

**Town of Barnstable**  
**MUNICIPAL EMPLOYEES**  
**ASSOCIATION, INC.**

**Constitution**  
**and**  
**By-Laws**

Effective  
January 1990  
Revised February 2002  
Revised May 2006

# **CONSTITUTION**

## **ARTICLE I Name**

### **Section 1**

The name of this organization shall be the  
“Town of Barnstable Municipal Employees Association Inc.”

## **ARTICLE II Purpose and Aim**

### **Section 2**

The purpose and aim of the Town of Barnstable Municipal Employees Association, Inc. is to protect and improve the condition of any employees relative to his/her employment.

## **ARTICLE III Membership**

### **Section 1**

All persons who have been in continuous employment with the Town of Barnstable for more than thirty days in a classification represented by this Association, on a permanent part-time or full time basis, not affiliated with any other association, agency and/or union for collective bargaining, shall be eligible for active membership upon payment of dues.

### **Section 2**

Members (both Unit A and Unit B) shall be entitled to vote, hold office and participate in discussions, which affect their respective units, at all regular and/or special meetings of the Association.

### **Section 3**

Membership in the Association shall be terminated by dismissal, resignation or retirement from employment. Membership shall also terminate upon transfer to a position that is not a position covered by the Association

## **ARTICLE IV Officers**

### **Section 1**

The officers of this organization shall be a President, Vice-President, Secretary, Treasurer and Board of Directors, all of whom shall be elected to a term of one year.

### **Section 2**

The President, Vice-President, Secretary and Treasurer may be any member elected by the membership at the first quarterly meeting.

### **Section 3**

The eight (8) stewards shall be members from each of the designated sections appointed by the President within two weeks after the first quarterly meeting.

\* SEE LIST OF STEWARDS (Amendment adopted November 13, 2001)

### **Section 4**

The board of Directors shall consist of thirteen members. The President, past President, Vice President, Secretary and Treasurer shall comprise of five members: The remaining eight members shall be the stewards.

### **Section 5**

Any officer or director may be removed from office by a two-thirds majority vote of the Association membership present, upon presentation of sufficient evidence of one of the following:

- A. Dereliction of duty.
- B. Acting contrary to the desires and/or interests of the membership.
- C. Acting in violation of the By-Laws of the Association.

## **ARTICLE V Committees**

### **Section 1**

The President shall appoint annually the Membership Committee, the Auditing Committee, the Nomination Committee and any other committee as needed.

### **Section 2**

The Board of Directors shall serve as the Grievance Committee.

### **Section 3**

The Board of Directors shall appoint a Bargaining Committee consisting of three members and one alternate from the membership of the Association. This Bargaining

Committee will continue to serve until any current bargaining culminates in a mutually acceptable contract or until otherwise directed by a majority vote of the Association.

**Section 4**

Each Committee is responsible for recording its own minutes.

**ARTICLE VI  
Meetings**

**Section 1**

The quarterly meetings shall take place on the first Tuesday in February, May, August, and November of each calendar year. Special meetings of the Association may be called by the President as conditions warrant, provided one weeks notice is given of such meeting.

**Section 2**

Members shall be notified in writing of all regular or special meetings at least one week prior to such meeting.

**Section 3**

Emergency meetings of the Association may be called by the Board of Directors with a twenty-four hour notice.

**ARTICLE VII  
Amendments**

**Section 1**

Amendments to the Constitution or the By-Laws of this Association shall be made at any quarterly meeting or any special meeting called for that purpose by a two-thirds vote of the members present. Written notice of the proposed amendments shall be sent to each member at least seven days prior to the meeting at which the amendments are to be voted upon.

# **BY-LAWS**

## **ARTICLE I Meetings**

### **Section 1**

The order of business for the transaction of business at the quarterly meetings shall be as follows:

- A. Post Agenda.
- B. Call to Order.
- C. Reading of the Minutes.
- D. Report of the Treasurer.
- E. Reports of the Committees.
- F. Reading of Communications.
- G. Unfinished Business.
- H. New Business.
- I. Adjournment.

### **Section 2**

The order of business for the transaction of business at the special Meetings shall be as follows:

- A. Call to Order.
- B. Secretary Verify if Quorum is Present.
- C. Business Concerning Special Meeting.
- D. Vote of Membership.
- E. Adjournment

## **ARTICLE II**

### **Duties of Officers**

#### **BMEA President**

The President is an elected position of the Barnstable Municipal Employees Association, Inc. for one year. Annual elections are held at the first quarterly meeting of the year. This is a paid position.

#### **Duties and Responsibilities:**

- Is a member of the Executive Board.
- Is a member of the Board of Directors.
- Appoints the Stewards and the Membership Clerk.
- Appoints annually the Auditing Committee, The Nominating Committee, and any other Committee as needed. Shall serve as an ex-officio member of all Committees.
- Presides over Board Meetings, Executive Board Meetings and Membership meetings.
- Call Special Meetings as conditions warrant.
- Sets the agenda for all meetings.
- Meets and communicates with Town Representatives on an ongoing basis.
- Keeps the Vice-President informed of all issues.
- Approves all expenses to be paid.
- Is authorized to spend up to \$1000. over the approved budgeted amount in any calendar year provided such funds are from available cash and not from the Association's Investment Portfolio.
- Supplies the Secretary with all records for the files.
- Communicates with Attorney on legal matters.
- Delegates others as necessary to communicate with the Attorney.
- May represent members and protect their rights.
- Advises the Board of Director's and the membership of any issues of concerns or ideas.
- Supports the Board of Directors and the Membership in other capacities as needed.
- Shall perform other duties as required by the Constitution and By-Laws.
- Has knowledge of the contract and Weingarten Rights.
- Has knowledge of the BMEA Constitution and By-Laws.
- Has knowledge of the Town's Personnel code.

### **BMEA Vice-President**

The Vice-President is an elected position of the Barnstable Municipal Employees Association, Inc. for one year. Annual Elections are held at the first quarterly meeting of the year. In the absence of the President, the Vice-President shall have all the prerogatives of the President. This is a paid position.

#### **Duties and Responsibilities:**

- Is a member of the Executive Board.
- Is a member of the Board of Directors.
- May represent members and protect their rights.
- Meets and communicates with Town Representatives on an ongoing basis.
- Keeps the President informed of all issues.
- Assists the President with Committees and other obligations.
- Supplies the Secretary with all records for the files.
- Advises the Board of Directors and the membership of any issues of concerns or ideas.
- Attends Board Meetings and Quarterly Membership meetings.
- Supports the Board of Directors and the Membership in other capacities as needed.
- Has knowledge of the contract and Weingarten Rights.
- Has knowledge of the BMEA Constitution and By-Laws.
- Has knowledge of the Town's Personnel code.

### **BMEA Secretary**

The Secretary is an elected position of the Barnstable Municipal Employees Association, Inc. for one year. Annual Elections are held at the first quarterly meeting of the year. This is a paid position.

#### **Duties and Responsibilities:**

- Is a member of the Executive Board.
- Is a member of the Board of Directors.
- Retains all records of BMEA except for the Treasurer's records.
- Issues all notices of meetings, books the facility, and prepares the agenda.
- Retains a record of the minutes of all meetings.
- Publishes the minutes to be presented during the next meeting.
- Verifies that a quorum is present before each meeting begins..
- Retains a current membership list for notifications to be sent to the membership.
- Types written correspondence as requested by the President.
- May represent members and protect their rights.
- Advises the Board of Directors and the membership of any issues of concerns or ideas.
- Attends Board Meetings and Quarterly Membership meetings.

- Supports the Board of Directors and the Membership in other capacities as needed.
- Keeps a current list of the BMEA Officers and Stewards. Notifies Town Officials and the membership of any changes.
- Updates the Constitution and By-Laws with amendments made.
- Has knowledge of the contract and Weingarten Rights.
- Has knowledge of the BMEA Constitution and By-Laws.
- Has knowledge of the Town's Personnel Code.

### **BMEA Treasurer**

The Treasurer is an elected position of the Barnstable Municipal Employees Association, Inc. for one year. Annual Elections are held at the first quarterly meeting of the year. This is a paid position.

#### **Duties and Responsibilities:**

- Is a member of the Executive Board.
- Is a member of the Board of Directors.
- Makes monthly deposits of dues and Agency Service Fees.
- Pays all bills once approved by the President.
- Reconciles bank statements monthly.
- Maintains a financial database on the laptop computer and a back up copy.
- Maintains petty cash.
- Maintains accurate authorized signers on credit cards with vendors.
- Provides monthly Treasurer's Report to the Board of Directors.
- Provides quarterly Treasurer's Report to the membership at meetings.
- Makes quarterly tax deposits to the Commonwealth Of Massachusetts
- Prepares 1099s at year end.
- Compiles and forwards financial information to the Accountant for yearly tax filing.
- Submits to the Commonwealth Of Mass all yearly filings.
- Requests and reviews budgets for entertainment functions and reports to the Board.
- Requests from Human Resources periodic reports on the Education Account for review.
- Ensures BMEA is reimbursed by the Town for education expenses paid for a member.
- May represent members and protect their rights.
- Advises the Board of Directors and the membership of any issues of concerns or ideas.
- Is a member of the Investment Committee.
- Attends Board Meetings and Quarterly Membership meetings.
- Supports the Board of Directors and the Membership in other capacities as needed.
- Has knowledge of the contact and Weingarten Rights.

- Has knowledge of the BMEA Constitution and By-Laws.
- Has knowledge of the Town's Personnel Code.

### **BMEA Past-President**

The Immediate Past-President shall remain a member of the Board of Directors after the election of a new President during the annual election held at the first quarterly meeting of the year.

### **Duties and Responsibilities**

- Helps provide continuity to insure a smooth transition of the new Board of Directors.
- Attends Board of Directors' and membership meetings.
- Supports the Board of Directors and the Membership in other capacities as needed.
- Has knowledge of the contract and Weingarten Rights.
- Has knowledge of the BMEA Constitution and By-Laws.
- Has knowledge of the Town's Personnel Code.

(Prior presidents have a wealth of knowledge with issues that have been dealt with in the past. Past Presidents may be called upon, from time to time, to assist the Board of Directors with their experience and knowledge. They are bound by the same confidentiality as the current officers and stewards relative to grievances and other sensitive issues.)

### **BMEA Chief Steward**

There are two units within the BMEA, the regular Unit (Unit A) and the Department Heads Unit (Unit B). Each Unit has a Chief Steward. The Chief Steward of each Unit shall be chosen by the stewards of that particular Unit. This is a paid position.

### **Duties and Responsibilities:**

- Represents members and protect their rights.
- Keeps their respective memberships informed of the Association activities.
- Keeps the Board of Directors informed on member's requests and problems.
- Serves as Chairperson of the Grievance Committee within his/her respective Unit.
- Recommends to the Grievance Committee a course of action on grievances.
- Holds stewards meetings to keep stewards abreast of grievance related events.
- Supplies the Secretary with all documentation received for the records.
- Attends Board of Directors' meetings and membership meetings.
- Supports the Board of Directors and the membership as needed.
- Has knowledge of the contract and Weingarten Rights.
- Has Knowledge of the BMEA Constitution and By-Laws.
- Has knowledge of the Town's Personnel Code.

## **BMEA Steward**

The position of Steward is an important role. A Steward is the one who interacts and converses regularly with the membership. A Steward is usually the first person to hear of problems and membership dissatisfaction with the Town, BMEA or the Contract.

### **Duties and Responsibilities:**

- Knowledge of the contract and Weingarten Rights.
- Knowledge of the BMEA Constitution and By-Laws.
- Knowledge of the Town's Personnel Code.
- Represent members and protect their rights.
- Keep the membership informed of the Association's activities.
- Keep the Executive Board informed on member's requests and problems.
- Attend stewards, quarterly membership meetings and other meetings as required.
- Supports the Board of Director's and the Membership in other capacities as needed.
- Inform the Membership Clerk of new members
- Inform Sunshine Committee of any needs of the membership (Illness, death, new arrival, etc.)

**The Grievance Committee consists of the President, Vice-President, Treasurer, Secretary, Past President and the Stewards.**

## **BMEA Membership Clerk**

The Membership Clerk is an appointed position of the Barnstable Municipal Employees Association, Inc. by the President. This is a paid position.

### **Duties and Responsibilities:**

- Keep membership database current with names, addresses and positions.
- Notify new employees of their membership in the Association.
- Present new employees with a copy of the BMEA Constitution and By-Laws.
- Verify with new employee that they have received a copy of the current contract.
- Check with Human Resources monthly for names of new employees.
- Prints out labels for Newsletter mailings.
- Supports the Board of Director's and the Membership in other capacities as needed.

## **ARTICLE III Committees**

### **Section 1**

The Bargaining Committee shall act, as representative of the Association in all collective bargaining procedures with the Representative of the Town of Barnstable for the development of a working contract if the Association feels this is necessary. All contracts shall be ratified by a majority vote of the Members present.

### **Section 2**

The Grievance Committee shall be responsible for determining the validity of all grievances and shall proceed in accordance with the grievance section as specified in the appropriate bargaining unit contract

### **Section 3**

The Membership Committee shall notify new employees of their Membership in our Association, present them with a copy of the Constitution and By-Laws, a copy of the Personnel By-Laws of the Town of Barnstable and a copy of the current contract. They shall check monthly with the Human Resources Division for names of new employees

### **Section 4**

The Auditing Committees shall audit the Financial Ledgers and Secretary's Minutes at the end of the calendar year and submit their reports at the first quarterly meeting.

## **ARTICLE IV Elections**

### **Section 1**

The nominating Committee shall present a slate of Officers at the first quarterly meeting for the following; President, Vice President, Secretary, and Treasurer. The slate shall be submitted to the Members of the Association at least two weeks prior to the First Quarterly Meeting (first Tuesday in February). Voting will take place at the First Quarterly Meeting. Further nominations may be made from the floor.

### **Section 2**

The Election procedures are as follows:

- A. Enter meeting hall, sign in and pick up ballot.
- B. The President will take nominations from the floor.
- C. Vote for person of your choice using number list on board.
- D. Nominating Committee will pick up Ballots and verify Legal Ballots,
- E. count Ballots and announce results.

**ARTICLE V  
Dues**

**Section 1**

The amount of dues may be changed by the Membership at the first Quarterly Meeting of each year.

**ARTICLE VI  
Quorum**

**Section 1**

A representation of twenty (20) members shall constitute a quorum.  
(Amended June 26, 1995).

**ARTICLE VII  
Dissolution**

**Section 1**

The BMEA can be dissolved with the vote of the officers of the association and the general membership. All monies shall be distributed to a charity to be determined by the officers of the association upon dissolution or to another tax exempt organization with similar 501 status.

(Amendment adopted September 5, 1995)

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**List of Stewards**

(as referenced to in Article IV, Officers, Section 3) (Amendment adopted November 13, 2001)

**Town Hall** - Two (2) Stewards

**Town Offices** - One (1) Steward

**School Administration Building/Old Town Hall** - One (1) Steward

**Recreation Department** - One (1) Steward

**Structures & Grounds/Water Pollution Control** - One (1) Steward

**MEA/Police Department** - One (1) Steward

**Senior Services** – One (1) Steward

**Total- 8 (eight)**

If any building does not have a BMEA Representative, one may be appointed by the President.