

**CONSTITUTION & BY-LAWS
OF THE
JONES BEACH LIFEGUARD CORPS
Amended 7/18/7**

PREAMBLE

This document has as its purpose the promotion of harmonious employee relations between the employer and the (JBLC), the establishment of an equitable and peaceful procedure for the resolution of differences, paying of wages, hours of work, and other terms and conditions of employment.

This Constitution shall be the guide for the orderly conduct of issues related to the members of the Jones Beach Lifeguard Corps. It shall be utilized to establish a democratic method for its members to be represented in matters that concern them as a group.

BILL OF RIGHTS

ARTICLE I - NAME

The name of this organization shall be the Jones Beach Lifeguard Corps (JBLC).

ARTICLE II - PURPOSE

Section 1 - Develop, improve, maintain and promote the standards, personnel policies, techniques, equipment, and aesthetics of the JBLC.

Section 2 - Unify and strengthen the JBLC by securing and maintaining professional level salaries, benefits, and working conditions.

Section 3 - Enable members to speak with a common voice on matters pertaining to the JBLC, and present our individual and common interests before the employer and the public

ARTICLE III - MEMBERSHIP

Section 1

(A) Any individual employed by the employer, after successful completion of the lifeguard certification test, for the sole purpose of providing lifeguard services, shall be eligible for membership as an active member.

(B) The yearly term of active membership shall be from the first date of hire/rehire until July 4, the following year.

(C) Exceptions to this term would be:

- (a) Terminations that are under appeal.
- (b) Official negotiated medical leave of absence.
- (c) United States Military duty

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ARTICLE IV - EXECUTIVE BOARD

Section 1 -The Executive Board of the JBLC shall consist of a President, a Vice-President, a Second-Vice President, a Treasurer, a Recording Secretary, a Trustee-at-Large, a Jones Beach Trustee, a Robert Moses Trustee, and an East End Trustee. (Representing Sunken Meadow, Hecksher, Wildwood, Hither Hills, Montauk Downs and Orient Point.) All members of the Executive Board must be active lifeguards.

(A) These Officers shall be elected by a majority vote of the active lifeguard members of the JBLC. However, the Trustees representing Jones Beach, Robert Moses and the East End shall be elected by a majority vote of the active lifeguard members of their areas only.

(B) For purposes of Executive Board meetings each member shall have one vote.

Section 2 - The President of the JBLC shall serve as Chair of the Executive Board. The First Vice-President shall serve as Vice-Chair, and assume the duties of the President in their absence. In their absences, the line of succession shall be as follows: Second Vice President, Secretary, Treasurer, and Trustee-at-Large. For purposes of succession, elected officers are superior to appointed officers.

Section 3

(A) The Executive Board shall conduct business only when a quorum (5) of its members is present.

(B) Where a quorum of the Executive Board has convened and transacts business without at least three (3) days formal notice of such meeting and its purposes to all members of the Executive Board, any business transaction by such quorum shall be subject to ratification by at least two-thirds of the members of the Executive Board.

ARTICLE V - BEACH REPRESENTATIVE ASSEMBLY

Section 1 - The Beach Representative Assembly shall consist of the Beach Representatives and the Executive Board members.

Section 2 - Each beach/facility shall elect from its active members an individual to serve as a Beach Representative plus a first alternate and a second alternate to serve in the Beach Representative assembly.

Section 3 - Orient Point and Wildwood shall combine to elect one beach representative and one first alternate.

Section 4 - Each beach/facility representative shall have one (1) vote. Each Executive Board member, except the President shall have one (1) vote.

Section 5 - Only in the event of a tie vote in the Beach Representative Assembly may the president cast a deciding vote.

Section 6 - The President of the Executive Board shall serve as Chairman of the Representative Assembly, the First Vice-President shall serve as a Vice-Chairman, the Secretary shall serve as Secretary of the Representative Assembly and the Second Vice-President shall serve as Assistant Secretary.

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ARTICLE VI - DUAL POSITION

No Officer of the JBLC Executive Board may serve as a beach representative.

ARTICLE VII - AMENDMENTS

Section 1 - An amendment to the constitution may be proposed when no less than five percent (5%) of the active members petition the Beach Representative Assembly. Completed petition shall be delivered to the Secretary at a Beach Representative Assembly meeting.

Section 2 - The Beach Representative Assembly shall determine the validity of the petition. Not later than fourteen (14) days after the receipt of a valid petition, the Executive Board shall publish the proposed amendment and deliver it to the membership via standard communication methods.

Section 3 - A vote shall be then taken on such proposed and published amendment annually during the first week of August.

Section 4 - The Executive Board and the Beach Representative Assembly shall supervise such vote.

Section 5 - If a majority of the votes cast on said proposed amendment are for adoption of such proposal, then the proposed amendment shall immediately be deemed a valid amendment to the constitution.

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ARTICLE I - MEETINGS

Section 1 - Executive Board

A) Scheduled Meetings: The Executive Board shall meet at least once each month. A meeting may be cancelled if agreed to by two thirds of the Executive Board.

B) Unscheduled Meetings: The Executive Board may meet at the request of the President, or at the request of at least three members of the Executive Board.

Notification of any all Executive Board meeting shall be given to the Beach Representative Assembly via standard communication methods in a timely manner.

Section 2 - Beach Representative Assembly

They shall meet at least once each month, and if necessary, schedule additional meetings. A meeting may be cancelled if agreed to by two thirds of the Beach Representative Assembly.

The Secretary shall notify the Beach Representative Assembly, in a timely manner and via standard communication methods, as to the exact time, date, place, and agenda of any meeting of the Executive Board or Beach Representative Assembly.

Section 3- General Membership Meetings

The Executive Board shall arrange for a general membership meeting during the month of July for discussion of JBLC issues. The time, date, place, and agenda of such meeting shall be given to the Beach Representative Assembly via standard communication methods a minimum of one (1) week prior to the meeting.

ARTICLE II - QUORUM

A simple majority of the members of the Executive Board (5), any committee, or the Beach Representative Assembly (10), shall constitute a quorum for the transaction of business.

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ARTICLE III - DUTIES OF OFFICERS

Section 1 - President

The President shall preside over meetings of the Executive Board.

The President shall appoint the chairperson of each committee. The President, with the approval of the Beach Representative Assembly, shall appoint members of the various committees.

The President shall be empowered to create special committees, be an ex-officio member of all committees, and shall be the Executive Officer of the JBLC.

The President shall represent the JBLC before the public, either personally or through delegates, and shall perform all other functions usually attributed to this office.

Section 2 - First Vice-President

The First Vice-President shall perform all the duties of the President in the latter's absence or vacancy. The First Vice-President shall become President for the remainder of an unexpired term. The First Vice-President shall be responsible for maintaining "Roberts Rules of Order" during Executive Board, Beach Representative Assembly and General Membership meetings. The First Vice President shall oversee and collect reports from all committees.

Section 3 - Second Vice-President

The Second Vice President shall assist the President and First Vice President, as they shall determine. In the event of the inability of the President or the First Vice President to perform their duties, the Second VP shall act on their behalf. The Second Vice President's additional responsibility shall be oversight of the JBLC newsletter.

Section 4 - Treasurer

The Treasurer shall hold the funds of the JBLC and disburse them with the authorization of the Executive Board within the limits of the budget. They will keep accurate accounts of receipts and disbursements, and shall report to each meeting of the Lifeguard Assembly. They will issue written annual reports to the Beach Representative Assembly at the beginning of each fiscal year. They will be responsible for filing tax reports, and use standard accounting practices in compiling their reports and records.

Section 5 - The Recording Secretary shall keep accurate minutes of all Executive Board and Beach Representative Assembly meetings and shall be responsible for the publishing of the minutes to each group. The publishing of minutes shall be submitted in a timely manner. In the event the Secretary and the Second Vice-President are unavailable for a meeting, the President may appoint another member to record minutes. The Recording Secretary shall be responsible for the storage of official JBLC documentation. These documents shall be made available to the membership as deemed appropriate by the Executive Board.

Section 6 - Area Trustees

(A) Each Area Trustee will be the common voice for their area of representation. They will interact and communicate with their constituents in an informative manner, and be fair and consistent in representing those interests. In addition they will assist the beach representatives in maintaining proper procedures during elections.

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(B) Area Trustees must work in the Area they represent. If a Trustee no longer works in that area, normal rules of succession apply.

Section 7 - Terms and Succession

(A) The elected officers shall serve terms of two (2) years, from date of election certification, with no term limitations.

(B) Whenever an elective office shall become vacant, the vacancy shall be filled by Presidential appointment until a General Membership election is held during the first week in August.

Section 8 - Dereliction of Duty

Executive Board members may be impeached for failure to properly perform duties. Executive Board members may be removed from office via the impeachment process.

ARTICLE IV - POWERS OF THE BEACH REPRESENTATIVE ASSEMBLY

Section 1

The Beach Representatives shall give direction to the Executive Board regarding matters concerning the JBLC. The Beach Representative Assembly shall approve the budget, act on reports of committees, approve resolutions and policy statements, and effect disbursements of funds.

Section 2

The Assembly may adopt such rules governing the employment of lifeguards, the conduct of the JBLC, and the conduct of the meetings as are consistent with the Constitution and By-Laws.

Section 3

Powers not delegated to the Executive Board, the officers or other groups in the JBLC shall be vested in the Lifeguard Assembly.

ARTICLE V - BEACH REPRESENTATIVES

Section 1 - Each beach or facility shall have a Beach Representative. There shall be one elected representative from each of the following: Jones Beach State Park: West End 2, Field 1, Field 2, WBHO, Central Mall, EBHO, Field 6, Zach's Bay, WBH Pool and EBH Pool; Robert Moses State Park: Field 2, Field 3, Field 4, and Field 5; Sunken Meadow State Park; Heckscher State Park, Hither Hills State Park; Montauk Downs State Park; Wildwood and Orient Point State Parks. Wildwood and Orient Point will be considered one facility. This will give a total of 19 beach representatives.

Section 2 - At each beach or facility of the LISPRC, lifeguards who are in good standing of the JBLC, shall elect for a term of one year, one beach representative to the Beach Representative Assembly. At the same time, each beach shall elect a first alternate and a second alternate, who may attend meetings but may vote only in the absence of the official representative. If neither the representative nor alternates are present, no other person from that beach may assume his vote.

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Section 3 - The election for the Beach Representative shall be held during the first week of July. The election results shall be confirmed in writing by a majority of that facility's lifeguards. The validation of each election shall be confirmed at the mid-July meeting of the Beach Representative Assembly. Immediately upon validation, the Beach Representative will be installed.

Section 4 - The Beach Representative shall call beach/facility meetings of their members to discuss JBLC business, and provide communication between the Beach Representative Assembly, and each beach/facility.

ARTICLE VI - COMMITTEES

Section 1 - Structure

The Beach Representative Assembly may create committees, as they deem necessary.

Each committee shall be structured as follows:

- (A) The President shall appoint the chairperson.
- (B) Each committee shall have one Executive Board member, to be appointed by the President.
- (C) The Beach Representative Assembly shall choose the other members.

Section 2 - Functions

Each committee shall report to the Beach Representative Assembly, in a timely manner, summarizing objectives, action programs, gains and unattained goals.

Section 3 - Creating Committees

The Beach Representative Assembly may, at any meeting, by a 2/3 vote; establish a new committee.

ARTICLE VII- ELECTIONS

Section 1 - Nominations - Executive Board

(A) The active members of the JBLC during the summer shall nominate officers for President, First Vice-President, Second Vice-President, Treasurer, Secretary, Robert Moses Trustee, Jones Beach Trustee, East End Trustee, and Trustee-at-Large, by petition, 20 names being necessary.

(B) The nomination period closes at the mid-July BRA meeting.

(C) The Beach Representative Assembly, at the Mid-July Beach Representative Assembly meeting, shall validate petitions. The Beach Representative Assembly shall publish results within one week, via standard communication methods.

(D) The Committee on Elections shall publish, via standard communication methods, immediately following the Beach Representative Assembly meeting, a list of the nominees and if the nominee wishes, a brief biography.

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Section 2 - Balloting

(A) During the first week of August, members shall vote during beach hours, for Executive Board positions. This vote shall be supervised by the Beach Representatives.

(B) Votes shall be cast by secret ballot, prepared by the JBLC Beach Representative Assembly. The results shall be tallied by the election team, appointed by the Beach Representative Assembly. Results shall be reported to the Executive Board and Beach Representative Assembly at the mid-August meeting.

(C) The results shall be published immediately following the mid-August Beach Representative Assembly meeting via standard communication methods.

(D) New Officers shall be installed upon confirmation of the vote.

ARTICLE VIII - AUTHORITY

Roberts Rules of order shall be the parliamentary authority for the JBLC Beach Representative Assembly on all questions not covered by the Constitution and By-Laws and such standing rules as the Beach Representative Assembly may adopt.

ARTICLE IX - AMENDMENTS

The Beach Representative Assembly may, by a 2/3 vote of the quorum; amend the By-Laws.

The Executive Board and the Beach Representative Assembly shall previously study proposed amendments.

ARTICLE X - IMPEACHMENT

Section 1 -Any elected or appointed officer shall be removed from office in accordance with the following steps:

(A) A petition for impeachment from a majority (10) of the Beach Representatives must be presented to the Executive Board.

(B) The Executive Board must then call for a vote on the petition, by the general membership.

(C) The Beach Representatives shall conduct a vote of the general membership. This vote shall be initiated within fourteen (14) days of the submission of the petition of impeachment to the Executive Board. The voting shall be completed by the twenty-eighth (28) day after date of submission.

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(D) The results shall be presented to the Beach Representative Assembly at the next scheduled meeting. The Beach Representatives shall confirm the results of the vote in writing.

Section 2 - The impeachment shall be immediately effective upon confirmation of a 2/3 vote of the general membership, in favor of the petition.

ARTICLE XI -ANNUAL REPORT

Section 1 - At the June Beach Representative Assembly meeting, the President shall present in oral and written form, an annual report on the affairs of the JBLC. This report shall reflect a summary of the prior year's Executive Board activities, and a statement of goals for the upcoming year.

Section 2 - Each Executive Board officer shall deliver, in oral and written form, a detailed report reflecting their prior years activities, and goals for the upcoming year.

Section 3 -Such other matters as the President or a majority of the Executive Board may deem advisable to include.

Section 4 - The President, Secretary and Treasurer must sign the annual financial report for expenditures.

ARTICLE XII - RESOLUTIONS, MINUTES OF MEETINGS

Section 1

The Beach Representative Assembly shall vote on all appropriate matters by way of resolution, duly made, seconded and carried. The minutes of the meeting must reflect the specific wording of the resolution and whether the vote was carried.

Section 2

Where the written minutes do not exist, are missing or have not been ratified, any member of the Executive Board or Beach Representative Assembly must immediately advise the President or Secretary of such fact.

Thereafter, if such minutes do not exist, are missing, or have not been ratified, any resolution therein shall be null and void until ratified by resolution of Beach Representative Assembly, as the case may be.

Section 3

The Executive Board shall publish minutes of their meetings via standard communication methods in a timely manner. These minutes should reflect the time, place, attendance and agenda of the meeting.

Section 4

The Beach Representative Assembly meeting minutes must be published via standard communication methods in a timely manner. These minutes should reflect the time, place, attendance and agenda of the meeting.

Section 5

The failure to properly record or safeguard JBLC records shall be considered a serious breach of responsibility.