

# NIAGARA FALLS UMPIRES ASSOCIATION



## CONSTITUTION & BY-LAWS

Revised February 2015

## **ARTICLE I - NAME and OBJECT**

**Section 1** - The name of this organization shall be known as the **NIAGARA FALLS UMPIRES ASSOCIATION**, Niagara Falls, New York. This Organization shall be a Chapter Member of the **NEW YORK STATE BASEBALL UMPIRES ASSOCIATION, INC. (NYSBUA)** and recognized therein as the Niagara Falls Area Chapter. This Organization shall be recognized as **NFUA**.

**Section 2** – The object of this Organization shall be to sponsor and promote a program that will recruit and train candidates to become potential umpires; to conduct annual training clinics that will further the development of competent officials; to adopt and employ a standard system of officiating for all Organization umpires; to determine and apply a uniform interpretation of the Official Rules; to make available efficient service and provide certified umpires for *all classifications* of baseball and softball competition; to promote sportsmanship and stimulate improved relations between the umpires and those whom this Organization serves; to enhance the conduct, the welfare, the interests and the integrity of its Members and to preserve the compensation warranted for the caliber of services rendered by this Organization.

## **ARTICLE II - TERRITORIAL RIGHTS**

**Section 1** – The region assigned to this Chapter shall be located within the boundaries as established in the incorporation of Chapters under the **NYSBUA**. It shall include the territory as defined by the **NYSBUA** territorial map. This Chapter shall be the only organization under the **NYSBUA** empowered to qualify and certify umpires and to govern the umpiring standards and activities in this region wherein they do not conflict with the by-laws of **NYSBUA**.

## ARTICLE III - MEMBERSHIP

**Section 1** – There shall be four classifications of membership, namely: Candidate, Active, Inactive, and Honorary. Candidates may only umpire the Modified level in High School baseball. Active members who are in the Probationary or Associate status may only umpire either the Modified or JV level in High School baseball. All other Active members will be eligible to umpire Varsity, JV, and Modified High School baseball. Dues and other fees are covered in Appendix B.

**Candidate** - an individual who has reached his/her **16<sup>th</sup> birthday (cannot umpire high school games until 18<sup>th</sup> birthday)** and who is accepted as an applicant for membership into the Chapter, pays his/her applicant registration fee and passes the Chapter's Candidate Examination, completes Section VI fingerprint process and fulfills all other obligations of membership for 1 year. The executive board shall meet and review each candidate and decide if the candidate is ready to be moved into the rank of active following the first year of membership. If they have not completely met their obligations, the executive board may offer the candidate the option of another year as a candidate or terminate their membership.

**Active** – Once a candidate completes one complete season and is approved by the Executive Board they become active as an **Associate** member for the next two seasons. Following two seasons as an Associate member the Executive Board can promote the member to Certified. The rank is determined by the Executive Board based on the individual's qualifications and length of service.

**Probationary** - Any active member who fails to gain a passing mark, determined by the Executive Board, on the NFHS State examination or fails to follow the Constitution shall be designated as Probationary for that year. The Executive Board shall meet at the end of each season and review all Probationary members to move them to Associate status or Certified status the following year based upon the circumstances that placed the member into Probationary status. Any member shall have the right to meet with the Executive Board to appeal their situation and request a hearing by the membership.

**Associate** – All members who have been approved by the Executive Board as a candidate and will be moved to the Associate status. All active members shall be designated as Associate members for two years. The Executive Board may recommend that any Active member who has been placed into the Probationary status be moved back to Certified status the following year based on the reason for being placed into Probationary status. The waiver past the Associate status shall be approved by the body at the first meeting of the year.

**Certified Status:** The highest active membership rank obtainable in this Organization shall be that of a Certified Umpire. The Member who has satisfactorily completed their Candidate, and Associate status and have given evidence of being a credit to this Organization shall become a Certified Umpire. The Certified member shall be granted all the privileges and benefits established by this Organization and reserved in its Constitution and By-Laws. A member of another certified umpire association may apply for membership in our organization through the Executive Board and be placed at the same level or status within our organization upon approval of the membership. If not approved the umpire shall be treated as a new member and must go through each stage prescribed above.

**Inactive Member** is the status granted to a Member, possessing an Active Certified rank, who desires a leave of absence from active officiating for any reason. Requests for Inactive Membership **must be** presented in writing to the Secretary stating the reason for this request. In addition, the notification should also acknowledge that the individual making the request cannot officiate in any league or for any team while in the inactive status without the expressed approval of the Executive Board. In granting Inactive Membership to any individual in this Organization, it is to be understood that the umpire will not officiate ball games of the type for which services are provided by this Organization or for any other organization or as an individual. Violation of this rule will be grounds for fines, suspension, expulsion, or any combination thereof. Any member having been granted inactive status and wishing to return to an active status, must apply in writing, to the Executive Board for reinstatement. The Executive Board shall determine the appropriate status of any member who is Inactive who wishes to return to Active status and such status shall be approved by the membership. The annual fee for inactive membership is listed in Appendix B, failure to properly notify the Executive Board and pay the fee will have the member returned to Candidate status and shall have to go through the new member classes to return to the association.

**Honorary Membership** may be proclaimed for a senior Certified Active Member who has retired from Active Status. Honorary Membership shall be considered only when a member who has served this Organization loyally and credibly for fifteen (15) or more consecutive years, makes the decision to retire permanently from active officiating. Honorary Membership shall be granted upon recommendation of the Executive Board and when approved by a majority of the quorum present at a regular Membership meeting. An Honorary Member shall not be required to pay dues, assessments or attend compulsory

meetings and may not act in the capacity of an active member.

**Section 2** – To maintain an Active Membership status, a member must be in good standing and must actively participate in promotional functions of this Organization as well as being an active umpire. To qualify as a member-in-good standing, the member must meet his/her dues obligation, must attend compulsory meetings, must attend the required number of annual Umpire-Training sessions conducted by this Organization and must perform in the best interests of and for the good of this Organization. If unable to attend these meetings, the member must contact a board member with the reason and the board will then decide if the member is excused or other remedial action is required.

**Section 3** – Application for membership to this Organization must be submitted through our website application form. If the website is not available, a copy of the application form may be given to any board member. Applicants accepted will be required to pay a non-refundable registration fee as detailed in Appendix A to Article III of this constitution. This applicant registration fee shall be credited as part payment of the membership dues. Applicants for membership in the NFUA must be a minimum of sixteen (16) years of age, but will not be allowed to umpire any high school games until his/her eighteenth (18<sup>th</sup>) birth date, and should have completed a physical examination with a licensed Medical Doctor of their choice.

All applicants are required to complete the Section VI Fingerprint process before they can umpire. Applicants who are not cleared by Section VI must meet with the Board of Directors to review the circumstances of their background check. The Board will have final decision as to if an umpire will be eligible to umpire summer baseball. Per Section VI policy an applicant who is not cleared by Section VI will not be eligible to umpire High School baseball.

## **ARTICLE IV - OFFICERS AND THEIR ELECTION**

**Section 1** – The Officers of this Organization shall be a President; a 1<sup>st</sup> Vice-President; a 2<sup>nd</sup> Vice-President; a Secretary; a Treasurer; a Rules Interpreter and a Sergeant-at-Arms. An Active Member may not hold more than two Officers position. Exception the President cannot concurrently hold position of a Vice-President.

The Officers shall be elected by secret ballot vote each year no later than September 15th, the Interpreter will be appointed by the President. Any officer may be removed by a majority vote of the full membership at any meeting.

**Section 2** – The Executive Board shall be comprised of the Officers as listed in Section 1, and the Immediate Past President.

**Section 3** – The newly elected Officers shall assume their full duties as prescribed in the By-Laws, Article IX - Section 3, following their election.

## ARTICLE V - MEETINGS

**Section 1** - Regular meetings of this Organization shall be held on any day designated by the President. Written advance notice of at least seven (7) days will be given to all members of such meetings.

**Section 2** – There shall be two (2) annual Business Meetings, a Summer Meeting and a Winter Meeting. The Summer Meeting and the Winter Meeting shall demand compulsory attendance of all Active and Inactive Members. The dates and sites for the aforementioned meetings shall be determined by the President, with the approval of the Executive Board and designated in the annual announcement letter. An appeal to the executive board may be made by any member who misses any of these meetings. The member must prepare a brief written reason why the meeting was missed and request they be excused from the meeting. It is will be advisable to notify a board member immediately when a compulsory meeting is going to be missed.

**Section 3** - All members must comply with the 5-point program (outlined below) of the New York State Public High School Athletic Association (NYSPHSAA) this is required to umpire the following high school season. Members may miss a **maximum** of 3 scheduled meetings annually and may not miss 2 **consecutively**. If attendance to meetings is a hardship due to work or illness or other valid reasons, the member may petition the Executive Board in writing for a waiver for that year. The membership must be informed of the waiver status so that no member is seen as receiving preferential treatment.

*5-Point Program:*

1. Observe the constitution & by-laws of 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 to the specific sport.
4. Pass the National Federation, State, or other approved rules examination.
5. Be listed with the NYSPHSAA, Inc. Executive Director.

**Section 4** –Any member who is an active member in another certified baseball association (WNY or Lockport) shall give written notice to the Executive Board as to which association they will take the written test. That association shall list the member on their roster with the NYSPHSAA and shall give written proof from the secretary of the other association to the NFUA. An e-mail between secretaries will be acceptable. If any member wishes to obtain a waiver of the NFUA meetings, written proof of attendance to meetings with the other association must be provided between association secretaries.

**Section 5** – The President may call a Special Meeting for the general membership or the Executive Board provided he/she submits a written advance notice of at least seven (7) days to each member. The President shall be compelled to call a Special Meeting when presented with a signed petition of fifty-one (51) percent of the Active Membership or a Special Executive Meeting when presented with a signed petition by three (3) or more Executive Board Members. He/She shall call these meetings within seven (7) days after receiving such petitions and he/she must submit a written notice of at least seven (7) days to each Active Member.

## **ARTICLE VI - BY-LAWS**

**Section 1** – The By-Laws for the administration of this Organization shall be made by a majority vote of the Executive Board and shall be ratified by a majority vote of the quorum present at a regular membership meeting.

**Section 2** – The By-Laws shall not be suspended except by a two-third (2/3) vote of the quorum present at a regular membership meeting.

## **ARTICLE VII - AMENDMENTS**

**Section 1** – An Amendment to this Constitution or its By-Laws may be proposed by either the Executive Board or the general membership. The proposed amendment may be introduced at any regular meeting and shall be recorded in the minutes of that meeting and shall be read for the first time at the end of the meeting in which it was proposed. The second reading of the proposed Amendment shall be made at the meeting immediately following the meeting in which the Amendment was proposed and first read and after which a membership vote will be taken for adoption. A three-fourths (3/4) majority vote of the quorum present at the regular or special meeting shall be required to carry the Amendment to the Constitution and two-thirds (2/3) majority shall be required of a similar quorum for amending the By-Laws.

## **ARTICLE VIII - REVISIONS**

**Section 1** – In order to facilitate continual revision and/or additions to this Constitution or subsequent By-Laws, the Executive Board is authorized to update this Constitution and By-Laws every Fall to include By-Laws and Amendments passed under Article VI and VII of this Constitution.



# **BY-LAWS**

## **ARTICLE I - DUTIES OF OFFICERS**

**Section 1** – The President shall have general supervision over the administrative affairs of the Organization; shall preside at all membership and Executive Board meetings; shall preserve order therein; shall countersign all warrants for money; shall appoint all Boards listed in the By-Laws; shall give the deciding vote in case of a tie except for the election of an officer and shall render assistance and counsel as may be required or requested by any member or Board in the promotional or administrative activities of this Organization. The President shall attend the NYSBUA Annual Meeting, or appoint a delegate if unable to attend.

- He/She shall receive compensation for his/her responsibilities and services due as listed in Appendix B.

**Section 2** – The 1<sup>st</sup> Vice-President shall assist the President in conducting all meetings. The 1<sup>st</sup> Vice-President shall assume the responsibility for conducting the duties of President during his/her absence or shall be installed as the President of this Association when necessary to fill an unexpired term of the President elect.

The 1<sup>st</sup> Vice-President shall maintain proper conduct among members and shall act as the advisor in guiding the activities and the interests of the membership.

- He/She shall receive compensation for his/her responsibilities and services due as listed in Appendix B.

**Section 3** - The 2<sup>nd</sup> Vice-President shall assist the President and 1<sup>st</sup> Vice-President in conducting all meetings. The 2<sup>nd</sup> Vice-President shall assume the responsibility for conducting the duties of 1<sup>st</sup> Vice-President during his/her absence or shall be installed as the 1<sup>st</sup> Vice-President of this Association when necessary to fill an unexpired term of the 1<sup>st</sup> Vice-President elect.

The 2<sup>nd</sup> Vice-President shall maintain proper conduct among members and shall act as the advisor in guiding the activities and the interests of the membership.

The 2<sup>nd</sup> Vice-President shall be responsible for notifying the Chairman of the Welfare Board, on the occasions of sickness or death in the immediate family of a member.

- He/She shall receive compensation for his/her responsibilities and services due as listed in Appendix B.

**Section 4** – The Secretary shall keep accurate minutes of all Organization Membership and Executive Board meetings and shall submit them at each succeeding meetings, their election to office, suspension, or expulsions, shall notify Board members of their appointment and assigned duties and shall conduct correspondence and keep records normally associated with his office for this Organization. He/She shall give a copy of all previous minutes to the President before the next meeting.

- He/She shall receive compensation for his/her responsibilities and services due as listed in Appendix B.

**Section 5** – The Treasurer shall be the custodian of all monies accepted and distributed in the name of this Organization. He/She shall deposit said money in the financial institution designated by the Executive Board. The Treasurer may issue checks for payment of warranted Association indebtedness for an amount up to that specified in **Appendix A** of the By-Laws without formal Executive Board approval. No check may be drawn for any amount in excess of that specified in **Appendix A** to Article I of the By-Laws until an official bill has been submitted for review and approval for payment authorized by the Executive Board. The Treasurer shall prepare and submit, to the membership in writing, a detailed line item financial statement at the Annual Winter Business Meeting or at such time as requested by the Executive Board or the Membership. One copy of said report will be kept on file by the Secretary. The Treasurer shall record all moneys received by the Organization, collect, and keep an account of all dues, assessments, and fines. He/She shall advise the President of the eligibility of any member to take part in certain proceedings during meetings.

- He/She shall notify all members by mail who are delinquent in their dues and if the same is not paid within thirty (30) days of such notification, he/she shall report the same to the Executive Board.
- He/She shall read at every compulsory meeting, a list of those members who are subject to fines or penalties. He/She shall submit his/her books, upon request, to the Executive Board for inspection and deliver the same to his/her successor in office.
- He/She shall receive compensation for his/her responsibilities and services due as listed in Appendix B.

**Section 6** - The Interpreter reviews and interprets Federation Rules with the Membership; conducts annual Umpire Field Positioning clinics for the Membership; conducts training sessions for all new applicants to the Organization; and attends the NYSBUA Annual Rules Interpretation Meeting. The Interpreter shall be responsible for promoting (along with the Membership) and conducting the annual Organization recruiting program for new candidates for membership. He/She shall conduct the necessary orientation and rules interpretation clinics to prepare applicants for the Rules Examination and shall educate the probationary member on this conduct and responsibilities to the Organization. He/She shall supervise the program to sponsor, train, and develop the candidate through his/her probationary season. He/She shall administer the procedure of the Executive Board to observe and appraise the performance of the first year member and to pass final judgment on the

probationary umpire to determine his/her qualification for advancement to Associate rank.

The Interpreter shall also, with the assistance of the Executive Board, be responsible for observing and appraising the progress of the Associate Members and keeping him/her informed on what he/she must do to improve his/her performance or conduct before he/she can qualify for advancement to Certified Status.

- He/She shall receive compensation for his/her responsibilities and services due as listed in Appendix B.

**Section 7** – The Sergeant-at-Arms shall be responsible for maintaining discipline and order at every meeting. He/She shall make certain that only valid Organization members are permitted entrance to meetings. He/She shall refer guests to the President's chair for permission to attend a meeting. The Sergeant-at-Arms shall act as Parliamentarian for this Organization.

- He/She shall receive compensation for his/her responsibilities and services due as listed in Appendix B.

**Section 8** – The Executive Board shall administer and direct the affairs and activities of this Organization and shall review and rule on any problem or proposal that may be submitted by any member or Board of this Organization.

The Executive Board shall have the jurisdiction to act and render decisions on all matters not specifically covered or addressed in the Constitution and By-Laws of this Organization.

**Section 9** – Any Officer who is absent from two (2) consecutive meetings and cannot submit a justifiable reason to the Executive Board will be subject to possible removal from office. In case of such removal, the Executive Board shall appoint a successor who shall serve the remainder of the term of office unless otherwise removed.

**Section 10** – In the case of a vacancy in the offices of 1<sup>st</sup> Vice-President, 2<sup>nd</sup> Vice-President, Secretary, Treasurer, Interpreter, or Sergeant-at-Arms, the Executive Board shall appoint a successor to fill the remainder of the unexpired term.

## **ARTICLE II - NOMINATIONS AND ELECTIONS**

**Section 1** – To qualify as a candidate for an office, the nominee must have been an active certified member, and a member in good standing for two (2) or more consecutive years in this Organization. The Candidate for President shall, in addition, have served at least one full previous term as an Officer or a member of the Executive Board. Exception – if no member on Executive Board accepts nomination for President, a certified member in good standing for two (2) or more consecutive years in this Organization, may be nominated.

**Section 2** – The President shall appoint a Nominating Board, which shall be comprised of certified members. This Board will select a slate of candidates whom the Chairperson will introduce at a Regular Meeting prior to the Summer Business Meeting at which elections are to be held. Additional nominations may be made from the floor by the general membership during the Summer Business Meeting to oppose the candidates submitted the Nominating Board in the biennial election of Officers.

**Section 3** – When a member is nominated by the Nominating Board or from the floor, he/she shall declare his/her acceptance of the nomination before his/her name can appear on the ballot.

**Section 4** – The annual election of officers shall be held at the Summer Business Meeting. The election shall be conducted by secret ballot.

**Section 5** – Only Active and Inactive members in good standing at the time of the election shall be entitled to vote. A majority of the votes cast shall be necessary to elect any candidate.

**Section 6** – The Organization Assignor(s) shall be determined by the Executive Board in the Winter Business Meeting.

### ARTICLE III - MEMBERSHIP DUES

**Section 1** – The dues for annual membership in the Organization shall be determined by the Executive Board and approved by a majority vote of the membership. The current membership dues are presented in **Appendix B** of the By-Laws. The Organization dues include the registration fee for the annual membership with the **NYSBUA** for all members.

**Section 2** – The annual Organization membership dues for the ensuing year shall be payable on or before the start of the Spring High School baseball season set by the Executive Board. All dues must be made payable to NFUA.

**Section 3** – The annual membership fee for the Organization Assignor(s) shall be approved by majority vote of the Executive Board. Current established annual membership fees are presented in Appendix A to; Article III of the By-Laws. This fee shall become payable to the Treasurer no later than April 1st each year, the Treasurer will make payment to the Organization Assignor(s).

## ARTICLE IV - UMPIRE FEES

**Section 1** – Umpire fees For High School games is set by contract with Section VI and negotiated by the officials negotiating committee. Summer fees will be negotiated by the Executive Board and presented to the membership for approval.

**Section 2** – Payment of the above High School fees are paid through vouchers and a check is received from the schools, it is up to each member to keep track and follow up with the schools for payment. Summer league fees are collected at the field either during the game or by check from NFUA depending on how the Executive Board negotiated the agreement with each organization. This will be explained each season by the Executive Board prior to the start of the summer season.

## **ARTICLE V - PROVISIONS FOR ISSUING AND ACCEPTING ASSIGNMENTS**

**Section 1** – All umpire assignments must be made by the Organization Assignor(s) or by the Executive Board. No member of the Organization may accept an assignment from any other source without the approval of the Executive Board.

**Section 2** – Umpires of the Organization may umpire both baseball and softball games. If an assignment for the NFUA Assignor is refused or turned back and the member accepts an umpiring assignment from any other organization on the same day, said member will be suspended until his case is heard by the Executive Board of NFUA and a decision is rendered. The President or his designee shall notify the noncompliant member immediately and convene a board meeting as soon as possible to hear case.

**Section 3** – An Active Member of this Organization will be permitted to umpire games only with approved umpires of the NFUA. No member of this Organization shall be permitted to accept an assignment, which would require him/her to officiate with a non-approved umpire. Any deviation from this Section for special cases must be reviewed and approved by the Executive Board.

**Section 4** – Once a member has accepted an assignment, it becomes his/her responsibility to assure the fulfillment of said assignment. In an emergency, when it becomes impossible for him/her to carry out the assignment, the committed member must seek an authorized replacement through the NFUA High School or summer assignor or the Executive Board depending on the origin of the assignment. Members are to strive to arrive to all High School games a minimum of 30 minutes prior to the start time of the game and 15 minutes to any other assignment. If any umpire is going to arrive any later than above, you must call the assignor to notify when you will arrive at the site.

When issuing the assignment, the Assignors should state:

- Date and time of the game
- Playing site – city and location of diamond
- Name of second official (when applicable)

**Section 5** – In all cases, the Certified members shall be considered first for all pending assignments. After all certified members have been considered the Associate members shall have the next preference for the unassigned games. The Assignors shall consider the Probationary members for assignments only after all available Certified and Associate members have been assigned. High School Junior Varsity or Modified games or certain Little League games shall try to assign a senior certified umpire with an associate, probationary, or candidate whenever possible to assist in training and evaluations. No candidate shall be considered for any High School assignment until every one of the Active members of the Organization has been assigned or has acknowledged their availability. All members are expected to participate regularly throughout the summer season.

**Section 6** – If assigned to umpire more than one game on any given day, no umpire will leave his first assigned game for the subsequent assigned game prior to the completion of the first game without the express approval/confirmation of the Assignor through whom the assignments were first issued. Violation of the procedure will subject the individual to disciplinary action as determined by the Executive Board.

**Section 7** – Umpires are responsible for ensuring that their availability is up to date in the assigning system. If an umpire is given an assignment on a date in which they are available in the system and subsequently declines, or turns back the assignment, the umpire will be charged a re-assignment fee as presented in Appendix C of the By-laws. The Executive Board reserves the right to waive the re-assignment fee in cases where a decline, or turn back was unavoidable by the umpire. A member who is found to be excessive in declines and turn backs will be called before the Executive Board to explain their actions.

## ARTICLE VI - CONDUCT OF MEMBERS

**Section 1** – No member shall represent this Organization beyond the privileges and provisions of the constitution and By-Laws in any affairs or administrative matters unless authorized by the Executive Board.

**Section 2** – No member shall solicit games or contact coaches, managers, athletic directors, schools, league officers or directors, teams or players for *personal or Organization* gains unless specifically authorized by the Executive Board. Furthermore, if any member of the Organization is contacted directly by any of the aforementioned or any others for the purpose of soliciting services, it should be reported to the appropriate assignor or the Executive Board.

**Section 3** – No officer, Board member or Organization member shall involve or obligate this Organization in any indebtedness unless he/she is given explicit authorization by the Executive Board. Such infraction shall be considered a flagrant violation of Organization Rules and Regulations.

**Section 4** – No member of this Organization shall officiate and/or accept a game for less than the scale of fees established by the Executive Board and the Membership for the level of ball.

**Section 5** – No member of this Organization shall umpire any game in any organized league or for any individual team that is not sanctioned by the NFUA unless approved by the Executive Board. (“Not sanctioned” is taken to mean not having a contract, written or verbal, with the NFUA.)

**Section 6** – A member shall be considered liable for misconduct when he/she has committed any transgression against Section 1 and 2 of this Article or has been reported for one or more of the following infractions:

1. Failure to fulfill an accepted assignment.
2. Guilty for “Jumping (to other associations)” an accepted assignment that shall be considered a flagrant violation.
3. Displaying discourtesy toward a fellow member either on or off the diamond in any activity concerning this Organization.
4. Committing disrespectful or discourteous deeds, which may result in harmful reflection against this Organization or any one of its Officers or members?
5. Commenting or participating in any team affairs or player affairs while on the diamond in the capacity of the umpire.
6. Failure to appear on time to start the game as scheduled.
7. Failure to maintain standard appearance regarding uniform and equipment and the neatness of both.
8. Wagering or gambling on any game under contract to NFUA or any of NYSBUA member groups, its course or its players, shall be prohibited, and shall be considered a flagrant violation.
9. Drinking alcohol before or during the game or appearing for a game under the influence of alcohol, which shall be considered a flagrant violation.
10. Discussing or commenting on confidential administrative matters of the Organization with other members or outside personnel.
11. Improper conduct while in uniform before and during officiating a game such as smoking, mingling with fans, obscene language and conduct unbecoming to an umpire or while representing this Organization in off-the-diamond business affairs.

**Section 7** – Members of this Organization who are also members of any other officiating group may not wear the New York State Baseball umpiring uniform while umpiring those contests, unless assigned by the NFUA Assignor.

**Section 8** – Members of the NFUA shall:

1. Strive to improve knowledge through continuous study of the rules.
2. Take the Federation exam each year and achieve the qualifying grade as set by the Executive Board.
3. Accept officiating assignments only through the Assignors or from the Executive Board.
4. Keep self in good physical condition so as to be able to properly officiate. NFUA recommends regular physicals.
5. Follow the NFUA organization’s regulations regarding uniforms and mechanics of officiating.

**Section 9** – The dress code for High School ball is set by the NYSBU and written in their website (<http://www.nysbua.com/HSEquipChanges.html>). Anyone deviating from this code will be subject to discipline under Appendix C. Jewelry, other than a wedding ring, may not be visible. Medic alert jewelry should be taped, as per the rule book.

**Section 10** – All Members that umpire High School baseball (Varsity, JV, Modified) are required to umpire a minimum number of Summer games within the same year, as determined by the Executive Board, failure to comply may result in a reduction of umpiring assignments the following season. The minimum number will be *at least equal* to the total number of High School games that were accepted and worked during the High School season. Failure to adhere to this rule will reflect reduced games for the following High School season as determined by the Executive Board.

## ARTICLE VII - SUSPENSIONS AND PENALTIES

**Section 1** – A member may be suspended for a period or expelled for cause, such as a violation of any of the By-Laws or rules of this Organization, or for conduct prejudicial to the best interest of baseball or this Organization.

**Section 2** – Any member of this Organization shall have the right to bring charges, in writing, against any other member of this Organization for alleged violations of any section of this Constitution and By-Laws with the exception of violations of Sections 9 or 10 of this Article, which shall be the duty of the Secretary.

**Section 3** – Any member so charged shall be informed of the charges levied against him/her and the name of the member placing the charges.

**Section 4** – Any exposed transgression, other than those originating with the Executive Board, will be referred to a Board of peers composed of 5 certified members in good standing appointed by the President. The Board's finding will be forwarded to the President for final disposition. If the member is not satisfied with such findings, said member may appeal to the Executive Board, in writing, within ten (10) days of receiving written notification of findings. Before any vote by the Executive Board in this matter, the member shall be given the opportunity to appear before the Executive Board in his/her own defense or to be represented by a member, in good standing, of this Organization. A two-thirds (2/3) majority of the Executive Board is required to find a member guilty of the charges brought against him/her and their decision shall be final.

**Section 5** – Should charges be levied against any officer or Executive Board member of this Organization, his/her case shall be referred to the Executive Board for determination. Said officer or Executive Board member shall not be allowed to vote or act as a member of the Executive Board during the hearings of the charges against him/her.

**Section 6** – All hearings must be conducted fairly, openly and honestly.

**Section 7** – Failure to appear at any hearing for which a member is notified in writing shall be cause for expulsion.

**Section 8** – A member who fails to pay for his/her membership dues by the day designated by the Executive Board shall be automatically suspended. Such delinquent member may be reinstated provided the fine, as prescribed in **Appendix C** of the By-Laws, is paid. The penalty fine, as well as the regular dues, must be paid before the Executive Board will allow any consideration for reinstatement. Failure on the part of such delinquent member to apply for reinstatement within thirty (30) days after written notification of the suspension shall cause the member to be automatically dropped from membership in this Organization, subject to review by the Executive Board.

**Section 9** – High School assignor fees, payable to the Treasurer, are included in each member's regular dues. Both the High School and the summer assignor fees are designated in **Appendix B**. The summer assignor fees shall be collected by the Treasurer and paid to the summer assignor at the direction of the Executive Board. The Treasurer is authorized to deduct the summer assignor fees from any fees paid through this organization by check. All such deductions shall be accounted for to each member when issuing checks.

**Section 10** – All provisions of an imposed sentence must be met prior to a member being reconsidered as a member in good standing and being allowed to officiate as a representative of NFUA.

**Section 11** – Any member who has been imposed with a penalty and fails to meet the reinstatement conditions as prescribed in this Article will be subjected to indefinite suspension. Such member may be removed from the Organization's membership rolls and he/she can apply for reinstatement only by submitting an application for membership as a new applicant.

**Section 12** – If the penalty assessed to any member, for a transgression of this Constitution or By-Laws of this Organization, is expulsion, such member shall have the right to have his/her circumstances heard and reviewed before an open meeting of the entire membership. He/She can, at this meeting, represent him/herself or he/she can be represented by a Certified Member in good standing in this Organization. A majority vote of the membership present at the meeting is required to sustain the penalty imposed by the Executive Board. The action taken by the membership at this meeting shall be final and binding on all parties.

**Section 13** – Any member charged with a crime shall voluntarily suspend him/herself until matter can be reviewed by the Executive Board. The Executive Board will determine whether or not the member can continue to umpire or issue a temporary suspension order. Suspension shall be in effect until the matter is settled to the satisfaction of the Executive Board. The member may request a hearing to afford the due process.

Currently all new members are required by Section VI to submit an application and undergo a background investigation.

Section VI will forward applications to the NY State High School board, not NY umpire board, for approval, if denied the new



member will be prohibited from umpiring any High School games. If an applicant for membership in NFUA has been denied by Section VI, the Executive Board has the option to deny membership. In the event NFUA rejects a member on the grounds that he/she has been denied by Section VI, neither the NYSBUA nor NFUA shall be required to defend any action involving said member as to his/her rejection by NFUA. Any and all rights or causes of action in law shall be pursued by member and not by NYSBUA or NFUA.

**DUE PROCESS - Due Process shall be administered as follows for all hearings:**

1. Conduct of Hearing
  - a. State who presides
  - b. State who is present
  - c. Where & when
2. Involve all concerned including but not limited to the following:
  - a. Coaches of Activities
  - b. Student
  - c. Student's parents or guardians
  - d. Any other concerned person
3. Make sure that everyone understands the following:
  - a. The rules and regulations that are applicable
  - b. The legal procedures and rights
  - c. That they have time to prepare a position and/or defense
  - d. That they have the right:
    - i. To be present
    - ii. To present evidence
    - iii. To confront witnesses and to present witnesses
    - iv. To question witnesses
    - v. To have legal counsel provided by themselves
    - vi. To be given a decision in reasonable length of time
4. The Appeal Procedure:
  - a. After the appropriate hearing panel, the first appeal is to the NYSPHSAA and then to the Commissioner of Education and finally to the courts.

Put the results of the hearing in writing and send a copy to all concerned parties. Include in the letter the details for requesting a second hearing if they are not satisfied with the findings in the first appeal.

## ARTICLE VIII - ORDER OF BUSINESS AT MEETINGS

**Section 1** – The order of business to be processed at business meetings of this Organization shall be:

1. President calls meeting to order promptly as scheduled.
2. Roll call of Officers, Active, and Inactive Members.
3. Reading of minutes from preceding meeting.
4. Financial report by the Treasurer.
5. Communications and Organization incurred indebtedness.
6. Report from the Executive Board.
7. Board Reports.
8. Unfinished business.
9. New business.
10. Election of officers and/or appointment of Boards.
11. Discussion for the good of the Organization.
12. Adjournment.

## ARTICLE IX - ANNUAL AGENDA

**Section 1** – The President shall draft an Annual Business Program which is to specify: the dates of the business meetings, the date of the recruiting meetings, the dates of the Umpire-Training School, the dates of the recruiting program for new applicants, the dates of the annual written Umpires Examination to be given to the candidates for membership, the dates for other special events, the locations where the events will be held and any other information pertinent to such a program. Such agenda shall be approved by the Executive Board after which a printed copy is to be presented to each Organization member prior to the first scheduled business meeting of the new fiscal year.

**Section 2** – The President shall include in the Winter Business Meeting, the names of the chairman and the members to be appointed to the standing Boards. These appointments shall become effective only after each member selected for Board assignment has signified his/her approvals to serve and the Board appointments have been submitted to the Executive Board for approval. The following Committees are to be listed and filled by Active members in the Annual Agenda as required by the Executive Board. Each committee shall consist of 3 to 5 Active members.

- |                    |                     |
|--------------------|---------------------|
| 1. Nominating      | 5. Banquet          |
| 2. Umpire-Training | 6. Welfare          |
| 3. Budget          | 7. Resolution       |
| 4. Auditing        | 8. Public Relations |

**Section 3** – The fiscal year of this Organization shall extend from October 1 of one calendar year to September 30 of the succeeding calendar year.

## ARTICLE X - QUORUMS

**Section 1** – At least fifty-one (51%) percent of the Active membership shall be present to constitute a quorum at any business meeting.

**Section 2** – At least three (3) members of the Executive Board shall be present to constitute a quorum at any Executive Board meeting.

## ARTICLE XI - PROCEEDINGS

**Section 1** – The proceedings of this Organization shall be governed by the rules as published in the “ROBERTS RULES OF ORDER, REVISED” in all cases where not stipulated in the Constitution and By-Laws of this Organization.

**Section 2** – The Sergeant-at-Arms shall act as Parliamentarian to assist the President in the application of this Constitution and By-Laws and/or the “ROBERTS RULES OF ORDER, REVISED”.

**Section 3** – The Executive Board shall review and rule on any encounter rule problem or proposal which cannot be resolved with the application of this Constitution and By-Laws and/or the “ROBERTS RULES OF ORDER, REVISED”.

This Constitution and By-Laws last updated: February 2015

## **APPENDIX A –Check Limits**

Maximum amount of a check without Executive Board Approval - \$1,000.00 (EXCEPTION: Payments to members for Summer Assignments)

Maximum amount of check without a receipt - \$ 25.00

## **APPENDIX B - FEES**

New member application fee - \$ 35.00

Candidate - \$85.00 (credit for above application fee deducted)

Membership dues – As determined by Executive Board (currently \$ 100.00)

Summer only membership dues – As determined by the Executive Board (currently \$85.00)

Inactive Membership dues - \$ 35.00

### **Officer Fees**

President - \$100.00

All other officer positions - \$50.00

\*Assignor's fee:

High School Assignor - \$15.00 per active member (included in Membership Dues)

Summer Assignor - \$ 2.00 per Game umpired (paid through Treasurer)

## **APPENDIX C - FINES**

Offence

First	\$ 45.00 and/or one (1) week suspension
Second	\$ 75.00 and/or two (2) week suspension
Third	One year's dues and/or one (1) month suspension
Flagrant Violation	One year's dues and/or suspension and/or revocation of membership
Late payment of dues	\$ 20.00 (10 day grace period)
Overdue by thirty (30) days or more	\$ 35.00
(Automatic suspension of membership, member must apply for reinstatement within thirty (30) days, failure to apply for reinstatement within thirty (30) days - Automatic removal from membership.	

Written or verbal excuses must be submitted to a board member prior to the meeting and recorded by the Secretary at the meeting, or else it will not be considered valid.

Failure to satisfy meeting requirements as established by the constitution will result in a reduction of game assignments.

Missing a mandatory meeting without a pre-submitted valid reason	\$25.00
Unauthorized early departure from meeting	\$20.00
Soliciting games	\$ 50.00
Failure to umpire an assigned/accepted game without notification and approval of the Assignor	Full Game fee
Umpiring a game out of uniform as prescribed in these by-laws	Half Game fee
Decline or Turn back of assignment when available in assigning system Fund).	\$10.00 (50% to Assignor, 50% to General Fund).

The Executive Board shall address any other violations and levy the appropriate penalty and/or fine.

Payment of fines by due date established by Executive Board, are each member's responsibility, payable to NFUA.

## **APPENDIX D - PAST PRESIDENTS**

Joe Shavi  
Frank Penale  
Tom Nocera

Mickey Gregg  
Thom Singer