

# ROCKLAND COUNTY UMPIRES ASSOCIATION CONSTITUTION

## ARTICLE I

### NAME AND TERRITORY

SECTION 1 This Association shall be known as the Rockland County Umpires Association, hereafter known as RCUA.

SECTION 2 The region covered by the RCUA shall be Rockland County, New York, and any other area as requested and approved by the RCUA Board of Directors and/or the New York State Baseball Umpires Association, and/or the New York State Softball Officials Organization.

## ARTICLE II

### PURPOSE

SECTION 1 The purpose of the RCUA shall be to provide certified officials for baseball and softball games.

SECTION 2 The RCUA shall be an affiliated organization of the New York State Baseball Umpires Association, the New York State Softball Officials Organization, and the Amateur Softball Association of America.

SECTION 3 The aims of the RCUA shall be:

- a. to sponsor and promote a program that will recruit and train candidates to become certified umpires.
- b. to conduct training clinics that will further the development of more competent umpires.
- c. to adopt and employ a standard system of umpiring for all RCUA umpires.
- d. to determine and apply a uniform interpretation of the official playing rules of the game.
- e. to foster the game on all levels of competition.
- f. to make the necessary recommendations for the improvement of the game.

## ARTICLE III

### MEMBERSHIP

SECTION 1 Membership in the RCUA shall be open to all who observe the policies and regulations as prescribed by the By-Laws, and to all who conduct themselves in such a way as to avoid any action which might be deemed a violation of the RCUA Code of Ethics. All Members must reside or work in Rockland County with the exception of any current member living outside of Rockland County, effective 1/1/16.

SECTION 2 Membership in the RCUA shall be four classes: Active, Associate, Honorary, and Lifetime

- a. Active membership shall include those members who successfully complete the examination requirements, adhere to the RCUA's Constitution and By-Laws, and pay such dues as specified in the By-Laws of the RCUA.
- b. Associate membership shall include those members who have at one time been active members, but desire to be inactive. Associate members must pay dues as specified in the By-Laws of the RCUA. Associate members may not officiate any games.
- c. Honorary membership, as awarded by the Board of Directors, shall include those members who are no longer active members, and have previously demonstrated exemplary service to the RCUA. Honorary members are not required to pay dues.
- d. Lifetime members in the RCUA is one who been a member for at least 40 years and who has been a member in good standing for the past ten (10) years. All lifetime members will be considered honorary members. If a lifetime member chooses to become active at any time to officiate games, they must notify the board and will be considered active members with no additional dues to the RCUA which is commensurate with whatever sport they are officiating i.e., NYSBUA, NYSSO, or USA Softball.
- e. Active and Associate members shall have the right to attend meetings, the right to vote, and the right to serve on committees. Honorary members shall only have the right to attend meetings.
- f. If a member of another similarly certified umpires association elects to transfer his membership to the

RCUA, he must apply to the Board of Directors by presenting a letter of recommendation from his previous association. The Board of Directors will then rule on his status. Any new applicant must reside or work in Rockland County, effective 1/1/16.

#### ARTICLE IV

##### BOARD OF DIRECTORS

SECTION 1 The Board of Directors, hereafter known as BoD, of the RCUA shall consist of:

- a. President; Vice-President; Secretary; and Treasurer.
- b. Immediate Past President, or Member-at-Large.
- c. Four Trustees.

SECTION 2 The term of each member of the BoD shall be two (2) years.

SECTION 3 The election, powers, and duties of the BoD shall be as specified in the By-Laws of the RCUA.

#### ARTICLE V

##### QUORUMS

SECTION 1 - 40% of the membership of the RCUA and 50% of all special committees shall constitute a quorum at all meetings of these bodies for the transaction of business.

#### ARTICLE VI

##### AMENDMENTS

SECTION 1 An amendment to this Constitution may be proposed by any member at any meeting, provided a quorum is present. A majority vote at this meeting is required in order for this proposed amendment to be presented to the entire membership for ratification.

SECTION 2 Notice of the proposed amendment shall be sent to each member at least two (2) weeks prior to the next meeting where discussion and voting for ratification shall occur.

SECTION 3 Any member unable to attend the ratification vote meeting may request an absentee ballot from the Secretary. This absentee ballot must be received by the Secretary no later than one (1) day prior to the ratification vote meeting.

SECTION 4 A two-thirds (2/3) vote of those present at the ratification meeting, and of those who have submitted absentee ballots, is necessary for ratification.

SECTION 5 Amendments to this Constitution shall become effective immediately upon passage, unless otherwise stated in the Amendment.

#### **BY-LAWS TO THE CONSTITUTION**

#### ARTICLE I

##### QUALIFICATION AND APPLICATION FOR ACTIVE MEMBERSHIP

SECTION 1 All persons who make application for membership shall become active members, on a one (1) year probationary period, upon passing the required rules and practical examination, and payment of dues.

SECTION 2 It is mandatory for all officials to pass a written exam every year. Any official not passing the written exam in baseball and/or softball will be dropped from the assignment list of all approved RCUA assigners until the member passes the exam and complies with the provisions of the New York State Five Point Program.

##### *FIVE POINT PROGRAM*

*Under the Five Point Program approved officials are those who:*

1. *Observe the constitutions and bylaws of their local and state officials' organization.*
2. *Attend interpretation meetings and clinics of the local organization each year.*
3. *Give satisfactory evidence of proficiency in the mechanics of officiating and of competent performance related to the specific sport.*
4. *Pass the National Federation, State, or approved rules examination.*
5. *Are listed with the NYSPHSSA, Inc. Executive Director.*

SECTION 3 Members may be fined, suspended and/or have their membership forfeited for:

- a. absences from mandatory meetings without prior notification; or
- b. violation of the RCUA Constitution and/or By-Laws; or
- c. failure to pay dues for the following year, by the stated date; or
- d. violation of the professional Code of Ethics of the RCUA.

SECTION 4 An official who has been sanctioned due to Section 3, may appeal, in writing/e-mail, to the Secretary. An Appeals Committee shall then consider the case, and make the final determination concerning the sanction.

SECTION 5 All umpires must attend an official interpretation meeting and four (4) other meetings during the year. All umpires with less than five (5) years of service are required to attend a yearly instructional clinic per sport umpired. All umpires with five (5) or more years of service are required to attend an instructional clinic per sport umpired once every three (3) years. In the event of a poor rating, attendance at the next year's instructional clinic will be mandatory. Failure to do so shall be cause for fine and/or suspension.

## ARTICLE II

### THE BOARD OF DIRECTORS

SECTION 1 There shall be a Board of Directors (BoD), consisting of the Officers, the Immediate Past President, or Member-at-large, and four Trustees. The BoD shall administer and direct the affairs and activities of the RCUA, including the evaluation process. It shall review and rule on any proposal, grievance or complaint brought to its attention.

SECTION 2 The President shall be the presiding officer of the RCUA. The President shall be charged with the duty of carrying out the purpose and policies of the RCUA. The President shall provide notice, set the agenda, and preside at each regular and special meeting of the RCUA.

SECTION 3 The Vice-President shall act in place of the President during the President's absence or disability. The Vice-President shall render such assistance to the President, as the President shall request.

SECTION 4 The Secretary shall keep an accurate record of the proceedings of all meetings and shall be custodian of all books, papers, documents, and records of the RCUA. The Secretary shall keep, at all times, accurate lists of all active, associate, honorary members, and life members, and of all officers, boards, and committees, and upon request shall furnish copies thereof to the RCUA membership. The Secretary shall, when requested by the President, give due notice of all regular and special meetings of the RCUA. The Secretary shall conduct all correspondence, and shall keep a file of all correspondence sent to him on behalf of the RCUA.

SECTION 5 The Treasurer shall be the fiscal officer of the RCUA. The Treasurer shall receive all monies and securities of the RCUA and deposit them in the appropriate bank accounts. The Treasurer shall disburse funds, when needed. The Treasurer shall keep true and exact account of all such monies, securities, receipts and expenditures entrusted to the Treasurer with all accounts of the RCUA subject to an annual audit by the Auditing Committee. The Treasurer shall keep at all times an accurate list of all members who pay their dues. The Treasurer shall render an annual report to the Audit Committee by February 15 of each year.

SECTION 6 The Trustees shall carry out any duties and responsibilities as directed by the President.

SECTION 7 Members of the BoD shall not be charged yearly dues while holding office. Dues may be paid by members of the BoD on a voluntary basis.

### ARTICLE III

#### ELECTION OF THE BOARD OF DIRECTORS

SECTION 1 Election of BoD shall take place according to the following procedures:

- a. Nominations of candidates shall take place at the September meeting.
- b. In order to be nominated, a member must either be at the nominating meeting, or must have notified the Election Committee, in writing/e-mail, of his intention to accept the nomination.
- c. Once nominations are closed, names shall neither be added nor deleted from the ballot.
- d. Ballots shall be mailed/e-mailed to the membership within ten days after the September meeting.
- e. Ballots must be returned by the date designated by the Election Committee. Any ballots postmarked after that date would be null and void.
- f. All valid ballots shall be counted by the Election Committee prior to the annual dinner.
- g. The winners of the election shall be announced at the annual dinner. The exact tally shall be made available after the dinner, upon request.
- h. A member may run for only one position in each election.

SECTION 2 The members of the BoD to be elected for the ensuing year shall serve for a term of two (2) years, beginning January 1 of the following year. They shall be elected as follows:

- a. the President on even years
- b. the Vice-President on odd years
- c. the Secretary on even years
- d. the Treasurer on odd years
- e. the Trustees on alternate years (two on odd years and two on even years)

SECTION 3 The Immediate Past President shall serve on the BoD until the election of a new President. If the Immediate Past President is not available, the BoD shall appoint a member in good standing from the general membership by a majority vote. This member shall be designated as the 'Member-at-Large.' The Member-at-Large shall serve for a term of one (1) year, after which his or her continued tenure will be subject to majority vote by the BoD.

SECTION 4 The BoD, by a majority vote of the voting Board members present at a duly constituted Board meeting, may fill any vacancies occurring among the BoD of the RCUA for the balance of the term.

SECTION 5 No member shall be eligible to be on the BoD of the RCUA until the member has completed five (5) consecutive years in the RCUA as an active member in good standing. To be in good standing the member must be in compliance with the 5 point program, shall have paid annual dues, and shall be neither a suspended member nor a member currently in violation of the RCUA Constitution/By-Laws. A member who has resigned from the BoD shall be ineligible to serve on the BoD in the future, except when such resignation is deemed by the BoD to be of an extraordinary circumstance.

### ARTICLE IV

#### POWERS AND DUTIES OF COMMITTEES

SECTION 1 The BoD shall appoint all members of committees. All committee members must be in good standing. Each committee shall be comprised of at least three (3) members from the general membership, with one (1) BoD member as the head of the committee. The BoD member would only vote in the event of a tie.

SECTION 2 The Election Committee shall serve for a term of one (1) year. The duties shall entail:

- a. Accept written nominations prior to the nominating meeting;
- b. Incorporate the nominations received at the nominating meeting;
- c. Oversee the preparation and mailing of the ballots to the membership;
- d. Receive and secure the ballots returned by the membership;
- e. Make declarations of validity of any ballots received prior to the due date;
- f. Open and count the sealed ballots, and announce the results at the annual dinner.

SECTION 3 The Audit Committee shall be responsible for auditing the financial record of the RCUA. The Committee shall submit its report to a general membership meeting of the RCUA no later than March 15 of the current year. The Committee shall serve for a term of one (1) year.

SECTION 4 The Grievance Committee shall hear all complaints against members deemed to be of a minor nature. These complaints shall include, but are not limited to, missing games, being late for games and being out of uniform. Sanctions may include, but are not limited to, fines, suspensions, and/or termination.

- a. The Secretary must be notified, within one (1) week of the incident, by the complainant.
- b. The Secretary will notify the Committee and the accused member upon notification of a complaint.
- c. If a member decides to plead guilty upon notification, any fine must be paid to the Treasurer within one (1) week. Failure to pay the fine within one (1) week would result in automatic suspension of the member, as well as forfeiture of the right to appeal, pending a hearing before the BoD. A guilty plea would not be subject to an appeal.
- d. If a member pleads not guilty, the Committee shall hold a hearing with the accused member, in a timely manner, not to exceed one (1) month of notification by the Secretary.
- e. The Committee will forward a report of the meeting with recommendations to the BoD within one (1) week.
- f. The BoD will render a decision and notify the member within one (1) week

SECTION 5 The BoD shall hear all complaints against members deemed to be of a major nature. These complaints shall include, but are not limited to, violations of the provisions of the RCUA Constitution and/or By-Laws. Sanctions may include, but are not limited to, fines, suspensions, and/or termination.

- a. The Secretary must be notified within one (1) week of the incident, by the complainant.
- b. The Secretary will notify the BoD and the accused member upon notification of a complaint.
- c. If a member decides to plead guilty upon notification, any fine must be paid to the Treasurer within one (1) week. Failure to pay the fine within one (1) week would result in automatic suspension of the member, as well as forfeiture of the right to appeal, pending a hearing before the BoD. A guilty plea would not be subject to an appeal.
- d. If a member decides to plead not guilty, The BoD shall hold a hearing with the member in a timely manner, not to exceed one (1) month of notification by the Secretary.
- e. The BoD shall render a decision and notify the member within one (1) week of the hearing.

SECTION 6 The Scholarship Committee shall receive applications from baseball and softball student athletes and submit, to the BoD, its recommendations as to the scholarship winners.

SECTION 7 The BoD shall be the final authority on the interpretation of the RCUA Constitution and By-Laws. A Parliamentarian, who may be a non-member of the RCUA, may advise the BoD on the proper conduct of the meetings of the RCUA, as generally stated in Roberts Rules of Order.

SECTION 8 The Rules Interpreter shall be the final authority on the interpretation of any of the official playing rules of the game. There shall be a Rules Interpreter for Baseball, and a Rules Interpreter for Softball.

SECTION 9 The Assigner, and/or Assigners, shall schedule members to officiate all recreational games in all leagues and tournaments that are serviced by the RCUA. The Assigner, and/or Assigners, shall be appointed by the BoD.

## ARTICLE V

### GRIEVANCES AND APPEALS

SECTION 1 A member may appeal a decision of the Grievance Committee or a decision of the BoD.

- a. The Grievance Committee decision or BoD decision may be appealed by a member who contacts the Secretary, via e-mail/writing, within one (1) week of notification of the Grievance Committee decision or BoD decision.
- b. The Secretary will notify the BOD, who shall appoint an Appeals Committee. The Committee will hold a hearing with the member, in a timely manner, not to exceed one (1) month of appeal notification by the member.

c. The Appeals Committee shall notify the BoD of a decision within one (1) week of the hearing. The Appeals Committee decision is final.

d. The BoD shall notify the member of the decision by the Appeals Committee within one (1) week of notification by the Appeals Committee.

SECTION 2 This pertains to New York State Public High School Athletic Association (hereafter known as NYSPHSAA) SOFTBALL ONLY. If a Member of our Association is disciplined and is not satisfied with the judgment of the Grievance Committee and then subsequently with the decision by the BoD, the member has the right to petition NYSSO for a grievance hearing. NYSSO will have the final decision.

## ARTICLE VI

### MEMBERSHIP DUES AND UMPIRING FEES

SECTION 1 Annual dues shall be determined by the BoD and proposed at the meeting in January. It must be approved by a majority vote of the voting members present at the meeting, providing a quorum is present.

SECTION 2 Payment of annual dues shall be made by February 28 for the year following the current year, with monthly late penalties added to the annual dues until April 1. On April 1, delinquent members will not be registered to work any games the following year, and will be dropped from the RCUA at the completion of the current school season. If a member advises the BoD, prior to February 28, that the member must leave the RCUA for a valid reason as determined by the BoD, the member will receive a refund of one-half the member's annual dues paid for the following year if they have joined the RCUA prior to the 2017 season.

SECTION 3 Associate (inactive) members must have paid one-half active membership dues by April 1 prior to the year being paid for. Delinquent associate (inactive) members will be dropped from the RCUA at the completion of the current school season. Only active members in good standing may hold office on the BoD.

SECTION 4 Applicants for membership shall pay one-half their annual dues on the date that they take the written exam, which will cover their dues for the current year they are working game. Applicants will then be required to pay full dues by June 1<sup>st</sup> of the year they have taken the exam. Thereafter, applicants accepted for membership shall pay their annual dues as required in Section 2 of this Article.

SECTION 5 Umpiring fees for NYSPHSAA shall be determined by a contractual agreement with the governing section of the NYSPHSAA. Umpiring fees for recreational games and tournaments shall be set by the Board of Directors, and approved by the membership of the RCUA.

## ARTICLE VII

### ASSIGNMENTS

SECTION 1 Members may officiate only those games assigned by authorized RCUA assigners, or sanctioned by the BoD, in Rockland County. The list of RCUA authorized assigners shall be announced at the January meeting. Violation of this Article may result in suspension and/or fine, or termination of membership in the RCUA, at the discretion of the BoD of the RCUA.

SECTION 2 Once a recreational game has been accepted by a member, it is that member's responsibility to officiate that game. If a turnback is necessary more than 24 hours prior to the game time, the member must notify their assignor who will reassign the game. If the turnback is necessary within 24 hours or less prior to the game time, it is the member's responsibility to find a suitable replacement and to present that replacement to the assignor for approval. If an appropriate replacement cannot be found, it remains the member's responsibility to officiate that game.

SECTION 3 If the member, or his replacement, does not officiate the game, the member who accepted the game shall be sanctioned. If a game is cancelled due to non-weather related reasons less than (1) one hour prior to scheduled game time, umpires are to be paid a full game fee.

SECTION 4 No member, without the consent and approval of the BoD, shall solicit games or communicate with coaches, managers, schools, leagues, or tournaments for personal gain.

## ARTICLE VIII

### MEETINGS

SECTION 1 All meetings of the RCUA shall be held at a time and place designated by the President.

SECTION 2 There shall be a minimum of one meeting each month from January through June, September and October.

SECTION 3 The Annual dinner shall take place in November. The Annual Dinner is not to be considered one of the (5) required meetings.

SECTION 4 Special meetings may be called at any time, by the President, when the business of the RCUA requires it.

SECTION 5 All umpires must attend an official interpretation meeting and four other meetings during the year. Failure to do so shall be cause for fine, suspension, and/or termination.

SECTION 6 Committee meetings may be called at any time by the chairman of any committee, when the business of the RCUA requires it.

## ARTICLE IX

### QUORUMS

SECTION 1 - 40% of the membership of the RCUA and 50% of all BoD and special committees shall constitute a quorum at all meetings of these bodies for the transaction of business.

## ARTICLE X

### ORDER OF BUSINESS

SECTION 1 The order of business at all meetings of the RCUA, so far as applicable, shall be:

- a. Call to order;
- b. Reading of the minutes;
- c. Reports of the Officers and Committees;
- d. Old business;
- e. New business;
- f. Adjournment.

## ARTICLE XI

### CODE OF ETHICS

SECTION 1 No member shall represent the RCUA beyond the privileges and provisions of this Constitution and these By-Laws in any affairs or administrative matters, unless authorized by the BoD.

SECTION 2 No member shall involve or obligate the RCUA in any indebtedness, unless authorized by the BoD.

SECTION 3 No member shall fail to maintain standard appearance regarding uniform and equipment, and neatness of both.

SECTION 4 No member shall drink alcoholic beverages before a game, during a game, or after a game with the players, or in the vicinity of the field.

SECTION 5 No member shall smoke before, during or after any game, on or near the playing field.

SECTION 6 No member shall gamble on any game.

SECTION 7 No member shall discuss or comment on confidential administrative matters, or other matters, which may hurt the reputation of any of the members of the RCUA with non-concerned personnel outside of the RCUA.

SECTION 8 No member shall behave in such a manner as to commit any action which might be deemed a violation of a professional code of conduct.

SECTION 9 Members shall adhere to, and abide by, the policies, practices and procedures as set forth in these RCUA Constitution and By-Laws.

SECTION 10 - Fine Policy - fines may be assessed for a number of unsanctioned actions by a member, including, but not limited to:

- a. Conduct unbecoming an umpire, as well as any conduct prejudicial to the good order of the RCUA
- b. Smoking on a ball field or in the ball field parking lot
- c. Eating on ball field during a game
- d. Language unbecoming an umpire
- e. Wearing jewelry with the exception of wedding ring and/or medical alert medal
- f. Late for a game
- g. Out of uniform
- h. Any action deemed inappropriate as to RCUA standards

SECTION 11 - Fines - all fines are payable to the Treasurer

- a. First (1st) offense (other than for "missed game assignment") = \$50 fine
- b. Second (2nd) offense (other than for "missed game assignment") = \$100 fine
- c. Fines must be paid by member within one (1) week of fine notification by the Secretary
- d. Failure to pay a fine within one (1) week of notification will result in automatic suspension until a hearing is held with the BoD.
- e. If a member intends to appeal a fine, notification must be made to the Treasurer upon payment of the fine. Member would forfeit the right to appeal if the fine is not paid within one (1) week. Treasurer shall notify the BoD of the member's intent to appeal.

SECTION 12 - Missed Game Assignment - a member fails to umpire a game to which a member has been properly assigned.

- a. Fine equal to a game fee will be assessed for each missed game assignment.
- b. For any future missed game assignment, an additional fine of \$50 may be added to the fine of a game fee.
- c. If a fine is paid, with no appeal, or if an appeal is denied, the Treasurer shall pay 50% of the game fee to a member who worked the game alone. The remaining 50% of the fine would go to the RCUA treasury.
- d. The same notification payment and appeal policies, as for other offenses, are in effect.

## ARTICLE XII

### AMENDMENTS

SECTION 1 An amendment to these By-Laws may be proposed by any member at any meeting, provided a quorum is present. A majority vote at this meeting is required in order for this proposed amendment to be presented to the entire membership for ratification.

SECTION 2 Notice of the proposed amendment shall have been sent to each member at least two (2) weeks prior to the next meeting where discussion and voting for ratification will occur.

SECTION 3 Any member unable to attend the ratification vote meeting may request an absentee ballot from the Secretary. This absentee ballot must be received by the Secretary no later than one (1) day prior to the ratification vote meeting.

SECTION 4 A two-thirds (2/3) vote of those present at the ratification meeting, and of those who have submitted absentee ballots, is necessary for ratification.

SECTION 5 Amendments to these By-Laws shall become effective immediately upon passage, unless otherwise stated in the Amendment.