

**CALIFORNIA BASEBALL UMPIRES ASSOCIATION - SOUTH BAY UNIT
CONSTITUTION AND BY-LAWS**

CONSTITUTION

ARTICLE I - NAME AND OBJECTIVES

Section 1: NAME

The name of this organization shall be the "CALIFORNIA BASEBALL UMPIRES ASSOCIATION - SOUTH BAY UNIT", hereinafter referred to as the "Association."

Section 2: OBJECTIVES

The objectives of this Association are:

A. Uphold, encourage, and promote high ethical standards among baseball officials.

B. Provide a high-quality instructional program to train and qualify members to officiate baseball games played under National Federation and or NCAA rules and mechanics.

C. Encourage a thorough knowledge of the rules and mechanics of baseball among Association members.

ARTICLE II - MEMBERSHIP

Section 1: TYPES OF MEMBERS

A. Qualified Association Members are considered "members in good standing" and those members who have:

(1) Paid their annual dues.

(2) Met the qualification requirements set forth in the By-Laws.

(3) Maintain a professional and ethical relationship with the Association and its members within, the schools it serves and the community in general.

B. Non-qualified Members are those Members who have:

(1) Failed to pay their annual dues.

(2) Failed to meet the qualification requirements set in the By-Laws.

(3) Failed to maintain an ethical relationship with the Association and its members within, the schools it serves and the community in general.

C. Probationary Members:

(1) Never before (first time) umpires must work a minimum of one [1] season of youth games, assigned through Board approved methods.

(2) Be observed during the months of March through June by board approved observer(s) a minimum of three [3] times.

(3) Must receive a combined ratings of 3.0 (average minimum of all observations) in order to qualify for next CIF season.

(4) Member must attend all CBUA - South Bay Unit (only) meetings during the year of application, including classroom, field and observational clinic meetings.

(5) Pay Association membership fees [which include Association instructional kit(s) and fees].

(6) Meet all other expectations within this document as a member of the CBUA – South Bay Unit.

(7) The first year of application “will count” towards years of service as a member in good standing provided probationary member establishes a 3.0 rating average. Association member MAY NOT wear any Association or CIF logos on youth game assignments. A probationary member not qualifying for promotion to CIF status in the first year of probation may continue in probationary status the follow season(s) with Board of Director’s approval.

D. Transferring Members:

(1) Newly enrolled members applying for status beyond probationary level are one’s with: high school, college

or professional umpiring “experience” from another California State Approved Association, another State Approved Association, MLB sanctioned affiliate; or have proven satisfactorily to the Board of Directors that their umpiring experience is qualified for high school contests.

(2) Letter of Recommendation or other forms of documentation claiming qualifications and experience of and for the transferring members alone will not suffice advancing beyond probationary status until a minimum of one [1] CIF sanctioned contest at a Frosh/Soph or JV level is worked and observed by a Board approved observer. This observation may serve to validate the umpire’s qualifying status as either probationary or associate member.

Section 2: DUTIES OF MEMBERS

A. Strive for qualified status by:

(1) Paying required dues.

(2) Meeting qualification requirements set forth in by-laws.

B. Conduct oneself as a Baseball Official in a manner that brings credit to the Association and himself/herself.

C. Be above reproach and perform in a professional manner.

Section 3: RESIGNATION

(A) Any member may resign by supplying written notice of that intent to the Secretary-Treasurer. The Secretary-Treasurer shall promptly present that written notice to the Board of Directors and:

(1) Resigned member(s) is/are entitled to a full, partial or no refund of dues, minus membership instructional kit expense. The Association may withhold any other outstanding dues or debts; however, it is upon the resigned member to request in writing a refund of membership dues. The approval /denial of refund may be unilaterally decided by the President or his designee. No Board action shall be required.

(2) If the resigned member resigns after he/she has accepted contests from the assignor, it is upon the Board of Directors discretion to determine if a refund of any amount shall be awarded.

Section 4: REINSTATEMENT

Any member who has resigned may be reinstated in the same season of resignation by completing the following process:

A. Supply a written request to the Secretary-Treasurer, which shall be presented to the Board of Directors for their approval.

B. Pay all outstanding dues and fines defined by the Board of Directors.

C. Receive a vote of approval from the Board of Directors, which shall be a simple majority vote.

D. Meet any terms for reinstatement that the Board of Directors deems appropriate.

Section 5: DISCIPLINE OF MEMBERS

A. Grounds for discipline are:

(1) Failure to comply with this Constitution and By-Laws.

(2) Failure to comply with the regulations of this Association, provided member has received written notice of such regulation at least 72 hours prior to any discipline.

(3) Failure to pay or delinquency in payment of duly authorized fines, dues or charges, provided member has been granted a minimum of 72 hours to comply.

(4) Conduct established as or where a reasonable person may interpret, or where a majority of the Board of Directors may view as being contrary to the best interests of this Association may result in an immediate suspension by the President of this Association with the accused member guaranteed a right to a hearing through the appeals process here within.

B. Notification of Charges:

Any member that is charged with a violation of the regulations of this Association shall receive written notice by certified mail, return receipt requested, or by a personally delivered notice for which a signed receipt has been collected. Or by authorized e-mail to the Associate member's known e-mail address on file. Such notice shall be received by the member at least seven days prior to any hearing. By agreement between the member and the Board of Directors, a hearing may be held in less than seven days time. Depending on severity of charges, the President or the Board of Directors in his absence may decide to immediately suspend the accused member from working any further games until such time the violation is determined and resolved.

C. Right to Hearing:

(1) For disciplinary action, this hearing shall be before the Board of Directors. The Board of Directors shall:

(a) Provide the member written notice of any meeting by the Board of Directors to hear any claims against said member. This notice shall accompany the Notification of Charges.

(b) Permit member to address Board of Directors in person or by written statement.

(c) Conduct the hearing in such a way to ensure charges presented to the accuser are fair and within the Constitutional perimeters of this document, and to allow both sides to be heard, and all pertinent information to be presented including any written statements and/or any witnesses to be allowed to testify.

D. Penalties:

(1) Monetary fine.

(2) Suspend some portion or all of a member's regular season or playoff season.

(3) Probation for no longer than one year.

(4) Suspension from the Association for no longer than one year.

(5) Expulsion from the Association.

E. Appeal:

Any Association member disciplined by the Board of Directors or ruled non-qualified by records of the Instructional Chairman and Secretary-Treasurer shall have the right to appeal.

(1) A member may appeal a decision by the Board of Directors in writing to the Secretary-Treasurer within seven days of receipt of the decision by the Board of Directors. The Board of Directors shall then appoint a Grievance Committee to hear the appeal. This Committee shall:

(a) Review any written arguments submitted by both parties, including any Board of Directors minutes provided by the Secretary-Treasurer, concurrent with receipt of the appeal request.

(b) Listen to any oral arguments presented by any party provided both parties have received written notice of the meeting at least seven days prior to the appeal hearing.

(c) Upon conclusion of the appeal hearing, the Grievance Committee shall forward their findings and suggested discipline to the Board of Directors.

(2) In the case of appeal of non-qualified status, such appeal shall be made in writing to the Board of Directors and Secretary-Treasurer. In this written appeal, the member shall cite any extenuating circumstances or other means of evidence or hardship for the Board of Directors to consider.

(3) There are no further channels of appeal after Article II, Section 5.E, (1) and (2) have exhausted their use.

Section 6: GRIEVANCE COMMITTEE

A. The Grievance Committee Chairman will be appointed by the President or Board of Directors in the President's absence and the Committee shall be composed of at least three Association members in good standing.

B. The composition of the Grievance Committee shall be an odd number (3, 5, 7, 9, etc.)

C. The Chairman of the Grievance Committee must be a current Board Member appointed by the Board of Directors. All other members shall be appointed by the Committee Chairperson and shall not be a member of the Board of Directors.

ARTICLE III - OFFICERS AND ELECTIONS

Section 1: BOARD OF DIRECTORS

The activities of the Association shall be conducted by a Board of Directors.

A. Composition:

- (1) President.**
- (2) Vice President.**
- (3) Secretary-Treasurer.**
- (4) Four Members at Large.**
- (5) Instructional Chairman (Appointed, non-voting position)**
- (6) Assignor (Appointed, non-voting position).**

B. Prerequisites:

- (1) Each Board member must be a qualified member of the Association with a minimum of three consecutive years as a member in good standing.**
- (2) No member may hold more than one position, appointed or elected on the Board of Directors at any one time.**
- (3) Qualified Association members wishing to be considered for the appointed positions of Assignor or Instructional Chairperson must submit in writing to the Secretary/Treasurer their interest prior to July 1 of each year. Seated Assignor and Instructional Chairperson need not submit such a request unless they have been directed to do so in writing by the Board of Directors.**

C. Term of Office:

(1) Beginning July 1, 1998 and every even year thereafter, the following terms of office shall be a minimum of two years without a cap.

(a) Vice President.

(b) Member at Large #1.

(c) Member at Large #2.

(2) Beginning July 1, 1999 and every odd year thereafter, the following terms of office shall be a minimum of two years without a cap.

(a) President

(b) Secretary-Treasurer

(c) Member at Large #3

(d) Member at Large #4

(e) If necessary, Assignor and Instructional Chair shall serve until duly qualified successors have been appointed.

D. General Duties:

In addition to the specific duties enumerated in Section 2 and duties established by the By-Laws, the Board of Directors shall perform the following general duties:

(1) Establish meeting schedule.

(2) Establish budget.

(3) Conduct election of officials.

(4) Establish list of Qualified Officials.

(5) Establish Training Program that meets or exceeds requirements established by Executive Council via the Instructional Chairman.

E. Meetings:

(A) May be called by the President or the Secretary on individual initiative of either or by the Secretary upon the request of:

(1) Any two [2] other members of the Board of Directors or

(2) Twenty-five percent [25%] of the qualified Association members in good standing. Any such meeting shall be scheduled as promptly as is practicable.

Section 2: SPECIFIC DUTIES

A. President shall:

(1) Preside over all meetings.

(2) Ensure that all meetings are conducted in accordance with this Constitution and By-Laws and with Roberts Rules of Order.

(3) Rule on questions of order.

(4) Represent the Association at meetings.

(5) Perform any other duties as lawfully directed by the Board of Directors.

(6) Attend all meetings of the Executive Council as representative of this Association.

B. Vice-President shall:

(1) Preside over meetings in the absence of the President.

(2) Perform any other duties as lawfully directed by the Board of Directors.

(3) Employ strategies to recruit and retain membership with Board of Director's approval of said strategies.

(4) With Board of Director's approval, head-up and devise responsibilities for "calendar" year-long observations of future Association members, including but not limited to those Association members who are considered in Probationary status.

(5) Perform any other duties as lawfully directed by the Board of Directors.

C. Secretary-Treasurer shall:

- (1) Take minutes of all meetings.**
- (2) Take roll call or otherwise keep attendance records. (The records of the Secretary-Treasurer are unimpeachable.)**
- (3) Maintain a record and copies of all correspondence received by the Association.**
- (4) Compile a list of all members and their status (Qualified or nonqualified) and a list of Board of Directors members.**
- (5) Provide all commissioners and assignors with a copy of the list in item in Sec. 2.C.4.**
- (6) Notify members of all meetings.**
- (7) Carry out directives of Executive Council Secretary-Treasurer, provided they do not conflict with this Constitution and By-Laws or directives of the CBUA-South Bay Unit's Board of Directors.**
- (8) Maintain a bank account for all Association funds that requires one [1] of the three [3] following signatures on all checks:
 - (a) President.**
 - (b) Vice-President**
 - (c) Secretary-Treasurer.****
- (9) Pay all bills and disburse funds as directed by Board of Directors.**
- (10) Annually, submit a financial report.**
- (11) Represent the Association at Executive Council Meetings.**
- (12) Perform any other duties as lawfully directed by the Board of Directors.**

D. Members-at-Large shall:

- (1) Assist in the deliberations of the Board of Directors.**
- (2) Attempt to provide Board of Directors with general**

membership input on Association matters.

(3) Perform any other duties as lawfully directed by the Board of Directors.

E. Instructional Chairperson shall:

(1) Carry out training program directed by Executive Council and Board of Directors.

(2) Notify Board of Directors of any conflict between directions of Executive Council Instructional Chairman and the Board of Directors.

(3) Maintain record of all grades.

(4) Rule on questions of rules and mechanics.

(5) Establish Association Instructional Program.

(6) Recruit and direct all instructors with Board of Directors Approval.

(7) Perform any other duties as lawfully directed by the Board of Directors.

F. Assignor shall:

(1) Ensure, under the direction of the Board of Directors, that all games for which the Association is responsible are staffed with the appropriate number of qualified officials.

(2) Perform any other duties as lawfully directed by the Board of Directors.

G. Assignor and Instructional Chair shall serve unlimited one year terms. The Assignor and/or Instructional Chairperson may be replaced at any time by the Board of Directors with written notice.

Section 3: ELECTION

A. Frequency:

(1) Election of replacement officers shall be held according to Article III, Section 1, letter C (1) and (2).

(2) Vacancies, during the year, shall be filled by appointment of the Board of Directors.

B. Nominations:

(1) Shall be made from the floor during a general membership instructional meeting, held not more than three [3] and not less than one [1] week prior to the election.

(2) Nominee must agree to accept position, for which he/she is nominated, either in person or in writing.

(3) Any officer or director nominated for another position must first resign his/her present position. In this event, the resignation may be orally reported to the Secretary-Treasurer, but then must be followed up in writing to validate the nomination acceptance.

(4) No member may be nominated for more than one [1] position within the same election year.

(5) The Board of Directors may establish, under the direction of the Secretary-Treasurer a Nominating Committee, to be composed of three [3] qualified Association members in good standing who are not members of the Board of Directors. If established, such committee shall provide recommendations to the Board in sufficient time to permit such nominations to be submitted to the membership at the same meeting as which floor nominations are made.

C. Election shall:

(1) Be held annually during final general membership instructional meeting.

(2) Be accomplished by secret ballot.

(3) Be submitted by an absentee ballot. Absentee ballot may only occur and be submitted under the following conditions:

A. Notify the Secretary/Treasurer of your intent of using an absentee ballot in writing no later than 12 to 96 hours prior to election date. Absentee ballots shall NOT count towards the required quorum of membership to validate an election.

B. If requesting a ballot by e-mail or hand delivery: The requestor may ask for a ballot via - e-mail attachment or hand delivered only from the Secretary/Treasurer or his designee. Ballot must be signed (electronically if by e-mail) and dated where appropriately indicated upon its return.

C. If requesting ballot by US mail: request a ballot form from the Secretary/Treasurer a minimum of 96 hours in advance and complete the ballot. Submit (return) ballot via US registered return receipt mail ONLY to the address indicated on the ballot. Ballot envelope must be post-marked no later than the THURSDAY prior to the announced or published date of the election. Ballots post-marked after said Thursday will not be counted in the final tally.

D. When requesting ballot via e-mail, you must request the ballot "attachment" be sent to your Board known e-mail address ONLY and shall be considered an "Official Ballot if from ONLY the Secretary/Treasurer's e-mail address or his Board approved designee, a minimum of 12 hours before election date and time, but no more than 24 hours. You must "attach" your ballot and return it only to the Secretary/Treasurer or his designee no later than scheduled start time and date of the election. Absentee e-mail "attachment" ballots received later than scheduled start time and date will not be counted in the final tally. The Secretary/Treasurer's e-mail time stamp will be considered the official time for receipt of all e-mail ballots received.

E. Should an Association member request an absentee ballot within 11 hours and 59 minutes prior to election date and time, no absentee ballot may be used by requestor unless the President approves such request and conveys that request to the Secretary/Treasurer. In all other cases, the Association member must vote in person.

F. In all cases of Sec. 3. C. A thru E, absentee ballots MUST be in Secretary/Treasurer's or his designee's possession prior to start of elections. If any ballots not in (their) possession, said absentee ballots shall not count toward final tally.

(4) Consideration for Absentee Ballot:

A. An Association member may only utilize the absentee ballot procedure if the following conditions are met and approved by the Secretary/Treasurer:

1. Association member is ill, incapacitated, out of town for personal or Association business, officiating Association assigned contests, or other unforeseen exigent circumstances not in the control of the Association member. All conditions herein will be evaluated by the Secretary/Treasurer as to the validity of the request.

(5) Require a simple majority vote of a quorum of Association members present and who are in good standing.

(6) Be supervised by the Secretary-Treasurer under the direction of the Board of Directors.

D. Quorum:

A quorum of members is 60% of total membership in attendance and who are in good standing.

ARTICLE IV - AMENDMENTS

Section 1: Types

Amendments shall be generated in one of the following three [3] ways:

A. Direction of the CBUA Executive Council when Constitution and By-Laws of the CBUA-South Bay Unit ~~is~~ are incompatible with Constitution and By-Laws of Executive Council.

B. Recommended change by Board of Directors.

(1) Recommended change accompanied by a list of signatures of Association members in good standing equal to or greater than 30% of all Association members in good standing.

C. Recommendation for change from general membership prepared as follows:

(1) Recommended change submitted to Board of Directors.

(2) Recommended change accompanied by a list of signatures of Association members in good standing equal to or greater than 30% of all Association members in good standing.

Section 2: WRITTEN NOTICE.

Draft of recommended change must be sent or delivered to each member at least 30 days prior to date of meeting established for ratification of amendment.

Section 3: VOTE

In order to ratify recommended changes from Article IV, Section 1, (B) and (C), the ratification must receive two-thirds majority vote from Association members present in good standing, provided the number of members present are equal to or greater than a quorum.

Section 4: VOTING SITE

Ratification vote may be accomplished at:

A. General meeting where ratification is part of regular instructional meeting or at a:

B. Special meeting established for.

ARTICLE V - DURATION

Section 1: AFFIRMATION

The Amendments, their Sections, their sub-Sections and all language within, become effective after ratification by the Board of Directors but not prior to July 1, 2010 and remain in force until such time proper procedures are taken to amend this document and specified here within.

President, *Phil Jenks*

Member-at-Large, *Sidney Williamson*

Date

Date

Vice President, *John Ziello*

Member-at-Large, *Ruben Gonzalez*

Date

Date

Secretary-Treasurer, *Michael P. Collins*

Member-at-Large, *CW Allen*

Date

Date

Member-at-Large, *Thomas Fitzpatrick*

Date

Adopted June 20, 2010

<p style="text-align: center;">CALIFORNIA BASEBALL UMPIRES ASSOCIATION-South Bay Unit BY-LAWS</p>
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Section 1: RULES OF ORDER.

The rules contained in Roberts Rules of Order shall govern this Association in all cases to which they are applicable and are not inconsistent with this Constitution and By-Laws.

Section 2: QUALIFICATIONS

A. Pass qualification examination with score of 80% or higher.

B. Satisfactorily meet Field Clinic requirements as determined by the Board of Directors, including, but not limited to one [1] mandatory observational assigned game through a Board of Director's approved method and at the discretion of the Instructional Chairperson's implementation. A mandatory observational game may be waived by the Instructional Chairperson or his designee on a case-by-case basis per Association member; however, all first to third year members may not waive out of this requirement and as such will be held to the standards of meeting the requirement of a member in good standing in the Association.

C. Attend required number of meetings as determined by the Board of Directors.

D. Maintain an average of 80% or higher for all tests at general meeting.

E. In the event of failure to meet all any of the requirements of Section 2: Qualifications A through D, the following remedies are required:

(1) Attend a make-up meeting, if any, to rectify A or D.

(2) Attend a meeting at a different unit to rectify C, but only two [2] outside (different unit) meetings are permitted.

(3) Satisfactorily meet Field Clinic requirements at another unit to rectify C. [This outside meeting is in addition to the outside meetings authorized in Section (2) Qualifications.]

Section 3: MEETINGS

The following types of meetings shall be held:

A. General Membership Meetings. These meetings shall be held for the following purposes:

(1) Conduct training program.

(2) Nominate and elect officers in accordance with Constitution and By-Laws.

(3) Conduct business, provided it can be completed without adversely affecting training program.

B. Special meetings shall be held for any purpose other than those specified for General Meetings.

C. Board of Director's meetings shall be held as deemed necessary by the President, but at least one (1) shall be held prior to the start of the season to establish meeting schedule, meeting site, field clinic site, etc.

D. Qualification Appeal Meeting shall:

(1) Consist of outgoing and incoming Board of Directors.

(2) By majority vote of Board members present, accept or reject appeals reconsideration of non-qualified status.

E. Executive Council Meetings:

At times and dates specified by Executive Council, three (3) members of the Board of Directors shall attend meetings of the Executive Council.

(1) The officers attending are:

(a) President, or his/her substitute.

(b) Secretary-Treasurer, or his/her substitute.

(c) Instructional Chairman, or his/her substitute.

(2) Unless otherwise specified, these meetings are held in:

(a) January

(b) June

Section 4: GAME ASSIGNMENTS

(1) No official in the CBUA South Bay Unit shall accept any CIF contest except from the South Bay Unit's assignor. In the event the assignor is not available, the contest may be approved by (first) the Instructional Chairperson, (second) the President, (third) the Vice-President, (fourth) the Secretary-Treasurer. Under no circumstances shall an umpire accept an assignment from someone not listed in this By-law.

(2) Accepting Games from schools:

(a) Under no circumstances shall an Association member accept CIF games (including All-Star or Alumni games) from school personnel. All assigned games MUST come from the assignor or CIF office (playoff purposes only) unless otherwise stipulated by the Assignor through the Board of Directors' approval. Violation of this By-law will result in immediate schedule removal, possible disciplinary action and removal from play-off consideration.

(3) No Show's:

(a) FIRST NO-SHOW will be an automatic fine of a game fee equal to your assignment for that no-showed game. Your schedule may be pulled until such time your fee is paid to the Secretary/Treasurer. You may be considered for further disciplinary action and removal from Play-off consideration.

(b) SECOND NO-SHOW in same season the remaining games on your schedule will be removed and you will not be eligible for further games until next season. Further, you may face further disciplinary action from the Board of Directors. Should your schedule be removed prior to taking the qualification exam, you would still be expected to meet those requirements of instructional and testing dates in order to be eligible, and a member in good standing for the next season.

(c) **LATE TO AN ASSIGNMENT** the first offense is a half game fee. Second offense will be a full game fee and removal from play-off consideration. Third offense will result in a game fee, removal of entire remaining schedule and ineligibility for play-off consideration. No refund of dues may be issued.

(d) **GIVING OR TRADING ASSIGNMENTS AWAY** are prohibited. You may not “give” or “trade” any assignment without assignor, instructional chairperson or Presidential approval. Violation of this By-law will result in immediate removal of your schedule and no consideration for play-offs. You will also forfeit all dues paid.

(e) **TURNING BACK A GAME(S) TO THE ASSIGNOR** may result in the Assignor’s discretion of a \$10.00 fee per game payable to the assignor; if the game you turn back is a game “you previously accepted.” This fee is due and payable to the assignor within seven [7] days of the turn-back game. Failure to pay the assignor promptly will result in the removal your schedule on a weekly basis, until the fee is paid in full or until payment arrangements with the assignor are met and satisfied.

(4) Game Guarantee:

(a) As a member of this Association, no one is guaranteed to receive a game, game assignment or schedule. You are however, guaranteed quality instruction and related materials to assist in your progress within this Association.

Section 5: PLAYOFFS

(1) To qualify for playoff assignments, one must be a member in good standing and must have worked 10 varsity games with a satisfactory rating, for the CBUA-South Bay Baseball Unit in the season of said playoffs.

(2) Rotation of unit members for playoff “Finals” shall adhere to a minimum of sitting out two consecutive finals prior to being considered for another “Final’s” playoff game.

Section 6: PROFESSIONALISM

(1) It is the expectation of all Association members to conduct themselves as professionals and behaving in expected adult mannerisms when in the presence of minors, school age children, coaches, teachers, administrators, parents and alike. With this mind, CIF expects all sport officials to:

(a) Be qualified to umpire.

(b) Know, understand and apply the rules and mechanics as you've trained.

(c) Call schools to confirm your game assignment on every game day.

(d) Arrive at your game on-time (30 minutes prior to game time...and being on game field 15 minutes prior to first pitch).

(e) Wear proper uniform attire and equipment. Carry and maintain sport's officials' insurance with a minimum of \$1 million dollar liability policy.

(f) Failure to meet the above requirement at anytime may result in CIF sanctioning of our Association with: Loss of CIF sanctioned games, loss of playoffs and loss of future fee increases.

Section 7: OFFICER SALARY

(1) Secretary-Treasurer's salary shall be \$800.00 per year.

(2) Instructional Chairperson's salary shall be \$800.00 per year.

(3) These salaries may be negotiated yearly pending Board approved duties for these positions and economic considerations.