2015 EXECUTIVE BOARD

LOUIS VISCUSI
PRESIDENT

KEVIN BEYER
FIRST VICE PRESIDENT

GARY F. OSARCZUK
SECOND VICE PRESIDENT

ROBERT VARRICHIO
THIRD VICE PRESIDENT

RICHARD LANG
RECORDING SECRETARY

BRIAN J. LOPICCOLO
TREASURER

WILLIAM FALLER
SERGEANT-AT-ARMS

BARRY J. PEEK, ESQ.
MEYER, SUOZZI, ENGLISH & KLEIN, P.C.
SCCOA COUNSEL
TO: ALL S.C.C.O.A. MEMBERS

FROM: THE BY-LAWS COMMITTEE

DATE: FEBRUARY 2013

SUBJ: S.C.C.O.A BY-LAWS AND CONSTITUTION
       REVISED 2/2013

This handbook contains the Constitution and By-Laws for the Suffolk County Correction Officers Association and all revisions and changes to date. All previous copies of the Constitution and By-Laws and all working drafts of changes are superseded by this revised edition.
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ARTICLE I

NAME AND PURPOSE OF THE ASSOCIATION

SECTION I

The Association shall be known as the Suffolk County Correction Officers Association, Inc. The headquarters of the Association shall be maintained at a location within geographical boundaries of the County of Suffolk, State of New York, as designated by the Executive Board. The present designated headquarters is located at:

51 Nesconset Highway
Port Jefferson Station, NY 11776

For the purpose of future reference, this Association may hereafter be referred to as the S.C.C.O.A. (SCCOA).

SECTION II

This Association shall exist for the purpose of representing its membership in all respects concerning the terms and conditions of their employment and to act as collective bargaining agent on behalf of all Correction Officers in matters of policy, salaries, hours of employment, working conditions and all other matters relating to the general welfare of its members. This Association shall exist for the sole benefit of its membership and shall serve to foster and promote those objectives which shall improve the conditions and needs of its membership. This Association shall insure that no one member of the SCCOA will make any gains with respect to terms or conditions of employment at the expense of any other member or group of members of this Association.
ARTICLE II

MEMBERSHIP

SECTION I: ACTIVE MEMBERS

Any active civil service employee, who is a sworn peace officer, as defined in the New York State Criminal Procedure Law, Section 2.10, paragraph 25, who works for the Suffolk County Sheriff's Office as a Correction Officer or any other office created thereafter, up to and including the ranks of Warden shall be eligible for membership in this Association.

SECTION II: RETIRED MEMBERS

Any individual who, while an active member of the SCCOA or any department created thereafter, was retired from Suffolk County for service as a correction officer or due to disability shall be eligible for membership in the Association as a retired member. Retired members shall be entitled to all rights and privileges of membership as defined by the Executive Board. Retired members shall not hold any office, nor vote in any election on any contract or on any issue.
ARTICLE III

SCCOA EXECUTIVE BOARD

SECTION I

The SCCOA Executive Board will consist of seven Correction Officers not exceeding the rank of Correction Officer IV. The Executive Board shall consist of the President, First Vice President, Second Vice President, Third Vice President, Recording Secretary, Treasurer and Sergeant-at-Arms.

SECTION I-A: PRESIDENT

The President shall be the Chief Executive Officer of the SCCOA and be Chairman of the Executive Board. He/She shall preside at all regular and special meetings, be ex-officio member of all committees, enforce the by-laws of the Association, decide all questions of order, announce the results of all motions and ballots, and do all other things required by these by-laws of his/her office. He/She will appoint, with the approval of the Executive Board, all members of any standing or special committees with an exception of the Election Committee.

SECTION I-B: FIRST VICE PRESIDENT

The First Vice President shall aid and assist the President in conducting meetings and in the absence of the President, he/she shall preside, and while so presiding, shall have the full powers of the President. He/She shall perform all other duties assigned to his/her office as the laws, rules, membership, or President may direct.
SECTION I-C: SECOND VICE PRESIDENT

The Second Vice President shall aid and assist the President in conducting meetings, and in the absence of the President and First Vice President, he/she shall preside, and while so presiding, shall have the full powers of the President. He/She shall perform all other duties assigned to his/her office as the laws, rules, membership, or President may direct.

SECTION I-D: THIRD VICE PRESIDENT

The Third Vice President shall aid and assist the President in conducting meetings, and in the absence of the President, First Vice President and Second Vice President, he/she shall preside, and while presiding shall have the full powers of the President. He/She shall perform all other duties assigned to his/her office as the laws, rules, membership, or President may direct.

SECTION I-E: RECORDING SECRETARY

The Recording Secretary shall be the custodian of all records and papers of the Association, shall give notice of all meetings, keep a complete and accurate record of all proceedings, and be responsible to conduct roll call votes when required. He/She shall furnish the Treasurer copies of all motions regarding the Association’s funds. He/She shall perform all other duties assigned to his/her office as the laws, rules, membership, or President may direct.
SECTION I-F: TREASURER

The Treasurer shall be the custodian of all funds of the Association. He/She shall keep a true and accurate record of all receipts and disbursements and shall file an itemized report with the Association as prescribed in these by-laws. He/She shall present a Treasurer's Report at each General Membership and Executive Board Meeting. He/She shall perform all other duties assigned to his/her office as the laws, rules, membership, or President may direct.

SECTION I-G: SERGEANT-AT-ARMS

It shall be the duty of the Sergeant-at-Arms to enforce order at all meetings of the Executive Board, General Membership Meeting or special meetings and to ascertain the right of persons to attend such meetings. He/She shall remove from the meeting any person who conducts himself/herself in a disorderly manner. He/She shall act as parliamentarian and shall advise the presiding officer on questions of procedure in transacting the business of the Association legally, efficiently and impartially. He/She shall perform all other duties assigned to his/her office as the laws, rules, membership, or President may direct.

SECTION II

The duties of the Executive Board shall be to represent and act on behalf of the members of the Association in all matters pertaining to the performance of their duties. A majority of the Executive Board (at least (4)) shall be required to ratify or defeat a resolution. Six members shall be required for a quorum. Each member shall cast one vote.
SECTION III: TERMS OF OFFICE

A term of office for members of the Executive Board shall consist of four (4) consecutive years with the President, Second Vice President, Recording Secretary and Sergeant-at-Arms standing together for election. The First Vice President, Third Vice President and Treasurer will stand together for election. Each office of the SCCOA Executive Board shall be elected separately. No person shall run for more than one post during any election.

SECTION IV: VACANCIES IN OFFICE

In the event a vacancy arises in the office of President, the First Vice President shall assume the President’s duties and should there be six months or more remaining in that term of office, shall call for a special election to fill the office vacated. In the event a vacancy arises in any office except that of the President, the President shall appoint an eligible member to that office who must be approved by a two-thirds (2/3) vote of the Executive Board and should there be six months or more remaining in that term of office, shall call for a special election to fill the office vacated. Any member holding office for less than six months shall be deemed to hold that office on an interim basis and shall not be permitted to run for election to that position as an incumbent. All vacancies filled shall be for the unexpired term of said office.
SECTION V: RELEASED POSITIONS

The President, First Vice President and Second Vice President shall be released full time to the union office. If for any reason, any one of these three (3) released officers are unable to fulfill their obligation, the Third Vice President shall be released. If the Third Vice President is unable to fulfill their Obligation, the President shall appoint a standing board member to fill the vacant position.
ARTICLE III-A

SCCOA DELEGATES

The SCCOA Delegates will consist of (20) active members in good standing of the Suffolk County Correction Officers Association. The delegates will consist of one (1) representative from each of the following designated sections:

- A, B, C, D, E & F Crews at Riverhead & Yaphank (12)
- Day Workers at Riverhead & Yaphank (2)
- Superior Officers at Riverhead & Yaphank (2)
- SCSO Corrections Investigators (1)
- DWI Alternative Facility (1)
- Pilgrim Psychiatric Hospital Unit (1)
- Peconic Bay Medical Center Unit (1)

SECTION I

A term of office for the delegates shall consist of two (2) consecutive years. No person shall run for more than one delegate position during any election. An elected delegate is eligible for any opening on the Executive Board of the SCCOA.

SECTION II: PURPOSE & DUTIES

The delegates shall exist for the sole benefit of its members and shall serve to foster and promote those objectives which shall improve the conditions and needs of the membership. They will be required to attend designed meetings and disseminate to the membership any and all information approved by the President and/or Executive Board. They will carry out any and all instructions, perform all duties required and participate in Association sanctioned events or functions at the request of the SCCOA President and/or Executive Board.
Meetings will be called by the President of the SCCOA and will be held the third week of the month with the President and Executive Board members to discuss issues that concern members.
COMMITTEES

SECTION I: STANDING COMMITTEES

The following shall be the standing committees of this Association. Each committee shall meet at least semi-annually and is required to present a report to the membership at the annual January membership meeting and when desired by the membership, the respective committee or the Executive Board. The general duties of these committees may include, but are not limited to, the description listed below:

A. Budget Review Committee
   (set forth in Article VI, Section IV)

B. By-Laws Committee:
   Responsible for maintaining and updating the current SCCOA Constitution and By-Laws and/or amendments and interpreting the meaning and intent of the current SCCOA Constitution and By-Laws.

C. Disciplinary Committee:
   (set forth in Article VIII, Sections II and III)

D. Education Committee:
   Responsible for the SCCOA scholarship program as well as researching various courses and educational programs concerning the corrections field which may benefit our members or the general public.

E. Election Committee:
   (set forth in Article VII, Section II)
F. Grievance Committee:
Responsible for reviewing member grievances and researching past cases or decisions in order to facilitate a favorable outcome or decision.

G. Health and Safety Committee:
Responsible for reviewing any complaints made in this area which may affect our members, offering possible solutions to those problems, and researching training courses and educational programs concerning health and safety in the corrections field which may benefit our members.

H. Historical/Research Committee:
Responsible for researching and maintaining any and all information or items which concern the history of the SCCOA or corrections as it pertains to SCSO.

I. Membership Committee:
Responsible for keeping and updating the contact/personal information of SCCOA members, assisting members and their families with various issues and conducting the planning and coordinating of various member family events.

J. Negotiating Committee:
Responsible for gathering and coordinating members’ suggestions for contract negotiations, forwarding those suggestions to the Executive Board and researching current contract language so that it may be improved.

K. Political Action Committee:
Responsible for working with the Executive Board, the Public Relations Committee and elected officials concerning county and state political issues. May, at times, research political issues which affect corrections officers. Stay current on legislative movement, bills and laws.

L. Public Relations Committee:
Responsible for working with the Executive Board and/or the Political Action Committee in order to promote and bring positive exposure to corrections officers in the public eye as well as promoting solidarity with other corrections unions and organizations.

M. Retirement Committee:
Responsible for researching the NYS Retirement System and updating members on retirement issues, assisting members who are about to retire and those who have already retired, and maintaining an open line of communication with retirees and their families. May also assist officers and/or their families should a death occur, with issues related to benefits, insurance, or any other assistance they may require.

N. Uniform Committee:
Responsible for researching and keeping current on all uniform and corrections related equipment in order to ensure our members are offered the latest technology.

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SECTION II: SPECIAL COMMITTEES
Special committees can be appointed at any General Membership or Executive Board meeting to perform a special task and report back to the membership. Special committees are temporary committees and will cease to function when they have completed their duties and brought in a report.

SECTION III: APPOINTMENT & REMOVAL

All committee members and Chairpersons shall be appointed for one (1) year, beginning February 1st and ending January 31st except as otherwise provided in this section of the by-laws. A standing list of potential volunteers shall be maintained and updated by the Executive Board. Volunteers may submit their name for consideration of appointment to any committee, at any time, thereby allowing for the continuous updating of all committee volunteer lists. All committee members and Chairpersons shall be selected and appointed by the President and all appointments must be ratified by a majority vote of the Executive Board at the January Executive Board meeting. All committees will be reviewed annually by their Chairpersons to determine if current committee members are to be reappointed, replacement members are needed or the number of seats of the committee increased or decreased. Recommendations by the Chairpersons, as to reappointments, replacements and number of seats on the committee must be submitted to the President for review, prior to any ratification vote by the Executive Board at the January Executive Board Meeting. At the special request of a committee Chairperson to the President, replacement and/or additional committee volunteers may be appointed on an as needed basis, at any time, provided all appointments are ratified by a majority vote of the Executive Board.

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Any committee member or any Chairperson may be removed from their committee assignment at the request of the committee Chairperson or at any time by the President, provided such removal is ratified by a majority vote of the Executive Board. The provisions in this section shall be followed, except as otherwise provided in this section or in these by-laws.

SECTION IV

Each committee shall consist of one Chairperson and at least four members. A majority of members shall constitute a quorum at all committee meetings. Voting shall be by committee members present who shall have only one vote; committee chairpersons shall not vote unless to break a tie vote. Each committee shall assume powers as delegated and shall be responsible for the prompt and faithful performance of any duty entrusted to it.
ARTICLE V

MEETINGS

SECTION I

The regular SCCOA membership meetings shall be held on the last Tuesday of each month. The order of business will be as follows:

1. Reading of Minutes
2. Report of Officers
3. Report of Standing Committees
4. Report of Special Committees
5. Unfinished Business
6. New Business

SECTION II

The SCCOA will hold an annual membership meeting on the last Tuesday in the Month of January for the purpose of conducting required annual business and receiving all such annual reports as required by these by-laws.

SECTION III

Special membership meetings may be called by the President, the Executive Board or by written petition of twenty-five present (25%) of the membership. Whenever a special membership meeting is called, its time, place, and purpose shall be specified in a written notice posted for such meetings. No business shall be transacted at the special membership meeting other than that for which it has been called.
SECTION IV

Five percent (5%) of the SCCOA membership and the President or five percent (5%) of the SCCOA membership and a Vice President shall constitute a quorum for a SCCOA membership meeting. Voting, on any issue, shall not be conducted at either a regular or special meeting, except when a quorum is present. However, normal business may be discussed without a quorum present.

SECTION V

Executive Board meetings will be held at least once per month. The President may call a meeting of the Executive Board at his/her discretion.
ARTICLE VI

FINANCES

SECTION I: POLICY

All funds received by the SCCOA shall be spent only to represent the membership, improve terms and conditions of employment and further enhance the good and welfare of the Association. No withdrawal or expenditure of SCCOA funds may be made without being approved by the Executive Committee by a two-thirds (2/3) vote and must be drawn and signed by two (2) members of the Executive Board. Payments or expenditures not budgeted may only be authorized by a majority vote at a regular membership meeting or a majority vote at an Executive Board meeting, or a majority vote at a special membership meeting called for that purpose. All payments for expenses shall be made by check and such documents will be filed under the Association’s permanent records.

SECTION II: MEMBERSHIP DUES

Membership dues for active members of the SCCOA shall be at the rate of 1.2% of a C.O. I, top step day worker’s bi-weekly base pay, per member, per pay period. Membership dues may only be increased by a two-thirds (2/3) vote of the Executive Board. The increase must then be ratified by the SCCOA membership, via mailed ballot, with a majority vote of the ballots returned.

SECTION III: ANNUAL BUDGET

On or before the last Tuesday of December of each year, the Treasurer shall present an annual budget for approval which requires a majority vote by the Executive Board to be accepted. The annual budget must be presented to the membership at the annual membership meeting.
The Executive Board shall be required to approve, by a majority vote, any expenses in excess of the amounts budgeted. Such approvals shall not exceed ten percent (10%) of the budgeted amount. The fiscal year for all business will be the calendar year commencing on 1 January.

SECTION IV: BUDGET REVIEW COMMITTEE

The Chairman and four (4) members of the Budget Review Committee shall be appointed by the President and approved by a majority vote of the membership at the annual January membership meeting. This committee will have the responsibility of auditing and certifying the financial records of the Association quarterly and reporting their findings to the membership.

SECTION V: AUDITS

All financial records, books, accounts and funds of the SCCOA shall be audited by an independent Certified Public Accountant for the calendar year prior to the regularly scheduled Treasurer’s election and annually by the Association’s Certified Public Accountant. All such audits shall become a permanent record of the Association and shall be made available for review at the first membership meeting following audit completion.

SECTION VI: EXPENSE COMPENSATION

Except where specifically addressed by these by-laws, the President shall be responsible for establishing procedures regarding expense compensation to include the use of Association credit cards and cash advances. No reimbursement for expenses may be paid by the Association to any individual who has been reimbursed from another source.
SECTION VI-A: STIPENDS

The following stipends shall be paid annually to the officers of the Association listed below. This compensation shall be payable on a pro-rated monthly basis.

1. President $10,000.00
2. Highest Released Officer $ 7,000.00
3. Any Other Released Officer $ 6,000.00
4. All other Board Members $ 600.00

SECTION VI-B: HONORARIUMS

The Executive Board may award honorariums to individuals for services fostering the betterment of the Association provided that such honorariums shall be approved by a majority vote of the Executive Board.
ARTICLE VII

ASSOCIATION ELECTIONS

SECTION I: PURPOSE

The purpose of this article is to outline the procedures necessary to meet the requirements of Article III, Section III (Terms of Office) and Article III, Section IV (Vacancies in Office.)

SECTION II: ELECTION COMMITTEE

The Association shall appoint all members of the Election Committee. As committee positions are vacated, they shall be filled by nomination and majority vote at a regular membership meeting. No member of the Executive Board and no declared candidate for the Executive Board may serve on this committee. The Election Committee shall be responsible for conducting all general and special elections as required to include counting ballots, certifying the election and posting the results. This committee is also charged with the responsibility of ensuring that every member of the Association is afforded the opportunity to vote. This committee will consist of five (5) Correction Officers. The Chairman of this committee shall be selected from within the committee. Ruling of the Election Committee shall be final in all matters of dispute.

SECTION III: ELIGIBILITY

In order to be eligible to seek/hold office, a member must have been a member in good standing of the Association for at least three years prior to the date of their nomination and not exceed the rank of Correction Officer IV.
SECTION IV: GENERAL ELECTION

In an election year, any member wishing to become a candidate for office shall either be nominated from the floor at the October membership meeting or submit a statement of intention to run for office to the Election Committee no later than 2 November. Candidates shall be notified by certified mail so that should they wish to withdraw from consideration they may do so by notifying the Election Committee by certified mail. Should more than (1) candidate wish to run against the incumbent, a Primary Election will be held prior to 24 November. The top primary candidate, along with the incumbent or should the incumbent choose not to run for office, the top two (2) primary candidates will appear on the General Election ballot. The General Election ballot shall be a printed ballot displaying the names of all candidates and an area for write-in candidates. Ballots shall be mailed by 10 January and must be returned in fifteen (15) calendar days (NO LATE THAN JANUARY 25). The committee will post the election results after verifying the count. The formal installation of officers shall take place on the first Monday of February following the election.

SECTION V: SPECIAL ELECTIONS

Any member wishing to become a candidate for office shall submit a statement of intention to run for office to the Election Committee within ten (10) days after a special election has been called and the membership has been notified. The Election Committee shall prepare a printed ballot displaying the names of all candidates and an area for write-in candidates. Ballots shall be mailed at least 30 days after the special election declaration date and must be returned within fifteen (15) calendar days. The committee will post the election results after verifying the count. The formal
installation of an officer elected by special election shall be the next working day following the results being posted

SECTION VI: DELEGATE ELECTIONS

The Election Committee will follow the guidelines as designated by "SECTION V: SPECIAL ELECTIONS," for holding delegate elections. Voting privileges will be afforded to any member working in the designated area the delegate is seeking to represent. To be eligible, candidates for a delegate position, shall be limited to the members working in the designated area they seek to represent. Any elected delegate must remain assigned to the area he or she represents at all times. Should any delegate be assigned to a different work area, the delegate position shall be deemed vacated and an appropriate election will be held.
ARTICLE VIII

DISCIPLINARY PROCEEDINGS

SECTION I

Any officer/member of this Association may be suspended, removed, fined, censured or expelled for incompetency, inattention to the duties of their office, or for conduct unbecoming their standing in this Association by a two-thirds (2/3) vote of the Disciplinary Committee after a full and fair hearing.

SECTION II

The Disciplinary Committee is responsible for conducting fact finding inquiries, investigations and hearings as necessary. The committee will report its finds and recommendations to the Executive Board or membership within thirty (30) working days. Any member pending sanction will have thirty days (30) from the time the recommendations are presented to appeal to membership or the Executive Board in order that a final decision may be rendered.

SECTION III

The Disciplinary Committee shall consist of twelve (12) active members, selected at random by the Executive Board on an annual basis from within the entire membership. Appointments to the Disciplinary Committee shall be made for a one (1) year period concurrent with the calendar year. No member who serves on the Disciplinary Committee shall be selected to serve on the Disciplinary Committee for at least five (5) years.
ARTICLE IX

PARLIAMENTARY AUTHORITY

SECTION I

Parliamentary procedure shall be in accordance with Robert's Rules of Order, which shall be the authority on all questions of the Parliamentary Law and Procedure when it does not conflict with the Constitution and By-Laws of the SCCOA. Interpretation of the meaning and intent of the Constitution and By-Laws will be made by the By-Laws Committee which shall render any decisions. All decisions made by the By-Laws Committee are final and are not subject to appeal.
ARTICLE X

SCCOA BY-LAWS AMENDMENT

SECTION I

Additions, Revisions and Proper Formatting

Any current SCCOA member, who is in good standing with the Association, may submit a written proposal to add new by-laws or revise current by-laws of the SCCOA Constitution and By-Laws. In doing so, members must be aware the submitted proposals may sometimes have a direct effect on other Articles and/or Sections of the SCCOA By-laws. Therefore, it is the sole responsibility of the author of any proposed by-law additions or revisions, to submit any and all necessary amendments to any other by-law Articles and/or Sections, which may be affected by the primary proposals submitted by them.

Proposals must be submitted to the Chairperson of the By-Laws Committee prior to the last Tuesday of the month of March. After an evaluation from the Committee and/or Chairperson, the proposals will be sent to legal counsel for review. After legal review, the Committee will evaluate legal counsel’s recommendations and either table the proposals for further discussion and/or clarification or present them to the membership at the regular SCCOA membership meetings held in the months of September and October. A Quorum of the membership is not required to be present at either meeting.

Also, it is the sole responsibility of all members submitting proposed additions or revisions, to ensure all proposals are submitted in the proper format. All proposals failing to meet this requirement will be returned to the author for corrections. Instructions for properly formatting additions and revisions can be obtained from a By-Laws Committee member.
SECTION II

Ratification

After presentation at the designated membership meetings, a ratification vote, encompassing the entire SCCOA membership, will be conducted by members of the Election Committee, via the U.S. Postal Service. Ratification of any proposal requires a two-thirds (2/3) affirmative vote of the ballots returned.

Ballots will be mailed to the membership no later than the third (3rd) business day of the month of January. Ballots must be returned, postmarked no later than 11:59 P.M., on the Twentieth (20th) of January. It is the responsibility of each member to ensure they receive a ballot, properly fill it out and return it within the proper time frame. A count of the returned ballots will be conducted by the committee to determine the outcome of the vote.
## RECORD OF CHANGE

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