

CONSTITUTION AND BYLAWS OF THE  
OXNARD PEACE OFFICERS'  
ASSOCIATION, INC.

(Revised 01/01/18)

PREAMBLE

WE, THE EMPLOYEES OF THE OXNARD POLICE DEPARTMENT, RECOGNIZING THAT OUTSTANDING POLICE SERVICE TO THE COMMUNITY OF OXNARD AND TO THE PROFESSION OF LAW ENFORCEMENT CAN BEST BE ACCOMPLISHED BY THE COOPERATIVE ACTION AND THE CONCENTRATED EFFORTS OF POLICE EMPLOYEES, DO HEREBY FORM THE OXNARD PEACE OFFICERS' ASSOCIATION, INC. AND ADOPT THE FOLLOWING CONSTITUTION AND BYLAWS.

ARTICLE I

Name

Section 1      The name of this organization shall be the OXNARD PEACE OFFICERS' ASSOCIATION, INC.

ARTICLE II

Purposes

- Section 1      The primary purpose of this Association is the representation of the members in their employee relations with the City of Oxnard and the Oxnard Police Department.
- Section 2      A further purpose of this Association is to promote, provide and protect those ideals held for the furtherance of a professional police service for the City of Oxnard.

ARTICLE III

Nature

- Section 1      Membership in this organization does not affect a member's duties or responsibilities to the service of the Police Department. Police rank does not exist in this organization.

ARTICLE IV

Membership

- Section 1      The rights of the membership shall not be denied any full-time employee of the Oxnard Police Department designated as active Class 1 members, upon such employee's effecting an action as to indicate his intention to join this organization, support its constitution, and pay the dues required herein.
- Section 2      Active membership shall be:
- Class I:            All employees represented by the Association as designated in a current MOU with the City of Oxnard (police officers, senior police officers, police sergeants, police services officers, and public safety dispatchers), not classified as management, confidential or professional employees, department heads and chief executive officers.
- Section 3      Other memberships shall be:
- Class II:            All sworn police officers of the Oxnard Police Department, classified as management, confidential or professional employees, department heads, chief executive officers; and Communications Manager.
- Class III:            Honorably retired Class 1 members.
- Associate:        All other non-sworn employees of the Oxnard Police Department.

## ARTICLE V

### Administration

- Section 1      The executive and administration power of this organization shall be vested in the elected Officers and the Board of Directors. The elected Officers shall include a President, a Vice-President, a Secretary and a Treasurer. The Board of Directors shall consist of six members.
- Section 2      Class II, Class III and Associate Members may not hold office in the Association.
- Section 3      The elected Officers and the Board of Directors shall have the power to conduct all Association business, including the expenditure of funds, except as concerns the following items, which shall require a majority vote of actual votes cast.
- a. Expenditures for charitable donations which exceed \$ 2,000.00.
  - b. Expenditures for OPOA sponsored recreational activities and OPOA organizational improvements which exceed \$10,000.00, except insurance premiums, standard dues to outside organizations and normal operating expenses.
  - c. Expenditures which exceed \$3,000.00 to pay board or general member expenses to attend training conferences. "Expenses" includes tuition, travel and per diem for members only.
  - d. Final acceptance or rejection of matters concerning salaries, fringe benefits, and working conditions.
- Section 4      A quorum of the Officers and Board of Directors shall be 50% plus one.

## ARTICLE VI

### Duties

#### PRESIDENT

- Section 1      It shall be the duty of the President to preside at all meetings and to enforce all laws and regulations relating to the administration of the Association.
- Section 2      He shall call meetings of the Association or Board of Directors when he deems it necessary, or upon written request of at least one-fourth of the membership of the Association for a meeting of the Association, or one-fourth of the directors for a meeting of the Board of Directors.
- Section 3      The President shall appoint committees as needed.

#### VICE-PRESIDENT

- Section 4      In the absence of the President, the Vice-President shall have all the powers and prerogatives of the President..

CHAIRMAN PRO TEMPORE

Section 5 In the absence of the President and Vice-President from any meetings of the Association or Board of Directors, one of the members of the Board of Directors present shall preside.

SECRETARY

Section 6 All resolutions and proceedings of meetings, whether of the Association or of the Board of Directors, shall be entered in proper books by the Secretary. The Secretary shall conduct all correspondences relating to the Association, shall issue all notices of meetings, and shall perform all duties pertaining to the office of Secretary. The Secretary shall keep a register of the members of the Association.

TREASURER

Section 7 All moneys payable to the Association shall be paid to the Treasurer of the Association. All moneys payable by the Association shall be paid by checks signed by the Treasurer, or designee, and countersigned by the President, Vice-President, Secretary, or other designated members of the Board of Directors.

Section 8 It shall be the duty of the Treasurer to keep an up-to-date account of all funds in the Association and to make a report in writing at all meetings of the Association and meetings of the Board of Directors.

BOARD OF DIRECTORS

Section 9 It shall be the duty of the Board of Directors to take the initiative in determining the policies of the Association.

Section 10 It shall be their duty to take charge of, control, and manage all the property belonging to the Association.

Section 11 They shall keep a record of their proceedings and make a report thereof in writing to the Association.

Section 12 It shall be the responsibility of the Board of Directors and Association Officers to supervise and monitor the finance of the Association.

Section 13 It shall be the responsibility of the Board of the Directors and Association Officers to ensure financial accountability and expenditure of funds adapted under the "standing rules," as long as those expenditures are not in violation of present bylaws.

## ARTICLE VII

### Election to Office

- Section 1      The Officers and Board of Directors shall be elected by Class I members of the Association. The Board of Directors or their designee shall prepare a printed ballot and/or an electronic ballot bearing the names of the candidates for Officers and Board of Directors. One ballot shall be submitted to each Class I member to vote personally, by first-class mail, postage prepaid or by other means of electronic communication at the discretion of the Board of Directors as set forth in Article XIV. The paper ballots, if used, shall then be placed in the ballot box. Once a ballot is returned, either in the ballot box or by electronic transmission, that vote is binding on the member.
- Section 2      If paper ballots are used, the board of directors or their designee, after the final date, shall open the ballot box and count the votes. If an electronic ballot is used, the results shall be tabulated and printed showing the results. The electronic record will also be saved on a storage media, such as a compact disk, and provided to the office manager for proper storage. The nominees receiving the greatest number of votes cast shall then be declared elected. The board of directors or their designee shall post written notice of election results within three days following the final date of balloting.
- Section 3      In balloting regarding increases in expenditures or other non-electoral voting, the procedures in section 1 and 2 above apply.
- Section 4      Each elected officer and Board of Directors shall be elected for a term of two years, with three Board of Directors being elected each year.
- Section 5      Past Presidents shall be held in an advisory position to the new Officers and Board of Directors in a non-voting capacity.
- Section 6      The "Employee Relations Committee" to represent the Association in matters with department management and the city, shall be appointed by the President of the Association and with the approval of the Association Board.

In accordance with the MOU, the Association will create a "Labor Relation Committee." The committee members will be appointed by the President of the Association and with the approval of the Association Board. The committee will meet with the management of the city and/or department as needed to discuss those items dealing with labor relations during the effective date of the MOU.

The Committee shall report to the board at the next regularly scheduled Association meeting and inform them as to what was discussed at the previous sessions. The committee shall not make any agreements with the management team prior to discussing those agreements with the board and gaining their approval. Any item that would affect any written provision of the MOU shall be approved by a vote of the general membership.

Section 7 Elections shall be held in December of each year, with effective date of office being the first meeting in January.

## ARTICLE VIII

### Removal and Resignation

- Section 1 Any member of the elected Officers or Board of Directors who becomes negligent in the performance of his duties or is guilty of any acts inimical to the welfare of the Association may be removed from office by eight of the Officers and the Board of Directors. He may also be removed by a two-thirds vote of the general membership.
- Section 2 Resignation from office may be accepted by a majority vote of the Board of Directors.

## ARTICLE IX

### Vacancies

- Section 1 Vacancies may occur within the elected Officers or Board of Directors as a result of death, resignation, pension, or removal or expiration of office. Such vacancies, with the exception of the latter, shall be filled by appointment of a member from Class I by a majority of the Board of Directors.
- Section 2 If a member should be reclassified as a Class II or Class III member, his position should be deemed to be vacant, and an appointment shall be made to fill the unexpired term of his/her office.

## ARTICLE X

### Finance

- Section 1 Dues shall be as follows:
- Class I members:
1. For all Class I members, dues will be collected on a per-pay-period basis at the rate of:
    - A.  $\frac{3}{4}$ % of Step "5" P.O. II base pay, plus \$0.92, to be dispersed as follows:
      - a. \$3.92 per pay period to be dispersed to the OPOA PAC fund.
      - b. Remaining dues will be dispersed to the operation of the Association.

- Class II members: 1. For all Class II members, dues will be collected on a per-pay-period basis at the rate of:
- A. Association dues at a rate of \$10.00 per pay period month will be dispersed to the operation of the Association.

Class III member: No dues.

Associate Members: No dues.

Section 2 Disbursements shall be made only upon arrival of a majority of a quorum of the Officers and Board of Directors, and checks will be issued in payment of obligations only when signed by the Treasurer or designee and countersigned by the President, Vice-President, Secretary or designated Board Members.

## ARTICLE XI

### Amendments

Section 1 This constitution may be amended by a favorable vote of a majority of the active membership voting. Such a vote shall be by ballot after such amendment or amendments shall have been submitted in writing and entered upon the minutes and notice by publication of the proposed change or changes and the date of balloting shall have been given, such notification to be at least ten days prior to the date selected for balloting.

## ARTICLE XII

### Ratification

Section 1 This constitution shall be in full force and effect immediately upon adoption and shall supersede and render null and void any existing constitution and bylaws of any previous police association.

Section 2 Any amendments of this constitution shall be in full force and effect immediately upon adoption.

## ARTICLE XIII

### Standing Rules

Section 1 Those standing rules established by the Board of Directors and Officers shall be put into written form.

- Section 2            A majority of a quorum of the Officers and Board of Directors is needed to establish a standing rule.
- Section 3            Standing rules duration will be that of the Board of Directors and may be continued to the following term by approval by a majority of the Officers and Board of Directors.

## ARTICLE XIV

### Electronic Notice/Voting

At the discretion of the Board of Directors, a vote of the membership may be conducted electronically. Whenever the members of the Association are permitted to vote electronically, the following rules shall apply:

Notice given by electronic transmission shall be delivered to all Call I members who have provided consent to the use of electronic transmission of communications (a) by electronic mail to the electronic mail address for that recipient on record with the corporation; (b) posting on an electronic message board or network that the corporation has designated for those communications, together with a separate notice to the recipient of the posting, which transmission shall be validly delivered on the later of the posting or delivery of the separate notice of it; or (c) other means of electronic communication.

The Notice provided shall create a record that is capable of retention, retrieval and review, and that may thereafter be rendered into clearly legible tangible form.

Notice shall be given to all Class I members who have provided an unrevoked consent to the use of those means of transmission for communications. This consent shall be preceded by or include a clear written statement to the Class I member that he/she (a) has the right to have the record provided or made available; (b) must indicate whether the consent applies only to a specific category of communications or to all communications and (c) must set forth the procedure used to withdraw consent.