

**POLICE SUPERIOR OFFICERS ASSOCIATION INC.  
OF JERSEY CITY, N.J.**

**PREAMBLE**

*The Police Superior Officers Assn. Inc. of Jersey City, N.J. is organized and instituted to promote the general welfare of its members through their social, moral and intellectual cooperation and by its establishment in any manner for the best interest of this association and its members, and having been incorporated under the laws of the State of New Jersey, in October 1950, do ordain and establish this Constitution, by-laws and regulations.*

**Article 1**

**NAME AND ORGANIZATION**

Sec. 1. This organization shall be known as the POLICE SUPERIOR OFFICERS ASSN. INC. of Jersey City, N.J., and consist of a general body operating under a constitution and by-laws, hereby duly established.

Sec. 2. The title of this association shall be used for all business and social purposes. This Association shall be known as the Union in dealing with any outside agency, and is recognized as the exclusive representative for all Superior Officers employed by the City within the Police Department from the rank of Sergeant up to and including Deputy Chief.

Sec. 3. This Association shall be non-sectarian and non-political.

## **Article 2**

### **OBJECT OF ASSOCIATION**

Sec. 1. The object of this Association is to promote and develop a friendly and fraternal spirit as set forth in the foregoing preamble, among all Superior Officers of Sergeant and above in the Jersey City Police Department.

Sec. 2. To seek and give moral and material aid to all deserving members in good standing, to promote and participate in all endeavors toward improving civic interest and welfare, and the protecting and improving the working conditions, salaries, benefits, rights, and the protection and improvement of our pension plan and pension fund.

## **Article 3**

### **SEAL**

Sec. 1. This Association shall have an official seal which shall read Police Superior Officers Assn. of Jersey City, N.J.

Sec. 2. This seal shall be affixed to all official documents and papers issued by and under the authority of the Association.

Sec. 3. The Association shall have a decal with the seal affixed to same and shall be issued to members of the Association only.

## **Article 4**

### **MEMBERSHIP**

Sec. 1. Any Police Officer of the Jersey City Police Department who achieves the rank of Sergeant or above shall be eligible for membership to this Association.

Sec. 2. All applications for membership shall be made in writing, on the regular dues deduction card provided by this Association, such application form must be accompanied by the initiation fee and one month's dues.

Any Officer or member who has been expelled from this Association and makes application for reinstatement shall pay a fee of twice the initiation fee, fill out the required dues deduction form and one month's dues in advance and all assessments which have been levied by the Association during such period of expulsion.

Sec. 3. All applications for membership shall be referred to the Advisory Board for investigation and recommendation.

Sec. 4. Any member who stops his payroll deduction for a period of three months or who takes a leave of absence and does not pay his dues for three months, including any and all assessments made by the Association during the three month period, shall no longer be a member of the Association and his name shall be dropped from the rolls. Such member shall be notified by the Financial Secretary-Treasurer at least five days before the expiration of such three month period. He can be reinstated, however, by paying all arrears before the close of the regular meeting subsequent to the meeting at which such member was to be dropped. Failure to take advantage of this rule, and should the member desire to join this Association at any time afterward, he must make formal application to the Advisory Board through the Financial Secretary-Treasurer. If admitted, such member must pay all monies as provided in Article 4, Sec. 2, of this Constitution before the approval of his application by the Advisory Board.

Sec. 5. Any member who shall be found guilty of any crime shall be suspended from membership in this Association.

Sec. 6. The membership fee shall be \$35.00 on initiation and \$25.00 per month dues which shall be deducted by the City via payroll deduction. Such deduction shall be made in compliance with Chapter 310, Public Laws of 1967, N.J.S.A., R.S. 52:14-15.9 (E) as amended.

Sec. 7. Upon retirement a retiree shall continue to be covered by the insurance plan, as long as the Association is able to continue the contract with the said company and the retiree shall pay the Association the appropriate cost per year for this plan to remain a member, on or before January 1, of each year. In the year of retirement the member shall pay a prorated cost for the remaining months of the year on or before the month he retires to continue his membership in.

Sec. 8. The retiree shall be allowed to attend the regular monthly meetings of the Association but shall not be entitled to a vote, on any matter.

## **Article 5**

### **POWERS OF THE ASSOCIATION**

Sec. 1. The Association in general assembly shall have absolute and conclusive jurisdiction and control over the Association, its laws, administration thereof, and all matters affecting the welfare of the Association, it is a true and legitimate source of all authority, and there is no power vested in any officer, commit-

tee or minor body to alter, amend, repeal, or enact any law or regulation, and provide for the welfare of its membership.

## **Article 6**

### **OFFICERS OF THE ASSOCIATION**

Sec. 1. The Officers of this Association shall consist of a President, First Vice-President, Second Vice President, Financial Secretary-Treasurer, Recording Secretary, State Delegate, Alternate State Delegate, Sergeant at Arms, and three Trustees.

Sec. 2. The President shall serve as the sole spokesman for the Association in all collective bargaining, grievance procedures, hearings in the Department, etc., as well as to the public and the news and business media. He may delegate any of this authority to any Officer or Member he deems fit.

Sec. 3. The President shall preside at all meetings of the Association, preserve order therein, decide all questions of order, subject to the appeal of the active membership present at such meeting, enforce strict obedience of the laws, rules and regulations of the Association and its Constitution, appoint all Committees not otherwise provided for, advise the Association in its work and proceedings, be in charge of the seal and charter, and perform such other duties as may be required. He shall have the deciding vote in the case of a tie, except for the election of Officers. He shall, except as otherwise provided, have power to temporarily fill all vacancies in any office of the Association from any cause, except those provided by the Constitution. He shall call a special meeting at any time he deems necessary, and shall, unless otherwise specified, be chairman of all Committees and Boards. He shall have the power to refer all resolutions, questions and motions to the

Executive Board, whose action on same will be subject to the approval or rejection by the Association at the next regular meeting.

Sec. 4. The Executive Board shall consist of the elected Officers of the Association, three of which shall be considered a quorum. The President shall preside at the meetings of the Executive Board, or shall appoint a Chairman to preside at the Executive Board hearing.

Sec. 5. The President shall appoint the Contract Negotiating Committee. It shall serve at the discretion of the President and shall assist him in all contract negotiations. The President shall be the only spokesman for the Committee and he shall choose the attorney, with the approval of the membership, to be used by the Committee during negotiations. If the President and the Committee deems it has a fair offer to bring before the Association for possible ratification the President shall call a special meeting for this purpose and distribute the pertinent information 48 hours prior to said meeting. In the event of a Binding Arbitration Award thru an arbitration the members shall be notified of the resulting award and any other agreements at the next regular meeting.

Sec. 6. The President may from time to time make payments in cash on behalf of the Association, if in his discretion the best interest of the Association be so served. All such payments shall be itemized and presented to the Financial Secretary-Treasurer at the next regular meeting for the appropriate action by the members present.

Sec. 7. The President shall appoint two members to the Advisory Board who with the Financial Secretary-Treasurer as chairman, shall review all applications for membership to the Association.

Sec. 8. The First Vice President shall observe and obey all the lawful orders of the President and during the absence of the President the First Vice President shall perform the duties of the President and such duties as may be provided by the laws of this Association. If the President requests and the First Vice President agrees, the Second Vice President may act in his stead.

Sec. 9. The Second Vice President shall observe and obey all lawful orders of the President, and perform such duties as may be provided for by the laws of this Association. Should an emergency arise whereby the President and the First Vice President are unable to perform their duties, the Second Vice President shall perform the duties of the President.

Sec. 10. The Financial Secretary-Treasurer shall be the custodian of the funds and shall keep a true and accurate record of all the finances of this Association. He shall collect all dues and assessments and other monies due the Association. He shall promptly deposit same in such accounts as the Association may direct. He shall pay promptly all approved expenses incurred by the Association. All bills and disbursements shall be paid by check signed by any two of the following Officers; President, First Vice President, Financial Secretary-Treasurer, or Recording Secretary. He shall maintain an accurate record of all transactions and report them and the balance on deposit to the membership at all regular meetings. He shall have charge of all pertinent books and records of this Association not otherwise provided for. He shall receive all applications for membership, together with the required initiation fee and dues prescribed by the constitution. He shall keep a correct list of all members, their addresses, resignations, retirements, deaths and such other information as may be required. He shall at the regular January

and June meetings report to the Association in writing a complete list showing the names of members who have failed to pay their dues or assessments and are in arrears in the payment thereof beyond the Constitutional limits prescribed herein and are automatically dropped from membership in this Association. A duplicate list shall be filed with the Executive Board. At the expiration of his term of office he shall deliver to his successor, all books, papers, vouchers, drafts, warrants, and other property of this Association which may be in his possession. This transfer shall not take place until his accounts have been audited by the Trustees.

Sec. 11. The Recording Secretary shall keep and have full charge of the minute book, to keep an accurate record of the proceedings of the meetings, read all communications, reports, petitions, bills, etc. Conduct all official correspondence, secure all supplies, record all applications for reinstatement to membership, all deaths, retirements, dismissals, and resignations of members, and to forward same to the Chairman of the Advisory Board without delay after each meeting. It shall be his duty to keep a record of the membership. He shall forward a copy of the Constitution and ByLaws covering this Association together with a membership card to every member, keeping a record thereof.

Sec. 12. The Sergeant at Arms shall count the votes on questions when required to do so by the President, introduce and conduct visitors, carry messages, ascertain that none but members are in attendance, also to perform other duties as the President may direct. He shall maintain a signature book to be signed by all members, at all Association meetings.

Sec. 13. It shall be the duty of the Trustees to examine all bills, financial records, accounts of

monies in the bank for accuracy, and report to the Association any inaccuracy in them. Make a special examination of any book or account that may be ordered. Make a semi-annual report of the monies in the bank to the credit of the Association. Any recommendations for improvement shall be reported.

Sec. 14. The State Delegate shall attend all State Legislative sessions and City Council meetings. Report to the membership on the status of bills affecting the good and welfare of the Membership.

Sec. 15. The Alternate State Delegate shall in conjunction with the State Delegate or in his stead if the State Delegate is unable to perform his task for any reason attend all State Legislative sessions and City Council meetings. Report to the membership on status of bills affecting the good and welfare of the Membership.

## **Article 7**

### **MEETINGS**

Sec. 1. The regular meeting of this Association shall be held on the first Tuesday of each month at 8:00 PM, with the exception of July and August, the place to be designated by the President. If a change in meeting time is desired by the Association it may be changed by vote at a regular meeting.

Sec. 2. The meeting of this Association shall be opened at the time prescribed if ten or more members in good standing be present, which number shall constitute a quorum for the transaction of general business.

Sec. 3. The Recording Secretary shall furnish each member proper notice at least five days before the holding of any regular or special meetings.

Sec. 4. Order of business:

1. Salute to the Flag.
2. Call to Order.
3. Roll Call of Officers.
4. Reading of minutes of previous meeting.
5. Communications.
6. Report of Officers.
7. Report of Committees.
8. Report of Trustees.
9. Report of Executive Board
10. Petitions of new members.
11. Payments of dues and assessments.
12. Unfinished business.
13. New Business.
14. Payment of Bills.
15. Good and Welfare.
16. Adjournment.

Sec. 5. The President may call for an open or social meeting of this Association whenever he deems it for the best interest of this Association.

## **Article 8**

### **NOMINATION AND ELECTION OF OFFICERS**

Sec. 1. Nomination of Officers shall be made annually in the month of February at the regular meeting. The election shall be held on the day of the regular monthly meeting in March, and the Officers elected shall be installed at the regular meeting in April. They shall hold office for a term of two years, with the exception of one trustee who shall be elected for a term of three years, and the State Delegate and Alternate State Delegate who shall be elected in alternate years for a term of two years.

Sec. 2. At the February meeting the President shall appoint a chairman of the Election Committee

who shall take over the meeting for the purpose of nominations.

Sec. 3. To be a candidate for office the person, nominated must be a member in good standing for at least one year.

Sec. 4. The candidate must be nominated by a member in good standing and the nomination must be seconded by a member in good standing.

Sec. 5. At the close of nominations each candidate for President shall appoint one man to the election committee to serve with the appointed chairman.

Sec. 6. The Election Committee shall pick the location and exact hours for the election.

Sec. 7. All candidates shall be entitled to one watcher, chosen by the candidate. The watcher shall serve during the casting and counting of the ballots.

Sec. 8. No member of the Election Committee shall be a candidate for office.

Sec. 9. Ballots for the election will be the responsibility of the Election Committee.

Sec. 10. All members voting shall appear personally at the designated place. After signing the polling sheet showing he is a member in good standing, he shall receive an official ballot from the Election Committee. He shall then retire to a separate room or booth provided for this purpose to prepare the ballot and will deposit the ballot in the ballot box prepared by the committee to receive same.

Sec. 11. At the close of voting the election committee shall count the ballots and make a written

record of the results. All candidates, watchers, and members may observe the counting of the ballots. The election Committee may limit the number of members in the counting room if the room becomes too crowded and interferes with the orderly counting of the ballots. However, at no time will the candidates or their designated watchers be prevented from witnessing the counting of the ballots.

Sec. 12. The election committee chairman shall present all the ballots at the meeting and announce the results of the election. He shall ask for a motion from the floor to destroy the ballots after the results have been declared official and accepted as valid by the membership present at the meeting. In the event of a tie vote for any office, a new election shall be held within fourteen days and the results read at the next regular meeting.

Sec. 13. Any Officers of this Association may hold office one or more consecutive terms.

## **Article 9**

### **RESIGNATION AND REMOVAL OF OFFICERS AND MEMBERS**

Sec. 1. Officers of this Association may be removed for incompetency, inattention to duties of his Office, failure to comply with the Constitution and By-Laws, or conduct unbecoming their standing in the Association by a two-thirds vote of the members present at any regular monthly meeting.

Sec. 2. vacancies occurring by reason of death, resignation or removal from office with the exception of the State Delegate, Alternate State Delegate or Trustees will be filled by an appointment made by the President, unless otherwise provided for in the By-Laws. Any Vacancy in the Office of State Delegate, Alternate State Delegate or Trustee will be filled by a special election, except where either of said offices have 1 (one) year or less to the completion of their terms, and in said case the vacancies will be filled by an appointment by the Presi-

dent. Such election shall be held within twenty days after the meeting at which such vacancy is declared and each member entitled to vote shall receive at least five days notice prior to such special election. The nominations for such vacancies shall be made at the same meeting at which such office is declared vacant.

Sec. 2A. In the event of the death of the President, his removal or resignation from office the First Vice-President shall assume the office, perform the duties and exercise the Authority of the President until the next regular election. Should a vacancy exist in the office of the First Vice-President for any cause the Second Vice-President shall fill the office for the unexpired term. In the event of a vacancy in the office of the Second Vice-President the same may be filled by an appointment made by the President until the next election.

Sec. 3. Charges of neglect of duty or improper conduct may be made against any officer or member for cause, such charges to be filed with the Association and referred to the Executive Board for investigation. The charged member shall have the opportunity to appear before the Executive Board. The officer or member so charged will be commanded to appear at the next regular meeting of the Association to defend himself, upon pain of removal from office or membership, or other such penalty as the Association shall determine, if the Executive Board deems it necessary.

## **Article 10**

### **VIOLATION OF BY-LAWS AND CONSEQUENCES**

Sec. 1. Any member of the Association who shall knowingly or willingly violate its established principles, laws or customs, or shall disregard any of the Constitution and By-Laws, or shall commence proceedings, either by law or equity in any manner pertaining to the Association in any court, without first

exhausting the remedies provided by the laws of the Association, shall be tried and punished as hereinafter provided.

Sec. 2. Should a member be charged by any other member, in writing addressed to the Executive Board, through the President, with conduct injurious to the good order, peace or interest of the Association, or violation of the Constitution, By-Laws or resolutions of the Association, or any individual member thereof, the Executive Board shall inform him thereof in writing, furnishing him with a copy of the charges and giving him at least seven days' notice to attend a meeting before the Executive Board in answer thereto.

Sec. 3. Should a member disregard a second call to appear before the Executive Board in the same case, it shall be its duty to expel such member. If upon inquiry and the Executive Board shall be satisfied of the truth of the charge, it may censure, suspend or expel such member. Or if, in its judgment the interest of the Association demands it, the Board shall ask such member to resign, and upon his failure to do so within five days, it shall expel such member.

Sec. 4. A member so expelled can only be reinstated by proving that he was unable to appear on account of sickness of himself or family, or was on duty or absent from the City.

Any time within sixty days of the expulsion or suspension of a member by the Executive Board, such member may appeal to the Association against the decision of the Executive Board and a member may be restored to his membership by affirmative vote of two-thirds majority of the members of the Association present and voting. The vote to be by ballot.

**Article 11**  
**ASSISTANCE TO MEMBERS**

Legal aid and moral support, may be rendered upon approval of the Executive Board, to members in good standing who, in the actual performance of police duty, may require assistance to safeguard his rights; provided however, that such member will make known the facts of the case to the President of the Association and the Executive Board and in no case act on his own authority.

**Article 12**  
**COMMITTEES**

Sec. 1. The Association shall take an active part in all transactions concerning the good and welfare of the Police Department.

Sec. 2. Unless otherwise specially directed by the Association, the President shall appoint all committees, and the first named on each committee shall be the Chairman. A member who is not in good standing may not be a member of any committee.

Sec. 3. The Chairman of each committee shall give, or cause to be given, notice to each member of the committee of which he is the Chairman, of the time and place of every proposed meeting of such committee; such meeting shall take place not less than seven days after being appointed. No committee shall proceed to the consideration of any matter rendered to them, or which is within their general powers, unless a majority of the members of such committee be present.

Sec. 4. The report of a committee shall be received at the next regular meeting of the Association

after being appointed, and to be received monthly until discharged. A standing committee's reports will be received by the Association every four months.

Sec. 5. No member shall be permitted to represent or transact any business of the Association unless he has been duly authorized by the Association.

Sec. 6. The legislative committee shall have the power to confer with any other similar committee of any other association.

### **Article 13**

#### **CONSTRUING CONSTITUTION AND BY-LAWS**

Sec. 1. Should any dispute arise as to the true meaning and intent of any paragraph, direction or mandate of the Constitution and By-Laws, the question shall be referred to the Executive Board of the Association, whose decision thereon shall be final.

Sec. 2. Roberts' Rules of Order, except as provided in these By-Laws, shall be standard for parliamentary law in absence of a rule governing the Association.

### **Article 14**

#### **ALTERATION OF THE BY-LAWS**

Sec. 1. Should it be desired to make a change in the Constitution and By-Laws, notice thereof shall be given in writing at the regular meeting of the Association, and action will be taken on such proposed changes either at a special meeting called for that purpose or at the next regular monthly meeting of the Association. No debates will be allowed on such notice at the time it is handed in.

Sec. 2. No alteration of the Constitution and By-Laws shall be made except on four weeks previous notice of the intention to make the alterations, and each member having first received at least five days' notice of the meeting to be called for that purpose, and that only by a vote of at least two-thirds of the members present at such meeting.

Sec. 3. Upon the adoption of the Constitution and By-Laws of this Association, where two or more offices are combined, nominations for the new office shall be made at this meeting and the election shall be held at the next regular meeting. Notification of such election shall be made in the regular manner.

### **Article 15**

#### **ADOPTION OF THE CONSTITUTION AND BY-LAWS**

This Constitution and By-Laws shall take effect immediately upon its adoption.

### **Article 16**

#### **SPECIAL RULES OF ORDER**

Sec. 1. When the President takes the chair, the officers shall take their respective places and the members shall be seated. At the sound of the gavel, silence shall be observed.

Sec. 2. Every officer and member shall be designated by his proper title.

Sec. 3. No motion shall be subject to debate until it has been seconded and stated by the President. It shall be reduced to writing at the request of the Recording Secretary.

Sec. 4. When a question is before the Association, no motion shall be received unless it be to adjourn, the previous question to lay on the table, to postpone indefinitely, to postpone for a certain time, to refer to committee, or to amend, and the motions mentioned shall have preference in the order named. A motion to adjourn under the rule until the necessary business has been transacted, such as initiations, payment of bills, etc., shall not be in order.

Sec. 5. Every member, when he speaks or offers a motion, shall rise and respectfully address the chair. While speaking, he will confine himself to the question under debate, avoiding all personalities and indecorous language, as well as any reflection upon the Association or its members.

Sec. 6. Should two or more members rise to speak at the same time, the President shall decide which is entitled to the floor. No member shall interrupt or disturb a member while speaking unless to raise a point of order.

Sec. 7. During the reading of the minutes the most decorous silence must be observed and no one will be permitted to leave the room.

Sec. 8. If any member, while speaking, shall have to be called to order, he shall take his seat until the question of order is determined, when he may proceed.

Sec. 9. The President shall decide the question of order, which shall be final, unless appealed to from the meeting, when the question shall be, "Shall the decision of the President stand as the judgment of the Association?" The President shall have the privilege of giving the reason for his decision, but shall have no other privilege in debate.

Sec. 10. When the reading of any paper or other matter is called and same objected to by any member, it shall be determined by a vote of the meeting without debate.

Sec. 11. Before putting the question, the President shall ask, "Are you ready for the question?" If no member rises to speak, the President shall put the question. While the President is putting the question or addressing the meeting, no one will walk out of, cross the room or entertain private discourse. After he has risen to put the question, no one will speak.

Sec. 12. Any member doubting the decision upon the question, may call for a hand vote.

Sec. 13. Every member is bound to vote on any question before the Association unless personally interested, and to serve upon committees unless excused by vote of the meeting or otherwise disqualified.

Sec. 14. No member shall speak more than once on the same question until all the members present wishing to speak have spoken. No more than twice without permission of the President and no more than five minutes shall any member speak on any one question at any time, unless by permission of the assembly.

Sec. 15. A motion of reconsideration shall not be received unless seconded, nor shall it be brought up within one year.

Sec. 16. When a subject has been indefinitely postponed it shall not be acted upon again during that or the succeeding meeting of the Association.

Sec. 17. Any member may excuse himself from serving on any committee if at the time of his appointment he is a member of two other committees.

Sec. 18. All resolutions must be in writing.

Sec. 19. No more than two amendments to a proposition shall be entertained.

Sec. 20. On an amendment to strike out or insert, the paragraph to be amended shall first be read as it stands, then the words proposed to be stricken out and those inserted, and finally the paragraph as it would stand if amended.

Sec. 21. The reading of any paper called for relative to a subject under debate shall always be in order.

Sec. 22. When a report has been read it shall be deemed to be properly before the meeting without a motion to accept.

Sec. 23. No member shall be allowed to cast his vote after the ballot has been declared closed.

## **Article 17**

### **OATH OF MEMBERS**

I, (name of candidate), do of my own free will and accord accept membership in the Police Superior Officers Association of Jersey City, New Jersey.

I promise to obey the Mandates, Rules and By-Laws of the Police Superior Officers Association and also agree to pay promptly all dues and assessments levied in accordance with the By-Laws of this Association.

I further promise, before my God and fellow men, that I will never willfully or maliciously injure any member of the Police Superior Officers Association as long as I am a member of same, that I will uphold the Constitution of these United States of America, and defend it in all my words, deeds and actions.

May the Almighty God make me steadfast in these obligations.

### **Article 18**

### **OATH OF OFFICERS**

I, (name and office), of the Police Superior Officers Association of Jersey City, New Jersey, do solemnly swear that I will perform the duties of (office) of this Association in accordance with the Constitution and By-Laws of same. I further promise that I will obey the legal mandates of the members of this Association, and will do all in my power to promote good will and better the interests of the Association.

May the Almighty God make me steadfast in this, my solemn obligation.