



## By-Laws

Updated March 2022

### ARTICLE I: NAME

The name of this association shall be the New Hampshire Baseball Umpires Association.

### ARTICLE II: PURPOSE

The purposes for which this association is organized are as follows;

1. To unite in one organization, all approved and registered baseball umpires in New Hampshire.
2. To promote the study and improvement of the mechanics of umpiring baseball.
3. To conduct and encourage meetings for the interpretation of the rules of baseball and demonstrations of the proper umpiring mechanics.
4. To study the revision and administration of the rules of baseball from the standpoint of the umpire.
5. To promote the uniform interpretation and administration of the rules of baseball.
6. To foster the advancement of baseball as a sport for the development of character, good sportsmanship, citizenship and wholesome recreation.
7. To register and train new candidates for membership.

### ARTICLE III: MEMBERSHIP STATUS

Membership in this association shall be open to all persons of the age of eighteen years or older who are of good morals and character. No person shall be denied membership in this association solely on account of race, religion, national origin or sex. A candidate for membership may only become a member of this association by providing satisfactory proof of health and character and by successful completion of the association's Baseball Umpire Development program.

1. **Active member:** A person who has been duly accepted for membership and who has complied with all the requirements of membership and is in good standing shall be considered an Active Member. Active-members can work varsity games.
2. **Active-non working member:** A member who cannot work varsity games.
3. **Inactive member:** A member who has represented unavailability to work as a baseball umpire during the high school season but desires to remain a member of the Association.
4. **Apprentice:** A candidate for membership who has registered for the NHBUA Baseball Umpire Development

program and is seeking to be evaluated for acceptance as an active member.

**5. Affiliate:** Umpires working strictly sub-varsity games and not NHBUA members.

#### **ARTICLE IV: QUALIFICATIONS AND DUTIES OF MEMBERS**

1. **Active Member:** By accepting membership as an Active Member, a member holds himself/herself out as being available for work as a baseball umpire on a regular basis. This provision shall not be construed as limiting the right of any member to accept or reject any offer of work.
2. **Inactive Member:** An Inactive Member will have no responsibilities for meeting and clinic attendance or test completion but is required to pay Inactive Membership dues as set up by the Executive Committee and after doing such maintain all rights and privileges of membership.
3. **Transfers:** The Executive Committee may accept for membership in the association any person who is a member of a board or association of umpires recognized by the Executive Committee provided such person provides satisfactory proof of membership therein and agrees to comply with all the provisions of these bylaws.
4. **Honorary Life Members:** Honorary Life Members will have met the standards of Article V, Section 4, and have been approved by the Executive Committee. No dues payment or rating required.

#### **ARTICLE V: MEMBER CERTIFICATION**

Active members shall be certified to facilitate the assignment of games during the high school season. Member certification shall be a function of the following criteria; Longevity, Rating and Status.

A member shall be considered in 'Good standing' when he/she has met the following provisions; current year dues and fees are paid, attendance at the annual rules and mechanics clinic has been certified by the Rules Interpreter, and the annual Federation on line rules test has been completed and verified by the Rules Interpreter.

#### **There shall be the following levels of membership:**

1. **PROVISIONAL.** As described in the Policy and Procedures Manual.
2. **ASSOCIATE.** As described in the Policy and Procedures Manual.
3. **CERTIFIED.** As described in the Policy and Procedures Manual.
4. **LIFE.** As described in the Policy and Procedures Manual.
5. **Affiliate:** As described in the Policy and Procedures Manual.

#### **ARTICLE VI: DUTIES AND FEES**

1. **Dues.** Members shall be required to pay dues to maintain their membership as follows:

A. **Active Members:** the amount of dues to be collected annually from each member shall be equal to one game fee for the following year. Any member, whose dues are not paid by June 30, shall be subject to a late fee in an amount to be determined by the Executive Committee. As of June, 2022 the late fee is \$10. If the dues and late fee are not paid by September 1, the member shall be suspended and shall be ineligible for work until reinstated by the Executive Committee.

B. **Inactive Members:** Shall pay dues equal to half the Active Member dues.

C. **Life Certified Members:** Shall pay dues equal to one quarter of the Active Member dues.

D. **Honorary Life Members:** Are not required to pay dues.

2. **Apprentice Fees:** Participants in the Baseball Umpire Development program shall be required to pay an annual fee in a sum to be recommended by the BUD Chairman and approved by the Executive Committee.

3. **Game Fees:** Fees shall be set by the NHIAA Sports Officiating Committee and shall be published on the NHBUA website. No member shall solicit games or fees, other than those set by the NHIAA Sports Officiating Committee, from any organization. Nothing in this section shall limit the right of any member to work free of charge for any benefit game.

#### **ARTICLE VII: CONTINUING EDUCATION**

1. The minimum continuing education requirements for maintaining membership in 'good standing' shall be attendance at one interpretation/mechanics clinic organized by the Rules Interpreter and timely submission of answers to the on line NFHS Baseball Rules Test. Tests must be completed by the announced cut-off date. The attendance requirement may always be satisfied by attending clinic held in conjunction with the annual meeting, but any alternative meeting shall require the prior approval of the Executive Committee.

2. Any member who fails to transmit the on-line open book exam and pass with a score of 80% or better by the date set by the Executive Committee shall be subject to disciplinary actions set forth in Article VIII.

#### **ARTICLE VIII: DISCIPLINE OF MEMBERS**

1. **Grounds:** Any member of the association may be disciplined for incompetence, conduct reflecting discredit upon the association, failure to pay dues, failure to attend required continuing education programs and violations of these by-laws and any rules and regulations promulgated hereunder. In addition, a member may be disciplined for knowingly officiating an NHBUA sanctioned game, with any suspended or expelled member. It shall be the duty of each member to report to the association any nonmember hired to work with the member for any organization which has an agreement with the NHBUA to hire members exclusively and to comply with any order of the Executive Committee to cease working with non members when working for such organization.

2. **Reprimand:** The Executive Committee may reprimand any member for any violation of the by-laws or rules except those requiring automatic suspension.

3. **Suspension:** The Executive Committee may suspend any member for violation of these by-laws, Policies and Procedures or any rules or regulations promulgated hereunder for a period not to exceed 365 days. No member who has been automatically suspended for nonpayment of dues or failure to complete required continuing education may be reinstated until all arrears of dues have been paid or until all required continuing education has been completed.

4. **Expulsion:** Any member may be expelled by the Executive Committee for conviction of a felony or crime involving moral turpitude: for flagrant or repeated violation of these by-laws or any rules or regulations promulgated hereunder; or for accepting employment for pay while under suspension. A member who is under suspension may also be expelled for committing the same violation (for which the member was suspended) while held in abeyance.

5. **Procedure:** In cases of automatic suspension for nonpayment of dues or failure to complete required continuing education, the Secretary shall mail the suspended member notice of suspension together with a statement of the action required to secure reinstatement. If the member takes the action required for reinstatement within 15 days after the date of the notice by payment of all arrears of dues or by registering with the Secretary for the continuing education required by the Executive Committee, then the notice of suspension required to be sent to the organizations having agreements with the Liaison Committee (chairman) shall not be sent until the Secretary is ordered to do so by a vote of the Executive Committee. In all other cases disciplinary action shall be instituted by notice setting forth the conduct alleged to have been engaged in and the date and time, which shall not be

less than thirty days after the date of the notice, at which the Executive Committee intends to consider disciplinary action.

6. **Hearing:** Any member subject to discipline shall be entitled to a hearing before the Executive Committee at the time and date and place set forth in the notice or at such other time and place as may be agreed upon between the member and the Executive Committee. At said hearing the member may appear and give either oral or written statements and may present oral or written statements by any person in his behalf. The elected officers will recuse themselves from the hearing in the event an appeal is requested.
7. **Notice of Suspension or Expulsion:** Subject to the provisions of Paragraph 5 of this Article, upon the suspension or expulsion of any member, the Secretary shall cause notice of such suspension or expulsion to be given to the governing body or executive director of each organization which has agreements with the NHBUA setting forth the dates of the disciplinary action and, in the case of suspensions, the date the suspension terminates.
8. **Appeal:** Any member who has been suspended or expelled from the association is entitled to an appeal before the elected officers of the Executive Committee at a time and place as may be agreed upon between the member and the Executive Committee. At said hearing the member may appear and give either oral or written statements and may present oral or written statements by any person in his behalf. Such appeals must be requested in writing either by post or electronically no more than 60 days following the notice of said suspension or expulsion.

#### **ARTICLE IX: ELECTION OF OFFICERS**

The officers of the Association and the elected members of the Executive Committee shall be elected biennially in the odd numbered year.

1. **Nominations:** Prior to each annual meeting of the Association taking place during the odd numbered year, the president shall appoint a nominating committee. This committee shall report its nominations at the annual meeting.
2. At the time set for the election of officers, after the nominating committee has made its report, the President shall canvass the members present to determine if there are any other nominations; and if there are none the Secretary shall, on motion by any active member, cast one ballot for the unanimous elections of the persons nominated by the Nominating Committee. If there be other candidates, the election for each contested office shall be by secret ballot which shall be counted by two tellers appointed by the President, who shall announce the results thereof.

#### **ARTICLE X: OFFICERS/EXECUTIVE COMMITTEE**

1. **Elected Officers:** The officers of the association shall be a President, a President- Elect and a Secretary/Treasurer; each of whom shall serve for a term of two years and until their successors shall have been duly elected and qualified.

Three At-large members are also elected by the membership and shall serve terms of three years and until their successors shall have been duly elected and qualified. Their term on the Board shall run so that one At-Large Member shall be elected every year.

2. **Executive Committee:** The Executive Committee shall consist of the officers of the association; a Supervisor of Umpires, Three At-large members, a Secretary/Treasurer, a Performance Review Coordinator, an Umpire Development Chairman, an Assigning Chairman, all Regional Assignors, Rules Interpreter, Website Supervisor and the Immediate Past President.

A. The Supervisor-of-Umpires, Performance Review Coordinator, Umpire Development Chairman, Assigning Chairman, and the Website Supervisor shall be appointed biannually by the Executive Committee.

B. The Rules Interpreter, who shall be appointed by the President, will serve a term, which will run coterminous with that of the President. The newly appointed Rules Interpreter will assume duties on July 1st following his appointment.

3. **Executive Committee Attendance Requirements:** Each elected officer of the Executive Board, the Performance Review Coordinator, BUD Chairman, Interpreter, Assigning Chairman and Supervisor is required to attend 50% or greater of the yearly March to March Executive Board Meetings. A member, who fails to comply, may be removed and an interim member will be appointed by the President.

No officer or member of the Executive Committee shall incur expense or financial obligations on behalf of the association without the approval of the President or the Executive Committee.

4. **Vacancies in Office:** If a vacancy occurs from any cause, in any elected office of the NHBUA, the Executive Committee shall fill such vacancy by the appointment thereto of some eligible person until the next annual election. If the Executive Committee fails to appoint a person eligible to fill a vacancy in any elected office, such vacancy shall be filled by the NHBUA members at the next annual meeting.

A. If a vacancy occurs from any cause, in any of the above appointed offices of the NHBUA, the President shall fill such vacancy by the appointment thereto of some eligible person.

B. If a vacancy occurs from any cause, in the above appointed position of Rule Interpreter of the NHBUA, the President shall fill such vacancy by the appointment thereto of some eligible person.

The process for filling all vacancies shall be made by the methods described above after polling all of the NHBUA membership and informing them that such a vacancy exists.

5. **Dual Positions:** In the event that a member should hold two (2) voting positions, they shall only be able to cast a single vote. Further, if such member has recused themselves from a vote on anything that comes before the Executive Committee, they shall not be eligible to vote.

6. **Conflict of Interest:** A conflict of interest is defined as a situation where loyalties are divided, perceived as divided or could be potentially divided in the future. Some examples of conflicts are listed below. Conflicts of interest, either direct or indirect, are not necessarily harmful or prohibited, but must be avoided by elected officers and appointed executive committee members where necessary as described in the Policies and Procedures:

- Conflict of Interest.
- Pecuniary Interest.
- Non-Pecuniary Interest.
- Perceived Conflict of Interest's

If any Executive Committee member has any question that a conflict of interest exists then it shall be deemed to be so. It shall be the responsibility of the individual Executive Committee member to recognize potential conflicts and make the Executive Committee aware of it and recuse themselves, unless the Executive Committee requires specific information to make an informed decision. Any discussion on the alleged conflict of interest will be addressed in executive session without the executive committee member who has such a conflict present.

Further, any executive committee member shall recuse themselves from any vote, discussion, or action on such matters that may affect the NHBUA and its members when they have a conflict of interest as described above. The penalty for failing to comply with this policy may result in subsequent action up to removal from the Executive Committee.

## **ARTICLE XI DUTIES OF OFFICERS / EXECUTIVE COMMITTEE**

1. **The Executive Committee:** Shall be the governing board of the association. It shall have the power to act upon all matters not reserved to the membership in these by-laws.
2. **President:** The president shall be the chief executive officer of the association and shall preside at all meetings of the association. The president shall have the power to call special meetings of the association and to assemble the Executive Committee whenever, in his opinion, the need therefore exists. The President shall also perform such other duties as the Executive Committee shall direct.
3. **President-Elect:** The President-Elect shall perform the duties of the President during any absence or incapacity of the President and shall perform such other duties as the President or Executive Committee shall direct. The President-Elect shall also represent the elected officers on the Ratings Committee and be responsible for the maintenance of these bylaws.
4. **Secretary/Treasurer:** The Secretary/Treasurer shall be the custodian of all records of the association, of all funds coming into the possession of the association and shall prepare an annual report on the financial condition of the association. The Secretary/Treasurer shall keep a record of each meeting of the association and Executive Committee and shall arrange for the annual audit of the books of the association. This member shall be compensated for his services in such sum as the Executive Committee shall provide. The Secretary/Treasurer shall give bond to secure the faithful performance of his duties in such sum as the Executive Committee shall direct.
5. **Rules Interpreter:** The duties and responsibilities of the Rules Interpreter are described in the Policy and Procedures Manual.
6. **Supervisor of Umpires:** The duties and responsibilities of the Supervisor of Umpires are described in the Policy and Procedures Manual.
7. **Performance Review Coordinator:** The duties and responsibilities of the Performance Review Coordinator are described in the Policy and Procedures Manual.
8. **Baseball Umpire Development Chairman:** The duties and responsibilities of the BUD Chairman are described in the Policy and Procedures Manual.
9. **Assigning Chairman:** The duties and responsibilities of the Assigning Chairman are described in the Policy and Procedures Manual.
10. **Website Supervisor:** The duties and responsibilities of the Website Coordinator are described in the Policy and Procedures Manual.

## **ARTICLE XII: MEETINGS**

1. The annual meeting shall be held at such time and place that shall be decided by the membership at the prior annual meeting. The Executive Committee shall have the authority to change the date, time or place of the annual meeting in the event circumstances prevent or make impractical the holding of the meeting at the date, time and place decided upon by the membership.
2. Executive Committee meetings has the right to set its own meeting dates which shall be open to the membership and to any guests invited by the Executive Committee. Members may attend the meetings, but do not have the right to participate in the meetings unless the Executive Committee allows them to participate by a majority vote.

3. The Executive Committee shall make the minutes of Executive Committee meetings available to the membership at such time as those minutes have been prepared and approved by the Executive Committee.
4. The Executive Committee may meet in a closed session when discussing the following matters:
  - A. Member Discipline.
  - B. Evaluations of Officials.
  - C. Ratings of Officials
  - D. Charges that members may have made errors that could eventually result in disciplinary proceedings being brought against them.
4. To go into a closed session, an Executive Committee member must make a motion. This motion must be seconded, and a majority of Executive Committee members must vote to go into closed session. This motion and the vote shall be recorded in the minutes.
5. Where the Executive Committee goes into a closed session, the closed session portion of the meeting shall be closed to the membership and to any guests invited by the Executive Committee.
6. All discussions in closed session shall be confidential. Any Executive Committee member who discloses any aspect of discussions in a closed session shall be subject to discipline in a manner to be determined by the Executive Committee unless the Executive Committee authorizes the disclosure of the discussions or of information pertaining to the discussions.
7. The NHBUA may also use the latest technology (audioconference, teleconference or, videoconference) to conduct annual and/or special sessions as described below.

Electronic meetings to be held must include in the notice an adequate description of how to participate in the meeting. Additionally, to properly conduct the meeting the following rules must be adhered to:

- The equipment and/or software used to conduct the meeting must provide contingencies for technical difficulties or malfunctions
- There must be a method provided for determining the presence of a quorum;
- There must be conditions set for which a member may raise a point of order doubting the presence of a quorum, and the conditions under which the continued presence of a quorum is presumed if no such point of order is raised;
- There must be a method for seeking recognition and obtaining the floor;
- There must be a means by which motions may be submitted in writing during the meeting; and
- Methods for taking and verifying votes

Additionally, there must be provisions taken to ensure that non-members cannot participate in the meeting(s) unless properly invited to do so

8. All questions not provided for in these Bylaws shall be determined by the rules of parliamentary usage, as laid down by Roberts Rules of Order Revised.

### **ARTICLE XIII: SOLICITATION**

No member of this association shall solicit work from any person, firm or organization with whom the association has an agreement with respect to providing officials except in accordance with rules promulgated by the Executive Committee. In addition, no member of this association shall hold himself with respect to any organization having an agreement with the association, except in accordance with rules promulgated by the Executive Committee. Any

member who violates the provisions of this Article or accepts work in violation of the same shall be subject to discipline under the provisions of Article VIII.

#### **ARTICLE XIV: AMENDMENT**

These bylaws may be amended by a two-thirds vote of the membership present at any regular or special meeting of the association provided that written or electronically composed notice of the amendment shall have been mailed or electronically transmitted to all members entitled to vote at least thirty days prior to said meeting. These bylaws may be amended by a two-thirds vote of the members responding to a mail or electronically transmitted ballot sent to all members entitled to vote together with a copy of the proposed amendment; provided, however, that no mail or electronically transmitted ballot shall be deemed to have passed unless at least one-half of the membership entitled to vote shall have responded thereto.