudited financial reports as required;
 - (5) Prepare all tax returns;
 - (6) Have the Corporation's accounts, and records in condition for audit and ready to turn over to their successor in the office of the Treasurer, and ensure that all accounts are property designated and that there shall be no commingling of personal or non-corporate assets with the assets of the corporation;
 - (7) Perform such other duties as may be required by the President or Board of Directors.
- d. Secretary: Secretary shall:
- (1) Maintain all records of the Association;
 - (2) Keep the roll of the members;
 - (3) Promptly prepare the minutes of all meetings of the general membership and meetings of the Board of Directors and distribute to each member of the Board of Directors a draft copy of the minutes for approval, prior to the next meeting;
 - (4) Establish and maintain an accurate filing system for all reports, minutes, documents, and correspondence pertaining to Association business;
 - (5) Keep at all times an inventory of the Association's assets;
 - (6) Record the results of all voting and elections concerning this Association;
 - (7) Submit all records, to an authorized auditor whenever requested;
 - (8) The Secretary shall notify the general membership and the Board of Directors of all regular and special meetings of the Board of Directors and the Association at least forty-eight hours prior to the meeting; stating, at minimum, the time, date, and location of the meeting. Any special items to be addressed must also be included in the notice

- to the membership;
- (9) Prior to vacating office, the Secretary shall deliver to the President, all records, passwords, and equipment belonging to the Association;
 - (10) Perform such other duties as may be required by the President or Board of Directors
- d. Unit Representatives: The Board of Directors has the authority to utilize Unit Representatives to assist in disseminating information to and from the Board and meeting any of the responsibilities outlined above. Unit Representatives have no voting rights. Unit Representatives shall also meet with new employees and answer any questions regarding joining the Association.

Section 5: Indemnification:

- a. Right of Indemnity: To the fullest extent permitted by law, this Corporation shall indemnify its Directors, officers, employees, and other persons described in Section 7237(a) of the California Corporations Code, including persons formerly occupying any such position, against all expenses, judgments, fines, settlements, and other amounts actually and reasonably incurred by them in connection with any "proceeding," as that term is used in that Section, and including an action by or in the right of the Corporation, by reason of the fact that the person is or was a person described in that Section. "Expenses," as used in this Bylaw, shall have the same meaning as in Section 7237(a) of the California Corporations Code.
- b. Approval of Indemnity: Upon written request to the Board by any person seeking indemnification under Section 7237(b) or Section 7237(c) of the California Corporations Code, the Board shall promptly determine under Section 7237(e) of the California Corporations Code whether the applicable standard of conduct set forth in Section 7237(b) or Section 7237(c) has been met and, if so, the Board shall authorize indemnification. If the Board cannot authorize indemnification because the number of Directors who are parties to the proceeding with respect to which indemnification is sought prevents the formation of a quorum of the Directors who are not parties to that proceeding, the Board shall promptly call a meeting of Members. At that meeting, the Members shall determine under Section 7237(e) whether the applicable standard of conduct set forth in Section 7237(b) or Section 7237(c) has been met and, if so, the Members present at that meeting in person shall authorize indemnification.
- c. Advancement of Expenses: To the fullest extent permitted by law and except as otherwise determined by the Board in a specific instance, expenses incurred by persons seeking indemnification under Sections 7237(b) or 7237(c) of these Bylaws in defending any proceeding covered by those Sections shall be advanced by the Corporation before final disposition of the proceeding, on receipt by the Corporation of an undertaking by or on behalf of that person that the advance will be repaid unless it is ultimately determined that the person is entitled to be indemnified by the Corporation for those expenses.

Section 6: Board of Directors Insurance: The Association may maintain insurance to the full extent permitted by law on behalf of its officers, directors, employees, and other agents, against any liability asserted against or incurred by any officer, Director, employee, or agent in such capacity or arising out of the officer's, director's, employee's, or agent's status as such.

ARTICLE 8 – TERMS OF OFFICE

Section 1: Executive Board: The Board of Directors consisting of the President, Vice President, Secretary and Treasurer shall be elected for terms of two (2) years. There shall be no limit to the number of terms an officer may serve. The President shall be elected in odd numbered years. The Vice-President, Secretary, and Treasurer shall be elected in even numbered years.

ARTICLE 9 – ELECTION PROCESS

Section 1: Minimum Requirements: Members of the Association, in good standing, and who have completed their initial probationary period, shall be eligible for any office in the Association if they meet the following requirements:

- a. Each candidate's application for office shall be endorsed by at least two (2) members of the Association.
- b. Applications for office must be submitted to the chairman of the Election Committee by September 1.
- c. Elections will be held October 1st and close October 7th.

Applications for office shall be available from the Board of Directors.

Section 2: Automatic Nomination: The incumbent of any office shall automatically be placed on the ballot for that office unless the incumbent otherwise objects, in writing, delivered to the Board of Directors, by September 1 of their election year.

Section 3: Review of Eligibility: Prior to September 15th, the Election Committee shall examine each application for office to ensure that candidates meet the minimum requirements.

Section 4: Election Unnecessary: If there is no challenger for any office, the election for that office shall not be held.

ARTICLE 10 – VACANCY OR RESIGNATION FROM OFFICE

Section 1: Termination of Employment: An office shall be deemed vacated when the elected officer terminates employment.

Section 2: Default in Attendance: An office shall be deemed vacated when the officer misses two (2) or more consecutive Board of Directors meetings and/or two (2) or more consecutive general membership meetings without a reason acceptable to the Board of Directors. The Secretary shall keep the attendance records and advise the Board of Directors when an officer appears in default. The Board of Directors shall review the default record at the next regular meeting to determine if the office should be deemed vacated.

Section 3: Leaving Bargaining Unit: An office shall be deemed vacated when the elected officer is no longer a member of the bargaining unit.

ARTICLE 11 – MEMBER CENSURE

Section 1: Reasons for Censure:

- a. A member may be censured for good cause by a two-thirds (2/3) vote of the Board of Directors. Good cause shall include, but not be limited to:
 - (1) Found to be in violation of the bylaws; or
 - (2) Acting in a way contrary to the avowed purpose of the Association in a manner deemed detrimental to the good of the Association.
- b. Charges against any member may be filed in writing with the Board of Directors at any Board of Directors meeting by any member of the Association in good standing. Said charges shall be referred to a special committee of two (2) members of the Board of Directors and one (1) member from the membership as selected by the President. If the charges are against the President, the Vice-President will appoint the one (1) member of the committee in lieu of the President. No member of the Board of Directors against whom charges are made or member bringing such charges will be a member of the committee.

Section 2: Levels of Censure: Any may be censured by enacting against the member by a two-thirds (2/3) vote of the Board of Directors one of the following:

- a. Private Censure: The Board of Directors may inform the member in a private meeting called for the purpose or during an executive session of a regular board meeting to which the member shall be required to attend for his censuring only, that they have been found to be in violation of the provisions as stated above and they are now officially and privately censured. After such private censure, no information or discussion of this censure is permitted outside of executive session.
- b. Written Censure: The Board of Directors may cause to be posted or distributed to the membership a written censure of a member. Such written censure shall contain the name of the member being censured and the reason for censure.
- c. Removal of Voting Power: The Board of Directors may vote to censure a member by removing from that member any power to vote or be heard at any board or membership meeting. Such censure shall not restrict the member from any benefit granted to all members under these bylaws or the MOU; however, the member will no longer be allowed to vote on any matter before the Board or the Membership and shall not be allowed to attend or speak at any meeting of the Board or the Membership.
- d. Removal from Membership: The Board of Directors may vote to censure a member by removing them from the membership.

Section 3: Notice and Right to Appeal:

- a. Any member to be censured shall receive a notice of the action, including a statement of reasons for said action, at least thirty (30) days prior to the effective date. The notice must be sent to the accused member by registered mail to the last address of the member as listed in the Association's records.
- b. Any member to be censured shall have an opportunity to be heard by the Board of Directors, in accordance with the provisions set forth in Robert's Rules of Order, not less than fifteen (15) days before the effective date of the action.
- c. Any member censured by a loss of voting rights under paragraph d, above, may appeal to the membership at a regularly scheduled membership meeting. The member shall submit a notice of appeal within forty-five (45) days of the effective date of the censure and the appeal shall be placed on the agenda and distributed to the membership for the next scheduled membership meeting so long as the agenda is distributed at least fourteen (14) days prior to the meeting. If the appeal is received within fourteen (14) days of the next meeting, the appeal shall be heard at the following membership meeting. A majority vote in the affirmative of the membership is required to overturn the action of the Board of Directors.

ARTICLE 12 – RECALL PROCEDURE

Members may recall any elected officer by submitting, in writing, a petition signed by not less than fifty percent (51%) of the members of the Association.

A petition shall be submitted to the Board of Directors and upon receipt thereof; once the petition has been deemed valid, the Board of Directors shall within thirty (30) days, prepare a secret ballot to be distributed to all voting members. The recall vote shall be open for seven (7) days. The ballot shall contain the name of the officer who is being subject to recall, the office held, and the question "Shall the above-named officer be recalled? Yes ___ No___."

The recall shall fail unless a two-thirds (2/3) vote in the affirmative of all members of the Association that are present for the vote.

ARTICLE 13 – FILLING A VACANCY OF OFFICE

Section 1: Vacancy: When a vacancy occurs, excluding the office of President, the vacancy will be filled by appointment by the President and confirmed by the Board of Directors. The newly appointed officer or director shall be seated as the first order of business at the next meeting of the Board of Directors and shall serve the remainder of his term.

Section 2: Presidency: If the office of the President is vacated, the office shall be filled by the Vice President. If the Vice President declines to serve in that capacity, the Board of Directors will appoint a member of the current Board of Directors to the Presidency for the remainder of the Presidential term.

ARTICLE 14 – BALLOTING

Section 1: Voting Rights: Each member has equal voting rights.

Section 2: Election Committee: The President shall appoint an Election Committee which shall consist of appointees who are not candidates for office. The Election Committee shall be responsible for overseeing the election process. The Election Committee shall be chaired by the President or Vice President, whichever office is not then subject to the election, and two (2) members of the Association appointed by the committee chair and confirmed by a majority vote of the Board of Directors.

Section 3: Ballots: Balloting may be conducted electronically, by mail, form submission to a Board Director, or in person, as determined by a majority vote of the Board of Directors.

Section 4: Election and Results: The election shall begin on October 1st and end at 5 pm on October 7th. The candidate receiving the largest number of votes shall be declared by the Election Committee to be elected. Results of the election shall be certified by the Election Committee in writing, filed with the Secretary, and announced immediately. The Secretary shall maintain in a secure place all written ballots, including any receipts or envelopes, for a period of three (3) weeks after the vote has been certified. Thereafter, the ballots shall be destroyed. The vote summary shall become a permanent record of the Association.

Section 5: Assumption of Office: Those Officers elected shall assume office at the conclusion of the October General Membership meeting.

Section 6: Proxies: Proxy votes shall not be allowed.

Section 7: Publication of Material Soliciting Votes: Candidates for election to the Board of Directors shall have the right to prepare and have publicized, at the cost of the candidate, on the website, a campaign statement or position, which must be submitted to the Election Committee by 5 pm on September 7. All candidates shall be allowed one side of an 8-1/2" x 11" sheet of paper. The Election Committee shall review each candidate's statement to ensure there are no defamatory statements about another candidate.

Section 8: Ratification: At least one (1) informational meeting shall be held at a time and location as determined by the President. Members who attend an informational meeting shall be eligible to vote on the Memorandum of Understanding (MOU). MOU ratifications shall last for seven (7) days beginning at the conclusion of the first informational meeting. A majority of the total votes cast shall be required to ratify an MOU.

ARTICLE 15 – GENERAL AND SPECIAL MEETINGS

Section 1: General Membership: The Annual General Membership meeting of the Association shall be held quarterly. All general membership meetings shall be held at a time and location determined by the President.

Section 2: Special Meetings: Special meetings of the general membership may be called by the President.

Section 3: Emergency Meetings: Emergency meetings may be called by a majority vote of the Board of Directors. The Board of Directors shall notice all members via email, board postings or Unit Representatives to advise of the time, place, and purpose of the meeting.

Section 4: Notice of Meetings: All notices of Association meetings shall be distributed to the membership via email. Every effort shall be made to provide at least seven (7) days advance notice of every meeting.

Section 5: Guests: Guests are permitted to attend general membership meetings when accompanied by an Association member, with approval of the Board of Directors. No guest shall address the membership at any regular or special meeting without prior approval by the Board of Directors. The President shall limit the time and subject matter of any guest addressing the membership. Guest speakers will make their presentation prior to the Association conducting other business.

Section 6: Quorum: A simple majority of the Association members present at the meeting is considered a quorum.

Section 7: Conduct of Business: Association bylaws and Robert's Rules of Order shall govern the conduct of the Association business. In the event of a conflict, the bylaws will prevail.

Section 8: Agenda:

- a. Call to order.
- b. Guest Speakers.
- c. Approval of the minutes of the previous meeting.
- d. President's Report.
- e. Vice President's Report.
- f. Secretary's Report.
- g. Treasurer's Report.
- h. Representative's Report.
- i. Standing and/or Special Committee Reports.
- j. Old Business.
- k. New Business.
- l. Adjournment.

ARTICLE 16 – BOARD OF DIRECTORS MEETINGS

Section 1: Regular Meetings: The Board of Directors shall meet quarterly at a day, time, and location set annually by the Board of Directors at the fourth quarter board meeting.

Section 2: Special Meetings: The President, or a majority of the Board of Directors, may call for a special meeting of the Board of Directors with forty-eight (48) hours' notice. Notice shall be made via email, text message or phone call.

Section 3: Action Without Meeting: The President may request a vote of the entire Board of Directors via email or text on any action required or permitted to be taken by the Board of Directors. Such action shall require a unanimous vote. Any vote against the action shall force the issue to be considered by the Board at the next regularly scheduled board meeting.

Section 4: Board Meetings: Meetings of the Board of Directors are open to the general membership. Voting on corporate matters shall be by Board of Directors only. However, any member may address the Board of Directors, make requests, provide information, or attempt to influence the Board of Directors' action. The right of a general member to speak at such meeting shall be restricted as to time and subject matter as approved by the President prior to the meeting. If a member has a question for the Board, they shall submit the question in writing no later than forty-eight (48) hours prior to the Board meeting.

Section 5: Executive Session: The Board of Directors may meet in executive session according to Robert's Rules of Order.

Section 6: Quorum: Three (3) members of the Board of Directors shall be present to constitute a quorum for a meeting of the Board of Directors. A vote of the majority of the Board of Directors present is necessary to conduct the business of the Association.

Section 7: Agenda:

- a. Call to order.
- b. Guest Speakers.
- c. Approval of the minutes of the previous meeting.
- d. President's Report.
- e. Vice President's Report.
- f. Secretary's Report
- g. Treasurer's Report.
- h. Representative's Report.
- i. Standing and/or Special Committee Reports
- j. Old Business.
- k. New Business.
- l. Adjournment.

ARTICLE 17 – COMMITTEES

Section 1: Standing Committees: There shall exist the following permanent committees:

- a. Negotiations Committee
- b. Scholarship Committee

Section 2: Committee Membership: Committees shall consist of a Chairperson and at least one (1) other member, to be appointed by the President, and ratified by the Board of Directors

Section 3: Special Committees: In addition to the Standing Committees set forth in Section 1 of this Article, the President, subject to the approval of the Board of Directors, may from time to

time establish such Special Committees as the President deems appropriate.

ARTICLE 18 – POLITICAL ENDORSEMENTS

Section 1: Organizational Primacy: Endorsements are to be made only by a two-thirds (2/3) vote in the affirmative of the Association members present at the meeting.

ARTICLE 19 – EXPENSE AUTHORIZATION AND REIMBURSEMENT

Section 1: Board Authorization: The Board of Directors may authorize travel and related expenses by Association members for purposes relating to the business of the Association. The Board of Directors shall maintain a standing rule governing the authorization of these expenses and reimbursements.

ARTICLE 20 – FINANCIAL RESPONSIBILITY

Section 1: Fiscal Soundness: The Board of Directors shall be responsible for maintaining the fiscal soundness of this Association. They shall endeavor, to the best of their ability, to maintain the expenses of the Association within the limits of its income and shall at all times, adhere to the Association's budget. Association funds shall be maintained in accounts as designated by the Board of Directors.

Section 2: Fiscal Year: The fiscal year shall commence January 1 and end on December 31 of each year.

Section 3: Fiscal planning: It shall be the duty of the Board of Directors to conduct the fiscal affairs of the Association in such a manner so as to anticipate reasonable emergency expenditures not provided for in the budget and to provide a reserve fund to meet these emergencies.

Section 4: Deficit: If in any fiscal year, there is a deficit regarding any budget item, a majority of the Board of Directors may vote to increase the budget for any single item; and, in no case, to exceed the reserve fund of the Association to meet the budget deficit.

Section 5: Account Signatures: Disbursement of Association funds shall require the signature of two (2) executive board members.

Section 6: Loans Prohibited: This Association shall not make loans to individuals for any reason.

ARTICLE 21 EXPENDITURE OF MONIES

Section 1. The Executive Board is authorized to make individual item expenditures up to \$1,000.00, as indicated in these bylaws.

Section 2. Any action exceeding \$1,000.00 must be approved prior to expenditure by a majority of the membership at a regular or special association meeting.

Section 3. Individual Member Hardship Donation Requests:

The Board is authorized to make donations to individual members. Donations to individuals shall be granted subject to the following guidelines:

- 1) The donation must be for the sole purpose of assisting in cases of great hardship caused by death, illness, and/or serious injury, or serious loss to an individual member represented by the association.
- 2) The total accumulated amount of monies paid out as a result of individual member hardship donation requests shall not exceed \$10,000.00 in a calendar year.
- 3) The request may not exceed \$2,500.00 per individual member.
- 4) The request may not be put forth for a vote by the membership to override the established bylaw allotment.
- 5) The donation, if approved, will be made directly to the affected individual member or designated representative by and in the name of the Association.

Donations to individual members shall be subject to the following procedure:

- 1) The individual member, or representative of, must submit a request in writing to the Treasure. If the Treasure is not available, the request may be submitted to any Executive Board member.
- 2) The Treasurer will review the request and determine whether the request conforms to the guidelines as stated in this section. If the request conforms to the guidelines as stated in this section it shall be submitted to the Executive Board for review.
- 3) The Executive Board will review the request. A simple majority of the Executive Board members present at the meeting is required to approve or deny a request.

Section 4. Organization Donation Requests:

The Board is authorized to make donations to an organization on behalf of the Association. Donations to organizations are subject to the following guidelines:

- 1) The donation may be for any purpose related to the betterment of the Association.
- 2) Donations shall not be made for political purposes.
- 3) Donations shall not be made for any regularly budgeted Association expenses. Examples of regularly budgeted Association expenses include, but are not limited to, payments to vendors, reimbursements, and meetings.
- 4) The total accumulated amount of monies paid out as a result of organization donation requests shall not exceed \$10,000.00 in a calendar year.
- 5) The donation may not exceed \$2,500.00 per individual organization.
- 6) The request may not be put forth for a vote by the membership to override the established bylaw allotment.
- 7) The donation, if approved, will be made directly to the organization or designated representative by and in the name of the Association.

Donations to organizations shall be subject to the following procedure:

- 1) An individual member must submit a request in writing to the Treasurer. If the Treasurer is not available, the request may be submitted to any Executive Board member.
- 2) The Treasurer will review the request and determine whether the request conforms to the guidelines as stated in this section. If the request conforms to the guidelines as stated in this section, it shall be submitted to the Executive Board for review.
- 3) The Executive Board will review the request. A simple majority of the Executive Board members present at the meeting is required to approve or deny a request.

Section 5. Member Sponsorship Requests

The Board is authorized on behalf of the Association to sponsor members in any charitable event hosted by organizations of equivalency to the FCDPOA or organizations in which the FCDPOA holds affiliation. Requests for sponsorships are subject to the following guidelines:

- 8) The requested event is of a charitable cause and hosted by an association or organization of nonprofit, equivalent to the FCDPOA, or by an organization in which the FCDPOA holds affiliation; The event shall not be of any political nature.
- 9) Two or more active members must be participating; Participating members agree to represent the Association in a professional manner.
- 10) To ensure equal allotment, only one sponsored event per calendar month will be approved; priority will go to members who have yet to receive a sponsorship if multiple requests are made.
- 11) The total accumulated amount of monies paid out as a result of member sponsorship requests shall not exceed \$10,000.00 in a calendar year.
- 12) The request may not exceed \$1,000.00 per individual event.
- 13) The request may not be put forth for a vote by the membership to override the established bylaw allotment.
- 14) The sponsorship, if approved, will be made directly to the member or organization or designated representative by and in the name of the Association.

Sponsorships shall be subject to the following procedure:

- 4) An individual member must submit a request in writing to the Treasurer. If the Treasurer is not available, the request may be submitted to any Executive Board member.
- 5) The submitted request shall include a flyer or equivalent, detailed information regarding the event, who the host organization is, expenses to be paid for with monies, and list of participating members.
- 6) The Treasurer will review the request and determine whether the request conforms to the guidelines as stated in this section. If the request conforms to the guidelines as stated in this section, it shall be submitted to the Executive Board for review.
- 7) The Executive Board will review the request. A simple majority of the Executive Board members present at the meeting is required to approve or deny a request.
- 8) Within fourteen (14) days of the completed event, the sponsored member shall provide financial documentation of utilized association funds as outlined in the request.

ARTICLE 22 – ASSOCIATION HOLDINGS

Section 1: Real Property: The Board of Directors is authorized to acquire property to be utilized as a union hall, where it has been determined that such acquisition would benefit the Association. The Board of Directors shall make an offer on a selected property contingent on approval of the membership by a simple majority vote.

ARTICLE 23 – AMENDMENTS

Section 1: Amendments: These bylaws may be amended, modified, changed, or repealed, in whole or in part, by a two-thirds (2/3) vote of the members attending an Association meeting.

Section 2: Proposals to Amend the Bylaws: A majority of the Board of Directors may propose to the membership a change in these bylaws. Any amendments to these bylaws must be proposed in writing and submitted to the Board for consideration at its next regularly scheduled meeting. The Board shall review any proposed amendment, submitted by a member or members, and determine if the proposed amendment is to be submitted to a vote of the membership. In the event the Board of Directors elects not to submit the proposed amendment to a vote of the bargaining unit, the amendment may, nevertheless, be submitted to a vote after a petition requesting such a vote, signed by thirty-three-percent (33%) of the bargaining unit, is submitted to the Board of Directors. Thereafter, a vote on the amendment(s) shall be held within forty-five (45) days of receipt of the petition and certification by the Secretary of the validity of the signatures. Any vote to amend these bylaws shall be held in accordance with the procedures set forth above for the election of officers and directors.


ARTICLE 24 – EFFECTIVE DATE

Section 1: Ratification and Adoption: These bylaws, replacing all previous bylaws and amendments thereto, are effective upon adoption.

ARTICLE 25 – SAVINGS CLAUSE

Section 1: Savings Clause: If any provision of these bylaws shall be held invalid by operation of law or by any court of competent jurisdiction, the remainder of these bylaws shall not be mitigated, and will remain in full force and effect until revised according to due process.


We, the duly elected Board members of the Fresno County Deputy Probation Officer's Association certify that the above Bylaws, consisting of twenty-four (25) Articles, are the Bylaws of the Association as adopted by a majority vote of the Association on this 9th day of November 2023 in Fresno, California.



(Torivio Mondragon), President

11/09/23


Date



(Anthony Rodriguez), Vice-President

11/09/2023

Date



(Sing Syrisack), Treasurer

11/09/2023

Date

(Vacant), Secretary

Date