

# The National Organization of Professional Black Natural Resources Conservation Service Employees

## Constitution

### Article I - Name

This organization shall be known as The National Organization of Professional Black Natural Resources Conservation Service Employees (NOPBNRCSE), referred to hereafter as The Organization or NOPBNRCSE. This organization, (formerly known as The National Organization of Professional Black Soil Conservation Service Employees), was chartered under the authority granted by then Chief William Richards of the Soil Conservation Service (SCS), on the 14th day of July in the year 1992.

### Article II – Purpose

#### Section 1: Goals

The Organization’s goals shall be to: enhance the awareness, knowledge and understanding of the Natural Resources Conservation Service (NRCS) programs and operating procedures by Black employees and improve their level of education and professional development in order to increase the participation of Blacks in agriculture, natural resources and related fields.

#### Section 2: Objectives

The objectives of The Organization shall be to:

- A. Foster a productive working relationship between employees and management to promote an effective program delivery system.
- B. Provide a forum for employees to identify concerns and provide information and recommendations to management on programs, technical practices and administrative policies that impact employees, potential employees and NRCS customers.
- C. Develop a network to assist new employees, as well as employees who relocate, to secure housing and become acclimated with community services in the area.
- D. Enhance employees’ awareness and keep them abreast of local, state, national and International concerns in agriculture.
- E. Emphasize the importance of agricultural sciences and related fields to student’s at all 2 educational levels: grade school, high school and college/university.
- F. Inform individuals and groups outside the agriculture arena about the opportunities in

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- E. Emphasize the importance of agricultural sciences and related fields to student’s at all educational levels: grade school, high school and college/university.

- agriculture, sciences and related fields.
- G. Aid in the recruitment and advancement of employees in positions at all levels of NRCS.
- H. Inform employees about career opportunities and avenues for advancing their careers
- I. Develop employees' leadership and other skills by conducting training workshops, seminars and providing information to facilitate employees' self-development.
- J. Develop a Speakers Bureau of experts in the field of agriculture to promote positive images of United States Department of Agriculture (USDA) employees.
- K. Work with management to identify training needs of The Organization's members.
- L. Establish a formal network of NRCS employees and enable the network to dialogue with other professional minority organizations.
- M. Serve as an adjunct to NRCS in promoting soil, water and related resources conservation in under served communities.

### **Article III – Government**

#### **Section 1: Laws**

The laws of The Organization shall consist of the Constitution and Bylaws, and additional regulations duly passed by the members and the Executive Board of The Organization. The latest issue of Robert's Rules of Order shall be the means to conduct all official meetings of The Organization.

#### **Section 2: Local Bylaws**

Each chapter of The Organization shall have the power and authority to make any local rules, regulations and Bylaws for its own government consistent with the goals and objectives of The Organization, as set forth in Article II of this Constitution, and its laws as heretofore mentioned.

### **Article IV – Membership**

#### **Section 1: Eligibility**

Any person or organization subscribing to the purpose of The Organization as set forth in Article II of this Constitution shall be eligible to apply for membership. Membership in The Organization shall be subject to the support and abidance of its laws, rules and regulations as set forth in its Constitution and Bylaws.

#### **Section 2: Class**

Membership in The Organization shall be of the following classes as defined by the Bylaws: charter; regular; life; associate; honorary; and institutional or organizational. The membership class defined as charter refers to those members of The Organization who obtained membership and financially supported The Organization prior to the

- F. Inform individuals and groups outside the agriculture arena about the opportunities in agriculture, sciences and related fields.
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#### **Section 2: Class**

Membership in The Organization shall be of the following classes as defined by Article II of the Bylaws: charter; regular; life; **sustaining life**; **sustaining**; **student**; associate; honorary; and institutional or organizational.

#### **Section 3: Dues**

Membership shall cover a twelve (12) month period of the

ratification of the Constitution and Bylaws, July 14, 1992.

### **Section 3: Dues**

Membership shall cover a twelve (12) month period of the same calendar year (January 1<sup>st</sup> through December 31st) and dues shall be as prescribed in Addendum A to this Constitution and Bylaws.

### **Section 4: Eligible Membership**

Eligible membership shall refer to such members who financially support The Organization to meet its obligation(s) as set forth in the Constitution and Bylaws. Eligible members shall have the rights and privileges of such membership class(es) as set forth in Article II of the Bylaws.

### **Section 5: Membership Revocation**

Any member who does not support The Organization and abidance of its laws, rules and regulations as set forth in the Constitution and Bylaws shall jeopardize their membership in The Organization. Membership revocation shall take place in a manner prescribed by the Executive Board, with an affirmative vote of two-thirds (67%) of the eligible membership body.

## **Article V – Organization**

### **Section 1: Units of Organization**

The principal units of organization and government of The Organization shall be as follows: The Organization, the Executive Board and local chapters.

### **Section 2: Administrative Headquarters**

The location of the agency's national headquarters, paralleled with its organizational structure, shall be the administrative headquarters for The Organization. The administrative headquarters of The Organization shall be under the supervision of the Executive Board.

### **Section 3: Regional Boundaries**

Regions of The Organization shall be paralleled to the organizational structure of the agency. One additional region shall be established for those members duty stationed in Washington, D.C. Members respective regions shall be defined by the regional boundaries of the member's states or duty stations.

## **Article VI - Executive Board**

### **Section 1: Executive Board**

The Executive Board shall be the executive, legislative and judicial body of The Organization. The Executive Board shall be composed of the Immediate Past President, the elected officers and the regional representatives. The President shall be the chairperson of the Executive Board.

### **Section 2: Elected Officers**

The elected officers of The Organization shall be President, Vice-President, Recording

same calendar year (January 1<sup>st</sup> through December 31st) and dues shall be as prescribed in Addendum A to this Constitution and Bylaws.

### **Section 4: Eligible Membership**

Eligible membership shall refer to such members who financially support The Organization **by paying their annual dues** to meet its obligation(s) as set forth in the Constitution and Bylaws. Eligible members shall have the rights and privileges of such membership class(es) as set forth in Article II of the Bylaws

### **Section 5: Membership Revocation**

Any member who does not support The Organization and abidance of its laws, rules and regulations as set forth in the Constitution and Bylaws shall jeopardize their membership in The Organization. Membership revocation shall take place in a manner prescribed by the Executive Board, with an affirmative vote of two-thirds (67%) of the eligible membership body.

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Secretary, Correspondence Secretary, Treasurer, Parliamentarian and Historian. The election of such officers shall be in accordance with Article VIII of this Constitution.

### **Section 3: Regional Representatives**

Regional representatives shall be elected representatives from each region, in addition to the region established for those members duty stationed in Washington, D.C. The election of the regional representatives shall be in accordance with Article VIII of this Constitution.

## **Article VII Local Chapters**

### **Section 1: Charter**

Local chapters of The Organization shall consist of members to whom a charter has been granted as set forth in the Constitution and Bylaws. The charter granted to the local chapter(s) shall be subject to the approval of the Executive Board, with an affirmative vote of two-thirds (67%) of the board membership. Revocation of a charter shall be recommended by the Executive Board, upon their discretion, subject to an affirmative vote of two-thirds (67%) of the eligible membership body.

### **Section 2: Local Bylaws**

Local chapter(s) of The Organization shall have the power and authority to make any local rules, regulations and bylaws for its own government consistent with the purpose of The Organization, as set forth in Article II of this Constitution and Bylaws and its laws as heretofore mentioned. Non-compliance of such laws may result in actions taken by the Executive Board.

### **Section 3: Officers**

The officers of the local chapters shall be President, Vice-President, Secretary, Treasurer and any other officer(s) that the chapter may deem necessary.

### **Section 4: Membership**

Every member of a local chapter(s) must be a member of The Organization. Membership in a local chapter without membership in The Organization shall jeopardize the charter granted to such chapters. Thus, if an individual applies and is accepted for membership to a local chapter and does not apply for membership to The Organization, such individual and said chapter shall be deemed in violation of the Constitution and Bylaws of The Organization until such time that the individual applies for membership to The Organization or the individual withdraws membership from said local chapter.

## **Article VIII – Elections**

### **Section 1:**

Elected officers as defined in Article VI shall be elected by the eligible members of The Organization for a term of two (2) years. Regional representatives as defined in Article VI shall be elected by the eligible members of the region represented for a term of

### **Section 3: Regional Representatives**

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### **Section 2: Local Bylaws**

Local chapter(s) of The Organization shall have the power and authority to make any local rules, regulations, and bylaws for its own government providing they are consistent with the purpose of The Organization, as set forth in Article II of the Constitution. Non-compliance of such laws may result in actions taken by the Executive Board.

### **Section 3: Officers**

The officers of the local chapters shall be President, Vice-President, Secretary, Treasurer and any other officer(s) that the local chapter may deem necessary.

### **Section 4: Membership**

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## **Article VIII - Elections**

### **Section 1: Eligibility**

Only those individuals that meet the membership eligibility requirements and are current dues paying members shall be eligible for election as an officer or Regional Representative.

### **Section 2: Election Process**

The Nomination and Election committee shall be convened each December preceding an election year. The Nomination and Election committee shall be

two (2) years. The terms of elected officers and regional representatives shall be from January 1st of the first year through December 31st of the second year. No elected officer shall succeed the same office more than once. Regional representatives have no succession limitation.

**Section 2:**

Eligible members shall have the right and privileges to hold any office of The Organization as set forth by the Constitution and Article II of the Bylaws.

**Section 3:**

The President shall appoint a Nominating Committee, consisting of seven (7) members within The Organization, six (6) months prior to the annual meeting in the election year. The Nominating Committee shall define the election period no later than four (4) months prior to the annual meeting. Nominations for The Organization's elected officers shall be made by all eligible members. Nominations for regional representatives shall be made by the members of the respective region. Nominees consent must be obtained in writing in advance of all nominations.

**Section 4:**

The Nomination Committee shall notify the President, in writing, of all nominations not less than three (3) weeks prior to the election period. Eligible members shall be notified in writing of the nominees for elected offices at least two (2) weeks prior to the election period. In the event that these time frames cannot be met, a substitute method may be enacted by a majority vote of the Executive Board.

**Section 5a:**

Election of the officers of The Organization shall be by ballot, in a manner prescribed by the Nominating Committee that complies with the parameters described in the aforementioned section. Eligible members shall have the opportunity to vote for each elected office. The nominees receiving a majority of the votes for each office shall be elected. In the event of a tie, the candidates receiving the tie vote shall have a run-off election. Election of officers shall be finalized no later than one (1) month after the conclusion of the election period. The Nominating Committee shall report to the Executive Board, the recipient of each office no later than four (4) weeks prior to the annual meeting.

**Section 5b:**

Election of regional representatives of The Organization shall be achieved at each region, in the manner prescribed in the aforementioned section. At the regional level, eligible members shall have the opportunity to vote for each candidate for regional representative. The nominee receiving a majority of the votes from their region shall be elected. In the event of a tie, the candidates receiving the tie vote shall have a run-off election. Election of regional representatives shall be finalized no later than one (1) month after the conclusion of the election period. The Nominating Committee shall report to the Executive Board, the recipient of each regional representative position no later than four (4) weeks prior to the annual meeting.

composed of the Regional Representatives, including a chair designated by the President. Nominations will be accepted by the Nomination and Election committee until the following July, at which time the membership shall be notified in writing of the slate of nominees at which time campaigning can begin. Nominees' consent must be obtained in writing in advance of their nomination; this includes nominees' for regional representative. Voting shall commence on September 1 and end on September 30 of an election year. All votes received after September 30 shall be null and void. Votes shall be tabulated between October 1 and October 31 of the election year. November 1 to November 30 shall be a grace period set aside for run-off elections and voting challenges. In the event of a run-off, the membership will be notified in writing and voting will begin immediately. All run-off votes that are received after November 30 shall be null and void. Election results will be announced in December of the election year. A transition period shall commence between the time that elections results are rendered and January 20, at which time the new administration shall take office. Only eligible voters at the regional level shall have the opportunity to vote for that areas' regional representative (See Addendum B of the Bylaws)

**Section 3: Terms**

Elected officers and Regional Representatives shall take office on January 20<sup>th</sup> and serve thru January 20<sup>th</sup> of the second year term. A transition period shall take place between the announcement of the newly elected officers in December and the taking of office by the newly elected officers on January 20<sup>th</sup>. No elected officer shall succeed the same office more than twice. Regional representatives shall have no succession limitations.

**Section 4: Voting**

Voting shall be by ballot, in a manner prescribed by the Nominating and Election Committee (either written, electronic, or both). Eligible members shall have the opportunity to vote for each elected office. The nominee for each office that receives a plurality of votes shall be elected.

**Article IX - Recall of Elected Officials**

**Section 1: Petition for Recall**

Such proceedings for elected officers shall be commenced upon written petition of one-quarter (25%) of the eligible membership body. Proceedings for regional representatives shall be commenced upon written petition of one-half (50%) of the respective region's eligible membership.

**Section 2: Voting on Recall**

A special meeting shall be called by the President for the sole purpose of voting on the recall. All members eligible to vote shall be notified at least three (3) weeks prior to the special meeting.

**Section 3: Affirmation of Recall**

**Section 6:**

In the case of a vacancy, a replacement officer or regional representative shall be appointed by the President and approved by the Executive Board. The term of such appointment is for the duration of the un-expired term of the appointee's predecessor, except in the case of regional representatives. In this event, the President shall appoint an individual to serve until the annual meeting, and at that time, members of the region will elect an individual to complete the term of office.

**Section 7:**

Eligible members shall have the rights and privileges to make motions and vote in elections of The Organization as set forth by the Constitution and Article II of the Bylaws.

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**Section 2: Voting on Recall**

A special meeting shall be called by the President for the sole purpose of voting on the recall. All members eligible to vote shall be notified at least three (3) weeks prior to the special meeting.

**Section 3: Affirmation of Recall**

Any elected official may be removed from office by an affirmative vote of two-thirds (67%) of the eligible members voting (votes on regional representatives will be by Regions). Removal from office shall be within forty-five (45) days of the affirmative vote.

**Article X – Amendments****Section 1: Proposals**

Anyone holding eligible membership status as set forth by the Constitution and Article II of the Bylaws may propose any amendment(s) to this Constitution or Bylaws of The Organization at any regular meeting or special meeting called for that purpose.

**Section 2: Affirmation**

The Constitution and Bylaws of The Organization shall be amended by an affirmative two-thirds (67%) vote of all eligible members voting at any regular meeting or special meeting called for that purpose, provided that a written copy of the proposed amendment(s) has been mailed to all eligible members at least two (2) weeks in advance of the meeting at which action on the amendment(s) is to be taken.

Any elected official may be removed from office by an affirmative vote of **three fourths (75 %)** of the eligible members voting (votes on regional representatives will be by Regions). Removal from office shall be within **thirty (30) days** of the affirmative vote.

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**Section 3: Adoption**

The amendment(s) shall become effective immediately upon adoption. Eligible members shall receive a written copy of the Constitution and Bylaws with adopted amendment(s) no later than **thirty (30) days** after the adoption.

**Article XI - Meetings****Section 1: Annual Meeting**

Meetings of The Organization shall be called at least once a year by the President, subject to the approval of the Executive Board. Location of annual meeting shall be determined by majority vote of members present.

**Section 2: Special Meetings**

Special meetings shall be called by the President and approved by the Executive Board for the sole purpose as described by the President. All eligible members shall be notified at least three (3) weeks prior to the special meeting.

**Section 3: Quorums**

An Executive Board quorum shall consist of a majority of the Executive Board members. A quorum for the transaction of business at any meeting of The Organization shall consist of one quarter (25%) of The Organization's eligible membership.

**Section 4: Robert's Rules of Order**

All official meetings shall be conducted according to **the most current edition** of Roberts Rules of Order.

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### **Section 4: Robert's Rules of Order**

All official meetings shall be conducted according to Roberts Rules of Order.

## **Article XII – Committees**

### **Section 1: Standing Committees**

Standing committees shall be designated, directed and approved by the Executive Board of The Organization and shall operate in a manner prescribed by the Bylaws. Each standing committee shall be chaired by a chairperson who shall be appointed by the President, subject to approval of the Executive Board. Chairpersons of such committees shall report to the Executive Board. Members of such committees shall be appointed by the President or the chairperson(s), subject to the approval of the Executive Board. Chairpersons shall select their own vice-chairperson and secretary from the committee membership as deemed necessary. Chairpersons and members of such committees shall be members holding eligible membership status within The Organization as set forth by the Constitution and Bylaws. Chairpersons and members of standing committees shall serve from the time of appointment until the end of the calendar year appointed or for a period of time as deemed necessary by the Executive Board.

### **Section 2: Ad Hoc Committees**

Ad hoc committees shall be established by the President

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### **Section 2: Ad Hoc Committees**

Ad hoc committees shall be established by the President whenever deemed advisable by The Organization members or the Executive Board. Ad hoc committees shall be designated directed and approved by the Executive Board and shall operate within its laws, rules and regulations. Each ad hoc committee shall be chaired by a chairperson who shall be appointed by the President, subject to approval of the Executive Board. Chairpersons of such committees shall report to the Executive Board. Members of such committees shall be appointed by the President or the chairperson(s), subject to the approval of the Executive Board. Chairpersons shall select their own vice-chairperson and secretary from the committee membership as deemed necessary. Chairpersons and members of such committees shall be members holding eligible membership status within The Organization as set forth by the Constitution and Bylaws. Chairpersons and members of ad hoc committees shall serve from the time of appointment until the end of the calendar year appointed or for a period of time as deemed necessary by the Executive Board.

## **Article XIII - Wills and Donations**

Any person(s) may will, donate or provide for the transfer of funds from his or her estate to The Organization. Such funds shall be used only as earmarked in the will or donation transfer statement. If funds are not earmarked, they will be used at the discretion of The Organization.

## **Article XIV - Finances**

### **Section 1: Authorization**

The President and/or the Executive Board shall be authorized and empowered to pay a reasonable compensation for service(s) rendered and to make

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#### **Article XIV – Finances**

##### **Section 1: Authorization**

The President and/or the Executive Board shall be authorized and empowered to pay a reasonable compensation for service(s) rendered and to make payment(s) and distribution(s) in furtherance of the purpose set forth in Article II of this Constitution and Bylaws.

#### **Article XV - Prohibited Activities**

##### **Section 1: Financial Resources**

No financial resources or net earnings of The Organization shall be used to the benefit of, or be distributed to its members, officers or other private persons, except as prescribed by Article XIV of this Constitution.

##### **Section 2: Political Activities**

No activities of The Organization shall be used to carry on propaganda or otherwise attempt to influence legislation. The Organization shall not participate in the publication or distribution of statements for any political campaign on behalf of any candidate for public office.

##### **Section 3: Exercise of Power**

Notwithstanding any other provision of these Articles of this Constitution, The Organization shall not engage in any activities or exercise any powers that are not in advancement of The Organization.

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#### **Article XVI - Dissolution**

##### **Section 1: Petition of Dissolution**

Such proceedings to dissolve The Organization shall be commenced upon written petition of one-quarter (25%) of the eligible members.

##### **Section 2: Special Meeting**

A special meeting shall be called by the President, subject to the approval of the Executive Board, **for the sole purpose of voting on the dissolution of The Organization. The eligible members shall be notified of such proceedings at least three (3) weeks prior to the special meeting. A special ballot for the sole purpose of voting on the dissolution of The Organization shall be prepared and distributed to eligible members.**

##### **Section 3: Vote**

**An affirmative three-fourth (75%) vote of The Organization's eligible members shall be required to dissolve The Organization.**

##### **Section 4: Implementation**

**A special meeting of the Executive Board shall be convened to implement the dissolution of The Organization. The Executive Board shall provide written notification to members at least thirty (30) days prior to the meeting.**

##### **Section 5: Dissolution**

**The Organization shall be dissolved within sixty (60) days of the affirmative vote.**

##### **Section 6: Assets**

**Article XVI – Dissolution**

**Section 1: Petition of Dissolution**

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**Section 2: Special Meeting**

A special meeting shall be called by the President, subject to the approval of the Executive Board.

Upon the dissolution of The Organization, its assets must be distributed as described in Section 501(c)(3) of the Internal Revenue Code of 1954, as amended.

**Article XVII - Information Dissemination**

Information shall be developed and disseminated in accordance with Article IX of the Bylaws and as deemed necessary by the Executive Board.

**Article XVIII – Committee of Judges**

**Section 1: Judges**

The judicial power of The Organization shall be vested in one Committee of Judges. The Committee of Judges shall consist of the past presidents of the organization and shall be chaired by the Immediate Past President.

**Section 2: Cases**

The Committee of Judges shall have original jurisdiction to adjudicate cases concerning misuse of funds, election challenges, and questions concerning the adherence of the Executive Board or Membership to the Constitution and Bylaws.

**Section 3: Proceedings**

All cases adjudicated by the Committee of Judges shall be speedy and reviewed on the preponderance of evidence. Those involved in these proceedings shall be informed of the nature and cause of said proceedings, and shall be allowed to call witness to their defense, and if they so chose to face their detractors. The opinion of the majority of the Commission of Judges shall be the official ruling in each proceeding.