

**FRATERNAL ORDER OF POLICE,
OHIO LABOR COUNCIL, INC.
CODE OF REGULATIONS
AND
CONSTITUTION**



Catherine Brockman, Executive Director
John Looman, Deputy Director Field Operations
Aaron Crawford, Deputy Director Administration

222 East Town Street, Columbus, Ohio, 43215-4611

800-FOP-OLCI

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FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC.
CODE OF REGULATIONS AND CONSTITUTION

ARTICLE 1

The name of this organization shall be Fraternal Order of Police, Ohio Labor Council, Inc.

ARTICLE 2

OFFICES – PLACE OF BUSINESS

The general office or place of business shall be designated by the Executive Committee of the Labor Council.

ARTICLE 3

The Fraternal Order of Police, Ohio Labor Council, Inc. is dedicated to the betterment of law enforcement personnel through representation of its members in collective bargaining and other labor relations matters. This organization shall:

1. Promote the formation of collective bargaining units for law enforcement personnel.
2. Act as collective bargaining agent for members and member units.
3. Engage in collective bargaining, mediation, and arbitration, if necessary, for the purpose of improving wages, hours, and conditions of employment and advancing the rights and promoting the security of the members.
4. Receive, manage, invest, expend and otherwise use monies and property of this organization to achieve the objectives set forth in this Code of Regulations.
5. Provide, maintain, manage and operate a central office.
6. Furnish services to all individuals, groups or bodies as required to further the aims and purposes of the Labor Council.
7. Unite, represent, defend, and promote the interest of all members.
8. Cooperate with other organizations interested in promoting the efficiency, professionalism and well-being of its members.

ARTICLE 4

MEMBERSHIP

SECTION 1. Any group of employees constituting an appropriate bargaining unit within a law enforcement agency is eligible for membership. Members will be accepted without regard to age, race, color, sex, creed, religion, ancestry, national origin, handicap, physical disability, or sexual preference. All members have the right to participate in the affairs of the Labor Council.

- A. Upon application to the Ohio Labor Council for membership, a bargaining committee shall be elected by the bargaining unit by secret ballot. Names and phone numbers of the committee shall be forward to the Ohio Labor Council office in Columbus.

SECTION 2. A. Each bargaining unit shall, no later than one (1) year before the date of the expiration of its current collective bargaining agreement, elect a bargaining committee from among its membership by secret ballot. This election must be held in the month preceding the one (1) year date.

- B. Alternatively, each bargaining unit may choose instead to have an election to replace the members of its bargaining committee within ninety (90) days of the date of execution of or the date of effective implementation of a new collective bargaining agreement. If a bargaining unit chooses to adopt this election procedure, the bargaining committee so elected shall serve until the next election required in this subsection B.
- C. If section A above is chosen, no election for membership on a bargaining committee may be held later than one year before the date of the expiration of a collective bargaining agreement. If subsection B. above is chosen, no election for membership on a bargaining committee may be held later than ninety (90) days after the execution of or effective implementation of a collective bargaining agreement.
- D. All members of each unit shall be eligible to nominate, vote and hold a seat on the bargaining committee. Each bargaining committee shall elect a chairman. The bargaining committee shall work with the Executive Director and other representative of the Labor council to secure the benefits set out in Article 3 for the Members of its respective bargaining unit.

E. Each bargaining unit shall determine the size of each bargaining committee.

SECTION 3. Each member has the right to insist that his or her bargaining unit comply with this Code of Regulations and has the right to bring charges alleging violations of this Code of Regulations to the attention of the Executive Committee. The Executive Committee shall adopt rules to provide for investigating said charges and implementing this Section.

SECTION 4. Members may be subject to disciplinary action in accordance with Article 5, Section 15 below.

SECTION 5. All members of the Fraternal Order of Police, Ohio Labor Council, Inc. shall commit themselves to the following oath before assuming any office to which they have been elected:

I, _____, [in the presence of the Creator of the universe, and the member(s) of the Fraternal Order of Police, Ohio Labor Council, Inc.,] do most solemnly and sincerely promise and swear, that I will to the best of my ability comply with all the laws and rules of this Organization; that I will recognize the authority of the officers of the Organization, obeying all the laws, rules and edicts of the Executive Board of the Fraternal Order of Police, Ohio Labor Council, Inc.; that I will abide by and support the Constitution and ByLaws of this Organization; that I will be fair in all my dealings with this Organization and all of its members, during my term of office; that I will not use the authority vested in me for personal gain, or for any other cause, except for the best interests and welfare of this Organization and its members; that I will not support in any way by work or deed any attempt by any other Organization to supplant, interfere with or in any way supersede the rights of the Fraternal Order of Police, Ohio Labor Council, Inc. to represent law enforcement officers in any place or department in the State of Ohio specifically including my own department; that I will never knowingly wrong a member or see him or her wronged if it is within my power to prevent it; that I will faithfully perform all the duties assigned to me to the best of my ability and skill; that I will not divulge or make public any of the private proceedings of this Organization; that I will perform the duties of my office as required by the Constitution and ByLaws of the Organizations; that I will bear true and faithful allegiance to the Fraternal Order of Police, Ohio Labor Council, Inc.; that I will deliver all books, papers and other property of the Organization that may be in my possession at the end of my term to my successor in office. Should I violate this, my solemn oath or obligation, I hereby

bind myself under no less a penalty than that of being impeached from office and/or expelled from membership. To all of which I solemnly and sincerely promise and swear.

SECTION 6. The failure of a duly elected member to take or sign this oath or strictly adhere to this oath shall be cause for disqualifications to hold the office to which the member has been elected. Upon discovery by the Executive Board of the Fraternal Order of Police, Ohio Labor Council, Inc., of a violation of this oath of office, the member violating his/her oath may be denied office, removed from office and/or expelled from membership. In such an event the procedures from imposing discipline on members and bargaining units contained in this Code of Regulations, ByLaws or Rules of the Fraternal Order of Police, Ohio Labor Council, Inc., shall be followed and any member denied his or her office shall have all appeal rights contained therein. The Executive Board shall have the right to enforce this section.

ARTICLE 5

BOARD OF TRUSTEES—EXECUTIVE COMMITTEE

SECTION 1. The Board of Trustees of the Labor Council shall be called the Executive Committee.

SECTION 2. The Executive Committee shall consist of eight (8) members. Three (3) members of the Executive Committee shall be appointed by The Fraternal Order of Police of Ohio, Incorporated, (Hereinafter “F.O.P.” Or “State Lodge”). Five (5) members of the Executive Committee shall be elected by the delegates at the annual conference. The five (5) elected members shall be a member of a bargaining unit represented by the Labor Council.

- A. The three (3) members of the Executive Committee appointed by the F.O.P. shall be appointed as follows: one (1) member by the President; one (1) member by the Vice-President; and one (1) member shall be the Chairman of the Labor Committee of the F.O.P. The three (3) members of the Executive Committee appointed by the F.O.P. shall be members in good standing of the Labor Council, retirees from bargaining units represented by the Labor Council, or former members of the Executive Committee.
- B. One (1) of those so appointed shall be designated as Chairman of the Labor Council by the President of the F.O.P.

- C. The five (5) members of the Executive Committee, elected by the delegates at the annual conference, shall be members in good standing of the labor council and shall be elected by secret ballot by the delegates. The candidate for election must be in attendance at the annual conference at which he is standing for election. In the event there is only one (1) nominee for any elected position, the election of that member of the Executive Committee may be affirmed by voice vote.
- D. Executive Committee Categories
 - 1. One (1) of the elected members of the Executive Committee must be employed by a County Sheriff's Department.
 - 2. One (1) of the elected members of the Executive Committee must be employed by a Municipal Police Department.
 - 3. One (1) of the elected members of the Executive Committee must be employed by a law enforcement agency of the State of Ohio other than the Ohio State Highway Patrol.
 - 4. One (1) of the elected members of the Executive Committee must be employed by a 911 Communication Center and not be eligible to serve in any position listed in sub-sections 1, 2, or 3 above.
 - 5. One (1) of the elected members of the Executive Committee shall be elected from the Membership at Large and may be employed in any bargaining unit represented by the Labor Council.
- E. Each Executive Committee member shall appoint an associate to act in his/her absence.
- F. Each year, after the annual conference, the members of the Executive Committee shall elect one (1) of the elected members to serve as Vice-Chairman of the Labor Council.

SECTION 3. Elections

- A. The elected member of the Executive Committee shall be elected for a term of four (4) years (to expire at the annual conference held at the end of the fourth year of the respective term) to replace the designated category member whose term expires that year.

- B. Only those delegates to the annual conference employed in a category described in sub-section 2D above shall be allowed to vote in the election for the specific seat in that category on the Executive Committee.
- C. This sub-section C of Section 3 of this Article 5 of the Constitution will be deleted from this Constitution on January 1st, 2011.
 - 1. At the annual conference in 2007, members will be elected to all the new positions on the Executive Board created by the amendment to Article 5 adopted in 2006.
 - 2. The member elected to fill the position created by Section 2 Sub-Section D (4) above shall fill a two-year term.
 - 3. Thereafter members elected to fill a term in a position created by the amendment to Article 5 adopted in 2006 shall serve four (4) year terms as provided in sub-section 3 (A) above.

SECTION 4. The term of office for those members of the Executive Committee appointed by the F.O.P. shall be from annual meeting to annual meeting, effective at the beginning of the annual meeting.

SECTION 5. At each annual meeting, before holding the election to fill the term of the elected member of the Executive Committee expiring at that annual meeting, the chairman shall announce the names of the members of the Executive Committee appointed by F.O.P. The chairman shall then entertain a motion to affirm the appointments made by the F.O.P. A vote shall be taken on this motion. If a majority of the delegates voting fail to pass this motion, each appointee shall be voted upon separately. These votes shall not be by secret ballot. In order for said appointed members of the Executive Committee to serve their designated terms on the Executive Committee, the delegates to the annual conference must, by majority vote, confirm these appointments. Should all or any of these appointed members fail to be confirmed by vote of the delegates as provided herein, a vacancy shall exist of the Executive Committee. This vacancy shall be filled as provided below, except that any appointed member who has failed to be confirmed by vote of the delegates, shall not be eligible to fill any vacancy.

SECTION 6. EXECUTIVE COMMITTEE VACANCIES

- A. A vacancy will occur on the Executive Committee when any of the following circumstances occur:
- i. Upon the death or resignation of a member;
 - ii. Whenever an elected member of the Committee ceases to be employed as a full-time employee of a law enforcement agency for any reason; or
 - iii. Whenever a member of the Executive Committee or the associate appointed by that member fails to attend at least one-half (1/2) of the Executive Committee meetings in any one (1) year between each annual meeting.
- B. At any time the President of the F.O.P. may remove any member of the Executive Committee appointed to the Executive Committee by the F.O.P. In that event, a vacancy on the Executive Board shall result.

SECTION 7. Should a vacancy occur on the Executive Committee between annual meetings, such vacancy or vacancies shall be filled as follows:

- A. The members appointed to the Executive Committee by the F.O.P. shall be replaced by appointment of the President or Vice-President of the F.O.P. and said appointments must be ratified at the next regular meeting of the Executive Committee by the remaining members of the Executive Committee.
- B. Members who are elected to the Executive Committee shall be replaced by a majority vote of the remaining Executive Committee members present and voting and this newly elected member shall serve on the Executive Committee until the next annual meeting of the Labor Council, at which time the vacancy will be filled by a member who will be elected by the delegates to fill the unexpired portion of the term.

SECTION 8. A quorum to conduct the business of the Executive Committee, at a regularly scheduled meeting, shall consist of five (5) members or associates three (3) of which must be elected members or associates of the elected members. Each member shall be entitled to one (1) vote. The Executive Committee may act by a majority vote of its membership present at a meeting. Proxy voting shall be permitted. In the event of a special meeting, a telephone poll or a

poll by the use of any other method of electronic communication for deciding an issue, a quorum shall consist of six (6) members or associates.

SECTION 9. The Executive Committee of the Labor Council shall have the power to act on all matters that come before the Council between annual meetings and shall act in accordance with Section 8.

SECTION 10. The Executive Committee of the Labor Council may enter into contractual agreements with bargaining units, hire and dismiss personnel and determine their wages and fringe benefits, and secure facilities for the efficient operation of the Labor Council.

SECTION 11. The Executive Committee shall establish policy and be responsible for the general operation of the Labor Council.

SECTION 12. Meetings of the Executive Committee

- A. The Executive Committee will meet at least once quarterly.
- B. The chairman of the Executive Committee may call a meeting of the Executive Committee at any time.
- C. A majority of the members of the Executive Committee may call a meeting of the Executive Committee at any time.

SECTION 13. The Executive Committee may adopt, amend, or repeal any rule or bylaw which it deems to be necessary. No rule or bylaw may be adopted which is in conflict with the Code of Regulations or the laws of the State of Ohio. All such rules and bylaws will be binding on all members and bargaining units of the Labor Council. Any rule or bylaw adopted by the Executive Committee may be repealed or amended by a majority vote at the annual meeting of those present and voting.

SECTION 14 The Executive Committee shall consider all requests and demands from non-members of the Labor Council for rebates of fair share fees or portions thereof that such non-members may be required to pay pursuant to collective bargaining agreements to which the Labor Council is a party. Such rebates shall be made for said non-members' pro-rata share of fair share fees used for expenditures in support of partisan politics or ideological causes not germane to work of the Labor Council in the realm of collective bargaining. Such rebates shall be made in accordance with the requirements of Federal and State Law. The Executive Committee shall adopt rules, which set out the procedure for resolving such requests and demands.

SECTION 15. The Executive Committee may order any bargaining unit found to be in violation of this Code of Regulations, any rule of the Labor Council, or any law or rule of the State of Ohio or the United States governing the operation of a labor organization to cease such violation. If the bargaining unit fails to obey such an order, the Executive Committee may authorize the Executive Director to operate that bargaining unit until the violation ceases. The Executive Committee may also terminate or temporarily suspend the membership of any member or bargaining unit found to be causing said violation. No such action can be taken until the Executive Committee has given the member or bargaining unit charged with a violation the opportunity to appear at a hearing and to present its arguments and evidence. Any decision of the Executive Committee made under this section may be appealed to the annual meeting. The Executive Committee shall adopt rules to implement this section and insure fair and equitable procedures in disciplinary actions against members.

SECTION 16. Upon notification that the State Employment Relations Board has declared an employee who is a member of a bargaining unit represented by the Labor Council exempt from supporting an employee organization by virtue of said employee's adherence to religious teachings, the Executive Committee shall appoint a representative to meet with the exempt employee and insure that the Labor Council is in compliance with Ohio and Federal Law in regard to said employee's fair share fee.

SECTION 17. The Executive Committee shall adopt rules to insure that the Labor Council and its bargaining units are in compliance with all of the laws and requirements of the State of Ohio.

SECTION 18. No employee of the F.O.P. Ohio Labor Council shall hold a seat on the Executive Committee of the Ohio Labor Council.

ARTICLE 6

DUTIES OF THE LABOR COUNCIL CHAIRMAN

The Labor Council Chairman shall:

- A. Be the Chief Executive Officer of the Labor Council.
- B. Preside at all annual meetings and Executive Committee meetings of the Council.
- C. Have the power to call meetings of the Executive Committee.
- D. Approve all expenditures of the Labor Council before payment is made.

- E. Furnish a bond as necessary in an amount to be fixed by the Executive Committee, or upon specific request of the State Employment Relations Board. The cost of the bond shall be paid by the Labor Council.

ARTICLE 7

DUTIES OF THE LABOR COUNCIL VICE-CHAIRMAN

The Labor Council Vice-Chairman shall:

- A. Be the official custodian of the Code of Regulations of the Council and keep an accurate record of all amendments thereto.
- B. Perform such other duties as the Chairman may direct.
- C. Perform all of the duties of the Chairman if the Chairman is absent or otherwise unavailable to perform the duties of the office.

ARTICLE 8

EXECUTIVE DIRECTOR

SECTION 1. There shall be an Executive Director of the Labor Council who shall be employed by the Executive Committee.

SECTION 2. The Executive Director shall:

- A. Be responsible for the day-to-day operation of the Labor Council and execute any and all contracts that may be authorized by the Executive Committee.
- B. Recommend to the Executive Committee, and hire, with their advice and consent, field representatives and other employees and insure that each employee handling Labor Council funds or property to be property bonded as necessary at Labor Council expense.
- C. Be the custodian of all the funds and assets of the Labor Council, and furnish the Executive Committee, the annual meeting, and any member who requests it, an annual financial report properly audited by a certified public accountant.
- D. Conduct all of the financial transactions of the Labor Council with the approval of the Chairman and keep an accurate record of all income and expenses. These records will be available for inspection by any member of the Labor Council upon written thirty (30) day notice at a time convenient to the Executive Director.

- E. Furnish a bond in an amount fixed by the Executive Committee, or upon specific request of the State Employment Relations Board, for the faithful performance of the duties of the office of Executive Director. The cost of the bond shall be paid by the Labor Council.
- F. Keep an itemized record of all funds received and disbursed, giving a complete report when called upon by the Executive Committee, at the annual meeting of the Labor Council, and when required by the President or the Board of Trustees of the F.O.P. of Ohio Inc., State Lodge.
- G. Maintain all of the records of the Labor Council.
- H. Make an annual report to the Labor Council annual meeting.
- I. Insure that the Labor Council complies with all the requirements of the State and Federal law for reporting and record keeping, and file all tax returns that may be required.
- J. Perform such other duties as the Executive Committee may direct.

ARTICLE 9

EXPENSES, COMPENSATION AND PROHIBITIONS

SECTION 1. Any member of the Labor Council performing duties for or service to the Labor Council by order of the Executive Director, Executive Committee or Council Chairman shall receive compensation and reimbursement for expenses as authorized by the Executive Committee.

SECTION 2. The Labor Council shall not be responsible for payment of expenses or compensation of delegates attending the annual meeting from each bargaining unit.

SECTION 3. The Labor Council shall not make loans to any member, officer, agent, representative, or employee. No Labor Council funds may be invested in any way that they may be used to finance or secure loans to any member, officer, agent, representative, or employee. This section does not prohibit the Labor Council from investing its funds in a Federally Insured Deposit instrument offered by a legally chartered financial institution as long as that deposit is not used as security for a loan to any member, officer, agent, representative, or employee.

SECTION 4. The Labor Council may not expend its funds in any manner in furtherance of the independent business or financial interests of members, officers, employees, agents,

representatives, or spouses, minor children, parents of members, agents, representatives, officers, or employees. As a condition of employment or continuing service no officer, agent, representative, or employee of the Labor Council, or the spouses, minor children or parents of an officer, agent, representative, or employee may undertake business or financial interest which will conflict with the fiduciary obligations of such officers, agents, representatives, and employees of the Labor Council.

ARTICLE 10

DUES

SECTION 1. The dues for membership in the various bargaining units in the Labor Council shall be set in accordance with the following procedure:

- A. In October of each calendar year, the Executive Director shall determine the average percentage raise in base wages negotiated state wide for Law Enforcement Officers in the State of Ohio as reported by the Ohio State Employment Relations Board (SERB) for the year.
- B. The amount of this percentage increase shall be reduced by one, but shall not be less than zero.
- C. Any percentage greater than zero determined by this method shall then be the increase in dues to be paid by Labor Council Members.
- D. Beginning on the January 1st next occurring, all members of the Ohio Labor Council shall pay dues based on this calculation.

SECTION 2. Fair share fees may be set as needed by the Executive Committee.

SECTION 3. All dues and fees shall be paid directly to the Labor Council.

SECTION 4. The funds of the Labor Council shall be kept in a separate account established for that purpose. In no case will these funds be co-mingled with any other funds except that at the request of a subordinate lodge of the F.O.P. of Ohio Inc., State Lodge the Labor Council may:

- A. Collect the lodge dues of that subordinate lodge for members of the Labor Council who are also members of that subordinate lodge.
- B. Pay to that subordinate lodge the lodge dues collected in accordance with this section.

SECTION 5. In any case where an individual member of the Labor Council or members of a Bargaining Unit have not paid the proper amount of dues for any reason or the Employer has failed to deduct the proper amount of dues, the Labor Council may set a dues amount for that member or Bargaining Unit greater than the amount determined by section 1 above. This procedure may only be used to permit the member or members of that Bargaining Unit to become current on their dues. When it is established that the member or members of such a Bargaining Unit have become current in their dues, the Labor Council shall cease to apply this section to that Bargaining Unit and all dues shall be determined by the application of Section 1 above.

ARTICLE 11

ANNUAL MEETINGS AND ELECTIONS

SECTION 1. There shall be an annual meeting of the Labor Council during the second annual quarter at a date and location to be determined by the Executive Committee and such date shall be announced to the attending delegation under the Good of the Order.

SECTION 2. At the annual meeting each bargaining unit of the Labor Council shall be entitled to one (1) delegate and one (1) alternate delegate for every twenty (20) represented employees or major portion thereof in the unit, provided, however, that each unit shall be entitled to at least one (1) delegate and one (1) alternate delegate. A represented employee is an employee represented in a bargaining unit who is paying either membership dues or a fair share fee.

SECTION 3. Each delegate attending the annual meeting of the Labor Council shall have one (1) vote. In the absence of a delegate, an alternate from the same bargaining unit may exercise the absent delegate's vote. There shall be no proxy or mail voting at the annual meeting. Votes may only be cast by registered delegates or alternates in person.

SECTION 4. Each member of the Executive Committee shall be a delegate and each shall have one (1) vote.

SECTION 5. The Bargaining Committee Chairman of each bargaining unit in the Labor Council shall select the delegates from among the members of his or her bargaining unit.

SECTION 6. At least thirty (30) days prior to the annual meeting, the Executive Director shall send written notice to each bargaining unit of the date, time and place of the meeting, the proposed agenda, and the numbers of delegates to which it is entitled.

SECTION 7. Each bargaining unit shall notify the Executive Director, on a form provided, of the names of the delegates and alternates. Such notice must be received prior to the annual meeting. A delegate or alternate is registered after this form is received by the Executive Director and the delegate or alternate signs the annual meeting attendance roster.

SECTION 8. Any delegate from a bargaining unit that is delinquent in the payment of dues shall not be admitted, registered, or seated at the annual meeting. The Executive Director shall notify the bargaining unit that it is delinquent in the payment of such dues.

SECTION 9. A quorum to conduct business at each annual meeting shall consist of one-half (1/2) of the eligible delegates who are registered and present. The delegates at the annual meeting may act on all matters that come before them and by majority vote of the delegates present, and voting, except as otherwise provided herein.

SECTION 10. The Chairman of the Labor Council shall conduct the annual meeting.

SECTION 11. The order of business on the agenda of the annual meeting shall be determined by the Chairman. The annual meeting agenda shall contain at least:

- A. Appointment and Election of Executive Committee members;
- B. Executive Director's Report;
- C. Review Executive Committee actions and minutes;
- D. Repeal or amendment of Labor Council Rules and Bylaws;
- E. Review dues;
- F. Review Committee reports;
- G. Review audit report;
- H. Old business;
- I. New business;
- J. The good of the Labor Council.

ARTICLE 12

MISCELLANEOUS PROCEDURES

SECTION 1. All meetings conducted by any body in accordance with this Code of Regulations shall be conducted to the extent that it practicable according to generally accepted parliamentary procedure except as modified herein or by rules adopted by the body. Rules by which a bargaining committee shall conduct its business may be adopted by the Executive Committee.

SECTION 2. The Labor Council shall not solicit funds or anything of value for any reason whatsoever from any non-member or person not paying a fair share fee without first obtaining the permission of the Fraternal Order of Police of Ohio Inc., in whose geographical territory the Council desires to make such a solicitation. This section does not prohibit the Labor Council from soliciting membership except that it may not solicit membership in any bargaining unit whose employees are currently represented by a subordinate lodge of the Fraternal Order of Police of Ohio Inc., without the permission of that subordinate lodge. The only exception is the circumstance when a competing organization is either the current bargaining representative, or is soliciting members from an FOP lodge-represented bargaining unit. In that case, the Labor Council may solicit members and intervene in any S.E.R.B. conducted election.

SECTION 3. The Labor Council shall not support ideological causes, engage in political activity, or engage in legislative lobbying. No Labor Council funds will be used to pay for or support such efforts. No Labor Council funds may be used to support the operation of any Political Action Committee.

ARTICLE 13

AMENDMENTS

SECTION 1. Proposed amendments to this Code of Regulations shall be submitted in writing, in resolution form, to the Executive Director of the Labor Council at least sixty (60) days prior to the convening of the annual meeting. The Executive Director shall cause a copy of any proposed amendment to be forwarded to each participating bargaining unit and to each member of the Executive Committee at least thirty (30) days prior to the annual meeting of the Council.

SECTION 2. Only the Executive Committee or a bargaining unit may propose an amendment to this Code of Regulations. Any such proposal may be accompanied by an argument supporting the adoption of such amendment, which will also be forwarded by the Executive Director.

SECTION 3. Amendments shall be voted on at the annual meeting. A two-thirds (2/3) vote of the delegates present and voting shall be required for the adoption of any amendments.

SECTION 4. Following such approval as outlined in Section 3 of this Article amendments shall take immediate effect and shall be dated and signed by the Chairman, Vice-Chairman, and Executive Director of the Labor Council. Any amendment to Article 12, Section 2; Article 5, Section 2 and 6; Article 13, Section 4 or any other article or section now in effect or which may

be proposed, which would deal with solicitation of funds or anything of value may be vetoed by a two-thirds (2/3) vote of members present and voting at the next meeting of the Board of Trustees of the State Lodge of the F.O.P. of Ohio held after such amendment was adopted by the Labor Council annual meeting. When an amendment is vetoed by the State Board of Trustees, it will be null and void with no force or effect ab initio.

ARTICLE 14

INTERPRETATION AND SEVERABILITY

SECTION 1. This Code of Regulations and all rules and bylaws adopted in accordance with these provisions are subject to all existing Ohio and Federal Statutes and Rules and should be interpreted in all cases in accordance with and in such a manner as to be in compliance with said statutes and rules.

SECTION 2. Should any article, section or portion thereof of this Code of Regulations be held to be invalid, unlawful, or unenforceable for any reason by any court or administrative agency:

- A. Said decision shall apply only to that specific provision held to be invalid, unlawful, or unenforceable. All other articles, sections, or portions of the Code of Regulations shall remain in full force and effect;
- B. The Executive Committee shall have the power to immediately adopt an emergency amendment to this Code of Regulations by a majority vote of its entire membership, for the limited purpose of correcting the defect found by the court or administrative agency. Any such emergency amendment dealing with soliciting funds or anything of value may be vetoed by the Board of Trustees of the F.O.P. of Ohio Inc., State Lodge in accordance with Article 13, Section 4, above, provided such veto is not in direct conflict with any court order or enforceable remedy.

SECTION 3. In order to exercise the powers contained in this Article, the Executive Committee must first secure a written opinion from its attorney which recommends the emergency amendment as necessary to correct the defect found by the court or administrative agency.