

CINCINNATI ORGANIZED &
DEDICATED EMPLOYEES

C O D E

Constitution and
By-Laws

Adopted January 3, 2004
Amended 10-12-05

CONSTITUTION AND BY-LAWS
Cincinnati Organized and Dedicated Employees (“CODE”)
Adopted January 3, 2004
First Amendment October 12, 2005

ARTICLE 1

NAME AND PURPOSES

Section 1: Name

The name of this organization shall be the “Cincinnati Organized & Dedicated Employees” (“CODE”), hereinafter referred to as “The Association.”

Section 2: Purposes

The purposes of the Association shall be as follows:

- A. To encourage a spirit of unity and cooperation of employees of the City of Cincinnati, Ohio, at all levels.
- B. To improve city services to the citizens of the City of Cincinnati, Ohio, and the businesses located in the City of Cincinnati.
- C. To provide the opportunity for the exchange of ideas and information relating to civil service as a career.
- D. To represent its members and others similarly situated, in the negotiation of benefits, wages, and terms and conditions of employment.
- E. To otherwise promote the welfare of its members.

Section 3: Incorporation

The Association shall be incorporated as a non-profit organization under the laws of the State of Ohio.

Resolution Amending By-Laws

Cincinnati Organized and Dedicated Employees (CODE)

NOW COME THE UNDERSIGNED, consisting of not less than two-thirds of the members of the Board of Directors of Cincinnati Organized and Dedicated Employees, referred to herein CODE or as the UNION, and pursuant to Article 10 of the By-Laws of Code executed January 3, 2004, state as follows:

WHEREAS, a UNION member filed Grievance no. 04-ERC-10-007, with respect to certain technicalities of posting of UNION documents for general membership accessibility; and

WHEREAS, the UNION has complied with its obligations to make documents available to members, its attorney responded to the grievance filed with SERB, and there has been no finding against the union; and

WHEREAS, SERB has raised questions as to whether Ohio Revised Code Chapter 1702 requires UNION to adopt *both* By-Laws and a Constitution; and

WHEREAS, UNION through its attorney has responded that Ohio law does not specifically require CODE to adopt both a Constitution and By-Laws; that there are no SERB regulations on point; and that CODE'S By-Laws include the same provisions that a Constitution would include; and

WHEREAS, rather than continue to contest the requirement under Ohio law to adopt a Constitution for CODE and risk a finding of non-compliance, CODE's attorney proposed modifying its By-Laws to be both By-Laws and a Constitution; and


WHEREAS, SERB has agreed that such action would fully resolve its concerns;

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS, on the 12th day of October, 2005:

1. In accordance with Article 10 of the CODE By-Laws, the undersigned by their written consent, constituting not less than a two-thirds majority of the Board of Directors, hereby amend the By-Laws and restate them to be both Constitution and By-Laws.
2. In order to carry out this resolution, it is RESOLVED that the title page and first page of the By-Laws shall be amended so as to be entitled the "CONSTITUTION AND BY-LAWS, CINCINNATI ORGANIZED AND DEDICATED EMPLOYEES ("CODE")", in the form attached hereto.
3. The By-Laws are also amended such that any reference in the By-Laws or to a Constitution of the UNION, referred to therein as the Association, shall mean the By-Laws as adopted January 3, 2004, and as amended by this Resolution.
4. The Board shall communicate this amendment to the membership as required by Article 10 of the Constitution and By-Laws as adopted January 3, 2004, and amended.

5. The original signed copy of this Resolution shall be retained with the original, signed By-Laws adopted January 3, 2004, and a copy of this Resolution shall be filed in the ASSOCIATION Minute Book.


IT IS SO RESOLVED.



Diana Frey, Director



Angela Brown, Director


John Brazina, Director


Mark Kunze, Director


Jeff Mentre, Director


Beverly Engram, Director


Dan Hamberg, Director