

**BY-LAWS OF THE GREATER SAN JOSE CHAPTER AMERICAN SOCIETY
OF SAFETY ENGINEERS CERTIFICATE**

I, Stephen Motzko, President, Greater San Jose Chapter of the American Society of Safety Engineers, hereby certify that I have received a signed copy of these bylaws indicating approval of said bylaws by Brian A. Clarke, Vice president Region I, ASSE on the 14th day of June, 2002. Executed in the City of San Jose, and the State of California on the 19th day of June, 2002. Stephen Motzko, Chapter President

**BYLAWS GREATER SAN JOSE CHAPTER
AMERICAN SOCIETY OF SAFETY ENGINEERS**

BYLAWS ADOPTED BY CHAPTER - June 11, 2002
Bylaws Approved by Regional Vice President Brian A. Clarke
Chapter Chartered June 16, 1964

ARTICLE I - NAME

Section 1. The name of this organization shall be the Greater San Jose Chapter of the American Society of Safety Engineers.

Section 2. Hereinafter, the Greater San Jose Chapter will be referred to as Chapter, and the American Society of Safety Engineers will be referred to as the Society.

ARTICLE II - PURPOSE

Section 1. The purpose of this Chapter will be to promote the advancement of the safety profession and safety professionals in the geographic area served.

Section 2. In fulfilling its purposes, the Chapter shall have the following objectives within the geographical area:

- a. To develop and/or promote educational programs for obtaining the knowledge required to perform the functions of a safety professional.
- b. To develop and/or disseminate locally, information and materials that will carry out the purposes of the Chapter, the Society, and serve the public.
- c. Provide and/or support forums for the exchange and acquisition of professional knowledge among its members.
- d. To foster liaison with local organizations of related disciplines.
- e. To inaugurate and implement such other programs and projects that are consistent with the purposes of the Chapter and the Society.

f. To conduct its affairs in a manner that will reflect the standards, purposes, and objectives of the Society.

ARTICLE III - MEMBERSHIP

Section 1. Membership in the Chapter is open to those individuals who are members of the Society in good standing and who are located within the Chapter's geographical area or request membership in it. All members of the Chapter shall be members of the Society.

Section 2. Membership is personal and not transferable.

Section 3. All members are eligible to vote on all matters submitted to the Chapter membership.

ARTICLE IV - ORGANIZATION

Section 1. The Chapter is a not-for-profit organization chartered by the Society for the purpose of carrying out the objectives of the Society in its geographical area. It shall operate in accordance with Society Bylaws.

Section 2. In order to maintain its Charter, the Chapter shall have a minimum of 40 members.

Section 3. The Headquarters of the Chapter shall be located in such place as may be determined by the Chapter Executive Committee.

Section 4. The Chapter is located in Region I, and the Chapter's geographical area is defined as follows: "Its northern boundary shall be Highway 84 from the Pacific Ocean to the northern city limits of Fremont, and to a point where the city limits intersect the Alameda and Santa Clara County lines. Then east to the Stanislaus County line. The boundary will then follow the western borders of Merced, Kings, Fresno, and Stanislaus Counties to the Monterey County border. The southern boundary shall be the southern edge of Monterey County."

Section 5. There shall be an Executive Committee responsible for the operation and management of the Chapter. It shall be responsible for the supervision and care of all property, have full authority to commit the Chapter to action in accordance with resolutions adopted at meetings of the Chapter, and may cooperate with other organizations in a manner which will not impair the ability of the Chapter to pursue its purposes independently.

Section 6. A majority of the Executive Committee present a meeting shall constitute a quorum. The Executive Committee may conduct special Executive Board meetings by electronic means, including but not limited to Conference calls, teleconferences, internet forums, on-line chat-rooms and e-mail communication provided that reasonable measures are taken to ensure that only bona fide members of the executive board participate in

motions or votes. All Chapter business may be conducted at such meetings, except removal of elected officers, changes in membership dues, and monetary outlays in excess of \$200.00. Such business may be discussed and voted upon during electronic meetings by must be affirmed at the next regular meeting at which a quorum is present.

Section 7. The Executive Committee shall consist of the Elected Officers, appointed Vice Presidents, and the most immediate Past President of the Chapter available to serve.

Section 8. Each major objective as listed in Article II, Section 2 of these Bylaws shall be under the supervision of either a Chapter Officer or an appointed Vice President.

Section 9. The Chapter President is a member of the Regional Operating Committee. A Professional Member or Member who is an elected officer of the Chapter may serve in the stead of the President for a meeting of the Regional Operating Committee if so designated by the Chapter President in writing to the Regional Vice President.

Section 10. Chapter Officers and Delegates to the Society House of Delegates shall be elected members of the Chapter.

Section 11. The Chapter activity year shall begin on July 1 and end on June 30.

Section 12. The fiscal year shall be determined by the Society's Board of Directors.

ARTICLE V - OFFICERS

Section 1. Elected officers of the Chapter shall be:

- a. President
- b. President Elect
- c. Secretary
- d. Treasurer
- e. Delegate(s) to the Society House of Delegates

Section 2. Each elected Chapter Officer shall be a member of the Society for one year prior to taking office. However, only a Professional Member or Member may hold the offices of President, President Elect, or Delegate to the House of Delegates.

Section 3. The President shall:

- a. Preside at regular and special meetings of the Executive Committee and the membership.

- b. Represent the Chapter at meetings of the other organizations where official representation of the Chapter is desirable.
- c. Be a member of the Regional Operating Committee representing the Chapter.
- d. Provide leadership for programs and activities of the Chapter.
- e. Appoint such committee chairpersons or Vice Presidents (AVP) as are necessary to implement the objectives of the Chapter. Appointment of AVPs shall require the concurrence of the Executive Committee.
- f. Submit an annual report of Chapter activities to the Regional Vice President and the Society Secretary by August 1.
- g. Submit the names of Chapter Officers elected for the ensuing year to the Regional Vice President and to the Society Secretary by June 1.

Section 4. The President Elect shall:

- a. Carry out the duties of the President if the President is unable to serve.
- b. Assume the responsibilities for duties assigned by the President.
- c. Succeeds to the office of President without election.

Section 5. The Secretary shall:

- a. Maintain Chapter records and correspondence.
- b. Record and distribute minutes of Chapter Meetings and Chapter Executive Committee meetings.
- c. Notify Chapter members of meetings.
- d. Assume the duties of Treasurer as necessary.

Section 6. The Treasurer shall:

- a. Maintain all financial records of the Chapter.
- b. Supervise the receipt and disbursement of funds as directed by the Chapter Executive Committee.
- c. Maintain Chapter funds in a depository approved by the Chapter Executive Committee.

d. Provide at each Executive Committee meeting a written report. The record will indicate all fund balances as of the first day of the month of the meeting. Prepare a budget for the next Chapter year and present it at the June meeting of the current Chapter year.

f. Transmit, as dictated by the Society's Board of Directors, to Society Headquarters the audited income and expense statement for the fiscal year end.. Submit to the IRS any required tax documents.

g. Submit forms 990 and 990T to the IRS by November 15, as necessary.

h. Reconcile the bank statement(s) at least quarterly.

i. Assume the duties of the Secretary as necessary.

Section 7. The Delegate(s) to the House of Delegates shall:

a. Operate in accordance with the House of Delegates Procedural Guidelines and Society Bylaws.

b. Keep the Chapter informed of House of Delegates actions and proposed actions.

c. Act on House of Delegates' mail ballots on behalf of the Chapter.

ARTICLE VI - NOMINATION AND ELECTION OF OFFICERS

Section 1. The Chapter President shall appoint a Nominating Committee no later than January of each year. Committee members' names shall be published in the February Chapter Newsletter, which shall be distributed to all Chapter members.

Section 2. The Nominating Committee shall select qualified candidates for all elective offices. Candidates' names and membership classification shall be published and distributed to the Chapter membership at least 60 days in advance of the election.

Section 3. Any twenty Chapter Professional Members or Members may submit a signed petition nominating one or more individuals for elective office. To petition shall be accompanied by a written acceptance by the nominees and shall be submitted to the Chairperson of the Nominating Committee 30 days in advance of the election. Names and membership classification of such nominees shall be published and distributed to the membership of least 15 days prior to the election.

Section 4. Each term of elected Chapter Officers shall be for one year beginning July 1.

No elected officer shall serve more than two consecutive terms in any one office.

Section 5. Election of officers for the ensuing year shall be held at the May meeting. If there is more than one candidate for any office, election shall be by written ballot.

Ballots may be submitted to the Chapter President by mail, fax or e-mail at least 24 hours prior to the announced meeting date and time. Ballots must identify the voter by name and ASSE membership number. In the event that a member is present to cast his or her ballot at the May meeting, and the ballot cast at the meeting differs from a ballot received by mail, fax or email, the ballot cast in person so stands. In the event that more than one ballot is received by mail, fax or e-mail under a members name, and all said ballots agree on all points, only one ballot will be accepted. If said ballots differ in any way the chapter President shall take reasonable efforts to determine which of the ballots reflects the true wishes of the voting member or accept only the ballot last received. All other ballots shall be disqualified,. If there is only one candidate for an office, election may be by voice vote or affirmation by email.

Section 6. Removal of elected Chapter Officers shall be by a vote of the Chapter members at any regular or special meeting upon presentation of a signed petition from either the Chapter Executive Committee, or 20 voting members of the Chapter. Notification of such meeting shall be mailed or emailed to each member at least 30 days in advance of the date of the meeting. Members may cast their vote by mail, Fax, or e-mail at least 24 hours prior to the announced meeting date and time and subject to the same rules and conditions governing ballots specified in Section 5. AVPs and Committee Chairs may be removed by the President with the approval of the Executive Committee.

Section 7. When an elective office becomes vacant during the year, it shall be filled by appointment by the President with the approval of the Executive Committee.

ARTICLE VII - SECTIONS

Section 1. Sections may be formed by the Chapter to serve 10 or more dues-paying Chapter Members whose geographical location, within the Chapter area, constitutes an inconvenience to participate in Chapter affairs, and whose number is insufficient to permit formation of a new Chapter.

Section 2. Ten or more members must petition the Chapter Executive Committee to form a Section of the Chapter. Formation of the Section is subject to approval of the Chapter Executive Committee and the Regional Operating Committee:

a. The petition should outline:

1. The name of the Section
2. The territory the Section will encompass.
3. Number of members currently in the territory
4. Plans for meetings to be held and the nature of the program

5. Justification for the creation of. the Section
 6. Any dues arrangements between the Chapter in the Section.
- b. The Section shall operate in accordance with Society and Chapter Bylaws.
 - c. Sections, upon approval by the Regional Operating Committee, shall elect a Chairperson and a Secretary/Treasurer and must abide by the Bylaws of the Chapter. The Chairperson shall be a Professional Member or Member. The Chairperson of an authorized Section shall be invited to attend all meetings of the Chapter Executive Committee, and shall attend at least two, as a non-voting participant.
 - d. By July 15 of each Chapter year, the Section Chairperson shall submit a summary report of Section activities and a financial report to the Chapter President and the Regional Vice President.
 - e. The Section Secretary/Treasurer shall keep records of meetings and send copies to the Chapter Secretary; notify members of meetings, maintain such financial records as are necessary and keep the Chapter Officers informed of the Section's financial status. The Chapter shall remit at least 30% of Chapter dues of Section members to the Section for its use.
 - f. The Chairperson of the Section shall appoint a Nominating Committee annually to select nominees for the offices of Chairperson and Secretary/Treasurer for the year beginning July 1. Election of these officers shall be held at a Section meeting prior to July 1.
 - g. If the Section ceases to function as a viable organization, the Chapter Executive Committee, after investigation, may recommend its dissolution to the Regional Operating Committee, and any funds in the Section Treasury shall be remitted to the Chapter for Chapter use.
 - h. Student Members attending an educational institution may join together to form a Student Section of the Chapter within whose boundaries the institution lies.

ARTICLE VIII - DUES

Section 1. Each member, except Student, Emeritus, and Honorary Members, shall be assessed annual dues as determined by Chapter members, in addition to Society dues.

Section 2. All Society and Chapter dues shall be paid annually in accordance with the Society structure.

Section 3. Chapter dues shall be determined by vote of the Chapter membership at any regular or special meeting where a quorum is present. All Chapter members shall be notified at least 30 days in advance regarding Chapter dues proposals.

ARTICLE IX - MEETINGS

Section 1. Meetings that define or discuss methods, procedures, systems, devices and/or standards toward the reduction, control or elimination of hazardous exposures to people, property and the environment, and which foster the technical, scientific, and managerial knowledge and skills of attendees, shall be held at least four times during the year for the interchange and acquisition of professional knowledge among members.

Section 2. Special meetings of members may be called by the Executive Committee. The notice calling such a meeting shall state the purpose of the meeting. This notice is to be sent to each member at least two weeks in advance. Special meetings may be held by electronic means including but not limited to teleconferences, internet forums, and on-line chat-rooms provided that reasonable measures are taken to ensure that only bona fide members participate in votes or elections.

Section 3. Twenty active members in good standing shall constitute a quorum at any regular or special meeting.

Section 4. The latest edition of Robert's Rules of Order Newly Revised shall govern business transactions at all meetings of the Chapter unless otherwise provided in these Bylaws.

ARTICLE X - MISCELLANEOUS

Section 1. The Chapter may be dissolved by Chapter members in the following manner.

- a. A resolution to dissolve the Chapter shall be acted upon at a meeting of the Executive Committee. The resolution shall set forth the reasons for the dissolution.
- b. Within 30 days following the Executive Committee action, a mail ballot shall be sent to all Chapter members setting forth to reasons for the dissolution. Thirty (30) days after the ballots are mailed, they shall be countered by the Executive Committee. A two-thirds (2/3) vote is required for approval of the action.
- c. Upon the adoption of the resolution to dissolve, the Executive Committee shall carry out the dissolution of the Chapter in conformance with applicable laws and Society Bylaws.

Section 2. The Chapter may be dissolved by the Society Board of Directors after failure of the Chapter to conform to minimum Society requirements for activities or upon performance of actions contrary or detrimental to the Society and after a reasonable probation period.

Upon notice, the Executive Committee shall carry out the dissolution of the Chapter.

Section 3. The official Society symbol may be used by the Chapter on correspondence, publications, and other official documents, in accordance with the provisions for use and reproduction in the Society Bylaws.

Section 4. Any fund-raising projects or activities shall be limited to those activities which are consistent with the purpose of the Society and the Chapter.

Section 5. Chapter Officers shall assure retention of needed Chapter and membership records by adhering to the following record retention periods. Officers having charge of these documents are authorized to dispose of the records at the end of the required retention period:

- a. Meeting Minutes: Permanently.
- b. Correspondence: Two years following the completion of the Chapter year.
- c. Financial Records: Five years following completion of the Chapter year.

Section 6. The outgoing Secretary and Treasurer shall transfer their records in as listed in V. above to the incoming Secretary and Treasurer no later than the first business day after July 1. The outgoing Treasurer shall attend the first Executive Committee meeting after July 1 to assist the incoming Treasurer.

ARTICLE XI - AMENDMENTS

Section 1. Amendments to these Bylaws may be proposed by the Chapter Executive Committee or by twenty (20) Chapter Professional Members and/or Members. Amendments proposed by the latter shall be presented to the Chapter Executive Committee.

Section 2. The Chapter Executive Committee shall publish any proposed amendments to the membership at least 30 days in advance of the meeting at which action will be taken.

Section 3. Amendments shall be voted on at a regular or special Chapter meeting at which action will be taken if a quorum is present. A two-thirds (2/3) affirmative vote is required for approval.

Section 4. All amendments to these Bylaws will become effective after approval by the Regional Vice President.