

SBA Constitution

ARTICLE I NAME

This organization shall be known as the Sergeants Benevolent Association, Incorporated, of the Police Department - City of New York, and shall consist of a general body operating under a Constitution & By-Laws hereby established. In these articles the organization shall also be known, and/or referred to, as the SBA or the Association.

ARTICLE II PURPOSES AND OBJECTIVES

This Sergeants Benevolent Association, Inc., of the Police Department - City of New York, is organized to promote the general welfare of its membership through moral, intellectual, and social cooperation, and to establish and maintain benefit programs and funds as provided for in this Constitution and By-Laws.

The Association shall act as representative and bargaining agent on behalf of all active and retired Sergeants of the Police Department - City of New York.

ARTICLE III MEMBERSHIP

Section 1 Active

Active members are those members that hold the rank of Sergeant in the Police Department - City of New York.

Section 2 Retired Class A

Retired members Class A are those members who were enrolled under RK & RL dues checkoff during their active membership and prior to their retirement. These members are entitled to all retiree benefits.

Section 3 Retired Class B

Retired members Class B are those former active members who were not enrolled under RK-RL dues checkoff during their active membership and prior to their retirement. These members are entitled to basic benefits of the organization.

Section 4 Life Membership

Upon retirement Life membership shall be granted to members upon full payment of the prescribed dues. The Life member and/or their beneficiaries shall be entitled to the complete benefits that would be applicable to a contributing active member of this Association, except Health and Welfare benefits. Health and Welfare benefits of Life members and/or their beneficiaries shall be determined in accordance with the Trust Agreement of the Health and Welfare Fund.

ARTICLE IV OFFICERS

Section 1 Board of Officers

The Board of Officers shall consist of the following at-large delegates:

1. President
2. Vice President
3. Treasurer
4. Recording Secretary
5. Financial Secretary
6. Health & Welfare Secretary
7. City-Wide Secretary
8. Board of Directors consisting of from fourteen (14) to twelve (12) members.
The President and Vice President shall be ex-officio members.
9. Marshal
10. Sergeant At Arms

Section 2 Executive Board

The Executive Board shall consist of the President, Vice President, Treasurer, Recording Secretary, Financial Secretary, Health & Welfare Secretary and City-Wide Secretary.

Section 3 Board of Directors

The Board of Directors shall consist of thirteen (13) active members of this Association, and one retired representative who shall be appointed by the President. One (1) Director shall represent each Boro Command in the Police Department. Directors are required to be from the Boro/Bureau represented. One (1) Director shall represent the Detective Bureau. One (1) Director shall represent the Organized Crime Control Bureau. One (1) Director shall represent the Transit Bureau and one (1) Director representing the Housing Bureau. One (1) Director shall represent Headquarters/Police Academy.

ARTICLE V ELECTION OF OFFICERS

Section 1 Elections

The officers of this Association shall be elected on the date of the June meeting, and shall hold office for a term of four (4) years from July 1st of such year, from the 1990 elections.

Section 2 Nominations for Office

1. In order to be nominated, a member must be all of the following:
 - (1) Active member in good standing and seeking the office.
 - (2) A Delegate of the Association and has been a Delegate for at least one (1) year prior to the nomination.
2. Nominations for the office shall be made at the regular meeting in the month of May, by petition to the Recording Secretary. The petitions for citywide offices must contain at least ten (10) Delegates' signatures. The petitions for Boro Director must contain two (2) Delegates' signatures from the Boro Command represented.
3. A candidate not present may be placed in nomination for office providing that the nominating petition has the written consent of the candidate who is placed in nomination for the office.
4. Candidates for President, Vice-President, Treasurer, Recording Secretary, Financial Secretary, Health & Welfare Secretary, City-Wide Secretary, Marshal and Sergeant-at-Arms shall be voted for and elected on a citywide basis. Boro Directors, the Detective Bureau Director, the Organized Crime Control Bureau Director, the Transit

Bureau Director, Housing Bureau Director and Headquarters/Police Academy Director, shall be voted for and elected to office only by the members assigned within the area command or Bureau they are to represent.

Section 3 Eligibility to Vote

Only active members who are in good standing shall be eligible to vote.

Section 4 Election of Board of Directors

1. Subsequent to nominations, elections for the board of officers shall be conducted by mail ballot in a manner agreed upon by all the parties involved. If the parties do not reach agreement on the method by which the election is to be conducted then the election will be conducted by the American Arbitration Association.
2. The organization conducting the election shall print official ballots containing the names of all candidates for office. The ballot shall provide for the casting of a separate vote for each candidate. However, the offices of President and Vice President shall appear jointly on the ballot and a single vote cast for the joint listing. Candidates for office who desire to appear on the ballot as a "slate" shall be so represented. A "slate" is defined as a group who must have a candidate for each and every elective office (21 offices). Any group or persons not having a candidate for each and every elective office will not be entitled to a "slate" designation.
3. The ballot shall contain an appropriate space located above each "slate" where a member may cast one vote for an entire "slate" of candidates. Once a member has cast one vote for an entire "slate" through the use of this option, this one vote shall prevail over any other vote cast, and the ballot shall be deemed valid and counted as if it contained no other designation.
4. Candidates for President, Vice President, Treasurer, Recording Secretary, Financial Secretary, Health & Welfare Secretary, City_wide Secretary, Marshal and Sergeant-At-Arms shall be voted for and elected on a citywide basis. Boro Directors, the Detective Bureau Director, the Organized Crime Control Bureau Director, the Transit Bureau Director, and Headquarters/Police Academy Director, shall be voted for and elected to office only by the members assigned within the area command or Bureau they are to represent.
5. The Organization conducting the election shall obtain from the Recording Secretary a list of the names and mailing addresses of all active members eligible to vote.

6. The results of the election shall be announced at the next regular June meeting of the Association.

Section 5 Election Watchers

Each "slate" of candidates for office may designate two (2) Watchers, and each independent candidate for office may designate one (1) Watcher. A Watcher must be an active member of the Association, and shall have the right to be present at all times during the tallying of ballots.

Section 6 Duties of Secretaries

The Recording Secretary shall maintain an accurate mailing address listing of all active members in the Association. After the May nomination meeting he shall obtain from the Financial Secretary a listing of all active members in good standing in the Association for comparison with the mailing listing. These listings will be made available to the organization conducting the election.

Section 7 Vacancy in President's Office

Whenever the office of President is vacated the Vice President shall assume the Presidency and perform the duties of the office until the expiration of the former President's term of office.

Section 8 Vacancy in Elective Office

1. Whenever an elective office other than that of President becomes vacant for any reason during the course of the term, the President shall appoint a Delegate in good standing to fill the remainder of the term. The replacement must be from the area represented. Notice of such vacancy will be announced at the delegates' meeting and a successor shall be appointed by the President to fill the unexpired term of office. Any such appointment will be published in the next newsletter.
2. Whenever a member of the Board of Directors who was elected to represent an area or command is no longer qualified to serve by reason of transfer out of that area or command, that Director shall cease to be a member of the Board of Directors, and a successor will be appointed in accordance with Section 8 (a) of this Article.

Section 9 No Contest For Office

When there is no contest for any elective office, the President shall direct the Recording Secretary to cast one (1) ballot for the candidates nominated, at the next regular meeting. The candidates shall then be declared to have been duly elected to hold the said office in the Association. In such instance, the provisions of Sections 3 through 6 of this Article shall not apply.

ARTICLE VI COMMITTEES

Section 1 Standing Committees

Standing committees shall be appointed by the President with one member being designated as Chairperson.

Executive

Resolution

Political Action Committee

Good and Welfare

Legal

Section 2 Special Committees

Special Committees shall be appointed by the President as required to further the interests of this Association, with one member being designated as Chairperson. Chairperson and members shall serve at the pleasure of the President and such committees will be dissolved when their purposes have been fulfilled.

ARTICLE VII DUTIES OF OFFICERS

Section 1 President

The President shall inform, advise, and report to the membership on all matters of mutual concern in furthering their individual interests.

The President shall:

1. Preside at all meetings of the Association and preserve order.
2. Decide all questions of order subject to appeal to the meeting; enforce compliance to the laws, rules, regulations and principles governing the Association.
3. Appoint all committees not otherwise provided for, and be an ex-officio member of all committees.
4. Call a regular Delegate membership meeting once each month with the exception of the July meeting which may be held simultaneously with any monthly meeting.
5. Change the regular monthly meeting day for reasonable cause, directing the Recording Secretary to notify the membership of said change.
6. Retain an auditor to audit the financial records of the Association annually, being responsible for the issuing of a financial report to the membership.
7. Approve and sign all vouchers and/or checks drawn by the Association for payment of obligations.
8. Have the full power to manage and conduct the business of the Association.
9. Be responsible for the renting of necessary vaults in the name of the Association for the safeguarding of all bonds, securities, and valuable instruments of the Association. The President and/or Treasurer will be physically present and responsible for any instruments deposited or withdrawn from the vaults.
10. Deliver to a successor all books, papers, records, forms, instruments, and/or other property in his possession upon vacating the office.

Section 2 Vice President

The Vice President shall:

1. Assist and advise the President in carrying out the functions of the office.
2. During the absence or disability of the President perform the duties of the President as prescribed.
3. Perform such other duties as may be provided by the Constitution & By-Laws.
4. Be authorized to sign checks as provided by Section 3 (b) of this Article.
5. Perform all other duties incidental to the office not herein included or as directed by the President, promptly submitting reports as directed.
6. Deliver to a successor all books, papers, records, forms, instruments, and/or other property in his possession upon vacating the office.

Section 3 Treasurer

The Treasurer shall:

1. Deposit and invest funds and monies received in commercial banks, savings banks, and/or commercial paper (certificates of deposit, bonds, notes, et cetera) for the Association. The above transactions shall require the approval and signatures of the President or Vice President and Treasurer.
2. Provide that two out of the three signatures of record be required for all withdrawals, with all withdrawals being made on check instruments of the Association.
3. Receive, process, and deposit funds in the accounts of the Association when they are received from the Controller, Financial Secretary, and any other sources as prescribed.
4. Maintain a true and accurate recording of the finances of the Association. Preserve all vouchers, invoices directing payment, cancelled checks, and all documents relating to payment for such times as prescribed.
5. Ensure that an annual auditing of the records is completed by a CPA as prescribed by the Association.
6. During each year provide a financial report to the President listing receipts, disbursements, and the financial condition of the Association for the previous fiscal year.
7. Have available at all reasonable times the books and records for inspection by the President and/or any committee authorized by the Constitution & By-Laws.

8. Perform all other duties incidental to the office not herein included or as directed by the President, promptly submitting reports as directed.
9. Deliver to a successor all books, papers, records, forms, funds, instruments, and/or other property in his possession upon vacating the office.

Section 4 Recording Secretary

The Recording Secretary shall:

1. Record and preserve an accurate set of minutes of meetings.
2. Present and read communications, minutes, and matters of interest as required.
3. Conduct necessary correspondence.
4. Provide notice to the membership of meetings; notify all committees of their appointment and their duties.
5. Maintain an accurate listing of the names and addresses of the membership.
6. Have available at all reasonable times the books and records for inspection by the President and/or any committee authorized by this Constitution & By-Laws.
7. Be Custodian of the Seal of the Corporation.
8. Be responsible for certification of all Delegates.
9. Perform all other duties incidental to the office not herein included or as directed by the President, promptly submitting reports as directed.
10. Deliver to a successor all books, papers, records, forms, instruments, and/or other property in his possession upon vacating the office.
11. In conjunction with the President, schedule monthly delegate meetings and notify the delegates of same.
12. Conduct the election of "delegates" as prescribed by the Association.

Section 5 Financial Secretary

The Financial Secretary shall:

1. Maintain records of the membership including dates of promotion, checkoff, retirement, deaths, beneficiaries, and other such information as necessary and proper in the conduct of the office.
2. Maintain applications and beneficiary forms. Initiate and processing of death claims, cash surrenders, affidavits and related matters.
3. Conduct necessary correspondence.
4. Receive and process dues checkoff authorizations, and all other dues that are payable to the Association.
5. Notify all members in arrears, dropping from the rolls those not in good standing as provided for by the Constitution & By-Laws.
6. Open and maintain a separate account in the name of the Association in a New York State chartered bank for all dues received from active and retired members, except as provided in Section 3 (c) of this article. Said funds shall be promptly forwarded to the Treasurer with individual listings.
7. Have available at all reasonable times the books and records for inspection by the President and/or any committee authorized by this Constitution & By-Laws.
8. Perform all other duties incidental to the office not herein included or as directed by the President, promptly submitting reports as directed.
9. Deliver to a successor all books, papers, records, forms, instruments, and/or any other property in his possession upon vacating the office.

Section 6 Health & Welfare Secretary

1. The Health & Welfare Secretary shall co-ordinate information and assignments between the Executive Board and the Board of Directors and perform all other duties incidental to the office.
2. Assist and respond to the needs of the membership, and assist delegates in fulfilling their duties.
3. Conduct necessary correspondence.
4. Respond as required to assist members of the Association at hearings, investigations, examinations, grievances, Health and Welfare appeals and other similar occurrences.
5. Perform all other duties incidental to the office not herein included or as directed by the President, promptly submitting reports as directed.
6. Deliver to a successor all books, papers, records, forms, instruments, and/or any other property in his possession upon vacating the office.

Section 7 City-Wide Secretary

1. The City-Wide Secretary will co-ordinate emergency representations and assignments between the Executive Board and the Board of Directors
2. Perform all other duties incidental to the office herein included or as directed by the President, promptly submitting reports as directed.
3. Conduct necessary correspondence.
4. Respond as required to assist members of the Association at hearings, investigations, examinations, grievances, Legal Committee proceedings and other similar occurrences.
5. Deliver to a successor all books, papers, records, forms, instruments, and/or any other property in his possession upon vacating the office.

Section 8 Board of Directors

The Board of Directors shall be responsible for the good and welfare of the membership and servicing the delegate body of the Association.

The Board of Directors shall:

1. Assist and respond to the needs of the membership, maintaining members in good standing, and assisting delegates in fulfilling their duties.
2. Primarily serve the areas and jurisdictions which they shall respond to all jurisdictions for the servicing of the membership body.
3. Assist the Recording Secretary in conducting the elections of delegates as prescribed by the Association.
4. Respond to members who are sick or injured, rendering all possible assistance to the members and their families.
5. Respond as required to assist members of the Association at hearings, investigations, examinations, grievances, and other similar occurrences.
6. Perform all other duties incidental to the office not herein included or as directed by the President, promptly submitting reports as directed.
7. Deliver to successors all books, papers, records, forms, instruments, and/or other property in their possession upon vacating the office.

Section 9 Marshal

The Marshal shall attend to the ceremonies of the Association, attending to visitors and guests.

The Marshal shall:

1. Ensure that meeting locations and sound systems are operational, and ensure that the American flag and SBA banner are in place.
2. Ensure that any messages are promptly received or dispatched by the presiding officer.
3. In conjunction with the Sergeant At Arms, tabulate votes at meetings and promptly report the results to the President and the Recording Secretary.
4. Perform all other duties incidental to the office not herein included or as directed by the President, promptly submitting reports as directed.
5. Deliver to a successor all books, papers, records, forms, instruments, and/or other property in his possession upon vacating the office.

Section 10 Sergeant At Arms

The Sergeant At Arms shall keep order and attend the inner door at all meetings.

The Sergeant At Arms shall:

1. Ensure that only members of the Association enter the meeting room.
2. Ensure that visitors and guests attending the meeting room have the approval of the presiding officer.
3. In conjunction with the Marshal, tabulate votes at meetings and promptly report the results to the President and the Recording Secretary.
4. Preserve the confidentiality of all meetings as prescribed under Article II of the By-Laws.
5. Perform all other duties incidental to the office not herein included or as directed by the President, promptly submitting reports as directed.
6. Deliver to a successor all books, papers, records, forms, instruments, and/or other property in his possession upon vacating the office.

ARTICLE VIII DELEGATES

Delegates shall represent the members of their own command at all meetings of this Association, and at other times as required.

1. A delegate shall be an active member in good standing.
2. A delegate may be elected either through a majority petition or by a majority of votes cast through an election by the members of that command. A delegate election may be requested when a majority of members assigned to a command petition the Recording Secretary for said election. However, no incumbent delegate can be challenged more than once during a twelve (12) month period. In either instance, the Recording Secretary in conjunction with a Director, will ensure the proper conduct in the selection or election of the delegate. After the election of a delegate through majority petition or election, the delegate shall be certified at the next regular meeting.
3. A delegate shall appoint a member of his/her command to act as his/her alternate during the delegates absence and to assist him/her in all matters pertaining to that Command. The delegate shall make the appointment within two (2) weeks after his/her election and shall notify the Recording Secretary of the same in writing. During the absence of the delegate the alternate shall possess all the powers as "delegate", as prescribed by the Association. If the delegate is present at a meeting, the alternate shall not have a vote in the business being conducted.
4. Should a delegate resign the position or the position is vacated, the alternate delegate shall automatically become the delegate and shall follow the guidelines in Article VIII, sub (c).

Section 2 Delegate Responsibility

1. Delegates shall attend meetings and inform their membership of the business transacted, and perform other duties as assigned by the President, e.g. committees, et cetera.
2. Delegates are responsible for the good and welfare of the members of the command to which they are assigned. They will inform the members of their benefits, rights, and privileges in the Association, maintaining the membership in good standing.

ARTICLE IX FUNDS

Section 1 Depositories

The Funds of the Association shall be placed in deposit in the name of the Association in a commercial bank, savings bank and/or commercial paper (certificates of deposit, bonds, notes, et cetera). The depositories shall be approved by a majority of the Executive Board. Accounts deposits and investments shall be fully insured by a Government agency or shall be backed up by the full faith and credit of the government of the United States, or insured by the bank deposit. Funds may also be invested by an investment manager or a mutual fund with the approval of a special committee appointed by the President.

Section 2 Funds

Dues received by this Association shall be deposited in funds as herein prescribed, with investments and withdrawals as provided under Article IX Section 1 of the Constitution. There shall be two (2) separate funds of this Association known as a Mortuary Fund and a Contingent Fund.

Section 3 Mortuary Funds

1. The Mortuary Fund shall consist of:
 1. Ten percent (10%) of all basic dues received by the Association.
 2. Interest accrued from bank accounts and investments held in the name of the fund.
 3. Monies transferred to and from the fund from other sources.
2. Monies received as provided in this section shall be deposited as prescribed under Article IX Section 1 of the Constitution.
3. Notwithstanding any other provisions of this Constitution, it is the obligation of the Mortuary Fund to pay its fair share of expenses incurred in administering the Mortuary Fund such as accounting costs, actuary costs, legal expenses and such other reasonable and necessary costs as are incurred in operating and maintaining said fund.
4. The Executive Board shall review this fund annually. They shall be authorized to readjust Section 3 (a) as deemed appropriate.

Section 4 Contingent Fund

1. The Contingent Fund shall consist of:
 1. Ninety percent (90%) of all basic dues received by the Association. Any adjustment to the Mortuary Fund shall reflect a corresponding adjustment to the Contingency Fund.
 2. Interest accrued from bank accounts and investments held in the name of the fund.
 3. Monies transferred to and from the fund from other sources.
2. All regular, fiscal, and miscellaneous expenses necessary for the transaction of the business of the Association shall be paid from this fund. Said obligations shall be paid upon the submission of vouchers and/or invoices to the Treasurer which must be approved by the President.
3. The President of this Association is authorized to defray miscellaneous expenses incurred in the performance of duties, e.g. travel, lodgings, meals, et cetera. When such obligations are incurred a voucher shall be presented to and approved for payment by the Treasurer.

Section 5 Investment of Funds

Whenever the investment/withdrawal of funds is deemed appropriate the President shall confer with the Treasurer and Executive Board, and upon a majority approval, the President may direct that funds of the Association be invested or withdrawn.

ARTICLE X BENEFITS

Section 1 Mortuary Benefits

Members in good standing and their beneficiaries, where applicable, shall be eligible to receive the prescribed mortuary benefits, provided that they comply with the requirements of this Association. Payment of benefits in the sums prescribed by the Constitution & By-Laws shall constitute full payment of all claims against the Association by virtue of said membership.

a) Basic Mortuary Benefit

Upon the death of an active member of this Association, who was enrolled under RK-RL dues checkoff, the beneficiary last designated by the member and/or as prescribed in Section 2 of this Article shall be entitled to receive Mortuary Benefits from this Association in the sum of seven thousand five hundred dollars (\$7,500.00).

b) Dependent's Mortuary Benefit

Upon the demise of a dependent of an active member as described herein, and in compliance with Section 2 of this Article, a member shall be entitled to the following "Dependent's Mortuary Benefits" (DMB):

1. Active members enrolled under RK-RL dues checkoff shall have a DMB to wit: for the demise of a spouse the DMB amount shall amount to the sum of seven thousand five hundred dollars (\$7,500.00); for the demise of an unmarried dependent child to nineteen (19) years of age the DMB shall amount to the sum of two thousand five hundred dollars (\$2,500.00).
2. The DMB shall be payable to an active member upon submission of prescribed documents to the Association which substantiate the claim.

c) Retiree Mortuary Benefit

Upon the death of a retired member the beneficiary last designated by the member and/or as prescribed in Section 2 of this Article shall be entitled to receive a Mortuary Benefit to wit:

Retired Class A \$3,000.00

Retired Class B \$2,000.00

Retired Life Member \$4,000.00

Section 2 Beneficiaries and Documentation

1. A new member of this Association shall submit an application which designates a mortuary beneficiary.
2. A member may change the last-designated beneficiary by submitting a Change of Beneficiary form to the Financial Secretary.
3. The beneficiary last designated by a member shall be entitled to receive a Mortuary Benefit from this Association. When no beneficiary has been designated by a member, or where a beneficiary predeceased a member, this Association shall render payment of a Mortuary Benefit to an Executor or Administrator of said member's estate upon proper demand.
4. Active members enrolled in the DMB program as provided under Article X Section 1 (b) of the Constitution are not required to file beneficiaries with the Association upon enrollment. Upon the demise of a dependent as described, the member shall file a claim on a form prescribed by the

Association together with necessary documentation to receive payment under the DMB program.

5. Claims made to the Association for benefits provided for under the Constitution & By-Laws shall be documented by death certificates, Police Department records, court papers, general releases, and other forms as mandated by the Association.

Section 3 Legal Assistance

1. In order to reduce the burden of legal fees and expenses incurred by members for the conduct of their defense in proceedings arising out of or relating to the performance of their duties as Sergeants, Legal Assistance is initiated.
2. This program shall provide to any members in good standing of the rank of Sergeant, such legal assistance as required in the conduct of their defense in any proceeding (other than civil action or civil proceeding) instituted against them as a result of any act performed by them within those counties legally recognized by the Police Department of the City of New York for residence; and in the line of their duty as a Sergeant within the confines of the City of New York. Without limiting the foregoing, the legal assistance shall be provided with respect to a Sergeant's defense in any proceeding (other than civil action or civil proceeding) involving altercations, disputes with neighbors, and similar matters up through and including the arraignment process.
3. The benefits of legal assistance as stated in paragraph (b) above shall be available upon the request of any member regardless of the allegations made against him, and said assistance shall be provided under the following circumstances:
 1. The mandatory appearance before any committee, commission, or legally constituted body, et cetera.
 2. The mandatory appearance before a District Attorney, Grand Jury, Commission of Investigation, et cetera.
 3. The appearance as a defendant in a criminal proceeding (arraignment, hearing, trial, et cetera) is subject to paragraph (b) above.
 4. It shall be clearly understood that any appeals resulting from any criminal proceeding under paragraph (c) above shall be solely at the expense of the member involved.
 5. Additionally, any and all disbursements incurred such as court costs, trial transcripts, and investigation costs in the defense of any member shall be the sole responsibility of the member.
4. The Legal Committee shall select and retain an attorney for the legal assistance as listed in paragraphs a, b & c above. The services of said

selected and retained attorney is mandatory upon the member's requesting legal assistance. No reimbursement, to anyone, shall be made by the Association should any member wish to obtain and does obtain an attorney of his choosing.

5. When a "conflict of interest" occurs between Sergeants who request legal assistance, the Legal Committee of the Association is mandated to select and retain any additional attorneys required to satisfy the "conflict of interest." The service of said additional attorneys selected and retained by the Association to satisfy the "conflict of interest" is mandatory upon the member involved. No reimbursement, to anyone, shall be made by this Association should any member so involved wish to obtain and does obtain any attorney of his choosing.
6. The Legal Committee as provided for in Article VI Section 1 of this Constitution shall resolve any questions pertaining to legal assistance.

ARTICLE XI LABOR CONTRACT

A proposed labor contract shall be presented to the delegates, voted upon, and be initially approved or disapproved by a majority of delegates present at a meeting called for the purpose. In the event the proposed contract is approved by the delegates it shall be sent to the Active members of the Association for a vote. Approval by a majority of the voting members shall be deemed a ratification of the labor contract.

ARTICLE XII PROPERTY

The property and funds of the Sergeants Benevolent Association - Police Department City of New York shall remain the property and funds of said Association as long as fifty (50) Sergeants in good standing so desire.

ARTICLE XIII CHARGES

Section 1 Procedure

Charges may be preferred by any member against any other member for a violation of the principles as set forth in the Constitution & By-Laws of the Association. They shall be specific, written, signed and submitted to the President. The President shall furnish a copy to the charged member, and present the charges at the next regular meeting of the Association.

Section 2 Censure-Expulsion

After due consideration of charges made against a member at a regular meeting and with the affirmation of a two-thirds vote of the delegates present, the charged member may be censured and/or expelled from the Association. Those members who are expelled shall forfeit all rights, benefits, and privileges of membership.

ARTICLE XIV AMENDMENTS

Section 1 Revision of Constitution & By-Laws

The Constitution & By-Laws of the Association and any provision thereof may be amended, repealed, or revised in the following manner.

1. All proposed amendments, repeals, revisions, and new matters shall be typewritten and submitted to the President at a regular meeting. The proposed amendment(s) et cetera must bear the signatures of two (2) Delegates in good standing who must be present at the meeting of submission. The proposal will be referred to the Resolutions Committee who shall expeditiously report their recommendation(s) to the President.
2. The President shall report the recommendation(s) of the Resolutions Committee at the next regular meeting and place said proposed amendment(s) "on the floor" for discussion. If the proposed amendment is approved by a majority of the delegates present at the meeting, at the next regular meeting a vote shall be taken, and an affirmative vote of two thirds of the delegates present at the meeting is necessary to carry the motion for adoption.

Section 2 Suspension of Constitution & By-Laws

The Constitution & By-Laws or any specific section may be suspended at a regular or special meeting by an affirmative vote of two thirds of the delegates present at the meeting.