

BY-LAWS OF THE FRATERNAL ORDER OF POLICE #88



NE Protective Services F.O.P. Lodge #88

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PREAMBLE

We, the employees of the State of Nebraska, do hereby associate together for the following purposes:

- To support and defend the Nebraska Constitution and the Constitution of the United States of America.
- To promote loyalty and allegiance to the United States of America.
- To promote and foster the enforcement of Law and Order.
- To improve the individual and collective proficiency of our members in the performance of their duties.
- To encourage social, charitable, and educational activities among Law Enforcement Officers and all other members of the Association.
- To advocate and strive for uniform application of the civil service merit system for appointment and promotion.
- To create a tradition of Esprit De Corps insuring fidelity to duty under all conditions and circumstances.
- To cultivate a spirit of fraternalism and mutual helpfulness among our members and the people we serve.
- To increase the efficiency of the Law Enforcement and related professions of the membership and thus more firmly establish the confidence of the public in the service dedicated to the protection of life and property.
- To provide an association of State of Nebraska employees who serve as the representative of the Protective Services Bargaining unit of State employees pursuant to the State Employees Collective Bargaining Act.

Wherever, in these constitution and bylaws, “Man” or “Men” or related pronouns appear, either as words or as parts of words (other than obvious reference to names of male individuals), they have been used for literary purposes and are meant for their generic sense (i.e., To include all humankind – both female and male sexes).

GOALS

The goals of this Association shall be, in general, to work for the establishment and maintenance of fair wages, hours, working conditions, and civil service classifications. Also, to foster and promote a better understanding between the members of the Protective Services Bargaining unit and the public. The methods of achieving the goals of this lodge shall be by supporting, petitioning, creating, and fostering sentiment favorable to proposed reforms, by collective bargaining, and by promoting legislation, and by all other lawful means.

ARTICLE I

Organization

Section 1: Identity

This organization shall be known as the NE Protective Services Fraternal Order of Police, Lodge #88, and shall consist of members as are admitted to membership, and who conform to the Order rules and regulations.

Section 2: Description

The Fraternal Order of Police, Lodge #88, is incorporated as a not-for-profit incorporated labor organization of the State of Nebraska.

ARTICLE II

Character

Section 1: Beliefs

The Fraternal Order of Police is strictly non-sectarian and shall have no affiliation, directly or indirectly, with any labor union, congress, federation or committee of like nature, or similar organization by whatever name is known. The Fraternal Order of Police shall not strike, or by concerned action, cause a cessation of the performance of police duties, or encourage other members of Lodges to do likewise. The penalty for such action by any member shall be immediate exclusion from the Fraternal Order of Police.

Section 2: Foundation

These By-Laws shall govern the operation of FOP Lodge #88. In addition, Lodge #88 is a member in submission to the Fraternal Order of Police state and national lodges and shall

operate in submission to the constitution and by-laws and the ritual observances of the National and State Lodges.

ARTICLE III

Membership

Section 1: Membership

Any employee of the State of Nebraska Protective Services Bargaining Unit shall be eligible for membership in the Fraternal Order of Police Lodge #88, subject to the provisions of this constitution and the by-laws of the Order. * No person shall be denied membership on account of race, religion, color, creed, sex, age or national origin. The term "Member" shall mean an employee in the Protective Services Bargaining Unit that has been accepted to be a member of the FOP and is in good standing, except as provided for herein.

All regular members in good standing with the FOP may vote on executive board elections and ratification of bargaining agreements. Any retired people who were formerly members may still be in membership as retired members who may maintain fraternal relations with the Lodge and its members. Retired members must pay state and national dues to maintain such status but will not have voice or vote in the election of Lodge office members, or in the business affairs of the Lodge, or regarding ratification of bargaining agreements that the Lodge may consider.

The Fraternal Order of Police shall deny membership to anyone who is or has been a member of the communist party, or any party regardless of what name known which advocates the destruction of our government, either by force or submissive means.

Section 2: Membership Application

Application for membership is made by completing the prescribed application form (See appendix 1). Once the application is reviewed for eligibility criteria by Lodge #88 Executive Board, the application must be approved by the State and National FOP Lodges for approval. Membership in the F.O.P is not transferable or assignable. The application of a person that is otherwise eligible for membership may only be denied for cause. An application for membership may be denied by the President, or by a vote of the Executive Board of the Lodge. If the President recommends denial of an application for membership, the recommendation shall be voted on by the Executive Board, who shall have the final say for the Lodge. In the event the Board denies the application, the Board shall provide a written notice to the applicant in writing within 10 days of the denial, and the explanation shall include the cause for the denial.

Subsection A: Appeal

Those applicants that are rejected for membership by the Board may appeal in writing to the Nebraska State Board of Directors for review by providing such notice of appeal to the State Lodge within 30 days following the denial.

Section 3: Multiple Lodge Memberships

No person shall simultaneously be a member of Lodge #88 and another FOP lodge of the State of Nebraska.

Section 4: President/Vice President Membership

The President and Vice President shall be eligible to be members of this Organization, even if they are not employees of the State of Nebraska. They are duly elected and are no longer State of Nebraska Employees if the Lodge has identified them as President or Vice-President of the Lodge to the State of Nebraska pursuant to the collective bargaining agreement between the FOP Lodge #88 and the State of Nebraska.

Section 5: Membership Suspension/Removal

A member may be suspended or removed for cause, following a motion for suspension or removal made by either the President of the Lodge, or by a majority vote of the Executive Board, and a vote of the membership following a hearing on the allegations raised against the member.

The member who is subject to such a motion shall be provided forty-five days' notice prior to a hearing on the motion. The hearing will be conducted at a regular business meeting. The President will make certain that the member in question is aware of the agenda. The member in question shall be represented at that meeting if so desired.

Members may be removed for cause, including the following reasons:

- a. Violating any provision of these By-Laws, or the Constitution and By-Laws of the Grand or State Lodge.
- b. Failing to pay dues, fines, assessments, fees, and other financial obligations in a timely manner, or by obtaining membership through fraudulent means or misrepresentation.
- c. Causing or attempting to cause withdrawal or secession of this or any Subordinate Lodge from the State or Grand Lodge.
- d. Working contrary to the interests of the Lodge or accepting membership in any labor organization whose interests are contrary to those of the Fraternal Order of Police.

- e. Unreasonably, unlawfully, or improperly disturbing the peace or harmony of any meeting of this Lodge or any other FOP Lodge, or of the Grand Lodge or the State Lodge.
- f. Embezzling, misappropriating, fraudulently receiving, wrongfully handling, or failing to account for the funds of this Lodge or the State or National Lodge.
- g. Using the name and/or logo of this Lodge or the Fraternal Order of Police for soliciting funds or advertising or similar activities except as approved by the appropriate National or State Lodge.
- h. Furnishing a complete or partial list of the members of this Lodge to any person other than those governmental or other parties who are entitled to such a list without permission of the President or the Executive Board of the Lodge.
- i. Deliberately interfering with any officer or representative of the Grand, State or any Subordinate Lodge in the discharge of his or her duties.
- j. Violating the membership obligation or performing any acts of insubordination against the authority of the Grand, State or any Subordinate Lodge; or causing or attempting to cause withdrawal from, decertification of or undermining the exclusive status of this organization.
- k. In the case of any officer or representative of this Lodge failing to faithfully perform the duties of his or her office or position or accepting dual compensation or expenses for the performance of duties related to his or her office or position.

Subsection A: Member Appeal

Any member who is removed by the Executive Board shall have the right to appeal the suspension or removal to the membership by filing an appeal of the suspension or removal to the Executive Board in writing within ten days of the effective date of the removal. The Executive Board will review the matter and report to the membership at the next general business meeting, or at a special meeting of the membership.

At that time, the President will cause a vote of the regular membership present to determine if the removal will stand. A vote on whether the suspension or removal is approved by the membership will be determined by a vote of the membership, which shall be at a time designated by the President within a reasonable time after the completion of the meeting, with such votes being collected for at least 72 hours following the beginning of the collection of votes. The suspension or removal of the member shall be upheld if there is a vote in favor of the suspension or removal by two-thirds of the entire membership who cast votes on the question. If the member is not reinstated, they may appeal to the

Nebraska State Lodge on the basis for whatever rights they may have under the by-laws of the State Lodge.

Section 6: Member Resignations

Any member may resign from membership by filing a written resignation with the Secretary, which will be effective on June 30 following the request for resignation. Such resignation shall not relieve the member of the obligation to pay any dues, assessments, or other unpaid debts. Resignations will be approved only during the month of June. Should a member leave the collective bargaining unit due to employment outside of the bargaining unit, the member may complete a withdrawal form (found on FOP 88 website) and send it to the Secretary of the Lodge, who shall stop collecting dues for that member at the earliest reasonable opportunity to administer such withdrawal.

Section 7: Member Reinstatement

In the event a member voluntarily rescinds their membership with FOP Lodge #88 and later requests reinstatement into the Association, the member must complete the new member process as stated in sections 1 and 2 of this Article. Any member requesting reinstatement must pay all dues for the time that the member had rescinded membership up to a one-year period during which he or she was not a dues-paying member of FOP Lodge #88.

Section 8: Dues

Dues shall be 1.25 percent of yearly base pay, or Step 1 of the State of Nebraska Corrections Corporal Pay Line (Total Hourly Pay), per pay period, whichever is less. Dues will not be withdrawn on the two “free” pay periods per year. Dues shall be collected each pay period through a dues-check off authorized by the member.

The dues shall apply to regular members. Changes in the amount of dues identified in these by-laws may be made by simple majority vote of membership, following a recommendation of the President of the Lodge or the Executive Board. At least thirty days’ notice of any changes in dues will be made following a vote to approve a change in dues, and the change of the amount of dues shall be attached to these by-laws and made effective thereby.

ARTICLE IV

Executive Board/Lodge Officers

Section 1: Lodge Officers

The Lodge Officers shall consist of the following: President, Vice President, Secretary, Treasurer and Chaplain (who shall be non-voting).

Section 2: Eligibility for Office

A person shall be eligible to serve as an Officer of the Lodge if they are a member in good standing, and have been duly elected by the membership, or appointed according to these by-laws. A person may not be eligible to run for an office of the Lodge Executive Board unless they have attended monthly board meetings for six out of the previous twelve months.

Section 3: Term of Office

The President, Vice President, Treasurer, Secretary and Chaplain are elected for 4-year terms. The first term for the President and Treasurer shall end on June 30, 2029. The term of the Vice-President, Secretary and Chaplain under these bylaws shall end June 30, 2028. The election for all offices of the Lodge shall be held in April of the year when the term of the office is to expire. Officers shall take office following an election on July 1st of that year.

Section 4: Executive Board

The Executive Board shall maintain administrative control of the FOP. The Executive Board shall also maintain control over the financial interests of the FOP. The Board shall require an annual inventory of FOP property.

Section 5: Election Procedure

Elections shall be conducted by the designee of the President, or the Election Committee if one has been appointed for that election. The person or committee designated to conduct the election shall be responsible for distributing the ballots for the election and for counting the votes.

Subsection A: Vacancies

In the event that an office becomes vacant prior to the end of a regular term, the office shall be filled by appointment of the President of a member to complete the term on an interim basis.

Subsection B: Schedule

Elections shall begin 10 business days prior to the regularly scheduled monthly meeting in April of the year that the office is open for election. The regularly scheduled monthly meeting is held on the second Monday of the month unless that day is a holiday. In that

case, the meeting will be held on the third Monday of the month. Votes will be collected from the membership electronically for a period of 7 days, with the results being announced to the membership as soon as possible following the completion of the election. All regular members in good standing shall be permitted to vote. Retired members shall not be permitted to vote.

In the event that more than 2 candidates are on the ballot for any individual office of the Executive Board, the Lodge shall hold a Primary Election, which shall reduce the number of candidates to 2. After the completion of the Primary election, the Election Committee or the designee responsible for the election shall hold a general election between those two candidates 7 days following the close of the Primary election. Votes will be collected electronically for a period of 7 days.

Subsection C: Nominations

Members who wish to be candidates for the election shall submit their name to the person designated to manage the election, or the Election Committee of the Lodge (if one has been appointed) at any time at least 14 days before the date of the election. The Candidates must submit their request to be a candidate electronically to the Election Committee or designee.

Members may only be on the ballot for one office during any election.

Subsection D: Method of Election

Electronic/Mail ballots may be used if approved by the Election Committee or designee.

Section 6: Oath of Office

Officers who have been elected will take the Oath of Office at the first Membership Meeting following the election. Officers who have been appointed to a position for an interim period prior to the completion of the term shall take the oath of office at a time and date designated by the President.

The Oath of Office may be administered by any local, national, or state officer of the Fraternal Order of Police.

The oath of office will be read from the Grand Lodge Ritual Book, and shall be as follows:

“Raise your right hand”

I, _____, solemnly promise that I will fulfill the duties assigned to me to the best of my ability, to support the Constitution of these United States, the Constitution, and the laws of the State of Nebraska and the By-Laws of this organization; I will bear mental

reservations or for the purpose of evasion; and that I will faithfully and impartially perform the duties of the office of _____ according to the By-Laws of this organization. So help me God.

Officers shall be required to sign a copy of the oath, and their signature shall be kept in the records of the Lodge.

Section 7: Officer Resignation

Officers of the FOP may resign their office by presenting a letter of resignation to the remaining Board members. The resignation will be announced at the next regularly scheduled meeting of the Board, or earlier at the discretion of the President or the vote of the Executive Board. An officer who resigns from office during any elected term shall relinquish all rights to and privilege of that office and shall revert to the status of "member."

Section 8: Interim Appointments

Vacancies in office prior to the completion of an ordinary term, except in the office of President, are filled by an interim member in that position. The interim member will be appointed by the President and confirmed by the Executive Board. In the case of a vacancy in the office of President, the Vice-President shall assume that office, title, and benefits until an election can take place.

Section 9: Recall from Office

Any member of the Lodge holding any elected position may be recalled (removed) from office by the membership upon the completion of a recall election.

A recall election will be held if 150 members petition for the officer to be removed. For a recall petition to be valid, the membership status of the signatories on the petition must be reviewed and approved by the Executive Board of the State of Nebraska FOP Lodge or its' designee. In the event that the petition is verified to have at least 150 valid members, the State Lodge shall notify the Lodge that the petition has sufficient signatures for a recall election to be held.

In the event a recall petition has been so verified, the recall election shall be conducted by the designee of the President, or in the event of a recall petition for the office of President, by a designee of the Executive Board (with the President not participating in the designation process.)

The recall election shall be held within 90 days following the submission of the petition, but not earlier than 45 days following the verification.

The ballot shall be made in the following form:

“A petition to recall _____ from the office of _____ has been made. Shall _____ be removed from the office of _____?”

Yes (A “Yes” vote shall indicate a vote supporting the removal of _____ from office.)

No (A “No” vote shall indicate that you do not support the removal of _____ from office.)

A member shall be recalled from office if a vote returns 67% in favor of recall.

If the recall election results in the removal of a member from office, the member may appeal the action to the State of Nebraska FOP Lodge to determine the validity of the recall election.

Upon the recall of an officer, the vacancy shall be filled according to the interim appointment process provided in Section 8 above.

Section 10: Executive Board/Trustee Disciplinary Procedure

Any member elected to any office of the Lodge may be disciplined by the Lodge for misconduct in office, following an investigation into allegations of the same.

In the event that allegations of misconduct are brought to the attention of the President or the Executive Board, either the President or the Executive Board may initiate an investigation into the allegations. In such a case, the Executive Board shall assign an investigator to conduct the investigation and provide a report on the validity of the allegations to the Executive Board upon the completion of the investigation.

Subsection A: Discipline Investigation

After the initial inquiry, the investigator will then investigate the accusations.

All information collected during an investigation shall remain confidential until formal charges are pressed.

The investigator shall retain all information collected during the investigation for inclusion in the records of the investigation. This shall include all statements collected during the investigation and any documents or other evidence obtained by the investigation.

After the completion of the investigation, the investigator shall complete a report to the Executive Board, which shall include a recommendation of whether the allegations are

substantiated. The investigator shall also provide to the Board a file containing all information collected during the investigation.

The Executive Board shall review the allegations, the investigation file and the report of the investigation to determine whether to accept the recommendation, require additional investigation, or to reject the recommendation and adopt other conclusions. In the event that additional investigation is required, the Board may appoint another investigator at its discretion.

In the event that the President is the officer that is the accused, the President shall not participate in the review of the allegations described herein, or in any decision on the disciplinary allegations whatsoever.

Subsection B: Disciplinary Meeting

If the Executive Board determines that the investigation has established that the allegations against the officer are supported by a preponderance of the evidence, and that such allegations warrant disciplinary action, the President shall schedule a disciplinary meeting to be held within 14 days after such determination. In the event that the President is the officer that is the accused, the disciplinary meeting shall be scheduled by the Executive Board, and the President shall not participate in the scheduling of the meeting.

The disciplinary meeting will be with the Executive Board to the accused of their charges. The accused will be required to attend this disciplinary meeting.

If the charges are serious enough to warrant probable suspension or more severe punishment, then during the disciplinary meeting, or following the disciplinary meeting, the Executive Board may suspend the accused until such a time that a disciplinary hearing is held regarding the allegations. In the event of such a suspension, the officer shall not be permitted to exercise any authority of their office until the disciplinary hearing is held, and a decision has been rendered on the disciplinary matter.

Subsection C: Disciplinary Hearing

In the event that the Executive Board determines that the allegations are substantiated and warrant discipline of suspension or removal from office, it shall schedule a disciplinary hearing regarding such allegations to be held no later than forty (40) days from the disciplinary meeting.

Sub-subsection A: Participants

The Institutional Trustees shall be summoned to attend the disciplinary hearing and shall act as the jury to this hearing.

A hearing officer shall be appointed. The role of the hearing officer is to oversee the process of the hearing, and to ensure that the hearing is conducted in a manner that provides for the orderly presentation of evidence and completion of the hearing.

Unless the accused member is the President, the President or his designee shall present the Union's case as to why the accused is guilty of the allegations.

If the President is the one accused, then the Executive Board shall designate who will present their case.

The accused will be entitled to personal representation at this hearing.

Sub-subsection B: Conduct of the Hearing

Each party shall have at least 45 minutes to present evidence on the allegations. They shall be permitted to call witnesses and present other evidence at their discretion. In the event that more than the allotted time is necessary for a presentation of relevant evidence, the hearing officer may provide additional time for the presentation of evidence.

The burden of proof shall be on the party advancing the allegations at the hearing, and the allegations must be established by a preponderance of the evidence.

Sub-subsection C: Determination

After the completion of the hearing presentation, the allegations shall be presented to the Institutional Trustees for a determination of whether the officer committed the allegations made by a preponderance of the evidence.

The Institutional Trustees will vote by secret ballot. The hearing officer shall read the results of the ballot and display the ballots for both parties. If two-thirds of the Institutional Trustees present vote guilty, then the Board Member will be found guilty.

The Executive Board will then decide the penalty for the offense. The penalty shall be based upon the significance of the offense, and shall be one of the following: (1) Written Censure; (2) Suspension from Office; or (3) Removal from Office.

Sub-subsection D: Appeal of Decision

If a member is removed from office, the member may appeal the action to the State of Nebraska FOP Lodge as per State of Nebraska FOP By-Laws govern.

ARTICLE V

Job Duties

Section 1: Duties of a President

The President shall always act in a manner which will enhance Lodge 88 and benefit its membership. He shall be member ex-officio of all committees; he shall sign all correspondence of the Lodge. He shall direct and be responsible for the day-to-day implementation of the Association's legislative effort. He will be prepared to appear on the Association's behalf before the State Legislature or any other body which may influence the welfare and goals of this Association. The President will also represent the Lodge in the media or otherwise direct the presentation of the Lodge's position to the media.

The President shall oversee all Grievance Mini-Hearings or designate a person to conduct such hearings. He will also oversee receiving all financial correspondence for the Lodge. If the President has a full-time position, he shall attend Labor management meetings with department heads at least once quarterly and other meetings that may arise in the course of business of the Lodge. He may also be required to attend any new hire orientation as needed by the union Lodge, if the Vice President is unable.

The President shall designate all agenda items for the monthly meeting agenda. He shall also attend or appoint someone to attend the Bi-annual State of Nebraska FOP meetings.

Section 2: Duties of a Vice President

The Vice President shall assist the President and Executive Board in the completion of the ordinary business of the Lodge and shall conduct the business of the FOP ordinarily conducted by the President in the absence of the President.

The Vice President shall maintain reports of the committees. If the Vice President has a full-time position, he shall also attend Labor management meetings and other meetings that may arise in the course of business of the Lodge. They may also be required to attend any new hire orientation as needed by the union.

The Vice President shall oversee all committees and may attend the meeting of any committee on an ex-officio basis.

Section 3: Duties of a Secretary

The Secretary shall prepare and maintain the minutes of each Executive Board meeting and all special meetings. The Secretary shall prepare correspondence at the direction of the President, the membership, or the By-Laws and shall maintain a file of all correspondence sent or received by the FOP.

The Secretary shall post on the FOP bulletin board the minutes of each regular or special meeting not later than ten (10) days following such a meeting. The Secretary shall post notice of all meetings and elections of the FOP showing the date, location, time, and agenda.

The Secretary oversees entering all Per Capita entries for membership. The Secretary shall also have access to administrative authorizations for the Unions' website and will oversee adding and dropping members from the website.

It will be the duty of the Secretary to ensure that the Institutional Trustee is posting Lodge information in their institutions. It will also be the duty of the Secretary to ensure that information that is for the general membership is distributed to the membership through reasonable and appropriate means.

Section 4: Duties of the Treasurer

The Duties of the Treasurer shall be to handle all payroll, taxes, and other financial transactions for the union. The treasurer shall ensure that all bills stay current. Current shall mean payment upon the bill within 21 days of receipt. The treasurer will ensure that two (2) signatures are required on all written checks, as well as taking cash withdrawals from bank accounts. The treasurer will pay bills online with a debit card or other means that maintain an immediately available record, to the extent possible. The Secretary shall oversee the duties of the Treasurer in the Treasurer's absence.

When there is a change in the member holding the office of the Treasurer, a review of the accounts of the Lodge shall be completed by a Certified Public Accountant (CPA) shall be conducted and the results presented to the Board. The review should be conducted for the period from 1 year prior to the date of the change of the Treasurer to the last fiscal year end, unless the President or the Executive Board designates a different period for the review.

Section 5: Duties of the Chaplain

The Chaplain shall serve as a source of spiritual and emotional support for FOP 88 members during times of need, including events such as death, serious illness, trauma, or other significant life changes. The position of Chaplain shall be open to individuals of all faiths, or none, and shall provide nondenominational services to provide for all members.

The Chaplain's responsibilities shall include: Offering compassionate, non-judgmental listening to members facing challenges, fostering an environment of trust and understanding; empowering members to navigate their struggles; Developing and strengthening connections with members to strengthen community bonds within the

lodge; responding to crises on behalf of the FOP; participating in community events, such as memorial services and prayer gatherings, to honor and uplift the lodge's values and members; providing resources and referrals to members seeking additional support, and ensuring they have access to necessary assistance. The Chaplain plays a vital role in promoting the well-being of lodge members and fostering a spirit of camaraderie and support within FOP Lodge 88.

ARTICLE VI

Representatives/ Executive Board Compensation

Section 1: Mileage/Lost Wages Reimbursement

Subsection A: Mileage for Attendance at Meetings

All officers, members of the Executive Board and Trustees will be paid at the mileage rate approved by the Internal Revenue Service for attending meetings and all other official union business which requires travel. All officers, members of the Executive Board and Trustees residing in the City or town of the meeting will not be paid mileage to attend the meeting.

Subsection B: Lost Pay for Attendance at Meetings

Executive Board members and Institutional Trustees can be reimbursed for work hours that are lost due to attendance at FOP meetings. Lost work hours will include only the time for travel to the meeting and attendance at the meeting; pay for lost work hours shall not include entire shifts unless management does not allow the person to take off for a partial shift.

If an Executive Board member or Institutional Trustees lives more than 200 miles from the meeting, then the lodge may reimburse the member for the cost of a hotel room upon the approval of the Treasurer. The Treasurer will oversee a process for reimbursements that are permitted.

The Executive Board may vote to deny any reimbursement request and to not to pay the expense if it deems the expense to be not warranted in it's sole discretion.

Section 2: President Compensation

The President shall be compensated under the following terms.

Subsection A: Part-Time Compensation

The President may be a full-time salaried position, or a part-time position at the option of the President. In the event that the President serves part-time, the compensation shall be a \$750 per month stipend, which may be increased from time to time by the Executive Board. If such an increase is made, the Executive Board shall make a record of the revised stipend, and the Secretary shall provide notice of the revision to the general membership.

Subsection B: Full-Time Compensation

In the event that the President elects to serve on a full-time basis, the Executive Board shall negotiate the terms of the total compensation for the President, provided that the salary portion of the pay shall not exceed that of a Nebraska Corrections Sergeant. The President will submit the agreed upon proposal to a vote of the Executive Board and Board of Institutional Trustees at a regularly scheduled meeting. A simple majority vote is required for the board to pass the compensation package. The President shall not vote on his or her compensation.

If within 14 days of the election the Executive Board and Board of Institutional Trustees and the President cannot agree on the terms than the individual points of contention will be negotiated between the aforementioned parties until an agreement can be made.

Subsection C: Health Insurance

The FOP shall provide a health insurance plan for the President, and the cost to the President shall be comparable in cost to the State of Nebraska's health plan for a single individual. It shall not include a "Family" or "other dependent" plan.

Subsection D: Retirement Plan

The FOP shall provide a retirement plan that shall have the same or similar terms as what is offered to state employees. It shall not include a defined benefit pension unless a defined benefit plan is adopted for the employees of the bargaining unit.

Subsection E: Membership Status

The President shall maintain membership status within FOP 88 even if the President is a full-time employee of the FOP.

Section 3: Vice President Compensation

The Vice President shall be compensated under the following terms.

Subsection A: Part-Time Compensation

The Vice President may be a full-time salaried position, or a part-time position at the option of the Vice President. In the event that the Vice President serves part-time, the

compensation shall be a \$500 per month stipend, which may be increased from time to time by the Executive Board. If such an increase is made, the Executive Board shall make a record of the revised stipend, and the Secretary shall provide notice of the revision to the general membership.

Subsection B: Full-Time Compensation

In the event that the Vice President elects to serve on a full-time basis, the Executive Board shall negotiate the terms of the total compensation for the Vice President, provided that the salary portion of the pay shall not exceed that of a Nebraska Corrections Sergeant. The Vice-President will submit the agreed upon proposal to a vote of the Executive Board and Board of Institutional Trustees at a regularly scheduled meeting. A simple majority vote is required for the board to pass the compensation package. The Vice President shall not vote on his or her compensation.

If within 14 days of the election the Executive Board and Board of Institutional Trustees and the Vice President cannot agree on the terms then the individual points of contention will be negotiated between the aforementioned parties until an agreement can be made.

Subsection C: Health Insurance

The FOP shall provide a health insurance plan for the Vice President, and the cost to the Vice President shall be comparable in cost to the State of Nebraska's health plan for a single individual. It shall not include a "Family" or "other dependent" plan.

Subsection D: Retirement Plan

The FOP shall provide a retirement plan that shall have the same or similar terms as what is offered to state employees. It shall not include a defined benefit pension unless a defined benefit plan is adopted for the employees of the bargaining unit.

Subsection E: Membership Status

The Vice President shall maintain membership status within FOP 88 even if the Vice President is a full-time employee of the FOP..

Section 4: Secretary Compensation

The Secretary shall be paid 1,000 dollars per month for their stipend.

Section 5: Treasurer Compensation

The Treasurer shall be paid 1,000 dollars per month for their stipend.

ARTICLE VII

Institutional Trustees

Section 1: The FOP shall have Institutional Trustees as follows:

Capitol Security	1 Trustee
Central Office	1 Trustee
Community Corrections Center – Lincoln	1 Trustee
Community Corrections Center - Omaha	1 Trustee
Lincoln Regional Center	2 Trustees
Military Security	1 Trustee
Nebraska Correctional Center for Women	1 Trustee
Nebraska Correctional Youth Facility	1 Trustee
Nebraska State Penitentiary	2 Trustees
Norfolk Regional Center	1 Trustee
Reception and Treatment Center	2 Trustees
Omaha Correctional Center	1 Trustee
Omaha Correctional Center Special Detail - TSCI	1 Trustee
Tecumseh State Correctional Institution	2 Trustees
Work Ethic Camp	1 Trustee
Youth Rehabilitation and Treatment Center- Hastings	1 Trustee
Youth Rehabilitation and Treatment Center- Kearney	1 Trustee
Youth Rehabilitation and Treatment Center- Lincoln	1 Trustee

The Trustees shall serve in individual capacities in their facilities, and as members of the Board of Institutional Trustees.

Section 2: Trustee Election

The Board of Institutional Trustees shall serve in 2-year terms, with elections being held on years that are odd numbered.

The elections for Institutional Trustees shall begin in February of the odd numbered year. The trustee candidates will be required to submit their request to serve as Trustees electronically to the Secretary of the Lodge at least fourteen (14) days prior to the date of election.

If there is only one Institutional Trustee nominee – or the same number of trustee nominees as the number of positions in the facility – the trustee(s) may be appointed to the position by the President.

If there are more trustee nominees than facility positions, then an election will be held for those positions, with the member(s) receiving the highest number of votes to fill the open position(s). The election process for trustees will last no more than (7) seven days. At the conclusion of the election process, the ballots will be counted by the election committee or designee.

The Trustees will be announced at the conclusion of the election.

Section 3: Steward Appointments

All Stewards will be appointed by the Institutional Trustee(s) of the same facility. The Institutional Trustee will appoint one Steward per fifty (50) employees. If possible, the Institutional Trustee will make it so the Stewards are spread evenly through each of the scheduled work shifts. The President may remove Stewards at his discretion and direct the Trustee to fill the open position with a different Steward.

Section 4: Duties of the Trustees

The job duty of an Institutional Trustee is to attend Monthly Board meetings and provide information and opinions regarding the state of FOP matters at their institution. The Trustees may also cast votes on behalf of their facility where needed when requested by the Executive Board or President. They shall schedule labor management meetings in their respective facilities. They shall also be required to converse with Executive Board members bi-monthly. They shall also contact the Vice President or President when there is an issue arising in their facility. They shall also notify the President when a member needs personal representation.

ARTICLE VIII

MEETINGS

Section 1: Monthly Executive Board and Institutional Trustees Meeting

The following shall be the order of business for regular meetings of the FOP, on the second Monday of the month (With exceptions of holidays falling on that day, to which the meeting would take place on the third Monday of the month.)

Call to Order

Roll Call of Board Members and Trustees

Reading of Minutes of Previous Meeting

Officer Reports

Treasurer report

Correspondence

Report on Membership

Reports of Committees

Unfinished business

New Business

Adjournment

Subsection A: Robert's Rules of Order

The President of the FOP Lodge or their designee shall preside over all meetings of the FOP Board or regular business meetings. At the discretion of the President, they may direct that the meeting or any part thereof shall be conducted according to Robert's Rules of Order.

Section 2: Special Meeting

Special meetings of the membership can be held at the call of the President or by petition of at least 5% of the regular membership. The petition must be filed with the President and shall include the date and location for such meeting and the items to be considered. The Secretary will post notice of the meeting prominently giving at least five (5) day notice of the special meeting.

Section 3: Informal Meeting

Informal meetings are to be expected by the Executive Board members. Due to privacy and confidential information, there may be closed meetings. Informal meetings may be called by the President. If a vote must be taken due to time constrictions it shall be reviewed by the Executive Board/Institutional Trustees at the next business meeting and may be reversed, if they choose.

Section 4: Proxies

No proxies are allowed for any reason.

Section 5: Adding Agenda Items to Monthly Meetings

The President shall decide what agenda items are to be placed on the monthly agenda meeting. In the event that a member requests that an issue be brought before the Board to be discussed, the member should submit the issue in writing to the Secretary at least five (5) business days before the meeting.

Section 6: Conduct of the Meeting

The President shall conduct the meeting and may call matters to a vote by the Executive Board (or to the Institutional trustees if they so direct) to resolve outstanding issues.

ARTICLE IX

Committees

Section 1: Committees

Bargaining Committee

By-Law Committee

Election Committee

Legislative Committee

Section 2: Committee Appointment

All committee members will be appointed by the President and must be approved by a simple majority of the Executive Board.

Section 3: Bargaining Committee

The Bargaining Committee will be a committee of a minimum of six members. At least four members will be from Corrections. Two of the members will be DHHS members in the Protective Services Bargaining Unit. The President may appoint additional members at his discretion. No two (2) committee members can be from the same institution. Members of the bargaining committee may use the coding "Bargaining" by notifying their supervisors of bargaining dates to recoup any hours lost due to bargaining. Bargaining members will also be reimbursed for mileage per Article 6, section 1.

Section 4: By-Law Committee

The By-Law Committee may be appointed by the President and must be approved by a simple majority of the Executive Board.

Section 5: Election Committee

The Election Committee may be appointed by the President. The Election Committee shall be responsible for the counting and processing of votes for any election where such ballot votes are needed. Alternatively, the President may designate a third party to conduct any election.

Section 6: Legislative Committee

The Legislative Committee may be appointed by the President. The legislative committee shall be responsible for meeting with the Lodge #88 lobbyist about issues regarding current legislature that affects its union members.

ARTICLE X

Administrative Discipline/ Work Related Lawsuits

All Dues Paying members are entitled to be members of the Brown and Blue Legal Representation plan provided by the FOP Law Firm, under the terms of the plan as they are restated from time to time and shall be appended to these by-laws.

ARTICLE XI

Grievances

Section 1: Step 1 Grievance Submissions

Grievances filed under Step 1 in the collective bargaining agreement between FOP Lodge #88 and the State of Nebraska can be filed without the Union's approval, although the FOP recommends that a grievant contact the FOP for assistance when filing grievances.

Section 2: Step 2 Grievance Submissions

For Step 2 grievances, the grievant must have the Union's approval to proceed with the support of the FOP or to have legal representation. After the Step 1 grievance decision is received, if the grievant wishes to proceed in the process with the FOP support or legal representation, the Executive Board will convene and vote on whether to allow the grievance to continue. The decision will be made within five (5) business days. If the FOP decides not to allow the grievance, the grievant will be informed in writing within five (5) business days.

In the event that the grievance is not approved by the FOP, the grievant may continue the grievance at his or her own expense, but shall not make any representations that the grievant has the approval of the FOP to continue the grievance.

ARTICLE XII

State and National Conference Delegates

State and National Conference Delegates will be elected at a general membership meeting. The members will ask to be nominated at this meeting. The individuals will be elected by a voice vote. If approved by the Executive Board, monies may be paid for these conferences.

ARTICLE XIII

Executive Board Expenses

The Executive Board will authorize all expenses that pertain to the normal operation of the FOP unless otherwise specified. Expenditures outside the ordinary course of business and that exceed \$500 shall require a majority vote of the Executive Board.

Subsection A: Closing of Lodge

The funds or property of this FOP cannot be divided gratuitously among the members. The FOP shall remain intact for the use of the FOP for its legitimate purposes while ten (10) or more people remain as regular members. If the FOP membership falls to less than ten (10)

people, the funds and property of the FOP following payment of outstanding bills shall be donated to a charity under the terms of non-profit law.

ARTICLE XIV

Contract Ratification

All collective bargaining agreements will be voted on by the Bargaining Committee prior to presentation to the membership for ratification. Collective bargaining must be ratified by simple majority of the membership. Absent an emergency, the members will be given at least five days for notice to vote on the contract. This short notice will only be allowed if time is not allotted because of state statute bargaining requirements. If time allots a minimum of ten days will be given in notice for the vote. Upon completion of the vote, the Secretary will notify the membership within a reasonable time thereafter.

ARTICLE XV

BY-LAW AMENDMENT

Each proposed by-law amendment must be approved by the Executive Board. Upon approval, the proposed By-Laws will be circulated to the membership for at least thirty (30) days before the amendment will be voted on by membership. A simple majority of the members voting must approve the by-laws for them to be ratified.