

Constitution & By-Laws



As Amended July 11th, 2006

The Mason Contractors Association of Northeast Ohio

*76 E. North Street * Akron, Ohio 44304*

CODE OF ETHICS
for the
MASONRY CONTRACTORS ASSOCIATION OF NORTHEAST OHIO

I shall

- Strive for the utmost in performance
- Participate in none but honest enterprise
- Deal justly and fairly with employees and suppliers of materials
- Share the benefits of knowledge and experience with fellow members
- Encourage the use of sound masonry construction
- Endeavor to develop and maintain within the masonry industry a high appreciation of the objectives and responsibilities of the

MASONRY CONTRACTORS ASSOCIATION OF NORTHEAST OHIO

My Creed:

Whatsoever ye would that men should do to you, do you even so to them.

My Pledge:

To practice this golden rule; to make it pay dividends, both material and spiritual; to bridge with it the chasm between employer and employee; to build upon it a better and nobler citizenship.

Masonry Contractors Association of Northeast Ohio, Inc.

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PREAMBLE

That we, the undersigned subscribers hereto, citizens and residents of the United States of America engaged in the Mason Construction Industry, and being desirous of associating ourselves together, in order to promote and encourage greater cooperation between employers and employees, to promote the general welfare of all, to protect and advance our Industry, to promote and encourage a better understanding, friendship and closer relationship among ourselves and our employees, to encourage and aid in the education of apprentices in our Industry, to the end that conditions in our Industry become stabilized and made more uniform in practice, thereby creating greater effectiveness in the Industry, do now adopt, declare and establish this Constitution for our said organization and as declaratory of its purpose.

CONSTITUTION AND BY-LAWS

ARTICLE I

Name

Section 1. **The name** of this Organization shall be “Masonry Contractors Association of Northeast Ohio, Inc.”

Section 2. **Not-for-Profit.** This Association is not organized for pecuniary profit and shall not declare dividends.

Section 3. **Dissolution.** Upon dissolution of the Association, any unexpected funds on hand at the time shall be returned to the members in the proportion contributed by them, but not in excess of the amount contributed by any such member during the last year of the existence of the Association. The balance if any, shall be distributed to charitable organizations to be selected by the Executive Board of the Association.

ARTICLE II

Objective and Purpose

Section 1. The objects and purpose of this Organization are as follows:

1. To promote and encourage greater cooperation between employers and employees, by aiding and encouraging more friendly relationships between members of this Organization, our employees and their organizations, undertaking to bring into this industry the humane feeling between employers and employees, that should properly exist.
2. To promote the general welfare of its members by the collection and distribution of reliable and useful information to its members, thus affording and providing means for the intelligent consideration and action in the matters pertaining to our employees, to facilitate and improve the methods of handling materials necessary in our industry and to provide the best and most satisfactory methods for the submission of an execution of building contracts to the end that our industry be surrounded by proper safeguards for the protection of life, limb and property.
3. To promote and encourage efficiency in the art of masonry construction, and to generally encourage and aid in the education of apprentices in our industry, and to generally encourage the movement to build with brick and other masonry products.
4. To promote and encourage the principles of justice and equity in dealings between employers and employees, co-employers and co-employees, architects, engineers, material dealers, and the general public.
5. To promote, encourage, and advocate needed and helpful legislation for our industry, for the general good of all.
6. To counsel, advise, encourage and secure honorable dealing in the performance and execution of contracts with each other, with our employees, with the members of other trades, and with those engaged in the erection and construction of buildings.

7. To promote and encourage the formulation, adoption and establishment of such customs of business as will be just, equitable and honorable between man and man.
8. In every way, manner and form to promote and encourage by the establishment of a strong and sympathetic bond of fellowship among the members thereof, thereby securing unity of action and effort in the accomplishment of a common purpose.
9. To assist in the uplift and elevation of the standards of our trade, and to encourage our members and our employees to a better standard of life and living.
10. To cooperate in every honorable and legal way with organizations and associations in allied lines, and with individuals, firms and corporations in different lines of business for the general good of our industry.
11. To secure and aid in the correction and reformation of any wrongs affecting the general interest of the building industry.
12. To encourage the obedience of the spirit and letter of all laws and ordinances made by our Federal, State and Municipal governments for the regulation, control and conduct of building operation, and that no action shall be taken by this Association or the members hereof which in any form or manner would or might be construed as a participation in or encouragement of any illegal arrangements or combination for the control of labor, or the restriction thereof, or any arrangements or combination for the fixing of prices or the restriction of competition.

ARTICLE III

Membership

Section 1. **Membership.** Any local Mason Contractor primarily interested in the promotion of the Mason Contracting Industry, shall be eligible to membership in this Association.

Section 2. The expulsion of a member other than non-payment of dues shall require a hearing before the Executive Board, of which due notice of the time and place of such hearing shall be given the offending member and then the right of appeal from the action of the Executive Board will be given to members of Masonry Contractors of Northeast Ohio, if so by the aggrieved party.

Section 3. to reinstate a previous member, shall be at the discretion of the Executive Board. Who may impose, as a member, all past dues, and or assessments, as have been imposed during the interim period.

Section 4. An Honorary Member is defined as any person who has been a member of a MCAA chapter and active in the Masonry contracting business for at least ten (10) years and has retired from active business and is an honorary member of his local MCAA chapter, shall be eligible for an honorary membership in the Masonry Contractors Association of Northeast Ohio. An honorary member shall not be eligible to hold office, have voting privileges, or be required to pay dues. This class of membership to be conferred by the Executive Board.

Section 5. Any company related to the Masonry Industry, can become a social member of the Masonry Contractors Association of Northeast Ohio. However they will not have the right to vote or attend the MCANEO meetings. Dues shall be as designated by MCANEO members.

ARTICLE IV
Representation

Section 1. Every Mason Contractor that pays dues to the Masonry Contractors Association of Northeast Ohio, and is not arrears therefore has the right to vote.

ARTICLE V
Officers

Section 1. The officers of this Association shall consist of a President, Vice President, Secretary and Treasurer. All shall serve three (3) years each or until their successors have been duly elected and qualified. The Treasurer shall give bond in the amount fixed by the Executive Board.

ARTICLE VI
President

Section 1. The President shall preside at all meetings of the Association; appoint all committees unless otherwise provided; approve all bills before payment, except petty or current bills, which shall be paid by the Treasurer, without the President's approval; and attend to all other matters usually incumbent upon such officer. The President shall also be Chairman of the Executive Board and Arbitration Board, as well as a member thereof.

Section 2. The signatures of the President, Treasurer and Secretary shall be on record at the bank designated by the Executive Board; and two out of three signatures must appear on each check, preferably that of the President and Treasurer, with the Secretary signing if either of the two is unable to sign.

ARTICLE VII
Vice President

Section 1. It shall be the duty of the Vice President to preside at all meetings in the absence of the President. The Vice President shall be a member of the Executive Board.

Section 2. If, for any reason, a vacancy exists in the office of the President, then the Vice President shall assume office of the President until the next election.

ARTICLE VIII
Secretary

Section 1. It shall be the duty of the Secretary to record minutes of all meetings of Masonry Contractors Association of Northeast Ohio. The Secretary shall be a member of the Executive Board.

ARTICLE IX
Treasurer

Section 1. It shall be the duty of the Treasurer to collect all dues, giving a receipt therefore. He shall be custodian of all monies, papers and seal of the Organization and render all other service as may be proper for the promotion of the good of the Organization. He must be able to give sufficient time to the Association to efficiently carry out its purpose and he shall be paid for expenses for carrying on said work as the Executive Board determines as proper and adequate. He shall also keep a true and accurate account of all receipts and disbursements, and shall make a full and complete account of all in statement form of the financial standing of the Association at Meetings or at such times as the Executive Board may require. His accounts shall be audited once a year by an Auditing committee appointed by the President.

Section 2. At the expiration of his term of office, he shall transfer to his successor in office all funds, books, papers, and all other property of the Association, which he may have in his possession.

Section 3. The Treasurer shall be a member of the Executive Board. The Treasurer shall be bonded as deemed necessary by the Executive Board and the Association shall pay for all expenses for such Bond.

ARTICLE X
Executive Board

Section 1. The Executive Board of this Association shall consist of

- 1) President
- 2) Vice President
- 3) Secretary
- 4) Treasurer

Section 2. Arbitration Board shall be appointed by the President with approval of the Executive Board.

Section 3. The President, with the approval of the Executive Board, shall appoint all Committee Chairmen and committee members. The standing Committees of this Association shall be the Constitution and By-Laws, Membership, Nominating, Publications, and Apprentice.

Section 4. All appointed Committees shall hold hearings, and the result of such hearings shall be kept in strict confidence until they submit their recommendations to the Executive Board for final approval or rejection. No Committee shall be given the power to bind or contract for the Association except the Arbitration Board.

Section 5. Additional Committees. The Executive Board shall have the power to designate such Committees in addition to those herein set forth as they deem necessary to protect the further interest, purposes and objectives of the Association and its members. Members of such committees, except the chairman, shall be appointed by the President, without approval of the Board. Chairman of such Committees shall be appointed by the President, subject to the approval of the Board.

ARTICLE XI
Election of Officers

Section 1. Officers of the Masonry Contractors Association of Northeast Ohio shall be elected every three (3) years. This to take place at the December Meeting and the new officers to be installed the following meeting in January.

ARTICLE XII
Dues

Section 1. The dues for new and old members shall be voted on every year and may be amended periodically.

Section 2. The Fiscal Year of this Association shall be from January 1 to December 31 annually. All dues are payable January 1st.

Section 3. **Separation for non-payment.** In the event the dues of a Member are not paid before the expiration of one hundred twenty (120) days after due date, such a member shall be deemed delinquent and shall be notified to that effect. If after such notice the member shall neglect or refuse to pay within thirty (30) days from the date thereof, such omission shall constitute a suspension of all rights and privileges of the membership and such a member shall be dropped from the membership of the Association.

Section 4. The Executive Board may levy an assessment upon the individual membership of each Chapter in order to clear out a deficit or to provide operating funds. At no time shall the total of annual assessment be greater than \$50.00 per individual member per year.

ARTICLE XIII
Order of Business

Section 1. The following shall be the order of business at the Annual Meeting of the members of this Association:

- 1) Call to order by the President.
- 2) Reading of minutes from previous meeting.
- 3) Report of Officers.
- 4) Report of Committees.
- 5) Unfinished Business.
- 6) New Business.
- 7) Topics of Interest.
- 8) Adjournment.

ARTICLE XIV
Amendments

Section 1. The Constitution and By-Laws may be amended by two-thirds of all members present at the meeting of the MCANEO. Any proposed amendment shall be submitted to the Secretary of the MCANEO in writing thirty (30) days before the next meeting of the MCANEO and the Secretary shall send a copy thereof to every member of the MCANEO notifying them that such amendment will be voted upon at said meeting. Voting on any such amendment shall be done in person at the meeting of the MCANEO.

ARTICLE XV
Rules of Order

Section 1. Robert's Rules of Order shall be the Parliamentary authority for all matters of procedure not specifically covered by the Constitution and By-Laws of the MCANEO.