

Durham Regional Umpires Membership

D. R. U. M.

Constitution & By-laws (Amended – November 29, 2009)

Article I – Name

1. The name of the Association shall be Durham Regional Umpires Membership and herein referred to as D.R.U.M.

Article II – Purpose

1. The purpose of the Association shall be to provide a high standard of umpires.
2. To achieve its stated purpose the association shall engage in:
 - a) Promoting co-operation between the leagues, regional ball councils and the association.
 - b) Promoting the objectives and policies of the association.
 - c) Improve the working conditions of the umpires by:
 - i. Encouraging and promoting Level and Refresher Clinics
 - ii. Providing information as needed to individuals and general membership.
 - iii. Providing a support structure for the association.
3. To schedule umpires for leagues and tournaments based on their ability.

Article III – Affiliation

1. The association may seek affiliation with other organizations that have similar purpose.
2. The association shall be affiliated with Softball Ontario
3. Affiliation with any other organization shall require a majority of votes cast at an Annual General Meeting.

Article IV – Membership

1. Full membership is open to all persons who express an interest in pursuing the purposes of the association as expressed in Article II.
2. The annual membership fee for each umpire will be set at the annual fall general meeting by a majority vote of the members present at the meeting.
3. Members shall be recognized as follows:
 - a) *Active Members*: shall be those persons who have demonstrated they are qualified as to the association standards, have written the prescribed

examinations and are in good standing with the affiliated associations and whose dues are paid in full for the current year. Qualified with the association standards means that members are expected to be registered with the affiliated association no later than the start of the current season. Members are encouraged to write and pass the appropriate examinations in accordance with the purpose of this organization.

- b) *Honourary Members*: shall be those umpires retired from umpiring and in recognition of their years of service be granted non-voting membership in the association.
 - c) *Associated Members*: shall be those non-voting umpires and in good standing with affiliated associations who may be required from time to time to cover geographical and/or manpower commitments.
 - d) *Life members*: may be awarded based on a recommendation from the Executive and a majority vote of members in attendance. Life members have the same rights as Honourary Members and are not required to pay membership dues.
4. Application for membership shall be forwarded to the Secretary. Each application must be sponsored by at least two active members. All applications shall be reviewed by the executive within thirty days of receipt and approval shall be granted by majority vote.
5. Any member may resign from the association by giving written notice to the secretary. Fees for any unexpired term of membership year are normally not refundable. The executive may grant by majority vote a request for refund in extenuating circumstances.
6. Members whose conduct is considered by the executive to be contrary to the stated purpose of the association shall be asked by the conduct committee to explain or justify their actions. If unable to do so to the satisfaction of the committee they shall be asked to resign from the association.
7. The Secretary shall inform those concerned of the impending suspension in writing. The conduct committee shall give proper notice of motion, to be considered at the next executive meeting requesting the expulsion of the members. A copy shall be communicated to the members concerned in time for them to make a written response. Those involved shall be invited to attend the meeting and explain their position before the vote is taken.
8. Membership shall be suspended by majority vote of the executive, reasons for suspension shall include, but not be limited to the following:
- a) Annual dues in arrears for more than six months.
 - b) Conduct considered contrary to the stated purpose of the association.

Article V – Executive

Members of the D.R.U.M. executive and related officers shall be voted in as follows:

- a) President - on the odd years

- b) Vice President – on the even years
- c) Secretary – on the odd years
- d) Assigning Umpire – on every year
- e) Slo-Pitch Director – on the odd years
- f) Constitution Director – on the odd years
- g) Fast Pitch Director – on the even years
- h) Director at Large – on the even years
- i) Treasurer - on the even years

For clarity the odd or even years refer to the upcoming year/season. For example, the positions for 2009 season are elected at the fall meeting in 2008. For 2010, the positions are elected at the fall meeting in 2009. In addition, since currently the Assigning Umpire is utilizing software (Arbiter) then the Assigning Umpire has an electronic record of every assigned game for those leagues that “charge” games. Therefore, from an operational perspective the Treasurer and Assigning Umpire may be filled by the same member.

1. The Executive shall be responsible for the operation of the day to day activities of the association.
2. No members shall be elected to hold two executive positions. A person may be appointed to fill or hold a second Executive position based on a majority vote of the Executive.
3. On the day of the annual general meeting the members shall elect from their association; a president, a secretary, a slo-pitch director and a constitution director on the odd years; a vice president, fast pitch director, treasurer, and a director at large on the even years; an assigning umpire every year.
4. Nominations: Only members in good standing may be nominated for an executive position. Members that are not present at the general meeting may submit a signed letter indicating their willingness to accept a nomination for an executive position.
5. The President shall be responsible for the overall supervision and administration of the affairs of the association and ensure that all policies and actions approved by the general membership and executive are properly implemented. The President shall preside or appoint a chair for all general and executive meetings.
6. The Vice President shall fulfill the duties of the President when that person is temporarily absent or otherwise unable to perform the duties of office. The Vice President shall perform all specific duties assigned by the president.
7. The Secretary shall be responsible for circulating notices, agenda and minutes of general and executive meetings. The Secretary shall:
 - a) Ensure that minutes are prepared and properly maintained for general, executive and all committee meetings.
 - b) Be responsible for correspondence with the membership and maintaining internal correspondence with in the association.
 - c) Maintain a registry of all members of the association.

8. The Treasurer shall be responsible for the care and custody of the funds and other financial assets of the association. The Treasurer shall:
 - a) Maintain books of accounts which shall be available for inspection by members at any reasonable time upon request.
 - b) Making payments for all approved expenses incurred by the association.
 - c) At each general meeting present an account of the finances of the association and a budget for the following year which shall include any recommendation for changes in the annual dues of the membership.

9. The Assigning Umpire shall schedule active members only as officials for league and tournament play for which the Assigning Umpire is responsible to schedule umpires. For tournaments, where a member is appointed as the UIC for the tournament, the designated tournament UIC will schedule umpires for the tournament based on their availability and level/experience as deemed appropriate by the tournament UIC. The Assigning Umpire shall:
 - a) maintain all records of assignments.
 - b) present to the Treasurer on a weekly or as required basis a record of assignments.
 - c) in consultation with the Slo-Pitch and Fast-Pitch Directors assign a "level" to each member to assist in the scheduling of umpires at the various levels of league play. In addition, may, in consultation with the Director(s), change a member's level based on their progress/improvement during the year/season.

10. The Executive may appoint a Conduct Director who shall chair a conduct committee that will be responsible for making recommendations to the Executive regarding any disciplinary action or concerns with the actions and/or behaviour of any member within the association. Conduct for umpires will be consistent and in accordance with the current version of Softball Canada's "*Code of Conduct*" for umpires.

11. The Slo-Pitch Director shall be responsible to meet with slo-pitch leagues for the purposes of reviewing current contracts and any issues related to the provision of services by the association to the slo-pitch league(s). In addition the director shall negotiate game fees, assigning fees and as appropriate administration fees with the league(s) in consultation with the Executive.

12. The Fast-Pitch Director shall be responsible to meet with fast-pitch leagues for the purposes of reviewing current contracts and any issues related to the provision of services by the association to the fast-pitch league(s). In addition the director shall negotiate game fees, assigning fees and as appropriate administration fees with the league(s) in consultation with the Executive.

13. The Constitution Director shall be responsible for the constitutional by-laws of the association.
 - a) Represent the membership in all executive meetings ensuring that the by-laws are maintained in all executive decisions.
 - b) Propose changes to the constitution as requested by the membership.

- c) Examine the constitution and its bylaws and propose changes that would affect the executive in its day to day operation.
14. Director at Large shall be responsible for any and all items requested by the executive.
15. In the event that the an executive member fails in dispatching of their duties including absenteeism for three consecutive meetings without just cause, their seat may be declared vacant by majority vote of the executive at any regular or special meeting.
16. Should any vacancy occur in an elected position the president in consultation with the members of the executive shall appoint a replacement from within the membership.

Article VI – Conduct Committee

A conduct committee will be appointed by the Executive committee and have at least 1 or 2 executive members/directors on the committee. The committee will be chaired by a Conduct Director who will report to the executive committee. The purpose of the conduct committee is to review complaints and/or concerns regarding the conduct of any member. Conduct concerns/issues of any member may include but not be limited to; behaviour on the field, dress/uniform issues, lateness or missing games, etc. The conduct committee will make recommendations regarding discipline or other action for endorsement and enforcement by the executive committee. Conduct for umpires will be consistent and in accordance with the current version of Softball Canada's "Code of Conduct" and the association's operating rules.

Article VII – General Meeting

1. The general membership shall retain all powers of the association except those delegated in this constitution to the executive.
2. The annual general meeting shall be held at such a time and place to be decided by the executive.
3. The secretary shall inform the membership thirty (30) days prior to the annual meeting. This notice shall include:
 - a) The agenda for the meeting,
 - b) All vacant positions for officers and committees.
4. The executive or any member in good standing may request a "Special meeting" by giving a written notice to the secretary. The secretary shall arrange to book an appropriate location and notify all members a minimum of twenty-one (21) days prior to the time and place of meeting. This notice shall include the specific items to be considered and no additional items shall be added to the agenda of this special meeting.

5. A quorum for all general meetings shall be one-third (1/3) of the general membership including the executive.
6. All changes to the Association's Constitution and/or bylaws must be voted on at a general meeting and passed by a 2/3 majority vote by the members present at the meeting.

Article VIII - Finances

1. The financial year shall be from January 1st to December 31st.
2. Any changes in dues recommended in the annual report of the treasurer shall be voted upon as a separate item at the annual general meeting.
3. Cheques to disburse the funds of the association shall bear the signatures of two of the following: President, Treasurer, Assigning Umpire.
4. The financial statements of the association are to be audited annually before the annual general meeting, and the results to be presented at said meeting.

Article IX – Head Office

The Head Office of the association shall be in the City of Oshawa, in the Province of Ontario (subject to change by special resolution) or at such place within the Province of Ontario where the Head Office is from time to time situated as the Council or Management may from time to time by resolution fix.

Article X – Protection of Directors

Every Director of the Executive of the Association or other person who has undertaken or is about to undertake any liability on behalf of the association and their heirs, executors, administrators and estates and effects respectively from time to time and at all times be indemnified and save harmless, out of the funds of the Association from and against:

- a) all costs, charges and expenses whatsoever which such director or other person sustains or incurs in or about any action, suit or proceeding which is brought, commenced or prosecuted against him or in respect of any act or deed, matter or thing against him or in respect of any act or deed, matter or thing whatsoever made, done by him in or about the execution of the duties of his office or in respect of such liability.
- b) all other costs, charges and expenses which he sustains or incurs in or about or in relation to the affairs thereof except such costs, charges or expenses as are occasioned by his own willful neglect or default.

No Director, Executive Member or Officer for the time being of the Association shall be liable for the acts, receipts, neglects or defaults of any other director or officer or employee or for joining in any receipt or act for conformity or for the loss, damage or

expense happening to the association or loss or damages of arising from the bankruptcy, insolvency or torturous act of any person, firm or corporation with whom or which any moneys, securities or effects shall be lodged or deposited or for any loss, damage or misfortune whatever which may happen in respective office or trust or in relation thereto unless the same shall happen by or through his own willful act or his own willful default.

Article XI – Amendments

This constitution and its by-laws may be amended by approval of motion by a two-thirds majority of votes cast at the annual general meeting.

Approved by the Association at a general meeting held on:

29th Day of November, 2009.