

BYLAWS
OF
LOS ANGELES FIREMEN'S RELIEF ASSOCIATION

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BYLAWS*

ARTICLE I **GENERAL PROVISIONS**

1103. Name: This association shall be known as "The Los Angeles Firemen's Relief Association."

1106. Organization: The Association is organized and exists under and by virtue of the laws of the State of California, and specifically pursuant to the provisions of Division 2, Part 2, Chapter 10A of the Insurance Code of California.

1109. Seal: The Corporation seal of the Association shall consist of the following words in a circle: "Los Angeles Firemen's Relief Association," with the additional embossed or imprinted information: "Incorporated December 7, 1906."

1112. Object: The purpose for which the Association is formed is to bind the members thereof together in a closer bond of fraternity, for mutual protection, and to assist fellow members and their families in sickness, distress and death, and to promote and improve social relations and welfare among the members.

1115. Section Headings: Section headings contained herein shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning or intent of any section of the Bylaws.

1118. Definitions - Glossary:

Assessments: Fees or other dues levied from time to time and collected by the Association. (12/4/08)

Association: The Los Angeles Firemen's Relief Association.

Benefits: All benefits, payments and contributions to which members may be entitled or which may be conferred by the Association, pursuant to Article IV of these Bylaws.

Board: The Board of Trustees as described in Article VII of these Bylaws.

Bylaws: The Bylaws of the Association as herein set forth.

City: City of Los Angeles, unless otherwise specified.

Department: A department of the Association, except when otherwise specified in the context.

Disability: (1) **Service connected:** Any disability incurred as the result of injury or illness attributed by the Fire Department to causes connected with performance of duties in the Fire Department;

**On 12/4/08 the Bylaws were reworded to be gender neutral throughout.*

(2) Non-service connected: Any disability occasioned by any activity not designated by the Fire Department to be service connected.

Fire Department: The fire department of the City of Los Angeles.

Funds: Money and other liquid assets of the Association.

Life and Accident Department: That department of the Association described in Article III, Chapter 3 of these Bylaws.

Majority: Unless otherwise specified, a majority of all of the members of the Association voting or of the Board whether or not present or voting.

Medical Department: That department of the Association described in Article IV, Chapter 4, of these Bylaws.

Member: An active member of the Association in good standing, unless otherwise specified.

Member of Fire Department: An active member of the uniform rank appointed as a Firefighter to the Los Angeles City Fire Department under Civil Service Rules and Regulations and members of the uniform rank of another city or district absorbed into or merged with the Los Angeles City Fire Department pursuant to Section 122 of the City Charter of the City of Los Angeles. (4/12/1979)

Member on Civil Service Leave: An inactive member of the uniform rank of the Los Angeles City Fire Department on Civil Service Leave.

Non-Active Member: Deleted (1/1/2018) (1/1/1982)

Deferred Service Pension: A member of the Association whose employment with the Fire Department has terminated after having completed a minimum of 20 years of service and who is eligible to receive a pension from the City of Los Angeles at age 50

Payroll Deduction: As contemplated by the provisions of the ordinances of the City of Los Angeles.

Pension: Any pension received from the City of Los Angeles as a result of service in the Los Angeles City Fire Department whether the same be designated as service pension or disability pension.

Pensioner: A member who is receiving a pension as herein defined.

Physician: Medical Doctor, Doctor of Osteopathy, or Doctor of Dental Surgery. (1/1/2018)

Relief Department: That department of the Association described in Article III, Chapter 2 of these Bylaws.

"Shall" or "May": "Shall" is mandatory, "may" is permissive (11/16/1968)

Spouse: Includes domestic partner as defined and certified by the City of Los Angeles (12/4/08)

1121. **Attorney's Fees:** In the event it becomes necessary for the Association to enforce compliance with any of the Bylaws through legal action, the member against whom enforcement is sought agrees to pay reasonable attorney fees, court costs and any cost of investigation if the Association shall prevail. (12/4/08)

1122. **Conflict of Bylaws:** In the event of a conflict between the provisions of the Bylaws in one article or chapter with those of another, the provisions of the article or chapter concerning the subject matter in conflict shall govern. (12/4/08)

BYLAWS

ARTICLE II **MEMBERSHIP**

2103. Departmental Classification and Memberships: There are four departments in the Association,

- (1) Relief Department,
- (2) Life and Accident Department
- (3) Medical Department
- (4) Widows, Orphans & Disabled Firemen's Fund

Only Class C membership in the Relief Department is now available and is limited to:

1. Active members of the Fire Department
2. Members participating in Deferred Retirement (DROP)
3. All pensioned members
4. Members on Civil Service Leave
5. Deferred Service Pension

2106. Qualifications for Membership: Only members of the Fire Department of the uniform rank who have received regular appointment as a Firefighter under Civil Service rules and regulations and members of another city or district fire department of the uniform rank absorbed into or merged with the Fire Department pursuant to Section 122 of the Los Angeles City Charter shall be eligible to membership in the Association. At the discretion of the Board any applicant for membership may be required to obtain at their own expense, a certificate of good health from a physician or physicians designated by the Board as prerequisite to membership. (11/18/70-11/16/72-4/12/79-1/1/85-12/6/95)

2107. Reinstatement: The application of members who reenter the Fire Department is subject to approval of the Board. Any person whose membership in the Association has been voluntarily terminated must, in order to be reinstated, pay all back dues from the date of termination of membership. (12/4/08)

2109. Applications: Applications for new or reinstated membership shall be made on forms provided by the Association. These applications shall be filed with the Association accompanied by the back dues as may be specified below, and an authorization for payroll deductions. Applications from individuals in category (2) or (3) immediately below or applications from individuals who are not described in this Article II may be subject to such additional requirements as may be established by the Board in individual cases. (1/1/2018)

(1) Regular Department Appointments: Individuals who are regularly appointed

- to the Fire Department must apply for membership within five (5) years from the date of such appointment and must pay the back dues if the application is made more than ninety (90) days after appointment., Such past dues include all past dues from the date of appointment. Any applicant for membership after five years must appeal to the Board. (1/1/2018) (1/1/2019) (1/1/2020)
2112. Termination of Membership Upon leaving the Fire Department: No member leaving the Fire Department shall be eligible to retain membership in the Association except as otherwise provided by Section 2103. Members leaving the Fire Department may receive Benefits from the Association to the extent provided in Article IV. (12/4/08)
2115. Reinstatement after Return to Fire Department: Subject to the approval of the Board, a former member of the Association reinstated to or who reenters the Fire Department may be reinstated to membership in the Association providing their written application is received within six (6) months from the date of their reinstatement or reentry to the Fire Department, and upon the repayment of all the monies that they have received as disability benefits or "termination benefits" under Section 4318 or Section 4330 hereof, and upon payment of all back dues from date of reinstatement or reentry to the Fire Department. Membership reinstatement is subject to all the provisions of these Bylaws governing the admission of members. (11/16/72)
2116. Family Leave: A member of the Fire Department on Family Leave who was a member in good standing of the Relief Department at the time their Family Leave was granted may, upon written request, continue their membership in the Relief Department with benefits and dues corresponding to the class membership they were holding prior to beginning this leave. (9/5/96)
2117. Reinstatement After Family Leave: After termination of their Family Leave a member may, upon written request, maintain membership in the Class they held prior to this Leave or may become a pensioned member in this same Class, depending upon their Fire Department status at the termination of the Leave. (9/5/96)
- 2118a Military Leave: Subject to any exceptions provided in Article IV, Chapter 5, of these Bylaws, a member on military leave from the Fire Department for any continuous period of time in excess of one month shall be suspended from all duties, obligations and benefits of the Association pending reinstatement to membership.
- 2118b State Pregnancy Disability Leave Act: A member of the Fire Department on State Pregnancy Disability Leave Act (SPDLA) who was a member in good standing of the Relief Association the time their leave was granted may, upon written request, continue their membership in the Relief Association with benefits and dues

corresponding to the class membership they were holding prior to beginning this leave. (9/5/96) (1/1/2018)

2119. Reinstatement After State Pregnancy Disability Leave Act: After termination of their State Pregnancy Disability Leave the member may, upon written request, maintain membership in the Class they held prior to this Leave or may become a pensioned member in this same Class, depending upon their Fire Department status at the termination of the Leave. (9/5/96) (1/1/2018)
2121. Reinstatement after Military Leave: After termination of military leave from the Fire Department a member shall become eligible for reinstatement to membership in the Association upon written application therefore filed within six months after return to the Fire Department or within six months after such member receives a pension from the City, whichever event is later. It is necessary that such member be released from military service prior to making application for reinstatement under this section, and such reinstatement shall be subject to all other requirements of these Bylaws governing the admission of members, except that the age limit shall not be imposed as to this type of reinstatement.
2122. Civil Service Leave: An inactive member of the Fire Department on Civil Service Leave who was a member in good standing of the Relief Department at the time their Civil Service Leave was granted may, upon written request, continue their membership in the Relief Department with benefits and dues corresponding to a pensioned member of their Class of membership. This membership shall be terminated at the end of their Civil Service leave and their membership status be reviewed and, if applicable, restored to the membership status they held prior to their Civil Service Leave. (11/16/1968) (12/4/08)
2123. Reinstatement after Civil Service Leave: After termination of their Civil Service Leave a member may, upon written request, be reinstated to membership in the Relief Department in the Class they held prior to their Civil Service Leave or may become a pensioned member in this same Class, depending upon their Fire Department status at the time their reinstatement to the Relief Department becomes effective. (11/16/1968)
2124. Suspension of Members: Any member who fails to pay their dues or assessments within ninety days after the same shall become due and payable, or who fails to repay any advancement from the Relief Fund in accordance with the terms of such advancement shall with or without notice, automatically be suspended from membership and from all privileges and benefits of the Association until reinstated by the Board. Likewise, any member who shall claim or receive benefits from the Association when not entitled thereto or who shall be guilty of conduct unbecoming to a member may, with or without notice, be suspended from membership and benefits by a majority vote of the Board upon such terms and for such period of time as may be fixed by said Board and/or until reinstated to membership. Suspension from the Fire Department may be treated as conclusive grounds for suspension from membership. Upon being suspended, the suspended

- member shall forthwith be notified of the suspension by certified mail at their last known address. Such notice shall contain a copy of the text of this section. (12/7/1993) (1/1/2014)
2127. Expulsion of a Member: Any member who shall willfully claim or receive benefits from the Association when not entitled thereto or who shall be guilty of conduct unbecoming to a member of the Association or a member of the Fire Department may be expelled from membership in the Association by a majority vote of the Board, provided such member has been notified by certified mail at their last known address at least ten days prior to the meeting of the Board at which such action is taken, and at such meeting be given an opportunity to make a statement and to produce evidence, oral or documentary in resisting such expulsion. Any member who fails to pay their dues and assessments, subject to the procedures specified in the Association's debt recovery policy as adopted in its Policy Book, shall thereupon automatically be expelled from membership, and shall forthwith be notified of such expulsion by certified mail at their last known address; such notice shall contain a copy of the text of this section. Upon expulsion from membership, all of the rights of the former member to receive benefits from the Association shall be forfeited and terminated. (1/1/1985) (1/1/2014) (1/1/2018)
2130. Reinstatement to Membership after Suspension or Expulsion: A member who has been suspended or expelled from membership may be reinstated to membership upon approval of their written application for reinstatement by a majority of the Board, upon such terms and conditions as shall be prescribed by the Board, including the payment of all dues and assessments accrued and unpaid to the date of reinstatement. Any member thus seeking reinstatement, who is an active member of the Fire Department or who is receiving a pension from the City shall be required to sign an authorization for deductions for dues and assessments payable to the Association. Such reinstated member shall not be entitled to any Relief benefits for a period of ninety days following reinstatement, or for any disability having its inception during the period of suspension or expulsion.
2133. Appeal: Any suspended or expelled member has a right to appeal from the action of the Board at any time within ninety days after notice of such a suspension or expulsion has been sent to the last known address of the member by certified mail. Such appeal shall be affected by a written notice mailed to the Association at its principal place of business by certified mail, such notice to state (1) intention to appeal, (2) grounds for appeal, and (3) any new matter proposed to be urged by the appellant in support of the appeal. Evidence and contentions which were or might have been produced or urged at any previous hearing before the Board shall not be valid grounds for such appeal unless it is shown that such other evidence or contentions could not have been produced or urged by the appellant upon the former hearing by the exercise of due diligence. (1/1/1985) (1/1/2014)
2135. Associate Membership: For the purpose of affording Medical Coverage under Article IV, Chapter 4, the following may, upon application therefore, become associate members in the Los Angeles Firemen's Relief Association: Surviving

Spouses and Dependents of deceased members of the Relief Association and newly appointed firefighter trainees while assigned to the Recruit Training Academy, or a firefighter who is receiving a pension from the Los Angeles Fire & Police Pension system. Within 90 days of graduation from the Drill Tower, the newly sworn Fire Department member must join the Relief Association or their medical coverage will be terminated. (12/14/1978) (12/4/08) (1/1/2019)

2136. Honorary Membership: Any reputable citizen of the United States may be elected to honorary membership by a majority of the Board. An honorary membership shall confer no privilege or benefit except that of honor. Honorary membership may be terminated at any time at the discretion of the Board.

2139. Solicitation of Memberships: The Association shall not pay, promise or agree to pay, either directly or indirectly, any consideration or remuneration of any nature for the solicitation or procuring of memberships or applications for membership.

BYLAWS

ARTICLE III

DUES AND ASSESSMENTS

Chapter 1

General Rules

3103. Scope of Article: All provisions relating to penalties, suspension, expulsion, reinstatement and payment of back dues are contained in Article II of these Bylaws, to which reference is hereby made.

3106. Initial Dues: The fee for admission to membership in the Association shall be an amount equal to the dues for one month in that department for which application for membership is accepted. This initial fee shall be applied as dues for the month in which the application for membership is accepted.

3109. Monthly Dues: Regular monthly dues in the Relief Department of the Association are prescribed in Chapter II hereof and regular monthly dues and assessments in the Life and Accident Department are prescribed in Chapter III of this article.
3112. Annual Dues - Active Members: Members who are not on pension from the Fire Department shall pay annual dues as determined by the Board during July of each calendar year. (3-24-2003) (12/4/08)
3115. Annual Dues - Pensioners: Members who are on pension from the Fire Department shall pay annual dues as determined by the Board during July of each calendar year. (3-24-2003) (12/4/08)
3116. Non-Active Member Section Deleted (1/1/2018)
3117. Deferred Service Pension – Deferred Service Pension members of the Association shall pay annual dues as determined by the Board during July of each year. (1/1/2019)
3118. Payment of Dues and Assessments: Except for initial dues and special assessments, all dues and assessments shall be paid by means of authorized payroll deduction, or by means of cash or check delivered to the Association. (12/4/08)
3121. Special Assessments: The Board may, by an affirmative vote of two-thirds of the members of the Board, levy special assessments in emergency situations for which other provisions have not been made herein.

Chapter 2 Relief Department

3203. Classification of Membership: As defined in Article II of these Bylaws only Class C Membership is now available as hereinafter provided. (11/16/1968 - 1/1/1982 - 1/1/1987 - 3/1/1991)
3215. Class C Membership: (1) Active members of the Fire Department, including all members while participating in the Deferred Retirement Option Plan, D.R.O.P. shall be 3/4 of one per cent of a fully paid firefighter's current monthly base pay. (2) Pensioners and Deferred Service Pensioner members of the Association: Regular monthly dues for Class C membership as to members pensioned from the Fire Department shall be 10% of the rate for an active member. (Revised 11/27/06) (1/1/2019)
3216. Member on Civil Service Leave: Regular monthly dues for members on Civil Service Leave shall be equal to pensioned members in the same Class membership and shall be paid in advance directly to the Association. (11/16/1968)
3218. Deduction of Dues from Benefits: Any member unable to perform their duties as

a member of the Fire Department because of disability and who does not receive or is not entitled to receive full pay from the City, but who is entitled to benefits from the Association shall have their dues deducted from such Association benefits.

3221. Remission of Dues by Reason of Mental Illness: Any member who is adjudicated mentally incompetent or as to whom a conservator of their person or estate is appointed by a court of competent jurisdiction, or upon written opinion of a Medical Examiner, approved by the Board, to the effect that the member is mentally incompetent, and who does not receive a salary or pension from the City of Los Angeles, shall be exempted from payment of all dues and assessments during the time of their disability. (12/4/08) (1/1/2019)

3224. Remission of Dues by Board: When the balance in the fund reserved for payment of benefits to members shows a substantial increase, the Board is authorized to remit the dues of the entire membership of any or all classes of membership for a specified period.

Chapter 3 Life and Accident Department

3303. Monthly Dues: Regular monthly dues for membership in this department shall be \$5.00. You must be a member of the Relief Department to participate in the Life and Accident Department. (3-24-03)

3304. Deduction of dues for Life and Accident coverage from Benefits. Any member unable to perform their duties as a member of the Fire Department because of disability and who does not receive or is not entitled to receive full pay from the City, but who is entitled to benefits from the Association shall have their dues deducted from such Association benefits. (11/12/03)

BYLAWS ARTICLE IV BENEFITS

Chapter 1 General Rules

4103. Scope of Chapter: This chapter contains provisions which are applicable alike to the Relief Department and to the Life and Accident Department. Provisions which are applicable to only one of these departments, or to another department or fund will be found in the chapter relating to that department or fund.

4106. Funds. Whenever the word "fund" or "funds" is used in this article, it refers to the

fund or funds within or at the disposal of the department to which the chapter relates, unless otherwise specified.

4108. Flag Presentation Benefit - Upon notification of the death of any sworn member of the Los Angeles Fire Department, an American flag that has been flown at the deceased member's last assigned Station shall be presented to the surviving family members. In a case where the deceased member's last assigned Station no longer exists, the flag presented shall be one that has been flown over there last assigned Battalion Headquarters. In a case where neither the last assigned Station nor Battalion Headquarters no longer exists, the flag presented shall be flown at the appropriate Operations Bureau. The flag shall be packaged in a wood framed, glass fronted presentation case having a plaque attached, giving the deceased member's civil service name, their dates of birth and death and their dates of Fire Department service. The cost of the Flag Presentation Benefit shall be paid by the Widow's, Orphans and Disabled Firemen's Fund. (1/1/2018)
- 4108a. Fire Station Memorial Plaque Benefit – A Memorial Plaque will be created for each member of the Los Angeles Fire Department who dies in the Line of Duty. The plaque is to be mounted on the front of the Fire Station where the member was last assigned. (1/1/2019)
4109. Application for Benefits: Except as provided in Section 4118 of this chapter, in order to be entitled to receive any benefits from the Association, the member must submit to the Board a written application or claim therefore in such form and details as shall be prescribed by the Board, and furnish adequate proof in support thereof. See more particularly Chapter 2 of this article.
4112. Disabilities Suffered Prior to Becoming Member: No member shall be entitled to benefits for disability or death occasioned by sickness, disease, or injury contracted prior to becoming a member.
4115. Time for Payment of Claims: All claims for benefits shall be paid within a period of 90 days from the date of their approval by the Board.
4118. Advances in Emergency Cases: In cases of emergency, and based upon demonstrated need, the President, Vice President, President Pro-tem (Administrative Chair) of the Association may, in their sole discretion, authorize advances not exceeding \$2,000 for the immediate relief of any member. The Board may in its discretion, extend such advances, pending approval of formal applications for benefits, to encompass the total elapsed period of compensable disability. In cases of emergency advancement, such advancements shall be subject to a later vote of a majority of a quorum of the Board. Advances may be made to members of the Association upon such terms and conditions as the Board shall prescribe. (12-7- 93) (1/1/2018) (1/1/2019)
- 4118a. Advancements: All other advancements shall be subject to majority approval of the committee and ratification of the Board. (1/1/2018)

4121. False Claims: Any member who shall willfully claim or receive benefits when not entitled thereto may be expelled from membership as provided in Article II of these Bylaws.
4124. Effect of Termination: When a membership is terminated under Section 2112, the terminated member shall be entitled to receive all disability benefits to which they would otherwise be entitled for any disability commencing prior to termination.
4127. Effect of Suspension or Expulsion: Upon suspension or expulsion from membership all of the rights, duties and obligations of the member as to the Association shall cease, subject only to their rights to reinstatement as elsewhere herein provided.
4130. Benefits after Reinstatement from Suspension or Expulsion: A member who has been reinstated from suspension or expulsion shall not be eligible for benefits until a period of 30 days has elapsed following their reinstatement and then only when based upon occurrences subsequent to said 30-day period.
4133. Lien for Indebtedness: To secure any indebtedness owing to the Association by a member, for advances or otherwise, the Association shall have a first and prior lien upon and against any benefit payable by the Association to such member or their successors in interest and may retain all or such part of said benefit as may be necessary to repay said indebtedness, whether or not the debt is then due or payable. (12/4/08)
4136. Assignment of Benefits: Benefits are not assignable by a member or by their successors in interest without the written consent of the Association first having been obtained. (1/1/1982)

Chapter 2

Relief Department

4203. Scope of Chapter: The provisions of this chapter relate only to the Relief Department of the Association. General provisions and provisions concerning other departments or funds are to be found in the chapters specifically relating thereto.
4206. Death Benefits: Payment as set forth in the schedule below will be paid upon proof of death of a member of this Department, provided any expenditures made or obligations incurred by the Association or by any member of the Board in connection with the death or interment of said member shall be deducted from such benefit and the balance paid to the beneficiary designated in writing with the Association, or to the heirs or the legal representative of the deceased member in the absence of such written designation. Class C Members - \$5,000.00 effective 1/1/2018 by an affirmative vote of two-thirds of the members of the Board, the Board may from time to time determine to supplement the death benefit herein

provided or may increase or decrease the amount of the supplemental death benefit as circumstances warrant. Such supplemental death benefit adjustment shall be effective prospectively. (1/1/1985 4/9/1986 - 1/1/1987 - 3/1/1991) (1/1/2018)

4207. Survivor Benefits:

(a) Upon proof of the death of a member from non-service-connected illness or injury (N.I.O.D.) contracted or sustained while an active member of the Fire Department, who had not yet become entitled to (N.I.O.D.) death benefits from the City, the member's surviving spouse domestic partner, child, children or dependent parents shall be paid a monthly benefit of forty percent (40%) of a fully paid firefighters monthly base salary for a period of sixty (60) months from date of death. (12/4/08) (1/1/2018)

This benefit shall be paid to the surviving spouse or domestic partner until remarriage. If the member is not survived by their spouse or domestic partner if the surviving spouse or domestic partner does not survive the full sixty (60) months following death, this benefit shall be paid to the legally appointed guardian of the deceased member's child or children for the remainder of said sixty (60) months or until the youngest child turns eighteen (18) years whichever is the sooner. If the member is not survived by either spouse, domestic partner or children, this benefit shall be paid to any surviving dependent parents during such dependency as defined in subsection (c). (12/4/08) (1/1/2018)

In the event the member is survived by a spouse or domestic partner and children under the age of eighteen (18) the member's surviving spouse or domestic partner, unless remarried, shall receive during said sixty (60) month period, an additional amount based on the monthly benefits payable under this section for each child, until such child reaches age eighteen (18) or is married. Benefits as follows:

For one child, twenty-five percent (25%) of the basic monthly benefit.

For two children, forty percent (40%) of the basic monthly benefit.

For three or more children, fifty (50%) of the basic monthly benefit.

Benefits shall be based on the rate of a fully paid firefighter's base pay prevailing on the date of death. Minor, unmarried children of the deceased member shall be entitled to this benefit whether or not the surviving spouse or domestic partner remarries. (12/4/08) (1/1/2018)

(b) In the event that death results from N.I.O.D. while the member was receiving benefits under Section 4215 or Section 4216, the total monthly benefit received under this section and under Section 4215 or Section 4216 combined shall not exceed a period of sixty (60) months. (12/4/08)

(c) A dependent parent for the purpose of this Section shall be defined as the deceased member's father, step-father, mother, step-mother, or both, who were domiciled in the United States at the time of the member's death and for at least

one year preceding the member's death received one-half or more of their necessary living expenses from the member. An applicant shall provide such evidence of dependency as the Board deems necessary. (12/4/08)

4209. Illness or Injury Benefits: A member of this department shall be entitled to receive a weekly benefit of \$70.00 upon proof that they have been unable to perform any gainful occupation or duty because of disability caused by illness or injury.

(1) Active members are eligible for this benefit only if receiving or if entitled to receive full salary from the City.

(2) These benefits are not payable if the illness or injury causing disability is I.O.D. i.e., related to illness or injury on duty, except in the case of a retired or pensioned member who suffers recurrence or continuation of a disability arising out of I.O.D. injury or illness, and the member is not eligible for treatment from the City or through Worker's Compensation. For the purpose of this benefit, a normal pregnancy may be considered to be an illness or injury, depending on the circumstances relating to the pregnancy. A pregnancy certified in writing by a licensed physician is considered an illness for the purpose of this benefit. (1/1/2019)

(3) In the event of the death of a member entitled to weekly benefits under this section, the amount due and unpaid upon their date of death shall be paid to the member's beneficiary according to their written direction to the Association or in the absence of such written direction, to the legal representative of the member's estate, and if there be none, to their Heirs-At-Law. (12/14/1976 - 12/14/1978 - 1/1/1981 - 1/1/1982 - 1/1/1987 - 3/1/1991)

4212. Duration of Benefits:

(1) Disability benefits under Section 4209 of this chapter continue for a period not exceeding 20 weeks in the aggregate for any one sickness, injury or complication or recurrence thereof. Should such disability recur within 10 days after a member resumes their duties or work of any kind, benefits shall be allowed from first day of disability, minus actual days worked. In exceptional cases, the Board may in its discretion allow additional benefits beyond the 20-week period. (1/1/2018)

(2) In no case shall the aggregate of monthly benefits under Sections 4207 and 4216 continue for a period longer than 60 months. (11/20/73)

4215. Disability Benefits - Non-Pensioners: Any member who is an active member of the Fire Department as of the time of N.I.O.D. illness or injury shall upon proof that they have been unable to perform their usual occupation or duty because of disability occasioned by sickness or injury and who does not receive any pay or a service pension or a service connected disability pension from the City shall be entitled to receive benefits as follows:

(1) A daily rate equal to 1/30th of the maximum monthly base pay of a Firefighter

with 20-year longevity, for a period not to exceed 18 months of such disability in the aggregate for any one or combinations of sickness or injury or recurrence thereof. Such benefits shall begin on the first day the member does not receive any salary from the City. (12/4/08) (1/1/2018)

- (2) During that period immediately preceding total termination of pay and while the sick or injured member is receiving from the City 75% of their regular pay, they shall be entitled to receive from the Association 25% of the maximum base pay of a Firefighter based on the rate prevailing at the date of commencement of leave no pay. Also, when the member is receiving from the City 50% of their regular pay, they shall be entitled to receive from the Association 50% of the maximum base pay of a Firefighter with 20-year longevity. Based on the rate prevailing on the date of commencement of leave no pay the Association will continue base pay of a fully paid firefighter with 20-year longevity for 18 months, for a lifetime aggregate maximum. (11/18/1971) (1/1/2018)
- (3) For the purposes of this section, a pregnancy may be construed as a sickness, illness or injury, depending on the circumstances related to the pregnancy. In the event of a pregnancy certified in writing by a licensed physician to be a sickness, illness or injury, a member is entitled to benefits under this section provided she has been a member for at least 2 years prior to the date on which she became "unable to perform her usual occupation or duty" because of such pregnancy. (12/14/1978) (12/4/08) (1/1/2019)

In the event a member receiving benefits under this section receives a service pension retroactively, payment of benefits hereunder shall cease and all benefits paid to the member subsequent to the effective date of their service pension shall be refunded to the Association. In no event shall a member be required to repay more than they have received from the City during any such retroactive period. (11/18/1970)

4216. Disability Benefits - Members Not Eligible for N.I.O.D. Pension: (1) After all benefits under Section 4209 and Section 4215 have been paid, members who have not yet become entitled to N.I.O.D. disability pension from the City and who are unable to return to duty because of continuation of N.I.O.D. disability shall be paid a monthly disability benefit of 40% of a fully paid Firefighter's monthly base pay for a period of 48 months or until return to duty on the Fire Department if occurring prior to the end of the 48 months period. Should such disability recur within 6 months after a member resumes their duties, benefits shall be allowed from the first day of disability, minus the time the member was returned to duty on the Fire Department and was entitled to draw full salary. Benefits to be computed at rate of pay prevailing at time of commencement the member does not receive any salary from the City. (11/18/71)

4218. Disability Benefits - Pensioners: Any member who is an active member of the Fire Department at the time of illness or injury shall upon proof that they have been unable to perform any gainful occupation or duty because of disability caused by

such sickness or injury and who does not receive or is not entitled to receive full pay from the City, upon receipt of a 40% non-service connected disability pension shall be entitled to receive benefits at the rate per day of 1/50th of the maximum monthly base pay of a Firefighter for a period not to exceed 30 months. Any benefits paid under Section 4215 or this Chapter for the same illness or disability shall be deducted from the total benefits which the member shall be eligible to receive under this section and the balance shall be paid at the rate provided in this section. In no event shall all of such benefits exceed the total of one and a half year's maximum base salary of a Firefighter. Benefits payable under this section shall begin on the first day a member received a 40% non-service connected disability pension and shall be computed upon the rate of pay prevailing on the date of commencement of their 40% non-service connected disability pension. (11/18/1971)

4221. Refund of Benefits: Benefits are paid pursuant to the Sections of this Chapter upon condition that in the event the member's medical status is changed so as to allow them to receive retroactive compensation from the City, the member shall immediately refund to the Association all benefits received from the Association covering the period for which the member receives such retroactive compensation from the City. However, the member shall not be required to repay to the Association more than they have received from the City for such retroactive period.
4224. Computation of Disability Time: In computing time of disability for which benefits are claimed, members shall count as the first day of disability, the one on which the member was disabled as certified by a licensed physician.
4227. Commencement of Disability Benefits: Illness or injury disability benefits shall be allowed from the first day provided the disability continues for not less than seven days, but in no case shall benefits be allowed for disability of less than seven days duration. If disability caused by illness or injury does not begin within ten (10) days from the onset of such illness or injury, no benefits shall be allowed for the first seven days of disability.
4230. Termination of Disability Benefits: Disability benefits shall cease when the disabled member returns to any occupation or duty or any employment for profit or gain or when they are declared able to do so by the attending physician or upon the expiration of the time limits provided by this chapter. (1/1/2018)
4233. Disability Benefits not Allowed in Certain Cases: Disability benefits will not be allowed in the following instances, and the report of the attending physician shall be conclusive:

Any disability diagnosed as stress or stress related prior to a member completing five (5) years as a member of the Association;

Any documented disability caused by sickness or injury contracted by a member

prior to joining the Association;

Any documented disability resulting from or caused by a member's willful misconduct;

Any documented disability resulting from or caused by the abuse of drugs or narcotics in any form;

Benefits under this exception will be paid one time only. Benefits paid under this exception are subject to immediate discontinuance in the event the member fails to conform to the follow-up program or fails to cooperate fully with all aspects of the detoxification and/or rehabilitation program. (11/19/1975 - 3/1/1991) (1/1/2018)

4236. Disputes as to Disability: In all cases of dispute as to disability or as to any condition involving a medical opinion, the majority reports of not less than three physicians shall be conclusive. (1/1/2018)

4239. Section Deleted (1/1/2018)

4245. Claims for Disability Benefits: Claims for disability benefits shall be filed with the Association on forms approved by the Board and such claims must be accompanied by a certificate of disability and the duration thereof attested to by the attending physician or by a physician appointed by the Association. In establishing proof of any claim as contemplated by this section, the Board may require additional evidence and may accept any reasonable form of evidence. (1/1/2020)

4248. Time to File Claims: Claims for benefits must be on file with the Association within one year after disability ceases or within one year after 20 weeks of disability has passed. The Board may deny any claim which is filed after this time. (11/2000)

4249. Deleted (12/01/01)

4252. Deleted (12/01/01)

4253. Deleted (12/01/01)

Chapter 3 Life and Accident Department

4303. Scope of Chapter: Unless otherwise specified, the provisions of this chapter relate only to the Life and Accident Department of the Association.

4306. Death Benefits When There Have Been No Previous Benefits: When a member who has not received a benefit from this fund dies, their beneficiary upon giving proof thereof, shall be entitled to receive a benefit from this fund in the sum of \$12,000. The receipt of this benefit shall constitute final settlement of all claims

for benefits which the member or their beneficiary may at any time have against this fund. In no event shall a member and their beneficiary combined, receive, as between the benefits described in this Section and Section 4315, an amount greater than the aggregate sum of \$12,000. (11-24-1992) (1/1/2018)

4312. Priority of Claims for Death Benefits: Claims for death benefits shall have priority over all other claims for benefits.

4315. Permanent Disability Benefit - Non Pensioners: When a member who has not received a benefit from this fund is totally and permanently disabled and is removed from the Fire Department or other position as a result of sickness, disease or personal injury, and does not receive or is not eligible to receive a pension from the City, they may be entitled to a benefit from this fund not to exceed the total sum of \$6,000. The receipt of this benefit shall constitute a final settlement of all claims for benefits which the member may at any time have against this fund. The Association shall have the discretion to disperse such funds for the member's benefit as the Board shall direct from time to time. All monies dispersed shall be deducted from the benefits otherwise payable under this section. (11/20/1973) (1/1/2019)

4318. Disability Benefit - Pensioners: When a member who has not received a benefit from this fund is granted a disability pension by the City, they may be entitled to a benefit from this fund equal to the total of all sums of money theretofore paid by such member to the Life and Accident Department, but not to exceed the total sum of \$6,000. The receipt of this benefit shall constitute a final settlement of all claims for benefits which the member or their successors in interest may at any time have against this fund. If a member who has received this benefit is readmitted to active service in the Fire Department, they shall thereafter be eligible to reinstatement in the Life and Accident Department under the conditions prescribed in Section 2115 hereof. The Association shall have the discretion to disperse such funds for the member's benefit as the Board shall direct from time to time. All monies dispersed shall be deducted from the benefits otherwise payable under this section. (1/1/2019)

4321. Mental Disability Benefit: When any member shall be (1) adjudicated mentally incompetent by a court of competent jurisdiction or (2) placed under care of a conservator and does not receive or is not eligible to receive a pension and/or disability payments from the City of Los Angeles; the Board may, at any time within a period of one year after the member is adjudicated mentally incompetent or placed under the care of a conservator, declare a benefit to the member from this fund in the amount equal to the benefit that such member's beneficiaries would be entitled to if the member died, but not to exceed the total sum of \$6,000. (12/4/08) (1/1/2019)

The payment of Benefits under this section shall constitute a final settlement of all claims for benefit from the Association which the member or member's legal guardian, conservator, successor of interests or beneficiaries may have at any time

against this fund. (12/4/08) (1/1/2019)

The Board has the discretion to disperse money from this fund to dependents of any incompetent member. The Association shall have the discretion to disperse such funds for the member's benefit as the Board shall direct from time to time. All monies dispersed shall be deducted from the benefits otherwise payable under this section. (12/4/08) (1/1/2019)

4327. Retirement Benefits - Pensioners: When a member who has not received a benefit from this fund is granted or is eligible for a service retirement by the City they shall thereupon be entitled to:

- (1) A benefit from this fund equal to all sums of money, plus 7% simple interest, calculated on an average annual balance, heretofore paid by such member into the Life and Accident Department, less annual dues and less special assessments paid subsequent to (12/6/1995) (12/4/08)
- (2) Apply for and receive a certificate of the total of all sums of money theretofore paid by such member into the Life and Accident Department, less annual dues and special assessments, and instruct the Association to pay the net sum to their named beneficiary in case of death. A member who has availed them self of the provisions of this sub-paragraph (2) may upon approval of the Board at any later time avail them self of the provisions of sub-paragraph (1) above by surrendering the certificate as to the Board and making written application for the benefit provided under sub-paragraph (1) hereof.
- (3) No dues shall be collected from such member, and payment under either of the provisions shall constitute a final settlement of all claims for benefits which the member or their successors in interest may at any time have against this fund; or
- (4) Continue as a member of the Life and Accident Department by complying with the provisions of Articles II and III of these Bylaws, provided that benefits shall not exceed the total sum of \$12,000. (11/24/1992)

4330. Termination Benefit: When a member has not received a benefit from this fund and has been a member for a period of time greater than 5 years, and leaves the employment of the Fire Department, they shall be entitled to apply for benefits from this fund equal to a percentage of all sums, plus 7% simple interest, paid by them to the Life and Accident Department, less annual dues. The percentage based upon duration of membership follows:

Less than 5 years	0%
5 years	50%
6 years	55%

7 years	60%
8 years	65%
9 years	70%
10 years or more	75%

The receipt of this benefit shall constitute a final settlement of all claims for benefits which the member or their beneficiaries may at any time have against this fund. (Revised 11/27/06)

Chapter 4 Medical Department

4403. Medical Insurance: Only members of the Relief Association in good standing and their dependents, employees of the Relief Association and their dependents and Associate Members and their dependents as described in Section 2135 will be eligible for medical insurance. The Board shall have the power upon the request of members and employees of the Association to act as their agent in contracting with any established medical service. (11/12/03) (12/4/08) (1/1/2018)

4406. Premiums: The premiums for medical insurance shall be paid to the Association by payroll deductions or otherwise, without any additional charge being assessed by the Association. (1/1/2018)

4409. Section Deleted (1/1/2018)

4412. Authority of Board: By affirmative vote of two-thirds of the members of the Board, Bylaws may be enacted or amended in such particulars as deemed necessary to effectuate and implement the purposes of the Medical Department. (1/1/85-1/1/87)

Chapter 5 Military Leave

4503. Application of Chapter: The provisions of this chapter shall apply to all departments of the Association except the Medical Department.

4506. Military Leave for Longer than One Month: A member on military leave from the Fire Department for a period of time in excess of one month shall not, pending reinstatement to active membership, be required or permitted to pay dues, assessments or contributions to the Association and shall not be entitled to receive benefits from the Association for any illness, injury or disability. The members' family will continue to be eligible to participate in medical coverage if they so elect. The death benefit shall be paid while on military leave. Such member shall become eligible for benefits from the Association upon reinstatement to membership in the manner provided in Article II of these Bylaws. (12/4/08) (1/1/2014)

4509. Military Leave for Less than One Month: A member who is on military leave for a period of one month or less shall continue to pay all regular dues and assessments to the Association. They may claim benefits the same as any other member, less, however, any monetary compensation for disability received from any government agency by reason of military service.

4512. Members in Active Reserve or National Guard: A member or their successor in interest, not on military leave from the Fire Department may claim benefits for illness, injury, disability or death resulting from such members' participation in any active reserve of the armed forces of the United States or the National Guard. Said Benefits shall be reduced to the extent of any monetary compensation for disability received from any government agency by reason of such services in the armed forces. (12/4/08)

4515. Other Benefits: Upon the death of a member not eligible for the benefits provided in the preceding sections of this chapter, their successors in interest shall be entitled to receive from the Association all money paid by the member to the Life and Accident Department by way of dues, assessments or contributions, less annual dues. A member whose application for reinstatement has been rejected under the provisions of this Chapter may receive a benefit from the Life and Accident Department, as provided in Chapter 3 of this Article. (11/12/03)

Chapter 6

Estate Planning Benefit

4701. Estate Planning Benefit - A lifetime benefit with a maximum of \$600.00 shall be available to any active or retired member of the Los Angeles Firemen's Relief Association (or the surviving spouse of a member). The purpose of the benefit is to assist members (or the surviving spouse of a member) in developing an Estate Plan including a living trust, or in revising and updating an existing Estate Plan or Living Trust. The cost of which shall be paid out of the Relief Fund. Applications for this benefit shall be in the form of a written letter to the Relief Association, requesting the benefit. A receipt for service or an itemized invoice from the office of the assisting legal firm shall accompany the request. (1/1/2018)

An Estate Planning Advancement is available for up to an additional \$1,200 to help cover the costs of Estate Planning. The payback period shall not exceed 12 months. (1/1/2018)

BYLAWS

ARTICLE V

5103. Effect of Bylaws: These Bylaws and amendments thereto shall be in full force and effective upon adoption and shall supersede and repeal any and all former Bylaws not contained herein.

5105. Policy Book: A Policy Book shall be adopted by the Board and put into effect as a guide which all Officers, Trustees and Employees shall use in carrying out the business of the Relief Association. (12/4/08)

5106. Definition of Amendment: The word "amendment" as used herein, is intended to include within its meaning any and all changes in the Bylaws, whether by way of alteration, addition, or deletion.

5109. Section Deleted (1/1/2018)

5112. Amendment by Initiative of Members: A proposed amendment to the Bylaws may be initiated by written petition signed by members qualified to vote thereon and comprising not less than 10% of the members of the Association. (12/4/08)

The petition must specify the particular manner in which the Bylaws are to be amended and must be submitted to the Board on the standard Association initiative petition form to allow verification of signatures. Each form submitted must have "the declaration of circulator" section completed for the signatures to be counted as valid. The Association will provide the required forms upon request. (12/4/08)

If the initiative petition is deemed by a majority of the Board to be ambiguous, uncertain or unintelligible, it may be returned to the members with the requirement that the petition be clarified in specified particulars. Any determination by the Board that the initiative petition is ambiguous, uncertain or unintelligible shall be made within sixty (60) days following the presentation of such initiative petition to the Board. (12/4/08)

Any modification of the original petition at the behest of the Board must be attested to by not less than twenty-five of the original signatories. The modifications must be resubmitted to the Board for consideration. In the event that any petition which is returned to the Board having been clarified at the Board's request has a change in substance or if the petition revises additional sections of the Bylaws, then it shall be treated as a new petition requiring signatures of 10% or more of the membership. (12/4/08)

Once the initiative petition is deemed appropriate by a majority of the Board, either in original form or after certain modifications, the Board shall, within sixty (60) days after the Board determines the petition is not ambiguous, uncertain or unintelligible, accept the petition for election by the general membership. The accepted petition shall be placed on the ballot during the next general election after the petition is accepted if it is administratively feasible to do so. (12/4/08)

The membership shall be notified of the contents of the initiative petition by direct mail or by notice published in the official magazine of the Association at least thirty (30) days prior to the election date. (12/4/08)

5121. Amendment by Board: Proposed amendments to the Bylaws, not initiated by at least 10% of the members of the Association pursuant to Section 5112, may be submitted to the general membership for adoption pursuant to Section 5127 upon an affirmative vote of two-thirds of the members of the Board. Proposed amendments requiring said two-thirds affirmative vote by the Board include, but are not limited to, proposed amendments recommended by the Bylaws committee, proposed amendments recommended by a duly elected officer or Trustee and/or proposed amendments submitted by one member or group of members. (12/4/08)

5122. Bylaws Committee: Bylaw amendments, revisions and new section proposals made pursuant to Sections 5112 or 5121 shall be submitted to the Bylaws Committee no later than April 1st of the year they are to be acted upon. All Bylaw amendments, revisions and new Section proposals shall be approved or rejected by the Bylaws Committee within 90 days. Rejection shall be based on the clarity of the amendments, revisions and new Section proposals. The committee shall submit all proposed amendments, revisions or new Section proposals to the Board stating in writing the actions taken by the Committee concerning the proposals. (12/4/08) (1/1/2018)

5123. Amendments Pursuant to 5121: In order to be placed on the ballot for election by the general membership in the same year as an amendment is proposed, the proposed Board amendment to the Bylaws shall be reviewed by the Bylaws committee no later than July 1st. No later than the August Board meeting, the Board shall approve, disapprove or table the proposed Board amendments. (12/4/08)

In the event that the Board cannot officially act during the August Board meeting due to lack of quorum or other exigent circumstances, the Board shall approve, veto or table proposed amendments under Section 5121 during the next Board meeting in which the Board can take official action pursuant to Article VII of the Bylaws. If a proposed amendment is tabled, the Board must approve or disapprove the proposed amendment during the following Board meeting in which the Board can take official action. (12/4/08)

Deferral of Election on Amendments by Board Pursuant to 5121: Proposed amendments presented to the Bylaws committee, pursuant to Section 5121 after July 1st shall be considered submitted the following year. If the Board cannot fix the date of the election by the general membership by the October Board meeting, the amendments shall be considered submitted the following year. (12/4/08)

5124. Election re: Amendments Under Section 5121: The Board shall, as part of the action approving proposed amendments pursuant to Section 5121, fix a date of an election to be held not less than one month or more than three months after approving an amendment under Section 5121. The membership shall be notified of the election by direct mail or by notice published in the official magazine of the Association at least 30 days prior to the election date. (12/4/08)

5127. Adoption of Amendment: Any amendment to the Bylaws, however initiated, shall be adopted only upon an affirmative vote of two-thirds of the qualified members voting thereon.

ARTICLE VI

FUNDS

Chapter 1

General Rules

6103. Segregation of Funds: For purposes of proper accounting and efficient administration the Association shall maintain accounts of the funds of each department separate and apart from those of the other departments.
6106. Transfer of Funds: Funds shall be transferred from one department or designated fund to another only when authorized by a vote of two-thirds of the members of the Board. In no case shall funds be transferred from the Relief Department to the Life and Accident Department, or vice versa.

Chapter 2
Relief Fund

6203. Definition: The Relief Fund shall consist of monies received and disbursed by the Relief Department.

Chapter 3
Life and Accident Fund

6303. Definition: The Life and Accident Fund shall consist of monies received and disbursed by the Life and Accident Department.

Chapter 4
General Expense Fund

6403. Source of Account: The General and Administrative Fund shall be made up of monies funded from various other funds of the Association, such as the Life and Accident Department, the Relief Department and Medical Fund. The amounts shall bear a definite relation to the cost of the operations of the funds from which the transfers are made. (11/12/03) (12/4/08)

6406. Use of Account: The General and Administrative Account shall be used for the payment of salaries, trustees' expenses, retirement badges, office expenses and other expenses necessarily expended in carrying on the business of the Association. (11/12/03)

Chapter 5
Security Fund

6503, 06, 09, 15, 18 AND 21 DELETED (11-29-2001)

Chapter 6
Widows, Orphans and Disabled Firemen's Fund

6603. Source of Fund: The Widows, Orphans and Disabled Firemen's Fund consists of contributions by the Association and others, and income, if any, derived from the use or investment of said fund.

6606. Use of Funds: The Widows, Orphans and Disabled Firemen's Fund shall be used solely for charitable purposes within the meaning of Sec. 501(c) (3) of the Internal Revenue Code of 1986 and specifically for furnishing voluntarily and gratuitously relief and assistance to needy and distressed surviving spouses or domestic partner and/or orphans of members and/or former members of the Los Angeles

City Fire Department and/or needy disabled or distressed firefighters or pensioners, their spouses and minor children, dependent adult children and dependent parents. (12/4/08) (1/1/2018)

6607. Scholarship Program – The Board may provide a scholarship program from the Widow, Orphans and Disabled Firemen’s Fund for those individuals defined in **Section 6606**. Any scholarship(s) provided to such individuals will be subject to the control of the Board and limited so as not to impair the humanitarian programs of the Fund. From time to time, the Board shall determine the nature and amount of any scholarship benefit and shall publicize to the membership the availability and the qualifications for the scholarships. The Board in its sole discretion shall award scholarships to those individuals who satisfy the criteria for the awarding of scholarships. (Corrected 11/27/06)

6609. Eligibility for Benefits-Gratuitous: Any surviving spouse or orphan who shares in the benefits of this Fund by reason of distress or need must have been dependent upon a member or former member of the Fire Department at the time of their death. Disabled firefighters and pensioners, their spouses and minor dependent children shall be entitled to share in the benefits of this Fund if all other sources of assistance have been exhausted and it is proved to the satisfaction of the Board that an additional need continues to exist. Eligibility to receive assistance from this fund does not require the petitioner to be a member of the Relief Association. (12/4/08)

6621. Administration of Fund: The Board shall hold and administer this Fund. Upon a two-thirds affirmative vote of the members of the Board in attendance and voting, it may accept contributions, gifts or bequests of money or other property. All such contributions, gifts and bequests shall be deposited in and become a part of this Fund. The Board shall manage, invest and reinvest the corpus of this Fund and disburse the monies in order to accomplish the intent and purpose set forth in this chapter. The selection of recipients and the amounts distributed to them shall be determined in the absolute discretion of the Board.

6624. Restrictions: No part of the net income of the Widows, Orphans and Disabled Firefighter’s Fund shall inure to the benefit of any individual. No portion of the Fund shall be used in any activity connected with the carrying on of propaganda, or otherwise attempting, to influence legislation. No portion of the Fund shall be used in the participation or intervention in (including the publishing or distributing of statements) any political campaign on behalf of any candidate for public office. (1/1/2020)

The Fund shall not engage in any activity which is not in furtherance of the charitable purpose set forth in Section 6606. (12/4/08)

6627. Disposition of Funds in Event of Dissolution: Upon the dissolution of the Fund, the assets of the Fund remaining after payment of, or provision for payment of, all debts and liabilities shall be distributed to a corporation, fund or foundation, or

any combination thereof, as shall be selected by the Board, provided that any such recipient or recipients shall be qualified for exemption from Federal Income Tax under Section 501(c) (3) of the Internal Revenue Code of 1986 as now in effect and as subsequently amended. (11/18/71)

Chapter 7 Firemen's Center Fund

- 6703. Deleted (9-5-1996)
- 6706. Deleted
- 6721. Deleted
- 6727. Deleted

Chapter 8 Disposition of Funds

- 6803. Definition: The term "funds" as used in this chapter is intended to include all funds coming into the possession of the Association from all sources. All assets of the Association including, but not limited to; real estate, vehicles, investments, office equipment, historical collections, software and estates shall be considered funds of the Association. All funds/assets will be maintained on a written inventory and reconciled at least annually by the Secretary. The funds/assets of the Association will be acquired, maintained and dispersed only through the accounting system of the Association within all transactions recorded therein. 11/12/03 (12/4/08)
- 6806. Deposits: The funds of the Association shall be deposited in any bank or banks which belong to the Federal Reserve System of the United States, or the Firefighter's First Credit Union. (12/6/1995)
- 6812. Section Deleted (1/1/2018)
- 6815. Investments: The Board, by a majority vote, may invest the funds of the Association in cemetery lots acquired for the future use of members and their dependents and may purchase, lease or rent real property and may invest in securities within the limitations hereinafter set forth. Real property purchased may be for investment or income production and may include such facilities as the Association may deem appropriate for office and related uses. (1/1/2018)

The Board shall engage the services of such Investment Managers and/or Investment Consultants as are of good repute. The Board shall adopt a statement of investment policies, guidelines, and objectives for the guidance and with the input of such managers and consultants. The purposes of the statement will be to specify the objectives of the Association in connection with investment in both equity securities and debt type securities. With respect to all investments, the Investment Committee shall, at least quarterly, review the performance of the Investment Manager(s) and report the results of such review to the Board. (9-5-1996) (12/4/08)

In exercising the investment authority herein granted, the Board shall use the judgment and care, under circumstances then prevailing, which people of prudence, discretion and intelligence exercise in the management of their own affairs, not in regard to speculation, but in regard to the permanent disposition of their funds, considering the probable income as well as the probable safety of their capital.

The funds and investments of each department may be combined, but shall be accounted for separately and shall be carried at fair market value in accordance with rules of the Financial Accounting Standards Board (FASB 124). (11/12/03)

The Board by majority vote may delegate the authority to invest in securities to either the President, Vice President or the Chair of the Investment Committee, who will concur in any such investment decision. However, all such decisions shall be subject to the ratification of the Board at the next regularly called meeting. (12-6-1988) (12/4/08) (1/1/2020)

6818. Reserve Funds: The Board shall at appropriate intervals obtain competent actuarial advice and surveys respecting the nature and extent of reserves required to discharge claims that may be made against the various funds, and may establish actual reserves in any amount and of any nature which is deemed necessary to meet such claims as they arise.

6821 Disposition of Funds in Event of Dissolution: The Association does not contemplate pecuniary gain or profit to its members, and in the event of dissolution, any assets of the Association remaining after payment and discharge of its debts and obligations shall go to a charitable trust or trusts to be administered for the purpose now served by the Widows, Orphans and Disabled Firemen's Fund as set forth and described in Chapters 5 and 6 of this Article.

ARTICLE VII ADMINISTRATION

Chapter 1 Board of Trustees

7101. Oath of Office: All Officers and Trustees shall, upon appointment or election takes the Association Oath of Office as set forth immediately below prior to assuming the duties of their position. The Oath may be stated vocally or adopted by signature but in either event a signed copy will be filed in the official files of the Association. Failure to adhere to the Oath shall be grounds for removal from office by Board Action.

Oath of Office:

I, _____, do solemnly swear or affirm, that I will uphold and conform to the Bylaws of the Los Angeles Firemen's Relief Association and to the rules, regulations, and policies adopted by the Board of Trustees. I do solemnly and faithfully promise to be loyal to the Los Angeles Firemen's Relief Association and, to the best of my ability, strive to support and defend the reputation and honor of the Association, to be fully present and prepared at meetings; to diligently seek Board consensus whenever possible; to willfully adopt responsibility for carrying out Board or Committee directives, and this I faithfully promise and call upon these assembled members to witness, so help me God. (1/1/2018)

7103. Government of Association: The Association shall be governed and its business conducted by a Board of Trustees normally consisting of a President, a Vice President and eighteen Trustees who are members on Active duty and three Trustees who are members pensioned from the Fire Department. Trustees shall normally be designated as Group 1, 2 or 3. There shall be six Active and one Pensioner in each group. (Revised 12/1/2011) (1/1/2015)

7106. Qualifications of Officers and Trustees: Except for the Offices of Executive Director and Controller-Treasurer, only members of the Association in good standing may serve as an Officer or Trustee. No Officer, Trustee or appointee to the Board of this Association shall simultaneously hold a position on the Board or as an Officer of any recognized employee organization which is a bargaining representative under the current memorandum of understanding agreements with the City, covering wages, hours and other terms and conditions of employment as stated and defined in LAAC Ch. 4, Article 2, Section 4.203, Sub-Paragraph (1). (12/4/08)

In the event that a Trustee or Officer of this Association accepts or holds such a position as a member of the Board or as an Officer of any of the above organization (s) during their term of office with this Association, their office with this Association shall be automatically considered vacant as of the date of acceptance of the position with the organization(s), or in the event that a Trustee or Officer of this Association is holding such a position with any of the above organization(s) they must resign their office with the Association or with the other organization(s) as soon as administratively feasible. (12/4/08)

7107. Fiduciary Insurance: Each trustee will have maintained upon them insurance coverage in an amount to be fixed by the Board, at the expense of the Association. (9-5-96)

7109. Term of Office: Trustees shall serve for three years, or until their successors are elected and assume office. One third of the Trustees shall be elected each year. The term shall begin with the first meeting of the Board in the calendar year immediately following the election to office. For election purposes only, Trustees will be designated into one of 3 groups. (1, 2, or 3) (Revised 12/1/11)

7112. Compensation of Trustees and Officers: Each Trustee and Officer is entitled to have their monthly dues to the Relief Department remitted during their term of office. To the extent approved by the Board, the Trustees and Officers shall be reimbursed for expenses incurred in performing services or transacting business for the Association. (11/12/03)

7115. Nomination of Trustees: Any member of the Association, in good standing, can self-nominate for the respective Active or Pensioner Trustee position by submitting a letter to the Election Committee Chair of the Association by October 15. All members in good standing who request to be on the ballot shall be placed on the ballot. (1/1/2020)

If six or less members are nominated for the Active Trustee positions or only one Retired Member a “white ballot” will be declared for that category of Trustee and the member(s) will be declared the winner of the election.

Candidates for Association President or Vice President shall be a Trustee or former Trustee of the Association and meet the qualification set forth in section 7206. In the event a currently serving Trustee is nominated for President or Vice President the election for that Trustees’ unexpired term shall be included in the Active Member election. (11-24-92) (12/4/08) (12/1/11)

7118. Election of Trustees: The election shall be held in November and the nominees receiving the highest number of votes from respective electorate shall thereby be elected as Trustee for the ensuing term. Unless impacted by the President or Vice-President election, the six Active Trustee candidates receiving the highest numbers of votes will be declared the winners. If the President and Vice-President create vacancies in one of the groups that are not up for election in a given year, the top eight candidates could be elected as Trustees. (11/18/70) (12/1/11)

7121. Right to Vote for Trustees: Only members of the Association shall be entitled to vote for Trustees. (Revised 12/1/11)

7124. Vacancy of Office of Trustee: If a Trustee is removed or resigns from the Fire Department or the Association, their office shall forthwith be declared vacant by the Board. (11/18/71) (12/4/08) (12/1/11)

7125. Active Trustee Retires: Active Trustees who retire during the term of their office may continue to represent the Active duty constituency until the expiration of their term. (12/4/08) (12/1/11)

7127. Removal of Trustee: Upon receipt of a written request of 10% of the Association Active or Retired members of a Trustee's electorate, or upon a vote of two-thirds of the members of the Board that the Trustee be removed from office, the Board shall fix a date of election to be held to determine final action thereon. Such

- election shall be held not less than one month nor more than three months after the date of receipt of written request or of the Board Action. Members concerned shall be notified of such election by direct mail, by publishing notice in the Grapevine magazine of the Association at least one month prior to the date of election. A true and complete copy of such a petition or record of action by the Board shall be delivered or mailed to the subject Trustee at their last known address within ten days following the first action of the Board thereon. At such election the Trustee shall be removed from office upon the affirmative vote of a majority of the members voting on the proposition; otherwise, the Trustee shall continue in office for the unexpired portion of their term. The request by the members of the electorate to remove its Trustee from office must be stated specifically in writing and signed by members making the request. (12/1/11)
7130. Suspension of a Trustee Pending Election Removal: If the written request of the members of the electorate as described in Section 7127 also requests that the subject Trustee be suspended from office pending the vote on the proposition concerning their removal, the Board may upon vote of a majority of the Trustees present and voting, suspend the Trustee from office pending tabulation and final results of the vote of the members of their electorate, as provided in the preceding section. During such suspension, the subject Trustee shall be relieved from all duties, obligations, and privileges in their capacity as Trustee.
7133. Filling Vacancy in Office of Trustee: In the event of a vacancy in the office of Trustee, the President, with Board approval shall appoint a successor Trustee from the Active or Pension Group in which the vacancy occurs to serve the unexpired portion of the term. If an election fails to produce a sufficient number of Active or Pension candidates to fill all vacancies, the President may with approval from the Board appoint Trustees as needed to fill vacancies from either candidate list, or lacking a list, from any qualified member. Composition of the Board may not exceed 40 percent retired members. (12/4/08) (12/1/11) (1/1/15)
7136. Duties of Trustees: The Trustees shall attend all meetings of the Board, unless excused, visit the sick and injured members in their respective districts, report upon all matters coming within their scope of assignments and responsibilities, and perform such other duties as may be assigned to them by the Board.
7139. Meetings of the Board: The Board shall meet at least once each month, upon such notice as the Board may prescribe.
7140. Attendance at Meetings of the Board. For regularly scheduled meetings of the Board, members are expected to attend in person. Unless prohibited by law or these bylaws, however, a member of the Board, under exceptional circumstances and with the prior approval of the President or Vice-President, may participate in a meeting of the Board by conference telephone or similar communications equipment which enables all persons participating in the meeting to hear one another. Attendance at a meeting by this method constitutes presence for purposes of a quorum. (1/1/17)

7142. Quorum: A majority of the members of the Board shall constitute a quorum for the transaction of business at any meeting, and a majority of such quorum shall have the power to act upon any matter except as otherwise specified in these Bylaws.

7145. Powers of the Board: The Board shall have the power, in addition to other powers granted to it by law or elsewhere in these Bylaws:

- (a) to accept, reject, suspend, expel and reinstate members;
 - (b) collect dues and assessments;
 - (c) determine validity of claims; pay benefits; receive and administer proceeds of bequests, gifts and contributions;
 - (d) hold elections and declare the results thereof;
 - (e) deposit and invest funds; have custody of all funds, securities and property of the Association; purchase equipment; pay expenses and salaries; hire and discharge employees;
 - (f) delegate any of its express or implied authority and transact all business in the name of the Association which may be necessary or incidental to the execution of its objects and purposes.
- (12/4/08) (1/1/15)

7148. Procedure: “Robert’s Rules of Order” will be used regarding parliamentary procedures unless State Statutes overrule. (12/4/08) (1/1/2018)

Chapter 2

Officers

7203. Roster of Officers: The Officers of the Association shall consist of a President, a Vice President, a Secretary, an Executive Director and Controller-Treasurer. The offices of President and Vice President shall be elected. The other three officers shall be appointed by the Board. Only the President and the Vice President shall sit as voting members of the Board of Trustees. The Secretary, Executive Director and Controller-Treasurer shall sit as non-voting officers of the Board and advisory members of all committees. Only the President and the Vice-President shall sit as voting members of the Board of Trustees with the President’s right to vote restricted in accordance with Section 7230. (12/4/08)

7206. Qualifications of Officers: (a) President and Vice President: The President and Vice President shall be members of the Association in good standing, active members of the Fire Department, and must have served at least one full term on the Board as a Trustee. Also, the President must have served as Vice-President in addition to having served a full term as a Trustee. No member shall serve more than two terms as President or four terms as Vice President. (b) Secretary: The Secretary shall be a Pension Trustee of the Association. (c) The Executive

Director and Controller-Treasurer shall be hired by the Board based on the qualifications set by the Board and need not be a sworn member of the Fire Department. (12/4/08) (1/1/2020)

- 7206a. Special Circumstances: By two-thirds vote of the entire sitting Board of Trustees, the Board can declare "Special Circumstances." If "Special Circumstances" are declared, the Board can suspend the qualification requirement for President to have served as Vice President and/or eliminate the maximum number of terms of office. These changes must be approved by two-thirds vote of the entire sitting Board of Trustees and will only be for this election. "Special Circumstances" could occur only if no person meeting the qualifications and requirements is willing to run for President or Vice-President. (12/4/08) (1/1/2018)
- 7207 Fiduciary Insurance: Each officer will have maintained upon them insurance coverage in an amount to be fixed by the Board, at the expense of the Association.
7208. Special Provisions Under Unusual Circumstances: Notwithstanding Section 7206 and other unusual circumstances as determined by the Board, the President and Vice-President once elected, while active members of the Fire Department, may after retirement, continue to serve out the term for which they were elected with the approval of the Board. If such retirement occurs during the Officer's first one-year elected term, that Officer may stand to election a second consecutive one-year term. (12/4/08)
7209. Term of Office: The term of office of the President and Vice President shall begin on the date of the first meeting of the Board in the calendar year immediately following their elections, and shall continue for one year, or until their successors are elected and qualify.
7212. Compensation of President and Vice President: The President and Vice President shall be entitled to have their monthly dues to the Relief Department remitted during their terms in office, to be reimbursed for expenses incurred in performing services or transacting business for the Association and as approved by the Board; the full time use of an automobile, provided by the Association to perform the duties of their office and pay to offset lost overtime as stipulated in Board policies. (11-29-01) (12/4/08)
7214. Compensation of the Secretary, Executive Director and Controller-Treasurer: The Compensation of the Secretary, Executive Director and Controller-Treasurer shall be set by the Board based on their qualifications and the competitive market place. (12/4/08)
7218. Appointment of the Secretary, Executive Director and Controller-Treasurer: The Board shall appoint the Secretary, Executive Director and Controller-Treasurer. Such appointments may be accomplished by a majority of a quorum of the Board. These officers may serve in their positions as long as the Board deems their

- performance as satisfactory. The Board may enter into contracts with respect to the specific duties, compensation and other aspects of the employment of these officers as the Board deems necessary. (12/4/08)
7220. Nomination of the President and Vice President: Nominations for these positions may be made at either the August or September Board meetings. A nominated individual may decline the nomination. (12/4/08)
7221. Election of President and Vice President: The President and the Vice-President, in that order, shall be elected at the September Board meeting to serve for the following calendar year by a majority of the number of Trustees currently on the Board. (12/4/08)
7222. MOVED TO SECTION 7206a (1/1/2018)
7227. Right to Vote for President and Vice President: All current sitting voting members of the Board shall be entitled to vote for the election of the President and Vice President. (12/4/08)
7230. Duties of President: The President shall preside at all meetings of the Board and shall enforce all Bylaws, policies and rules of the Association, including decisions and rulings upon points of order. The President shall act as final judge of and declare results of elections, install Trustees and Officers, assign Trustees to specific areas of responsibility, and appoint committees. The President, the Secretary, the Executive Director and all those listed as approved by the Board shall, sign all checks of the Association. In the absence of the President or the Secretary, the Vice President and those designated by Resolution of the Board to the Bank shall have their names listed and submitted to the Bank authorizing them to sign Association checks. The President shall not be entitled to vote except when balloting for candidates, or when the vote of the Board is equally divided, or when a vote is required to complete a 2/3 vote of the Board in which case the President shall be entitled to cast the deciding vote. In addition to the foregoing, it shall be the duty of the President to act as ex-officio member of all committees, to direct the office procedure of the Association and to perform all other duties usually incident to the office of President. (12/4/08) (12/1/11)
7233. Powers of President: The President shall have the power, subject to approval by the Board to:
- (a) Appoint Chaplains of the Association.
 - (b) Retain legal counsel and auditors to act for and represent the Association.
 - (c) The President is also empowered, to employ and discharge employees of the Association based on the recommendation of the Executive Director. The creation of a new employee position requires Board approval. In instances of immediate emergency demanding action by the Association ordinarily requiring prior authorization by the Board, the President may take such action as their discretion dictates, provided however, they shall at its next meeting, render to the

Board a full, report of the emergency action taken. (12/4/08) (1/1/2018)

7236. Duties of Vice President: The Vice President shall serve as Parliamentarian at all meetings of the Board and shall perform all duties and exercise all powers of the President in the event of the absence or inability of the latter to act. When a vacancy occurs in the office of President, the Vice President shall act as President during the remainder of the unexpired term. The Vice President shall, with the President, act as an ex-officio member of all committees. The Vice President shall be responsible for annual review of the Policy Book. In February of each year, the Vice President shall submit to the Chairs of all Committee's for their review, a copy of the Policy Book. The results of their review shall be submitted to the Vice President, in writing, no later than April 1st. The Vice President will submit proposed Policy Book changes to the Board at the July Board meeting. (12/4/08)

7239. Absence of the President, Vice President and the President Pro-tem: In the absence of the President, the Vice President and the President Pro-tem, the Board shall select a temporary Chairman to exercise and perform all the powers and duties of the President. (12/4/08)

7242. Duties of the Secretary: The Secretary under the supervision of the President shall carry out all duties established in the Policy Book. Shall direct the assistant secretary as necessary. (12/4/08) (1/1/2018)

7243. Duties of the Executive Director: The Executive Director shall report to the Board. The Executive Director will not have the power to bind the Association except as specified by the Board. The Executive Director will be responsible for the efficient day to day operation of the business of the Association in the manner prescribed by the Board of Trustees. The Executive Director's detailed duties will be set forth in the Board Policy Book. (12/4/08)

7244. Duties of the Controller-Treasurer: The Controller-Treasurer shall report to the Executive Director. The Controller-Treasurer will not have the power to bind the Association except as specified by the Board. Controller-Treasurer detailed duties will be set forth in the Board Policy Book. (12/4/08)

7251. Removal of President, Vice President and Trustees: Upon the written request of 10% of the members of the Association, or upon a motion made and seconded by Trustees, the Board will refer a case for removal the subject Officer or Trustee to the Administrative Committee for investigation. After thorough investigation of the evidence by the Administrative Committee, they will report their findings to the Board. The Board based on the findings and recommendation of the Administrative Committee may vote to remove the President, Vice President or Trustee. A two-thirds vote of the entire sitting Board is required for the removal. When passed by a two-thirds vote, the position will be deemed vacant immediately. The vacant position will be filled by election held at the next Board

meeting. The subject officer shall be disqualified to judge or rule upon the results of the election. The request by members to remove an officer must be stated specifically in writing and signed by the members making the request. (12/4/08)

7254. Suspension Pending Removal of Officer: If the written request of members or the action of the Board, as prescribed in Section 7251, also requests or dictates that the subject officer be suspended from office pending election concerning their removal, the Board may upon vote of a majority of all the members of the Board suspend the subject officer pending final results of the election thereon.

At such election the officer shall be removed from office upon the affirmative vote; otherwise they shall continue in office for the unexpired portion of their term.

The request by members to remove an officer must be stated specifically in writing and signed by the members making the request.

Chapter 3 Committees

7303. Appointment of Committees: The President shall create and appoint such committees as the President may deem essential to an efficient administration, including but not limited to the committees enumerated in this chapter. The Board shall approve appointments to such committees as deemed necessary for the operations of the Association. (11/12/03)
7304. Budget and Audit Committee: The Board shall select from its ranks, a committee to develop and supervise implementation of an annual budget to engage auditors for routine and special audits. To obtain base lines for budgeting purposes the Board of Trustees shall use independent outside auditors only. Any irregularities brought to the attention of the Committee shall be reported to the Board by the following Board meeting for action. The committee shall make an annual written report to the Board on the status of the budget process and the results of all audits. (11/12/03)
7306. Personnel of Committees: Committees shall be composed of as many members as shall be designated by the President or the Board. Members of committees may be but need not be Trustees. The Chairman of each committee shall be named by the President or the Board. (11/12/03)
7309. Duties of Committees: Committees shall perform such duties as are specified in this Chapter and as may be designated by the President or the Board. The action of all committees shall be subject to approval or ratification by the Board. (11/12/03)
7312. Term of Service of Committees: Standing committees shall serve for the period of the calendar year for or during which appointed, and until succeeded by new

committees of members thereof respectively. Special committees shall serve for the period of time prescribed by the terms of their appointment or until their designated functions have been discharged.

7315. Relief Committee: It shall be the duty of this committee to process and determine the validity of all claims for benefits, and to fix the amounts of benefits to which members are entitled. (1/1/82)
7317. Medical Committee: This committee shall be responsible to the Board for the proper management and affairs of the Association's Medical Plan.
7318. Assistance Committee: This committee shall assist the Board in the administration of the Widows, Orphans and Disabled Firefighter's Fund and such other welfare programs of similar purpose as may be adopted by the Board. (1/1/1982 - 3/1/1991) (1/1/2020)
7321. Bylaws Committee: It shall be the responsibility of this committee to maintain the Bylaws of the Association. In the event of uncertainty or ambiguity, matters of interpretation of Bylaws may be referred to this committee by the Board.
7324. Administrative Committee: This committee shall be responsible to the Board for overseeing all business of the Association in the manner as set forth in the Policy Book. (12/4/08)
7325. Emergency Advancements Committee: This committee shall be responsible to the Board for the investigation of applications for Emergency Advancements and recommendations regarding the granting of such advancements and upon what conditions, if any. (12-7-93)
7327. Investment Committee: This committee shall be responsible to the Board for the disposition of funds under of Article VI of these Bylaws. (11/12/03)
7328. Grapevine Committee: This committee shall be responsible to the Board for the proper management and affairs of the Association's official magazine.
7330. Revision of Duties and Responsibilities: The duties and responsibilities of a committee may be changed from time to time upon order of the President or by a majority of the Board. (1/1/2018)

Chapter 4 Elections

7403. Scope of Chapter: The subject of elections, as treated in this chapter, has reference to action by the members, as distinguished from action by the Board, except to the extent that action by the Board may be mentioned herein. Elections by the members include a number of matters which are covered elsewhere in these Bylaws. Among the subject matter of elections which are included in other

- chapters are the following: Elections re amendments to Bylaws. Section 5124; nominations of trustees, Section 7115; election of trustees, Section 7118; removal of trustees, Section 7127; filling vacancy in office of trustee, Section 7133; powers of Board, Section 7145; nomination of President and Vice President, Section 7221; declaration of results of elections, Section 7230; and elections re removal of officers, Section 7251 and 7254. The provisions of Section 5130 to the contrary notwithstanding, conflict of the provisions of this chapter with provisions of other chapters having to do with elections shall be resolved in favor of such other chapters.
7406. Form of Ballots: Ballots shall be provided for each election, in such forms as shall be prescribed by the Board. (1/1/2020)
7409. Secrecy of Ballots: Voting by members shall be anonymous and secret except as voluntarily disclosed by voting members.
7412. Qualifications of Voters: Only members of the Association shall be entitled to vote and then only upon such occasions and matters as prescribed elsewhere in these Bylaws.
7415. Notice of Nominating Elections: Notice of elections to nominate trustees and officers, as elsewhere authorized, shall be published in the Grapevine Magazine of the Los Angeles Firemen's Relief Association not less than one month prior to the date of such elections. (3/1/1991)
7418. Delivery of Ballots: The Board shall cause ballots for every election to be prepared and delivered not less than two (2) weeks prior to the date of the election by electronic mail (email), text message to a current cell phone number, or U.S. mail to members at their current email address, cell phone number, or mailing address recorded at the office of the Association. (12/1/2021) (11-24-92) (12/1/11)
7421. Closing of Ballots: Ballots shall be received at the election post office box on the day previous to the date fixed by the Board upon which votes are to be tallied. Any ballots received at the office of the Association shall be of no force or effect and shall not be counted. (1/1/1987) (12/1/11)
7422. Counting of Ballots: All ballots will be tallied in a manner approved by the Board and under the direct supervision of the Election Committee. No candidate shall have direct contact with the ballots or be in the immediate area designated for the counting of the ballots. Any candidate may designate a member of the Association to be present, on their behalf, as an observer during the counting process. (11-24-92)
7423. Ratification of Election: All elections shall be ratified by the Board no later than the next scheduled Board meeting after the ballots are tallied. Should the Board fail to have a quorum at the ratification meeting, the President shall call for a special meeting of the Board. Ratification will be complete upon approval by the

Board and the allowance of 5 working days after the tally to allow for any requests for recount. Requests for a recount must be submitted in writing by the candidate in the office of the Association within the prescribed time. (11-24-92)

7424. Destruction of Ballots: All ballots shall be destroyed when three months have elapsed following final action on the election. (12/1/11)