

# Association of Crane and Rigging Professionals By-Laws

April 1, 2003

## **ARTICLE I - ASSOCIATION NAME**

Section 1. The name of this organization shall be the Association of Crane and Rigging Professionals. The acronym shall be the "ACRP".

Section 2. Hereinafter, the Association of Crane and Rigging Professionals shall be referred to as the "Association" or the "ACRP".

## **ARTICLE II - ASSOCIATION PURPOSE**

Section 1. The purpose of the Association will be to promote lifting equipment safety, improve the quality of lifting equipment training, consulting and inspecting and to represent the subject of lifting equipment safety in regulatory forums.

Section 2. In fulfilling its purpose, the Association shall work toward the following objectives:

- a. To develop and promote the education of our membership so as to increase the knowledge and capabilities of the membership.
- b. To develop and disseminate information and materials that will-serve to achieve the purpose of the Association and serve the public.
- c. To provide, and support, forums that will allow the association members to acquire and interchange professional knowledge.
- d. To liaise with regulatory agencies that have an impact on lifting equipment safety.
- e. To develop and implement programs and projects that support the achievement of the purpose of the Association.

## **ARTICLE III - ASSOCIATION MEMBERSHIP CLASSIFICATIONS AND CRITERIA**

Section 1. Membership in the Association is open to all individuals who meet the Association membership criteria.

Section 2. Members shall be classified as either "Professional", "Corporate" or "Associate".

Section 3. Membership Criteria:

- a. "Professional" Classification: Provides crane rigging or lift equipment training, consulting, engineering, inspection or related services for hire as the primary revenue source.

- b. “Corporate” Classification: Provides crane rigging or lift equipment training, consulting, engineering, inspection or related. Services primarily not for hire but for fellow employees of a single employer, as an in-house service.
- c. “Associate” Classification: An individual or entity that does not meet the criteria of (a) or (b) above, but has an interest in the crane, rigging and lift equipment industries and the work of the Association.
- d. Any organization or entity of a membership classification can have more than one member from the same entity or organization by applying for additional memberships after an initial membership is obtained.

**ARTICLE IV - ASSOCIATION ORGANIZATION**

**Section 1.** The Association is a “not-for-profit” organization established in the State of Washington to carry out the purpose of the Association throughout the world.

**Section 2.** There shall be an Association Board of Directors, hereafter called the “**Board**”, which shall be responsible for the operation and management of the Association. This Board shall be responsible for the supervision and care of all Association property, shall have full authority to commit the Association to action in consonance with resolutions adopted at the meetings of the Association, and may cooperate with other organizations on such basis that will support the association and not impair the ability of the Association to pursue its purposes independently.

**Section 3.** The Headquarters of the Association shall be located in such place as may be determined by the Board.

**Section 4.** A simple majority of the Board shall constitute a quorum at any Board of Directors meeting.

**Section 5.** The Board shall consist of members from the membership classifications as listed:

- 6 to 12 Professional Members
- 3 to 6 Corporate Members
- 3 to 6 Associate Members

The Association Executive Committee Board members shall not be reflected in the Board member classification quantities.

**Section 6.** With the exception of the Association Executive Committee members, each Board member shall be elected by the Members of the Association for a three (3) year term, with one third of each Board Member classification to be elected each year. The Association Executive Committee shall be members of the Board of Directors for their elected term as defined in Article VI.

**Section 7.** Each major objective is listed in Article II, Section 2, a, b and c of these bylaws, shall be under the supervision of either an Association Officer, appointed Committee Chairman, or a Board member.

**Section 8.** Association Officers and Board Members are considered to be ‘elective offices’ and shall be elected by the Members of the Association. Balloting shall take place each year with the installment of those elected occurring at the Associations National Meeting. The period of all elected offices shall start and stop concurrent with the appropriate number of elected years at the national meeting.

**Section 9.** The Association activity year shall run annually from January 1 to December 31.

**Section 10.** Meetings:

a. Meetings of the membership shall be held annually for the interchange and acquisition of professional knowledge among its members, and to accomplish the general business of the Association.

b. Special meetings of the membership may be called by the Board. The paper or electronic meeting notice shall state the business to be transacted. Such notice shall be sent to each member at least three (3) weeks in advance of the meeting date.

c. The Board shall meet at least once each activity year.

**Section 11.** Over fifty percent (50%) of the “members in good standing” shall constitute a quorum at any regular or special meeting.

**Section 12.** The edition of Robert’s Rules of Order in effect at the 1995 Annual meeting shall govern the transaction of business at all meetings of the Association unless otherwise provided in these by-laws.

**Section 13.** An “Association Funds Manager” shall be selected by the Board at the Association Annual Meeting. Selection shall be by a majority vote of the Board Members present at the Annual Meeting. The selected member shall retain the position for a term established by the Board, but not to exceed three (3) years. The Association Funds Manager shall be responsible for executing drafts against the Association’s funds, maintaining the daily money records, supporting the efforts of the Association Secretary/Treasurer and providing daily account status to the appropriate Association Officers.

## **ARTICLE V - ASSOCIATION ADMISSION, RESIGNATIONS, TERMINATIONS**

**Section 1.** Membership is conferred in accordance with the membership qualification of the by-laws. Any person who believes they have the qualification for membership may apply by filing an application with the required fees with the Association.

**Section 2.** Each applicant shall provide sufficient information as required by the Association to establish eligibility for membership.

**Section 3.** Applications and fees shall be forwarded to the Association. The transmittal shall include verification of General Liability or Errors and Omissions insurance.

**Section 4.** Application from individuals will be reviewed and acted upon by the Association within sixty (60) days of receipt.

**Section 5.** Notification of action on applications will be transmitted to the applicant.

**Section 6.** Association members whose current dues are paid by February 15 of each year are considered “members in good standing”. When the current year’s dues are not paid by February 15, members are considered delinquent and all membership services and privileges shall be suspended. If dues are not paid by March 31 of the current year, these members shall be considered as having resigned.

**Section 7.** Any member whose membership has terminated by resignation may have their membership restored by payment of all outstanding dues, or by submitting an application to be a new member.

**Section 8.** A member may be censured, reprimanded or terminated from membership for conduct contrary to the Code of Ethics adopted by the Association. Censure, reprimand or termination from membership may also occur if a member has been convicted of a felony, fraud, theft, embezzlement or an offense involving moral turpitude tending to bring discredit upon the membership of the Association, the procedure, for these actions shall be as set forth in the Association by-laws.

**Section 9.** Disciplinary actions may only be taken by the Board and only upon approval by seventy five percent (75) of the Board. These actions shall be verified by a written vote.

**Section 10.** Termination or resignation of the initial “Professional”, “Corporate” or “Associate” Member of an organization having more than one member will require one of the other members from the organization or entity to assume the role of the initial member for dues purposes.

## **ARTICLE VI - ASSOCIATION OFFICERS**

**Section 1.** The Elected Officers of the Association shall be:

- a. President
- b. Vice-President
- c. Secretary/Treasurer

The persons elected to these positions shall constitute the Association Executive Committee and be members of the Board of Directors for their elected term.

**Section 2.** Each elected officer shall be a Professional, Corporate, or Associate member in good standing with the Association.

**Section 3.** The duties of the President shall be to:

- a. Preside at meetings of the Executive Committee.
- b. Preside at regular and special meetings of the Association.
- c. Represent the Association at meetings of other organizations where official representation of the Association is desirable.
- d. Represent the Association in liaison activities with Regulatory agencies or appoint an appropriate designee.

- e. Provide leadership for programs and activities for the Association during this term of office.
- f. Appoint such committees that are necessary to implement the objectives of the Association. These Committees shall include, but not be limited to, the following:
  - 1. Public Training and Safety Issues Committee
  - 2. Member Services Committee
  - 3. Nominations Committee
  - 4. Regulations and Standards Committee
  - 5. Long Range Planning
- g. Submit to the membership an Annual Report of the Association activities at the annual National Meeting.
- h. Submit to the membership the names of the nominees for the Association offices for the ensuing year(s).
- i. Appoint member in good standing to perform the duties of a Chairperson should he be unable to do them.

**Section 4.** The duties of the Vice-President shall be to:

- a. Succeed to the office of the President and carry out his duties if the President is unable to serve.
- b. Assume responsibilities for the work of Committees assigned to him by the President.

**Section 5.** The duties of the Secretary/Treasurer shall be to:

- a. Perform duties as assigned by the President.
- b. Supervise all financial transactions and reporting of the Association, through the association Funds Manager, as approved by the Board.

**ARTICLE VII - NOMINATION AND ELECTION OF ASSOCIATION OFFICERS**

**Section 1.** At least a three (3) person Nominations Committee shall be appointed by the President no later than December of each year. The names of the Committee members shall be published in the Minutes of the Board of Directors meeting or in the Newsletter.

**Section 2.** The Nominations Committee shall select a candidate for all open elected offices. The Committee shall select candidates whom, in their judgment are capable of fulfilling the duties and responsibilities of the office for which they are selected. The Committee shall present to the Board for approval one (1) candidate for each balloted position.

**Section 3.** Upon approval of the slate of candidates by the Board the names and qualifications of each

candidate for an office shall be published and distributed to the Association membership. Publication shall be at least 30 days in advance of the election.

**Section 4.** Any members may submit a signed petition nominating one (1) or more individuals for an elected office. The petition shall be accompanied by a written acceptance by the nominee(s) and shall be submitted to the Chairman of the Nominations Committee at least 60 days in advance of the election.

**Section 5.** The term of elected Association officers shall be for two (2) years, effective 2003.

**Section 6.** Elections for the ensuing years shall be held by paper or electronic ballot to the membership and be counted no later than May 31. The Nominations Committee shall receive and count the ballots. Election of the slate of candidates shall be by a "For" vote of sixty-seven percent (67%) of the ballots returned. Candidate slates not receiving the required approval shall be reconsidered by the Board and a new election held to approve the revised candidate slate.

**Section 7.** Approval for removal of elected officers shall be by a vote of sixty-seven percent (67%) of the Association Members at any regular, or special, meeting and upon presentation of a signed petition by five (5) members of the Association. Notification of such a meeting shall be communicated to each current member at least 30 days in advance of the date of the meeting. Committee Chairpersons may be removed by the direction of the officer or the Board member that appointed them.

**Section 8.** Elected persons may be re-elected; however, they shall not serve more than two (2) consecutive terms in one office.

**Section 9.** Vacancies in elected offices which occur during the period of service shall be filled by the succession designated for the various offices. If no succession is designated, the President shall:

- a. Appoint a special Nominations Committee.
- b. Receive nominating petitions and present a recommended candidate to the Board.
- c. Have published the name and qualifications of the candidate for office at least 15 days in advance of the date on which ballots are to be counted as specified in Article VII, Section 6.
- d. Hold special elections, with the winner being the nominee who receives the majority of the returned ballots.
- e. Notify the membership of the results of the special election.

## **ARTICLE VIII - NOMINATION AND ELECTION OF BOARD MEMBER**

**Section 1.** The three (3) person Nominations Committee shall select candidates for all open Board seats. The Committee shall select candidates who, in their judgment are capable of fulfilling the duties and responsibilities of the seat for which they are selected.

**Section 2.** The names and qualifications of each candidate shall be published and distributed to the Association membership at least 30 days in advance of the election.

**Section 3.** Any five (5) Association members may submit a signed petition nominating one (1) or more individuals for a board seat. The petition shall be accompanied by a written acceptance by the nominee(s) and shall be submitted to the Chairman of the Nominations Committee at least 60 days in advance of the election.

**Section 4.** The term of elected Board members shall be for three (3) years.

**Section 5.** Elections for the ensuing years shall be held by paper or electronic ballot to the membership and be counted no later than May 31. The Nominations Committee shall receive and count the ballots.

**Section 6.** Approval for removal of Board members shall be by a vote of sixty-seven (67) percent of the Association Members at any regular, or special meeting and, upon presentation of a signed petition by five (5) members of the Association. Notification of such a meeting shall be communicated to each current member at least 30 days in advance of the date of the meeting.

**Section 7.** Board members may be re-elected; however, they shall not serve more than three (3) consecutive terms in one seat.

**Section 8.** A vacancy on the Board which occurs during the period of service will be filled at the next election provided the remaining Board consists of at least the minimum total number required in the by-laws, Article IV, Section 5. The Board member elected will finish out their unexpired term. If Board membership drops below the total minimum number, vacancies shall be filled by the Nominating Committee and the President taking the following steps:

- a. Appoint a special Nominations Committee.
- b. Receive nominating petitions.
- c. Have published the nominees for offices at least 15 days in advance of the date on which the ballots are to be counted as specified in Article VIII, Section 5.
- d. Hold special elections, with the winner being the nominees who receive the majority of the returned ballots.
- e. Notify the membership of the results of the special election.

**Section 9.** A Chairperson shall be selected by the Board at the Association Annual Meeting as needed. Selection shall be by a simple majority vote of the Board members present at the Annual Meeting. The selected member shall retain the position for a term established by the Board, but not to exceed four years. The Chairperson shall preside at all Association Board meetings to guide the actions of the Board and assure the Board accomplishes the tasks before the Board.

## **ARTICLE IX - ASSOCIATION FEES AND DUES**

**Section 1.** All dues shall be paid at least annually in advance beginning January 1 and ending February 15.

**Section 2.** Association dues and fees shall be determined by majority vote of the Board by letter ballot or at any regular or special meeting where a quorum is present. All members shall be notified of the proposed change.

**Section 3.** Individuals applying for membership shall submit an amount equal to the annual dues at the time of application submission along with the application.

## **ARTICLE X - BY - LAW AMENDMENTS**

**Section 1.** Amendments to these by-laws may be proposed by the Board or by twenty percent 20% of the Association's voting members. Amendments proposed by the Association membership shall be presented to the Board for action.

**Section 2.** Approval of a proposed amendment by paper or electronic ballot: The Board shall publish any proposed amendments to these by-laws to the Membership for at least thirty (30) days for consideration. Ballots on proposed amendments shall be counted after the thirty (30) day consideration period. More than a fifty percent (50%) approved vote of the membership is required for amendment approval.

**Section 3.** Approval of a proposed amendment at the National Meeting. The Board shall at the National Meeting present and publish for consideration any proposed amendments to these by-Laws to the membership. An approved vote of a quorum of the membership, equal to or greater than the number of approved ballots required under Article X, Section 2 is required for amendment approval.

**Section 4.** Amendments to the by-laws will be accomplished upon approval by an affirmative vote of the membership as specified in Article X, either Section 2 or Section 3. Amendments shall become effective the date approved or as stipulated in the amendment.

**Section 5.** A record shall be kept of all proposed amendments to the By-laws that reflect proposed amendment's content and, if the amendment is approved, its effective date.

## **ARTICLE XI - MISCELLANEOUS**

**Section 1.** The Association may be dissolved by the Board in the following manner:

a. A resolution to dissolve the Association shall be acted upon at a meeting of the Board. The resolution shall set forth the reasons for dissolution.

b. Within 30 days following the Board resolution, a paper or electronic ballot shall be sent to all current members of the Association stating the reasons for the dissolution. Thirty (30) days later, the ballots shall be counted by the Board. A sixty six percent (66%) "approved" vote of the returned ballots is required for approval of the action.

c. Upon the approval of the resolution to dissolve, the officers shall proceed to carry out the dissolution of the Association in conformance with the applicable laws of the State of incorporation.

**Section 2.** Any fund raising projects or activities shall be limited to those, which are consistent with the purpose of the Association.

**Section 3.** The Association officers shall assure the retention of the needed Association and membership records by adhering to the following record retention periods. Officers having charge of these records are authorized to dispose of the records at the end of the required retention time.

- a. Meeting Minutes - ten (10) years following completion of Association year.
- b. Correspondence - ten (10) years following completion of the Association year.
- c. Financial Records - seven (7) years following completion of the Association year.

## **ARTICLE XII - ASSOCIATION OPERATING PROCEDURES**

Section 1. A statement, endorsement, position paper, petition or appeal to an organization or Regulatory agency regarding additions, deletions or changes to safety guidelines or regulations, on behalf of the Association, shall be done in the following manner:

- a. Any member may make a request to the Association Regulations and Standards Committee for action on any subject addressed in regulations or standards.
- b. The Committee shall review the request for the sufficiency of the information and take one of the following courses of action:
  - 1. Draft appropriate supporting correspondence and forward such to the Executive Committee for review and recommendations.
  - 2. Draft rational as to why the request is inappropriate and forward such to the Executive Committee for review and recommendations.
  - 3. Return the request to the member with correspondence identifying what additional information is needed to process the request.
- c. The Executive Committee shall review the request and correspondence for completeness, attach a recommendation for appropriate action, and submit such to the Board for approval.
- d. The Board shall consider the request and recommendations. The Board may either “approve”, “modify”, or “reject” the request.
- e. If the request is “Approved” or “Modified” and “Approved”, it shall be presented to the membership for a consensus vote.
- f. If the request is “Rejected”, an appropriate explanation shall be documented and forwarded to the initiator and the Regulations and Standards Committee.
- g. If an “Approved” vote of fifty percent (50%) of the members in good standing is achieved, the Board shall submit the appropriate documentation to the to the correct agency or organization. .
- h. All non-balloted transactions shall be presented to the membership as part of the documentation

of the Annual National Meeting. The results of all balloted transactions shall be presented to the membership.

**Section 2.** Any disciplinary action to be taken against -an Association member pursuant to these by-laws shall be done in accordance with the following procedure:

- a. Complaints shall be in writing and may be received from any concerned party by the Association Secretary on behalf of the Board.
- b. The Board shall investigate all written complaints and ascertain the relevant facts.
- c. As part of any research investigation, the Board shall contact the member subject to the complaint and include his response in the findings.
- d. Upon completion of the research, the Board shall either:
  - 1) dismiss the complaint,
  - 2) encourage the member to change the unacceptable practice,
  - 3) reprimand the member in writing,
  - 4) censure the member publicly in an Association Newsletter or
  - 5) terminate the individual's membership in the Association.
- e. Failure of the Board to agree by a vote of sixty seven percent (67%) upon a disciplinary action shall constitute dismissal of the complaint.
- f. The Association President shall inform the member of the disciplinary action or dismissal.
- g. All disciplinary action will be published to the Association membership.

**Section 3.** The Board shall establish those practices, procedures and prices necessary to ensure the successful scheduling, attendance and execution of all Association meetings and functions.

### **ARTICLE XIII - ASSOCIATION CODE OF ETHICS**

**Section 1.** Each Association member shall conduct their business in accordance with the Code of Ethics reproduced herein.

**Section 2.** Association Code of Ethics:

We, the members of the Association of Crane and Rigging Professionals, dedicate our knowledge and skills to provide service to our customers, to the best of our abilities. In this endeavor, we are committed to unblemished integrity and honesty in fulfilling our obligation to aid in establishing and upholding the safety codes and standards of the lifting industry and governmental bodies.

With infinite regard for public and worker safety above all other considerations, we make this pledge.

**The Association of Crane and Rigging Professionals**