

**METROPOLITAN TRANSPORTATION AUTHORITY
POLICE BENEVOLENT ASSOCIATION, INC.
BY-LAWS**

ARTICLE 1

Section 1:

The name of this association shall be the Metropolitan Transportation Authority Police Benevolent Association, Inc.

Section 2:

The purpose of this organization shall be as follows:

- A. To promote and to develop a friendly and fraternal spirit among all the members of the Metropolitan Transportation Authority Police Department.
- B. To aid our fellow members in good standing upon necessity or emergency.
- C. To advance the general welfare and efficiency of the police officers of the Police Department.
- D. To be the sole collective bargaining agent for all Police Officers, Detectives, Sergeants, and

Lieutenants of the Metropolitan Transportation Authority Police Department.

- E. To promote legislation beneficial to the interests of police officers and their families and to oppose legislation detrimental to those interests.

ARTICLE 2 GENERAL PROVISIONS

This Association may join, become a member of, or pay dues or assessments to pay other associations or organizations beneficial to the members of the Police Benevolent Association, providing said membership is approved by Executive Board. Individual members may not use the name of or his/her affiliation with the P.B.A. in furtherance of any other organization without approval of the Executive Board.

ARTICLE 3 MEMBERSHIP

Section 1:

A member in this organization must be a police officer, Detective, Sergeant or Lieutenant of the Metropolitan Transportation Authority Police Department. Members will be considered in good standing (regular benefit

members) when they have complied with all the provisions of these By-Laws to apply for and maintain eligibility in the organization. Members in good standing are entitled to all of the rights, privileges and benefits of membership in the Association.

Section 2:

An individual otherwise eligible for membership will be deemed not in good standing if they:

- Fail to apply for membership as provided in these By-Laws; or
- Resign from the Association; or
- Are in arrears for two (2) consecutive weeks; or
- Are denied membership, suspended or removed from the Association;

A member not in good standing shall receive only the rights, privileges and benefits of the Association that are required to be given by law.

A member not in good standing 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 member not in good standing if the cost of the action increases in order for it to proceed. Any monies not expended on the action will be returned once the action is completed.

ARTICLE 4 APPLICATION FOR MEMBERSHIP

Section 1:

Membership in this Association shall be by application only.

Section 2:

Every application for membership in this Association must be in writing on a form provided by this Association and must be prepared and signed by the applicant.

Section 3:

Such application for membership when properly prepared must be submitted to the Executive Board at the Board's first meeting after being hired and shall be accepted or rejected by the Board at their next scheduled meeting after submission of the application.

A. Any applicant, upon signature and receipt by the

Metropolitan Transportation Authority Police Benevolent Association of said application, shall be deemed a member of the Police Benevolent Association until such time as notice of rejection.

- B. If for any reason, the applicant is subsequently rejected by the Executive Board, the member shall have immediately terminated upon his/her rejection any and all benefits to which he/she may have been entitled and enjoying due to his/her membership in the Police Benevolent Association.

ARTICLE 5 INITIATION FEES

Section 1:

In ALL cases the applicant must pay his/her required Six Hundred (\$600.00) Dollar Initiation Fee during the first year of employment. The initiation fee will be broken down into 48 weekly installments of Twelve Dollars and Fifty Cents (\$12.50). If the payroll system changes to other than weekly payroll in the future, the installments will be adjusted to make the initiation fee payable during the first twelve months of employment.

Section 2:

Dues shall be paid through payroll deduction, if permitted. Otherwise, members are responsible for remitting dues to the PBA in a timely manner.

ARTICLE 6 BENEFICIARIES

Section 1:

Upon election to membership of an applicant as required by ARTICLE 4, each applicant so accepted must then, at or before the next Regular Open Meeting, file with the Corresponding Secretary, on a form provided by the Association, the name of a beneficiary to whom shall be paid any benefits due.

Section 2:

No newly elected member shall be deemed a member of this Association until the provisions set forth in Section 1 of this Article have been complied with.

Section 3:

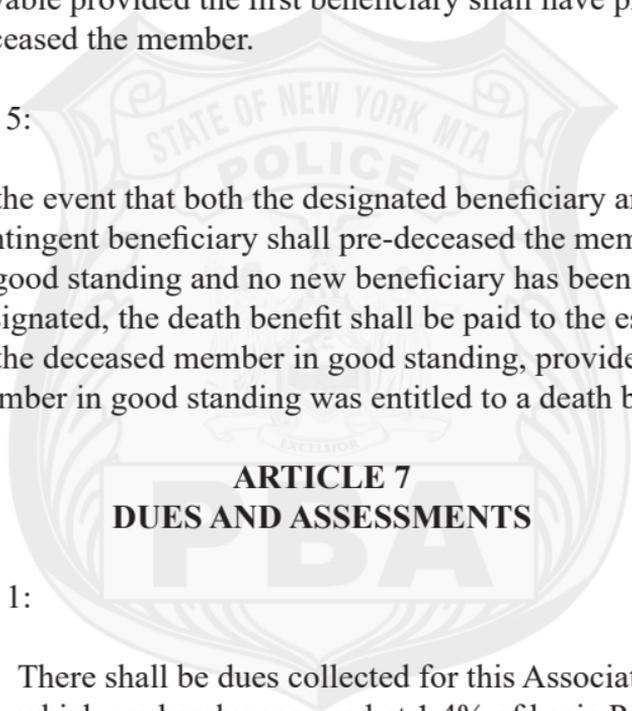
A member in good standing may change a previously designated beneficiary, but such change can only be made in writing.

Section 4:

In addition to the beneficiary provided for in Section 1, a member in good standing may designate a second contingent beneficiary to whom Death benefits shall be payable provided the first beneficiary shall have pre-deceased the member.

Section 5:

In the event that both the designated beneficiary and the contingent beneficiary shall pre-deceased the member in good standing and no new beneficiary has been designated, the death benefit shall be paid to the estate of the deceased member in good standing, provided such member in good standing was entitled to a death benefit.



ARTICLE 7
DUES AND ASSESSMENTS

Section 1:

- A. There shall be dues collected for this Association which are hereby assessed at 1.4% of basic Police Officer Salary each year. Dues shall be equally split between all pay periods during the calendar year.
- B. Dues will be deducted from each member in good

standing's payroll check pursuant to agreement between the P.B.A. and the M.T.A. This system to be hereinafter called Dues Deduction.

- C. P.A.C. Committee contributions shall be deducted from dues outlined in Section 1 of this Article.

Section 2:

Assessments may be levied at any time by the Executive Committee of this Association, provided such assessments are duly levied by the approval of a majority of the members present at a Regular Meeting of the Executive Committee.

Section 3:

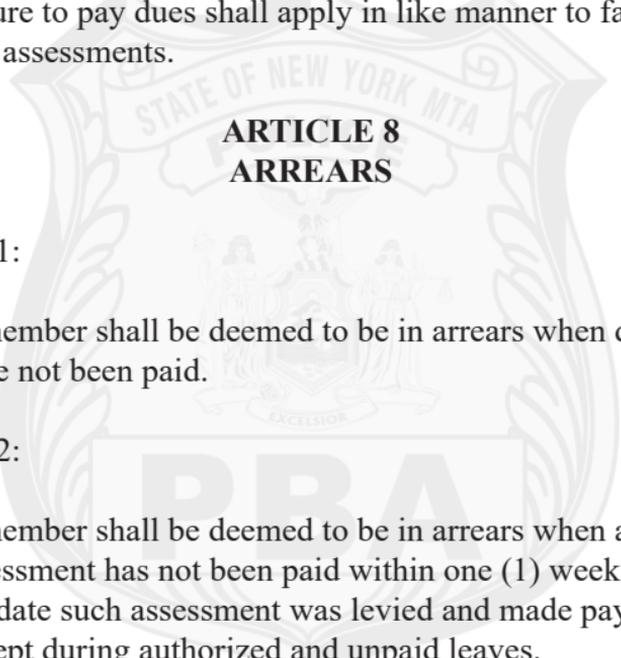
No assessment may be levied, except when it specifies:

- A. The purpose for which the assessment is to be levied, and;
- B. The fund or funds to which the receipts are to be credited.

An assessment levied in accordance with provisions of Section 2 of this Article shall state for what dates and in what amounts such assessment is payable.

Section 4:

Failure of any member to pay a duly levied assessment shall be deemed equivalent to the failure to pay regular dues, and any provisions of these By-Laws that relate to failure to pay dues shall apply in like manner to failure to pay assessments.



ARTICLE 8 ARREARS

Section 1:

A member shall be deemed to be in arrears when dues have not been paid.

Section 2:

A member shall be deemed to be in arrears when an assessment has not been paid within one (1) week from the date such assessment was levied and made payable, except during authorized and unpaid leaves.

Section 3:

Any member who is in arrears for two (2) consecutive weeks as outlined in Sections 1 and 2 of this Article, shall

be deemed ineligible for any benefits and no benefits provided by these By-Laws shall be paid to his/her beneficiary.

Section 4:

Any member (or the beneficiary of any member) who shall become ineligible for benefits as outlined in Section 3 of this Article, who has paid all dues and assessments so that he/she otherwise should be entitled to benefits, shall not be eligible for benefits until after forty (40) Calendar days have elapsed from the date of payment. In no instance shall any benefits be paid for any event that occurred while the individual was not eligible to receive them. The date of payment is the date the payment of dues was actually received by the Treasurer.

Section 5:

A member in ARREARS shall be considered to be NOT IN GOOD STANDING.

ARTICLE 9
BENEFITS

Section 1:

A. Upon the death of an Active Member in good

standing, the sum of Five Thousand (\$5,000.00) shall be paid to the beneficiary of said member, provided he/she is in accordance with these By-Laws.

- B. On December 1st in the year of the death of an Active Member in good standing occurs, and every December 1st thereafter while the Member has a surviving spouse under the age of 62 and/or a surviving child or children under the age of 19 the family will receive a payment of \$500.00 (Five-Hundred Dollars) that shall be paid from the Benefit Fund. The proportions of such money given to each family member and the form of distribution shall be at the sole discretion of the Executive Board.
- C. The benefit fund shall sponsor six yearly scholarships \$2500.00 each. The first scholarship shall be known as the “Dennis McCarney Memorial Scholarship” The second scholarship shall be known as the “Robert W. Novy Memorial scholarship”. The third scholarship shall be known as the “John Mullen Memorial scholarship”. The fourth scholarship shall be known as the “Glenn K. Petit Memorial Scholarship”. The fifth scholarship shall be known as the “Kenneth Jenkins Memorial Scholarship.” The sixth scholarship shall be known as the Burt Silva Memorial scholarship”. The scholarships shall be open to dependents (under the age of 25) of

regular Benefit Members (members in good standing). The scholarship applicant must be enrolled as a full time student in a recognized college or university for the fall semester in the year of the application.

Applications shall be on a form designed by the Executive Board, and shall be submitted to a member of the PBA Executive Board prior to the start of the January General Membership Meeting. Each dependent shall be allowed to submit only one application per scholarship, per year.

Applicants shall be allowed only one scholarship in any year, and after being awarded a scholarship he/she shall be disqualified for future consideration. Scholarships shall be awarded by lottery drawing at the January General Membership Meeting.

- D. The benefit fund shall sponsor a yearly function (i.e. holiday party) at either no cost, or reduced cost to members in good standing. The amount charged to the Benefit Fund for the function and the amount charged to the members shall be at the discretion of the Executive Board.

Section 2:

All members in good standing shall be issued ten (10)

official P.B.A. cards of the Association. Members in good standing are authorized to purchase up to ten (10) additional cards at a fee determined by the Executive Board.

Section 3:

Upon the death of a member in good standing, the Treasurer shall pay to the benefits designated in accordance with ARTICLE 6, the death benefit payable by this Article.

Section 4:

In the event of death of a member, in good standing, in the performances of his or her duties, the sum of TWENTY THOUSAND (\$20,000.00) DOLLARS shall be paid to the beneficiary of said member in addition to such benefit provided under Article 9, Section 1 paid from the general operating fund.

Sections 5:

The P.B.A. shall establish and will maintain a “Members Help Fund” which shall be a sub account of the Benefit Fund. The purpose of this Fund will be to assist members in good standing of the P. B.A. who have had a serious hardship.

The Fund will be funded primarily through voluntary member contributions, but upon a unanimous vote of the Executive Board, money may be allocated to the Fund from the other P.B.A. accounts.

There shall be five (5) Trustees of the Fund. The Trustees of the Fund shall be selected from active P.B.A. members in good standing, and shall be volunteers. No current P.B.A. representative may serve as a trustee of the Fund. The makeup of the Trustee body shall be two (2) from the Northern region, two (2) from the Eastern region and one (1) from the Southern region. Trustees of the Fund may be of any represented rank.

Trustees of the Fund shall set guidelines and make recommendations on disbursements from the Fund after receiving requests from members who have had a serious hardship.

Trustees shall submit their recommendations in writing to the Executive Board seeking approval for disbursements from the fund. The Executive Board may approve or decline the recommendations of the Trustees.

Section 6:

Legal representation paid for by membership dues shall

only be available to members in good standing.

Section 7:

Any benefit provided for, which is funded by membership dues and assessments, shall only be available to members in good standing of the Association.

ARTICLE 10
OFFICERS OF THE ASSOCIATION

Section 1:

The Officers of the Association shall be comprised of:

President	-Department wide election
Executive Vice President	-Department wide election
Treasurer	-Department wide election
Recording Secretary	-Department wide election
Corresponding Secretary	-Department wide election
Area Vice-President Eastern Region	-Region wide election
Area Vice-President Northern Region	-Region wide election
Northern Region Supervisory Trustee	-Region wide Sup. election
Eastern Region Supervisory Trustee	-Region wide Sup. election
4 Eastern Region Trustees	-District wide election
4 Northern Region Trustees	-District wide election
1 Southern Region Trustee	-District wide election

Sec. 1 A

For the purposes of Region wide elections, members in good standing of the Southern Region will be considered to be part of the Eastern Region for voting purposes.

Section 2:

Each of the above offices shall be filled by members of this Association elected by the active regular benefit members (members in good standing) of the Association in accordance with these By-Laws. Only those members of this Association eligible to hold office under these By-Laws shall be elected to any office except for the appointed Chaplains.

Section 3:

No member of this Association shall be eligible for office unless such member has been in GOOD STANDING for a period of one year, preceding the date of election.

Section 4:

Any of the Officers mentioned in Section 1 of this Article may be suspended or entirely relieved of his/her duties for incompetence, inattention to the duties of his/her office,

for conduct unbecoming his/her office, or his/her conduct that in any way reflects discredit on this Association. After such suspension or removal, the office shall be declared vacant. Members must remain in good standing while in office.

Section 5:

Before any office can be declared vacant in accordance with Section 4 of this Article, written charges must be filed with the Executive Board, at a meeting of the Executive Board. The charge or charges must be signed by ten (10) members of this Association in good standing and countersigned by a member of the Executive Board. Within seven (7) days after these charges have been filed with the Executive Board, a copy thereof must be sent by Registered Mail to the last known address of the Officer. At the next regular meeting of the Executive Board, the Officer against whom the charges have been filed may appear before the Board and be given the opportunity to answer the charges. At that time he/she may be questioned at length and in detail by any member of the Executive Board present. Thereafter, and, after any discussion desired by the members of the Executive Board, a vote shall be taken among all the members of the Executive Board present, and provided two-thirds (2/3) of those members present vote for Suspension or Removal, the Officer shall be deemed suspended or removed, and the

office shall be declared vacant by the presiding officer of the Executive Board.

ARTICLE 11 VACANCIES

Section 1:

When a vacancy exists in any office for any reason the President shall appoint a member in good standing to fill said vacancy for the remainder of that term of office.

Section 2:

Any appointment provided for in Section 1 of this Article must be approved by a majority vote of the Executive Board present at the next regular meeting, otherwise such disapproval shall make it necessary to appoint another eligible member and again submit this new appointment for approval to the Executive Board.

Section 3:

When any vacancy has been filled by appointment in compliance with Sections 1 and 2 of this Article, the appointed officer shall perform all the duties of his/her office as if he/she was regularly elected thereto and shall be entitled to all the benefits accruing to this office from

the date of his/her appointment.

Section 4:

Sections 1, 2, and 3 of this Article shall not apply to the office of President. Provision is hereby made that a vacancy in the office of the President shall be filled by the Executive Vice President. In the event that the Office of President and Executive Vice President become simultaneously vacant, the Chairman of the Board of Trustees shall assume the President's duties and a special election must then be called within sixty (60) days of taking office for the purpose of filling these vacancies.

Section 5:

No vacancy can be filled either by election or appointment unless the elected/appointed member is in good standing and meets all the eligibility requirement of the office as set forth in these By-Laws.

ARTICLE 12
DUTIES OF OFFICERS

Section 1:

PRESIDENT

The President shall be the Executive Officer of the Association. He/she shall preside at all regular meetings and enforce the By-Laws of the Association, decide all questions of order, announce the results of all motions and ballots, appoint all committees, and do all other things required of his/her office required by these By-Laws.

The President shall not be entitled to a vote except in a General or Special Election or as indicated by these By-Laws.

The President shall not be entitled to a vote except in a General or Special Election, or if at a meeting a motion is equally divided, he/ she shall cast the deciding vote.

The President shall be an ex-officio member of all committees except the committees he/she is a member of as provided by these By- Laws.

Section 2:

EXECUTIVE VICE PRESIDENT

The Executive Vice President shall aid and assist the President in conducting meetings, and in the absence of the President shall preside. While presiding at a meeting, the Executive Vice President shall have the full power of the President.

Should the office of the president become vacant during the elective term, the Executive Vice President shall assume the office of President with all duties and powers for the remainder of the term.

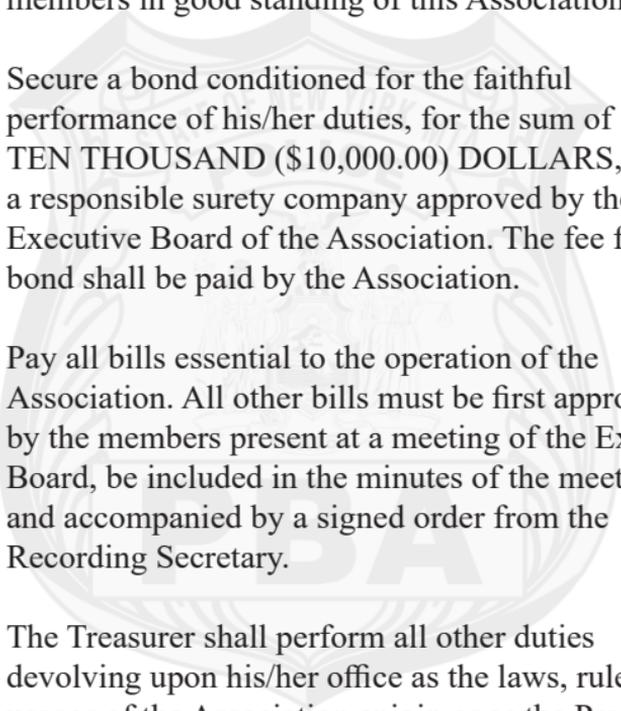
The Executive Vice President shall perform all other duties devolving upon his/her office as the laws, rules and usages of the Association enjoin or as the President from time to time may direct.

Section 3:

TREASURER

The Treasurer shall be the custodian of the funds of the Association and keep a full and accurate account of each member's standing in the Association.

He/she shall collect all dues, assessments, and insurance premiums. He/she must forthwith notify every member who may be in arrears with his/her dues, and he/she will announce in Open Meetings the names of all members who have become members not in good standing. He/she shall perform all other duties devolving upon his/her office as the laws, rules and usage's of the Association enjoin or as the President from time to time may direct, and perform the following duties:

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- A. Prepare and distribute to the members of the Executive Board a monthly financial report.
 - B. Keep accurate books of accounts which shall be available at a reasonable time for inspection for members in good standing of this Association.
 - C. Secure a bond conditioned for the faithful performance of his/her duties, for the sum of TEN THOUSAND (\$10,000.00) DOLLARS, from a responsible surety company approved by the Executive Board of the Association. The fee for such bond shall be paid by the Association.
 - D. Pay all bills essential to the operation of the Association. All other bills must be first approved by the members present at a meeting of the Executive Board, be included in the minutes of the meeting, and accompanied by a signed order from the Recording Secretary.
 - E. The Treasurer shall perform all other duties devolving upon his/her office as the laws, rules and usages of the Association enjoin or as the President from time to time may direct.

Section 4:

RECORDING SECRETARY

It shall be the duty of the Recording Secretary to have in his/ her charge, the Meeting Minutes book and the General Rule book of the Association. He/she is to keep an accurate record of the proceeds of all meetings, an accurate list of members present at meetings, and an accounting of the total membership of the Association. He/she shall perform all other duties devolving upon the office as the laws, rules and usages of the Association enjoin or as the President from time to time may direct.

Section 5:

CORRESPONDING SECRETARY

It shall be the duty of the Corresponding Secretary to handle all written communication of the Association and respond to said communications at the direction for the President and/or the Executive Board of the Association. The Corresponding Secretary shall assist the Executive Board and other Officers of the Association in carrying out the correspondence of each office and he shall perform such other duties as the President from time to time may direct.

Section 6:

AREA VICE PRESIDENTS

It shall be the duty of each Area Vice President to represent the members of each respective Region. He/she shall provide direction for all Region Trustees as well as to coordinate the activities of said Trustees. The Area Vice President shall carry out the directions of the President and the Executive Board as said directions may apply to the respective Divisions.

Section 7:

TRUSTEES

- A. During the month of October each year, the Trustees shall meet and elect from their number, by written ballot, a chairman of the Board of Trustees. The Chairman of the Board of Trustees shall preside at all meetings of the Board of Trustees.
- B. No stated times are provided for meetings of the Board of Trustees except one (1) meeting be held prior to the commencement of the Executive Committee Meeting.
- C. Trustees shall be held strictly responsible for the up-

to date maintenance of their respective P.B.A. Bulletin Boards and post all literature that is designated to be so posted by the President or the Executive Board.

- D. When a vacancy occurs, refer to Article 11, Section 1.
- E. In instances where Trustees have multiple reporting locations, and/or units in their District of responsibility, such Trustee may name delegate(s) assigned to the reporting locations/units to report to them on Union related matters (i.e. Detectives, ACU, Bridge and Tunnel Units, Administrative Units at Headquarters, Communications, etc.). The area of responsibility and the member named to act as delegate shall not become effective until the Executive Committee of the P.B.A. endorses it by a majority vote. Members appointed to the position of delegate shall report to their district Trustee with updates on Association related matters.

Members that are named delegates of the union shall have no voice or vote at Executive Committee meetings, and shall only attend said meetings at the request of the P.B.A. President. Members appointed to the delegate position may be replaced or removed at any time by majority vote of the Executive Committee.

ARTICLE 13

MEETINGS AND QUORUMS

Section 1:

- A. Regular Open Meetings for the members in good standing of the Association shall be held in the months of January, April and October on dates established by the Executive Board. All members in good standing of the Association shall be entitled to be present at a Regular Open Meeting and to speak on issues. All members in good standing present shall have one (1) vote on each question duly presented.
- B. Legal counsel and their staff so employed by the Police Benevolent Association shall be permitted to attend all meetings of this Association.

Section 2:

OPEN MEETINGS

Thirty (30) members in good standing and the President or the Executive Vice President shall constitute a quorum for an Open Meeting. No business shall be transacted at either a Regular Open Meeting or at a special meeting except when a quorum is present.

Section 3:

EXECUTIVE BOARD MEETINGS

The regular meetings of the Executive Board shall be held monthly on a date established by the Executive Board. If a quorum is not reached within one (1) hour after said meeting is called, there shall be no meeting.

Section 4:

Four (4) of the duly elected or appointed Officers, including the President or the Executive Vice President, shall constitute a quorum for a meeting of the Executive Board. No business shall be transacted at either a regular or special meeting of the Board except when a quorum is present.

Section 5:

EXECUTIVE COMMITTEE MEETINGS

The regular meeting of the Executive Committee shall be held in the months of January, April and October on dates established by the Executive Board. If a quorum is not reached within one (1) hour after said meeting is called, there shall be no meeting.

Section 6:

Ten (10) of the duly elected or appointed officers of the Executive Committee including the President or the Executive Vice President shall constitute a quorum for a meeting of the Executive Committee. No business shall be transacted at either a regular or special meeting of the Executive Committee except when a quorum is present.

Section 7:

Special Open Meetings of the P.B.A may be called at any time when:

- A. Considered necessary by the President, or
- B. Requested in writing by three (3) members of the Executive Board.
- C. Requested in writing by twenty-five (25) members of the Association in good standing, to include at least two (2) from each district.
- D. Requested in writing by five (5) Trustees.

Section 8:

Special meetings of the Executive Board or the Executive

Committee shall be called at any time when:

- A. Considered necessary by the President, or
- B. Requested in writing by five (5) Trustees, or
- C. Requested in writing by three (3) members of the Executive Board.

Section 9:

A request for any special meeting must:

- A. Be signed by the members requesting the meeting, and
- B. Recite the purpose for which it is requested, and
- C. Be filed with the President if it is for a Special Meeting of the members, or
- D. Be filed with the President if it is a special meeting of the Executive Committee.
- E. Be filed with the President if it is for a special meeting of the Executive Board.

Section 10:

No special meeting shall be called except when:

- A. All the provisions outlined in Section 7, 8 and 9 of this article have been complied with, and
- B. written notice has been given to all members in good standing eligible to attend at least forty-eight (48) hours before the time for which the meeting is called and recite the purpose for which the meeting has been called.
- C. A notice posted on the P.B.A. Bulletin Board of each district shall be deemed compliance as to written notice as set forth in Section 10, Sub. B of this Article.

Section 11:

No business except that specifically set forth in the written notice shall be conducted at any Special Meeting.

ARTICLE 14
NOMINATION OF OFFICERS

The nomination of officers to be conducted as follows:

- A. The nominations must be made at the Regular Open

Meeting in April, every three (3) years. The officers serving at the time of the establishment of these By-Laws shall serve through June 30, 2001. The first general election of officers to be conducted pursuant to these By-Laws shall be in May 2001 to take office on July 1, 2001.

- B. Nominees must be present or written authorization is required to be nominated as mentioned in Section (A) of this Article.
- C. No member in good standing shall be eligible for the office of President unless said member has served as a member of the Police Benevolent Association's Executive Board for at least one (1) year prior to taking office.
- D. Nominees mentioned in Section (A) of this Article must comply with all provisions of these By-Laws as to eligibility to hold office and must be members in good standing.
- E. After all nominations have been made, they shall be posted on the Bulletin board in each district, the name of each nominee and the office for which each has been nominated.
- F. The offices shall be declared elected for a term of

three (3) years.

ARTICLE 15 ELECTION OF OFFICERS

Section 1:

The Executive Board shall contract with an independent election service company to conduct the elections of the Association. In the year of election of Officers the Executive Board shall ensure that an election services company is contracted and prepared to conduct the election prior to the nominations at the April Open Meeting. The ballots will be mailed to members in good standing by the election service company.

Ballots will be mailed within two (2) weeks of the nominations, and shall be returned and counted with the results posted twenty-one (21) days after they are mailed.

Section 2:

For the purpose of this section, Probationary Police Officers shall not be authorized to vote during their first twelve (12) months of service.

Section 3:

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Section 4:

All members in good standing shall be entitled to one (1) vote for one (1) candidate for each office. Write-in ballots will not be counted. A member must first be nominated for that position.

Section 5:

The candidate receiving the majority number of votes for each office shall be declared elected to that office. In the event no candidate receives a clear majority then the two (2) candidates receiving the highest number of votes shall have a run-off election until one (1) candidate is elected by a clear majority.

ARTICLE 16 NOMINATION AND ELECTION OF TRUSTEES

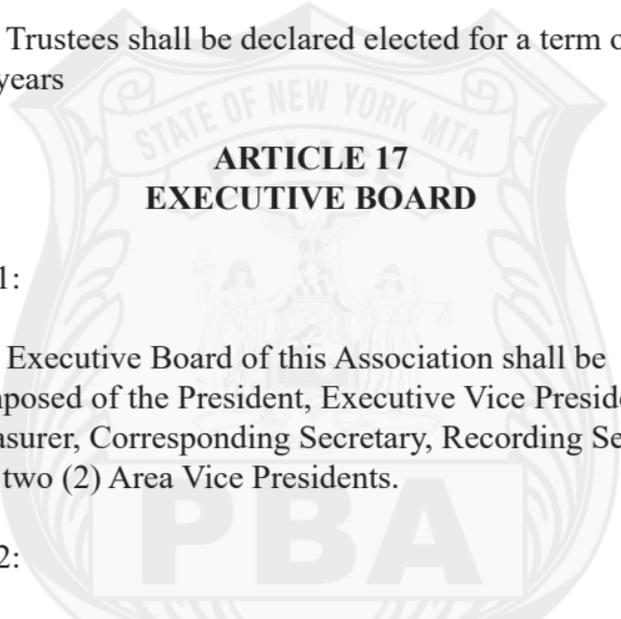
Section 1:

One (1) Trustee must be nominated and elected to represent each District and one (1) Supervisory Trustee to represent each Region. Each nominee must be assigned to the District, Region and rank he/she is to represent. At the election, as provided for in Article 15, Section 5, the candidate receiving the majority number of votes from the same District or Region shall be declared elected.

For the purposes of the Supervisory Trustee, members of the Southern Region will be considered to be part of the Eastern Region for representation.

Section 2:

The Trustees shall be declared elected for a term of three (3) years



ARTICLE 17
EXECUTIVE BOARD

Section 1:

The Executive Board of this Association shall be composed of the President, Executive Vice President, Treasurer, Corresponding Secretary, Recording Secretary and two (2) Area Vice Presidents.

Section 2:

The past President of this organization shall be entitled to attend meetings of the Executive Board for one (1) year after his/her term in office has ended.

Section 3:

The Executive Board shall hold meetings as provided by

these By-Laws.

Section 4:

The Executive Board shall formulate general policies of the Association and perform such other duties as are required by these By-Laws. They are empowered to contract debts in the name of the Association, and after proper investigation, to pay all just debts and claims against the Association.

Section 5:

The President of the Association shall be the presiding officer at meetings of the Executive Board and the Recording Secretary of the Association shall be the Secretary of the Board.

Section 6:

If a member of the Executive Board shall fail to attend three (3) meetings of the Board during any one (1) year without being excused from duty he/she shall be deemed inattentive to duty and the Board shall remove such member, declare his/her office vacant, and a successor shall be determined in accordance with these By-Laws.

Section 7:

It shall be the duty of the President to appoint counsel to represent the P.B.A.

Section 8:

The four (4) members of the Executive Board listed below, while on full excusal designated by the President, shall receive a yearly stipend, from the PBA, in the amount listed next to the title:

President:	50% of Base Police Officer Salary
Executive Vice President:	35% of Base Police Officer Salary
Area Vice President, Eastern region:	20% of Base Police Officer Salary
Area Vice President, Northern region:	20% of Base Police Officer Salary

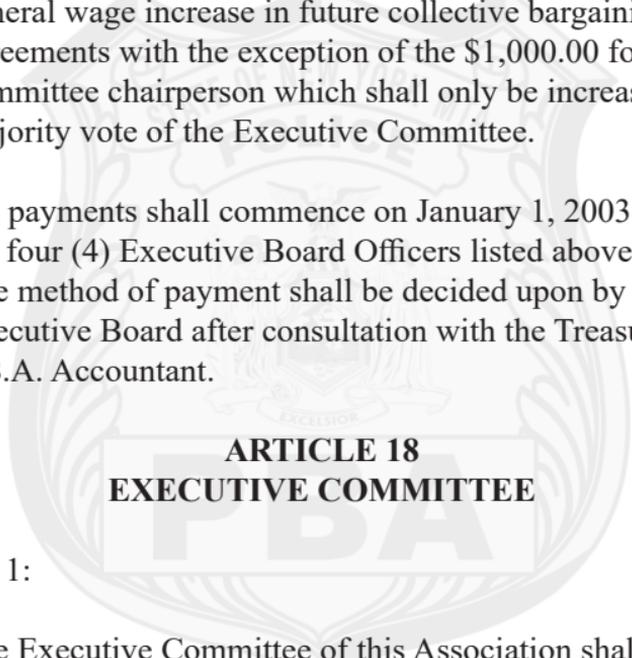
In addition to the above, the President may designate any member of the Executive Committee to be the Chairperson of any committees that are formed. The designated chairperson may receive a yearly stipend of \$1,000.00 upon recommendation of the President, and approval of the Executive Board.

The President of the Association may make recommendations to the Executive Committee for a yearly

stipend for the remaining members of the Executive Board and Executive Committee. Said recommendations will become effective with a majority vote of the Executive Committee.

All yearly stipends will increase at the same rate as the general wage increase in future collective bargaining agreements with the exception of the \$1,000.00 for a committee chairperson which shall only be increased by a majority vote of the Executive Committee.

All payments shall commence on January 1, 2003 for the four (4) Executive Board Officers listed above. The method of payment shall be decided upon by the Executive Board after consultation with the Treasurer and P.B.A. Accountant.

The logo of the Public Employees' Association (PBA) is centered in the background. It features a circular emblem with a shield in the center, topped with a banner that reads "EXCELLENCE". Below the shield, the letters "PBA" are prominently displayed in a large, bold, serif font. The entire logo is rendered in a light, semi-transparent grey color.

ARTICLE 18
EXECUTIVE COMMITTEE

Section 1:

The Executive Committee of this Association shall be composed of the President, Executive Vice President, Treasurer, Recording Secretary, Corresponding Secretary, two (2) Area Vice Presidents and District Trustees.

Section 2:

The Executive Committee shall hold meetings as provided by these By-Laws.

Section 3:

The Executive Committee shall have general custody of all property of the Association, they are empowered to call for and examine at any time the records of the Secretaries and the Treasurer and to employ a Certified Public Accountant to examine and submit a yearly report covering the financial transactions of each year, such report to be submitted at least once a year.

Section 4:

The President of the Association shall be the Presiding Officer at all meetings of the Executive Committee and the Recording Secretary of the Association shall be the Secretary of the Executive Committee.

ARTICLE 19
MEMBERSHIP

Section 1:

Any member of the Association who is in GOOD STANDING when he/she leaves to join the Armed Forces of this country, whether he/she is drafted, enlists, or as a

member of the Reserve (ACTIVATED), will be relieved of his/her obligation of payment of dues and assessments to the Association and will remain in benefit until thirty (30) days after his/her separation or discharge, at which time he/she will again be responsible for his/her dues and assessments.

Section 2:

Any member of this Association may be removed for any violation of these By-Laws or for conduct which, in any way, reflects discredit on this Association.

Any member may be removed from the Association if it is found that they have intentionally made any audio or video of another member, without said member's consent.

Section 3:

Before any member in good standing can be removed from this Association in accordance with Section 2 of this Article, written charges must be filed against the member and presented to the Executive Board at a regular meeting of the Executive Board. These charges must be signed by five (5) members of this Association, in good standing, and countersigned by a member of the Executive Board of this Association. Within seven days after these charges have been filed with the Board, a copy thereof must be

sent by Registered Mail to the last known address of the member. At the next regular meeting of the Board, the member against whom the charges have been filed may appear and be given opportunity to answer the charges and may be questioned at length by any member of the Board.

Thereafter, and after any discussion desired by the members of the Executive Board present, a vote shall be taken among all the members of the Board present, and provided two-thirds (2/3) of those present vote for the removal, the member shall be deemed removed from the membership of the Metropolitan Transportation Authority Police Benevolent Association.

Section 4:

Any member removed from the Association in accordance with these By-Laws shall be deemed ineligible for membership for a period of one (1) year following his/her removal. Said member shall be permitted to apply for reinstatement only in accordance with ARTICLE 21, Section 2.

ARTICLE 20 LAPSE OF MEMBERSHIP

Section 1:

(40)

When any member shall be in arrears to the extent of two (2) weeks, his/her name shall be reported by the Treasurer to the Executive Board.

Section 2:

Within ten (10) days after a member has been reported in accordance with Section 1 of this Article, the Treasurer shall notify the member by Registered Mail sent to his/her last known address, of the extent of his/her arrears and that action is about to be taken on his/her membership in accordance with these By-Laws.

Section 3:

If the member remains in arrears for two (2) weeks he/she shall become a member not in good standing.

Section 4:

Such a member not in good standing shall thereafter be eligible for reinstatement only in accordance with the provisions of these By-Laws.

ARTICLE 21
REAPPLICATION AND REINSTATEMENT

Section 1:

If an applicant shall have been rejected for membership as outlined in ARTICLE 4, he/she may make a further application for membership in accordance with ARTICLE 4, but not until at least one (1) year has elapsed from the date of the first application. If these conditions are met, the new application shall be treated as though no previous application has been made and acted upon according to the provisions of these By-Laws.

Section 2:

If a member shall have been suspended or removed from membership in this Association for any reason, or have become a member not in good standing for any reason, he/she may make application for reinstatement to membership in good standing with this Association, but shall not be able to have such application considered until after 90 days have passed. Such application for reinstatement shall comply with all the requirements of these By-Laws with respect to application and approval for membership in this Association. In place of any initiation fees provided by these By-Laws, the applicant shall pay a reinstatement fee of One Thousand (\$1,000.00) DOLLARS, and in addition, the total amount of dues and assessments owed by the applicant at the date he/she was suspended, removed, or became a member not

in good standing, as well as all dues and assessments he/she would have paid had he/she continuously remained a member in good standing.

Section 3:

Whenever a member is reinstated as outlined in Section 2, he/she shall be classified as a Member in Good Standing as outlined in ARTICLE 3, and he/she shall or shall not be entitled to DEATH BENEFITS as outlined in ARTICLE 9. In all other respects, the member must comply with these By-Laws, as to application and membership. The reinstated member will thereafter be entitled to all of the rights, benefits and privileges of membership with respect to incidents which occur on or after the date of reinstatement.

Section 4:

Whenever a member has had a lapse in membership due to taking a management position with the Police Department, and the member seeks reinstatement as a REGULAR BENEFIT MEMBER of the P.B.A. (member in good standing), that member will be required to pay all dues (with a maximum back dues payment of 36 months) and assessments that were due for the period of his/her separation from the P.B.A.

ARTICLE 22

DISMISSAL OR RESIGNATION

In the event that a member of this Association shall be dismissed or resign from service in the Police Department of the Metropolitan Transportation Authority for any reason, he/she shall at once lose his/her membership in this Association, together with all the rights, benefits, and privileges of such membership, and neither he/she nor designated beneficiary shall be entitled to a death benefit. The member shall maintain his/her membership if his/her dismissal is under appeal.

ARTICLE 23

ANNUAL CONVENTION

Section 1:

The President shall annually appoint from this Association members of the Executive Board or Executive Committee in good standing who, if appointed, shall act as delegates and attend any conventions or seminars of any associations the PBA is affiliated with, and any seminars deemed to be in the best interests of the Association. The Association shall assume all reasonable expenses in conjunction with attending said conventions or seminars.

ARTICLE 24

DUES EXEMPTION

The Executive Committee shall be exempt from the payment of dues during his/her tenure in office.

ARTICLE 25 BUDGET AND OPERATING EXPENSES

Section 1:

This Association shall maintain separate Funds as follows:

- A. General Operating Fund
 - B. Benefit Fund
 - C. Political Action Committee Fund
- Section 2: Each Fund set forth in Section 1 shall be maintained in separate accounts. Separate records shall be kept of the receipts and expenditures for and by each fund.

Section 3:

No payment shall be made from the Benefit Fund, except for those outlined specifically for the Benefit Fund under Article 9 of these By-Laws.

Section 4:

Authorized payments for any purpose may be made from and charged to the General Operating Fund.

Section 5:

No expenditures shall be made from any Fund of this Association except by checks, which checks must be drawn and signed by the Treasurer only after he/she has received an order authorizing such payment, and such checks shall be countersigned by the President or Vice President and authorized by the Executive Board.

Section 6:

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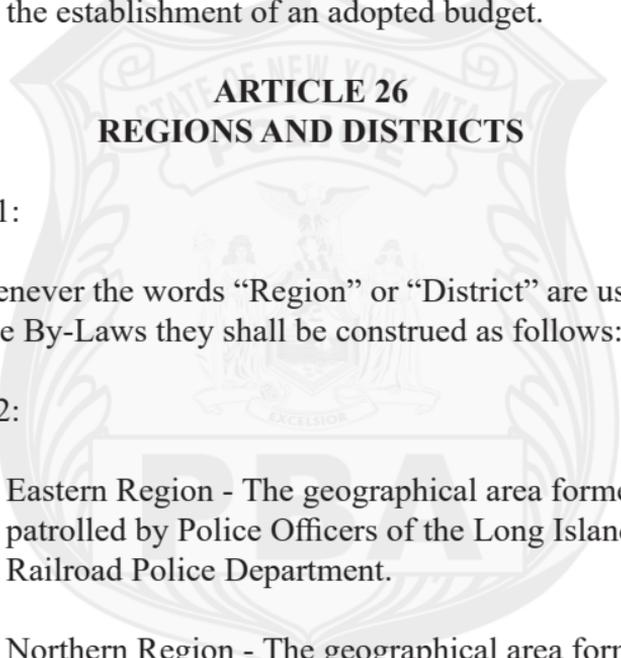
Section 7:

The Treasurer may pay death benefits from the Benefit Fund on order signed by the President when such payments are provided for by these By-Laws.

Section 8:

1. The Executive Board each year shall adopt a balanced budget by the last day of February. Said budget shall be deemed adopted when approved

- by a two-thirds (2/3) vote of those Board members present.
2. Upon approval of the Annual budget, copies of said approved budget shall be presented to the membership at the Regular Open meeting following the establishment of an adopted budget.



ARTICLE 26
REGIONS AND DISTRICTS

Section 1:

Whenever the words “Region” or “District” are used in these By-Laws they shall be construed as follows:

Section 2:

- A. Eastern Region - The geographical area formerly patrolled by Police Officers of the Long Island Railroad Police Department.
- B. Northern Region - The geographical area formerly patrolled by Police Officers of the Metro-North Police Department.
- C. Southern Region - The geographical area formerly patrolled by Police Officers of the Staten Island

Rapid Transit Operating Authority Police
Department.

Section 3:

For the purpose of these By-Laws there shall be Eleven (11) Districts, Five (5) of which will be designated Eastern Region, Five (5) of which shall be designated Northern region, and one (1) of which shall be designated southern region.

ARTICLE 27
AMENDMENT PROCEDURE

Section 1:

No amendments to, or changes in, these By-Laws shall be made except when the following procedures are followed and the following conditions are met:

1. The proposed change must be submitted to a meeting of the Executive Board:
 - A. In writing, and
 - B. Signed by at least five (5) members in good standing.

- C. At least three (3) Districts must be represented by the signatures mentioned in “B” of this section.
2. The proposed change shall:
- A. Be read at a meeting of the Executive Committee and voted upon. A two-thirds (2/3) majority vote of the members present shall constitute approval.
- B. The member in good standing who submitted said By-Law change shall be notified in writing by the Secretary of the result.
- C. If approved by the Executive Committee, a copy of the proposed changes shall be voted upon at the next Regular Open meeting following approval by the Executive Committee.
- D. A two-thirds (2/3) vote of the members in good standing present shall constitute approval.

Section 2:

- A. Any member in good standing may propose a By-Law change following the procedures outlined in Section 1, Subdivisions 1A, 1B, and 1C, by presenting a proposed change to any Executive Committee member and directing him/her to

submit said change to the Recording Secretary. The Recording Secretary will then bring the proposed By-Law change to the Executive Committee for a vote on same.

B. All proposed By-Law changes will be read at the next regular Open Meeting following their submittal, and the membership shall be advised of their status to date at all succeeding Open Meetings until approval or defeat.

ARTICLE 28

RATIFICATION OF CONTRACT

All newly negotiated Collective Bargaining Agreements between the Metropolitan Transportation Authority and the Police Benevolent Association must be ratified as follows: Contracts must be ratified by majority vote of members present at a meeting of the Executive Board; submitted for ratification by majority vote of the members present at a meeting of the Executive Committee; and finally submitted for ratification on majority vote of the members in good standing present at a special membership meeting called for that purpose.

ARTICLE 29

RETIREE MEMBERSHIP

Any former member in good standing of either the Long Island Railroad PBA, Metro-North Railroad PBA, Staten Island Rapid Transit Operating Authority PBA or the Metropolitan Transportation Authority PBA that has retired may attain membership in the retiree association. The Executive Board will review said application for membership. Applications to join the retiree association will be accepted by the Executive Board from all members who retired in good standing.

Retired members will receive only those benefits provided in these By-Laws or approved by the Executive Board for Retired members including, but not limited to, 10 PBA cards yearly, any relative correspondence, and attendance at the non-business portion of PBA meetings or membership parties free of charge. Retired members will not have any voice or right to vote on any PBA union business, elections, contract ratification or By-Law amendments.

ARTICLE 30

EFFECT OF THESE BY-LAWS

These By-Laws shall supersede all previous By-Laws and Resolutions of this Association with respect to future actions and upon adoption of these By-Laws shall constitute the only rules for future conduct of the affairs of this Association.

ARTICLE 31 PARLIAMENTARY AUTHORITY

Robert's Rules of Order shall be the authority on all questions of parliamentary law and proceedings when it does not conflict with any established law or rule of this Association or these By-Laws.

ARTICLE 32

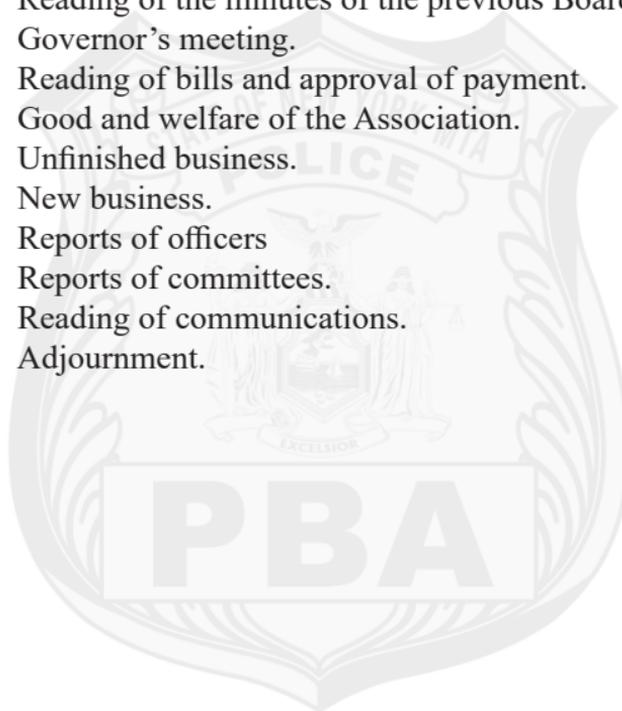
Section 1:

ORDER OF BUSINESS OPEN MEETINGS

1. President calls meeting to order.
2. Roll call of officers noting those present, absent and excused.
3. Reading of the minutes of the previous Open Meeting.
4. Reports of Officers
5. Reports of Committees.
6. Propositions for membership
7. Unfinished business.
8. New business.
9. Good and welfare of the Association.
10. Adjournment.

ORDER OF BUSINESS BOARD MEETINGS

1. President calls meeting to order.
2. Roll call of officers noting those present, absent and excused.
3. Reading of the minutes of the previous Board of Governor's meeting.
4. Reading of bills and approval of payment.
5. Good and welfare of the Association.
6. Unfinished business.
7. New business.
8. Reports of officers
9. Reports of committees.
10. Reading of communications.
11. Adjournment.









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