

**Constitution and By-Laws
Of The
Superior Officers Benevolent Association, Inc.,
Triborough Bridge and Tunnel Authority.
Chartered April 1973**

Article I

Name

This organization shall be known as the Triborough Bridge and Tunnel Authority Superior Officers Benevolent Association (hereinafter referred to as "Association" or "SOBA").

Article II

Purpose

The objectives and purposes of the Association shall be:

1. To develop an association whose function shall be the complete organization of all Sergeants and Lieutenants employed by the Triborough Bridge and Tunnel Authority working together for their common interests.
2. To assist its members in obtaining adequate compensation for their labor and the general improvement of the conditions under which they work.
3. To promote the social welfare of its members.
4. To foster advancement of the professional skills of its members as Sergeants and Lieutenants within the Triborough Bridge and Tunnel Authority.
5. To uphold the highest standards and best traditions of the uniformed force.
6. To perform any and all things not inconsistent with law that affects the mutual interests of Sergeants and Lieutenants of the Triborough Bridge and Tunnel Authority.

Article III

Membership

Section I. There shall be three (3) classes of members in the Association:

(1) Active (2) Retiree (3) Honorary. The members of the Association shall be divided among such classes according to their eligibility.

- 1. Active Membership: Any Sergeant, Lieutenant or employee in any other title for which the Association is the exclusive bargaining representative under permanent, probationary or provisional appointment may, upon written application and approval by a majority of the Executive Board, become an Active Member.**
- 2. Retiree Membership: Any active member after retirement may, upon written application and approval by a majority vote of the Executive Board, become a Retiree Member of the Association. A Retiree Member may attend the non-business portion of meetings but shall not be entitled to any other rights or privileges of Active Membership.**
- 3. Honorary Membership: Any person shall be eligible for Honorary Membership upon majority vote of the Executive Board. An Honorary Member may attend the non-business portion of meetings but shall not be entitled to any other rights or privileges of Active Membership.**

Section II. No member or officer of the communist party or any subversive organization; nor any person, who subscribes to their doctrines, shall be allowed to hold membership in the Association. It is not necessary that the individual charged with membership in the Communist Party or any subversive organization admit his membership in said party or organization. If the individual is a member of the Communist Party or of any subversive organization, or subscribes to their doctrines, the Executive Board shall expel such individual after he/she has obtained a proper hearing.

Section III. No member, or officer, or person working in the interests of any other organization whose purpose is to represent Association members in matters affecting their economic welfare, shall be allowed to hold membership in the Association.

Section IV. Non-Members:

Non-Members:

An individual eligible to be an Active Member will be a Non-Member if he/she:

- A. fails to pay dues for twenty eight (28) calendar days; except members on association approved leave (ex: childcare or disability) or**
- B. fails to join SOBA within thirty (30) calendar days of eligibility; or**
- C. is denied membership in the SOBA; or**
- D. resigns from membership in the SOBA; or**
- E. is expelled from membership in SOBA; or**
- F. is promoted or demoted outside of SOBA represented titles.**

A Non-Member shall receive only the rights, privileges and benefits of the Association that are required to be given by law.

A Non-Member will be required to bear the Association's cost of any arbitration, or other expenses associated with any action the Association takes on their behalf. The estimated total cost of the action shall be required to be paid by certified check before any action commences. Additional certified checks may be required from the Non-Member if the cost of the action increases in order for it to proceed. Any monies not expended on the action will be returned to the Non-Member once the action is completed.

A Non-Member may apply for Active Membership in the Association, if eligible, as follows:

- A. They must submit a membership application and any associated documents required for membership.**
- B. They must pay, by certified check, all of their arrears and Active Member dues which would have been payable during the time period they were a Non-Member.**
- C. They must pay, by certified check, an application fee of \$200.00.**
- D. The Executive Board may, by a two-thirds (2/3) vote, declare an amnesty period and allow Non-Members to apply for membership with reduced or no payment of the application fee, arrears, and/or dues from the period as a Non-Member. Any amnesty declared shall consist of such terms and conditions as the Executive Board shall find necessary.**

- E. The Non-Member's application for membership must be approved by a two-thirds (2/3) vote of the Executive Board.
- F. In the event the Non-Member's application is not fully approved the monies submitted via certified check, less the application fee, shall be returned.
- G. A Non-Member who is approved as a Member will be subject to the following:
 - 1. They will receive all the rights, privileges and benefits of an Active Member of the Association effective as of the date their application is fully approved as outlined in these by-laws, including representation for incidents which occur on or after that date.
 - 2. They will not be able to run for or hold any position on the Executive Board of the Association for 3 years after they are fully approved as an Active Member.

Article IV

ELECTED OFFICERS

Section 1. The officers of the Association shall be as follows: A President, Vice President, Recording Secretary, Treasurer & Sergeant-at-Arms.

Section 2. Commencing with the election of the officers in December 1980, the officers of the Association shall be elected for a term of three (3) years and continue in office until their successors have been duly elected and qualified.

Section 3. The officers shall be nominated at the regular meeting in November of each third year and shall be elected at the next regular meeting in December. The term of office of the newly elected officers shall begin January 1.

Section 4. No member shall be eligible for nomination or election as an officer unless he/she has been appointed through a competitive test for Sergeant or Lieutenant or other title represented by the Association and has been an active Member of this Association for the immediate (3) years prior to nomination. Any Executive Board member of the organization who ceases to be an Active Member for any reason shall forfeit his/her office with the organization. Any member who has applied for a non-represented position within the Authority will not be permitted to run for office for twelve (12) months. The vacated office shall be filled according to the provisions of this Constitution.

Section 5. All nominations for officers of the Association shall be made in open meeting and elections shall be by secret ballot when there is more than one candidate for any office. A candidate may be nominated for more than one (1) office, but within five (5) days must notify the Executive Board which office he/she intends to run for.

Section 6. The procedure for electing officers shall be as follows:

- (a) The Secretary shall prepare lists of the names of members in good standing and transmit such lists together with the names of the nominees to the Executive Board and, if deemed necessary by the executive Board, an independent Election Service. Such ballots shall contain the names of those nominated and the office which they seek, excluding however, those who, within five (5) days of nomination, have notified the Executive Board in writing that they decline to stand for election.**
- (b) Ballots will be mailed to the members' homes.**
- (c) Ballots shall be cast by addressing it to a post office box designated by the Executive Board for such purpose. The number and location of such box shall be set forth on each ballot. All ballots received at the post office box before it is emptied on the day of counting will be counted.**
- (d) Any candidate for office shall be entitled to have a representative of his choosing present when the ballots are removed from such post office box and transported to the meeting place. The President shall appoint three (3) Active Members to count the ballots, or to act as witnesses to oversee the counting of the ballots by the election services company, on the day of such December meeting and the President shall announce the results of the election. The election shall be decided for the candidate receiving the most votes.**
- (e) Any election that ends in a tie will result in a runoff election.**

ARTICLE V

DUTIES OF THE OFFICERS

Section 1. (a) The President shall be the chief executive officer of the Association and shall preside at all meetings of the Association and its Executive Board.

(b.) The President shall assign officers as deemed necessary to assist in the mission of the Union.

(c) The President shall appoint all committees of which committee he/she shall be an ex officio member.

(d) The President shall have the power to appropriate funds for necessary expenses of the Association up to the amount of Four Thousand (\$4,000.00) Dollars per expense.

Section 2. The Vice-President shall perform the duties of the President in his/her absence from that office, and in the case of the resignation or death of the President shall perform the duties of the President until such vacancy is filled by election as provided for by this Constitution. He/she shall be in charge of the grievance committee and all other such details as assigned him/her by the President.

Section 3. The Secretary shall keep accurate minutes of all meetings of the Association and of the Executive Board and shall perform such other duties as are properly assigned to him/her by the President or the Executive Board. He/She shall issue all meeting notices. He/she shall maintain an up to date mailing list of all members of the Association.

Section 4. The Treasurer shall keep regular books of account for the Association, which shall be open to inspection by any member of the Executive Board; and shall report in writing at each meeting of the Association and the Executive Board, as and when required, the financial condition of the Association. He/she shall make no payment unless upon authorization of the Executive Board or authorization or approval of the President. He/she shall deposit the monies of the Association to the credit of the Association in such Bank or Trust Company as may be approved by the Executive Board, and all disbursements of the funds so deposited shall be made by check, credit card or electronic payment. Any payments may be signed by either the President, Vice-President or Treasurer. His/her accounts shall at all times be subject to examination and audit by the President or his/her designated representative.

Section 5. The Sergeant-at-Arms shall attend the door at the meetings of the Association; Assist the President when called upon in preserving order and perform such other duties as may pertain to his/her office, or which the President or Executive Board may direct. He/she shall allow no person to enter meetings who is not a member in good standing. He/she will serve as Chief Delegate and all facility delegates will report to him/her. He/she shall oversee all delegate elections.

ARTICLE VI

EXECUTIVE BOARD

Section 1. The Executive Board of the Association shall be composed of elected officers of the Association. Each member of the Executive Board shall be entitled to one (1) vote at any meeting of the Executive Board. A quorum of an assembled meeting of the Executive Board shall exist when three (3) or more members are present.

Section 2. The Executive Board shall supervise and control the affairs of the Association. It shall control and manage the property of the Association and shall have power to appropriate funds for necessary expenses of the Association; provided, however, that expenditures of Eight Thousand Dollars (\$8,000.00) or more shall be made only after approval of a majority of Active members of the Association present at a meeting. The Executive Board shall, without undue delay, conduct a general election by mail ballot to fill all vacancies in elected offices, except where such vacancy is a short-term vacancy not anticipated to extend beyond a twelve (12) month time frame. The Executive Board shall fill by appointment all short-term vacancies (less than twelve 12 months) until the next election.

Section 3. The Executive Board shall meet each month, except that the President may cancel the meeting of the Executive Board whenever in his/her judgement the interests of the Association demand it.

Section 4. The Executive Board shall represent the Association at Negotiations.

ARTICLE VII

DUES AND ASSESSMENTS

Section 1. The revenues of the Association shall be derived from dues and assessments.

Section 2 Effective upon ratification of these By-Laws member dues shall increase by \$5.00 to \$45.00 per pay period.

Section 3. Any member who is suspended or resigns from the organization and is reinstated or rejoins shall ne responsible for paying all dues owed for that period of time to retain continuous benefits and membership in the organization. This money must be paid within three (3) months.

Section 4. The Association may levy such assessments from time to time, as it deems necessary. Assessments shall only be levied after the membership has been duly notified that at a regular or special meeting the Association will consider and take action to levy the same.

Section 5. Honorary Members and retiree members shall not pay dues or assessments.

Section 6. Dues may be waived for good cause by unanimous vote of the Executive Board.

ARTICLE VIII

BENEFITS

Section 1. A death benefit policy as in existence at the time of an Active Member's demise shall be payable to the deceased Active Member's designated beneficiary; or if no such designation has been made, then to his/her surviving spouse, or if there is no surviving spouse, then to the estate of said deceased Active Member.

Section 2. The Association may contract for group life insurance for its Active and Retiree Members in an amount or amounts, and under such terms and conditions as the Executive Board may approve. Active and Retiree members shall be eligible for coverage under such group life insurance contract upon paying the required premium and meeting such other requirements as the Executive Board may establish. Dividends on such insurance shall be paid to and shall become the property of the Association.

Section 3(a). Every dues paying Active Member will be entitled to annual reimbursement of one hundred (\$100.00) dollars per year for outside job-related training. The training class must be pre-approved by the Executive Board in its sole discretion. Payment will be made upon receiving proof of payment and attendance.

Section 3(b). Any Active Member who attends a wellness scan sponsored by the Association will be eligible for up to a one hundred (\$100.00) dollar reimbursement. Payment will be made upon receiving proof of payment and attendance.

Section 4. Active members will receive a calendar book and ten (10) SOBA cards per year.

Section 5. A scholarship awarded by the SOBA Scholarship Fund will only be awarded to children of Active Members in good standing.

Section 6. Active Members in good standing shall be entitled to benefits contained in a legal services plan, as currently provided by Counsel (Davis and Ferber Legal services plan January 2019) as long as the plan is in effect.

Section 7. Active members in good standing shall be entitled to coverage under the additional legal services plan offered by The Quinn Firm and paid for by the Association as long as the plan is in effect.

ARTICLE IX

CHARGES OF MISCONDUCT

Section 1. Whenever charges of misconduct, misfeasance, nonfeasance or malfeasance are preferred by an Active Member against any member of the Association, or any Officers, the charges shall be filed in writing in duplicate with the Secretary. A written copy of such charges specifying the nature of the offense of which he/she is accused shall be served by the Secretary upon the accused personally, or by registered mail, return receipt requested.

Section 2. Any member under charges shall have a hearing before the Executive Board and shall be entitled to introduce rebutting testimony, and have another member of the Association act as counsel to represent him/her in presentation of his/her defense. Any Officer under charges shall have a hearing before the membership and shall be entitled to introduce rebutting testimony and have another member of the Association act as counsel to represent him/her in presentation of his/her defense.

Section 3. When presentation and hearings of charges are concluded, the Active Member making the charges and the defendant and others concerned shall be asked to leave the room until either the Executive Board, if member is charged, or membership if Executive Board is charged, have reached a decision as to what shall be done to correct the situation. The decision reached at this meeting shall be final and conclusive and no further review or appeal shall be allowed.

Section 4. Any Active Member in good standing immediately prior to filing against him/her of departmental charges shall be entitled to services of the Association's Attorney.

ARTICLE X

MEETINGS

Section 1. The annual meeting of the Association shall be held on a date selected by the Executive Board. Other regular meetings of the Association shall be held two(2) times a year. The executive Board shall hold a Delegates meeting three (3) times a year. The Executive Board may for good cause change the dates of the meetings.

Section 2. Special meetings of the Association may be called by the President at his/her discretion, or shall be called upon written request of 20% of the Association's Active Members, which shall specify the purpose of the meeting. Requests for all special meetings shall be sent to the Association headquarters by registered mail, return receipt requested. The date set by the Association for this meeting shall be posted at all facilities.

Section 3. A quorum shall be ten percent (10%) of the Active membership which must be present to transact any business.

ARTICLE XI – ORDER OF BUSINESS

Section 1. The order of business at the meeting of the association shall be as follows

- A- CALL TO ORDER**
- B- READING OF MINUTES OF PREVIOUS MEETING**
- C- READING OF COMMUNICATIONS**
- D- REPORT OF PRESIDENT**
- E- REPORT OF EXECUTIVE BOARD**
- F- REPORT OF COMMITTEES**
- G- UNFINISHED BUSINESS**
- H- NEW BUSINESS**
- I- GOOD & WELFARE OF THE ASSOCIATION**
- J- MOTION TO ADJOURN**

Section 2. This order of business may be changed at any meeting by a vote of the majority of the members present, or by decision of the President. “Robert’s Rules of Order” shall govern the meeting of the Association & of the Executive Board, in so far as they are applicable & not inconsistent with the constitution or properly waived by a motion duly authorized.

ARTICLE XII

AMENDMENTS

Section 1. An Amendment of the Constitution and By-Laws shall be submitted to the Active Membership for ratification by mail ballot. A majority of votes cast shall ratify. A notice of proposed amendment shall have been posted at all facilities at least (5) days prior to the date of the mailing of the ballot.

Section 2. Notwithstanding the procedure for amendment of this Constitution, as provided for in section 1 above, an amendment to this Constitution proposed by a majority of the members of the Executive Board of the Association shall be submitted to the membership for Ratification by mail ballot. A majority of votes cast shall ratify.

Section 3. The amended Constitution and By-Laws shall be in full force and effect from and after its adoption; and the previous Constitution and By-Laws of this Association shall thereupon cease to be in effect.

ARTICLE XIII

FACILITY DELEGATES

Each facility shall have one (1) delegate who will be elected within three (3) weeks after the annual picks go into effect. The delegates will serve for a one (1) year term. In the event the delegate transfers or can no longer fulfill his/her duties, a subsequent election will be held or a delegate will be selected at the discretion of the President.

Duties of the Facility Delegate;

- 1. The Delegate will handle all grievances at their facility.**
- 2. The Delegate will post all Association notices.**
- 3. The Delegate will be a direct line of communication between the Executive Board and the members.**

CONSTITUTIONAL AMENDMENTS

Article IV Section 1-2-3- Adopted 10/18/80

Article XIII Adopted 10/18/80

Article I Adopted 2/18/88

Article VI Section 2- Adopted 2/26/92

Article X Section 1- Adopted 5/29/96

Article IV Section 4- Adopted 12-13-01

Article XII Section I- Adopted 12/13/01

Full revision ratified by membership 7/21/2020