

# Changes to the Joseph A. Holmes Safety Association's Constitution and By-laws

In the March/April 2013 Joseph A. Holmes Safety Association (JAHSA) Bulletin, the Executive Committee published a proposed amendment to its Constitution and By-Laws. The proposal added the Holmes Mine Rescue Association component to the Joseph A. Holmes Safety Association. The purpose of these proposed changes to the Constitution and By-Laws of the Joseph A. Holmes Safety Association was to go back to the JAHSA's original organizational structure roots and the original mine rescue and other mine safety training purposes of the JAHSA.

At the National Council Meeting held in Virginia Beach, Virginia, on June 4-6, 2013, the JAHSA Executive Committee adopted the proposed amendment. The Executive Committee then presented the proposed amendment to the membership. A vote was taken and the membership approved the amendment by two-thirds of the voting members attending the meeting. The JAHSA Constitution and By-Laws were thereby amended.

## CONSTITUTION ARTICLE 1 NAME

Section 1:

This organization shall be known as the Joseph A. Holmes Safety Association, as stated in its certificate of incorporation filed pursuant to the laws of the District of Columbia, dated the 19th day of February 1926. The duration of this corporation shall be perpetual.

## ARTICLE II PURPOSE SHEET

Section 1:

A. The Joseph A. Holmes Safety Association is organized exclusively for charitable, educational and scientific purposes, including, the making of distributions to organizations under Section 501(c)(3) of the Internal Revenue Code (or the corresponding section of any future Federal tax code).

B. The Joseph A. Holmes Safety Association, in accordance with applicable law, may accept tax deductible contributions from individuals, corporations and associations in the mineral extractive industries for the purpose of funding any scholarship program established or supported and to support mine rescue training activities.

C. No part of the net earnings of the Joseph A. Holmes Safety Association shall inure to the benefit of, or be distributable to its members, trustees, directors, officers or other private persons, except that the association shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of Section 501(c)(3) purposes. No substantial part of the activities of the association shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the association shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of, or in opposition to, any candidate for public office.

D. Notwithstanding any other provision of these articles, the Joseph A. Holmes Safety Association shall not carry on any other activities not permitted to be carried on (1) by a corporation exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code (or the corresponding section of any future Federal tax code) or (2) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code (or the corresponding section of any future Federal tax code).

E. Dissolution. Upon dissolution of the Joseph A. Holmes Safety Association, assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue code (or the corresponding section of any future Federal tax code) or shall be distributed to the Federal government, or to a state or local government, for a public purpose.

## **ARTICLE III OBJECTIVES**

### Section 1:

The object of the Joseph A. Holmes Safety Association, founded in the year nineteen hundred and sixteen, shall be to commemorate and perpetuate the safety efforts of Joseph A. Holmes, the first Director of the Bureau of Mines, United States Department of the Interior, and originator of the slogan "SAFETY FIRST."

### Section 2:

The Association promotes the development of safety methods in the mineral-extractive industries, by:

- A. Making awards to individual persons, corporations or associations, who originate, develop or install meritorious safety methods, appliances or devices in the mineral-extractive industries;
- B. Making awards to operating personnel, companies and others who attain meritorious safety records;
- C. Making special awards to individuals in recognition of personal heroism in the face of grave personal risk in saving or attempting to save lives of others in the mineral-extractive industries; and;
- D. Establishing and supporting scholarship programs at accredited educational institutions for undergraduate students enrolled in mining technology and mine safety programs and to promote mine rescue training activities.

### Section 3:

The Association shall arrange and hold safety meetings, conduct safety campaigns, and provide for organized cooperative effort to encourage:

- A. The prevention of fatalities and injuries and the improvement of the health conditions of all persons connected with mining, metallurgical, petroleum, natural gas, quarrying, and allied industries whether at work, in and about their homes, on public highways, or in public places.
- B. The dissemination of information and instruction on subjects related to the promotion of health and safety in the prevention of plant or mine fires, explosions, or disasters from other causes.
- C. The promotion of training in first aid, self-contained breathing apparatus, and other forms of protection and rescue and recovery operations.
- D. The closest cooperative relations with existing organizations, including labor, management, and state and federal agencies that promote health and safety in the mineral and allied industries.
- E. The promotion of educational, social and recreational activities in the mineral and allied industries, including cooperation with local and state school authorities, and other institutions in the advancement of health and safety education.

## **ARTICLE IV PLAN OF ORGANIZATION**

### Section 1:

The Joseph A. Holmes Safety Association shall consist of a General Secretary and two branches: the Holmes Safety Association and the Holmes Mine Rescue Association.

### Section 2:

The Assistant Secretary of Labor for Mine Safety and Health is authorized to designate the General Secretary for a two-year term.

### Section 3:

The Holmes Safety Association shall consist of a National Council, state councils, district councils, and local chapters.

A. State councils may adopt their own by-laws, which shall not conflict with the Constitution or the By-laws of the Holmes Safety Association's National Council, and they shall adopt the name of the state in which they are established. The National Council shall assist and provide oversight of the State councils.

B. District councils may adopt their own by-laws, which shall not conflict with the Constitution or the By-laws of the Holmes Safety Association's National Council or the by-laws of the State council to which it is subordinate. Each district council shall adopt a suitable name. Where a State council exists, it shall assist and provide oversight of the district councils in its State. If no State council exists, the National Council shall render such assistance as is practicable.

C. Local chapters may adopt their own by-laws, which shall not conflict with the constitution or the by-laws of the district or State council to which they are subordinate or the Constitution or By-laws of the Holmes Safety Association's National Council. Each chapter shall adopt a suitable name. Where a district council exists, it shall assist and provide oversight of the local chapters in its territory of the State. If no district council exists, the State council or the National Council shall render such assistance as is practicable.

Section 4:

The Holmes Mine Rescue Association shall consist of a National Council.

## **ARTICLE V JURISDICTION**

Section 1:

State and district councils and local chapters are subject to the policies of the Holmes Safety Association's National Council. The state or district councils or local chapters shall engage in activities stated in Articles II and III only, unless the National Council of the Holmes Safety Association approves the activities. The National Council may decide all disputes submitted to it.

Section 2:

Financial commitments of the local chapters and state and district councils are the sole responsibility of those subordinate units. The Holmes Safety Association's National Council is not accountable for any subordinate unit's funds and shall not direct or control the expenditure of such funds. Each subordinate unit shall be responsible to comply with the laws of the State in which it is located and comply with any federal tax or other laws governing their activities. The tax exempt status of the Joseph A. Holmes Safety Association is not conveyed to any subordinate unit of Holmes Safety Association.

## **ARTICLE VI REVOKING CHARTERS**

Section 1:

The Holmes Safety Association's National Council may revoke a charter of a subordinate unit for cause.

## **ARTICLE VII AMENDMENT TO THE CONSTITUTION**

A. Amendment Proposal. The Constitution may be amended by submitting a proposal and supporting rationale to each Branch Secretary by January 31 of each year, or at least four months prior to their respective annual National Council meetings. All proposed amendments must include an endorsement by a member of an Executive Committee or receive official support of an Executive Committee. Each Secretary shall send copies of such proposals with a response form to the members of the Executive Committee and officers of their Branch. The response form shall provide a means of showing support for or against the proposal, space for comments, and include a return date to the appropriate Branch Secretary. If at least 20 members of the Holmes Safety Association's Executive Committee and at least 15 members of the Holmes Mine Rescue Association's Executive Committee respond, and plurality of each Branch's responses support the proposal, the Branch Secretaries shall publish the proposal in the Joseph A. Holmes Safety Bulletin at least 60 days before each annual National Council meeting to allow comments from their membership. All comments received will be copied and distributed to the members of each Executive Committee at or before the Executive Committee sessions of the National Council meetings. After any needed discussion, each President shall call for a vote of the Executive Committee. At least 20 members

of the Holmes Safety Association's Executive Committee and at least 15 members of the Holmes Mine Rescue Association's Executive Committee must be present in order to hold a vote. If a plurality of each Branch's Executive Committee supports the proposal, the President shall submit the proposal to a membership vote at the Branch's National Council meeting.

B. VOTING OF THE MEMBERSHIP. If at least two-thirds of each Branch's membership votes, from members present at their National Council meetings, to approve the proposal, the Constitution is amended. Such results shall be published in the next edition of the Bulletin.

## **BY-LAWS**

### **JOSEPH A. HOLMES SAFETY ASSOCIATION NATIONAL COUNCILS**

#### **Section 1. MEMBERSHIP**

A. Holmes Safety Association. The membership of the National Council for Holmes Safety Association shall consist of authorized representatives of state and district councils and of chapters nonaffiliated with state or district councils of the Association; authorized representatives of management, labor, and state and federal agencies; insurance companies, suppliers, manufacturers, distributors, and others whose work involves promoting objectives consistent with those of the Holmes Safety Association.

B. Holmes Mine Rescue Association. The membership of the National Council for Holmes Mine Rescue Association shall consist of authorized representatives of management, labor, state and federal agencies, mine rescue trainers, mine rescue team members, vendors, manufacturers, suppliers or insurance groups, academia, and contractors, and others whose work involves promoting objectives consistent with those of the Holmes Mine Rescue Association.

#### **Section 2. OFFICERS**

A. Holmes Safety Association. The officers of the National Council for Holmes Safety Association shall consist of a President, first Vice-President, second Vice-President, third Vice-President, fourth Vice-President, Secretary, and Treasurer.

B. Holmes Mine Rescue Association. The officers of the National Council for the Holmes Mine Rescue Association shall consist of a President, twelve Vice-Presidents, Secretary, and Treasurer.

#### **Section 3. EXECUTIVE COMMITTEE (REPRESENTATIVES)**

A. Holmes Safety Association. The National Council for Holmes Safety Association officers, together with representatives of participating organizations or representatives from each mining area having active state councils, district councils or chapters, shall constitute the Holmes Safety Association's Executive Committee.

B. Holmes Mine Rescue Association. The National Council for the Holmes Mine Rescue Association may consist of up to sixty-seven Executive Committee members (which includes officers). The Executive Committee shall include a vice-president and up to four representatives from each of the following interest groups:

1. coal mine management,
2. metal and nonmetal mine management
3. labor – coal mines
4. labor – metal and nonmetal mines
5. state – coal mines
6. state – metal and nonmetal mines
7. federal agencies – coal mines
8. federal agencies – metal and nonmetal mines
9. coal mine rescue trainers
10. metal and nonmetal mine rescue trainers
11. coal mine rescue team members
12. metal and nonmetal mine rescue team members
13. vendors, manufacturers, academia, suppliers or insurance groups, and

contractors

The interest group that holds the President position will have no vice-president.

C. Members of an Executive Committee who, in the interim of their membership, retire (in good standing) from their position as an authorized representative of an interest group as specified in Section 12.A shall retain their post as Emeritus Member of the Executive Committee for the remainder of their elected term. Thereafter, such Emeritus Member's status of continued participation on the Executive Committee is welcomed and encouraged as an attendant and voting member and to serve in any capacity so appointed or assigned by the President of the Branch, except for such post which explicitly calls for a duly authorized representative of an interest group as specified in Section 12.A.

#### **Section 4. ELECTION OF OFFICERS AND EXECUTIVE COMMITTEE**

A. Holmes Safety Association. All members (including officers) of the Executive Committee, except the Secretary, are elected annually by a plurality vote of the members present at the annual National Council meeting. On or before March 31 of each year, state councils, district councils, or members of the Executive Committee shall forward to the Secretary a Nomination Form for each person being initially recommended to serve on an Executive Committee. Nominations for members who are currently serving as Executive Committee members may be recommended by statement in lieu of a completed form.

B. Holmes Mine Rescue Association. The Vice-Presidents (except the Vice-Presidents from the Federal Agencies), the Treasurer, and the other members of the Executive Committee are elected by a plurality vote of the members present at the National Council meeting. Before the second year of the Vice-Presidents' terms, the Vice Presidents elect, by a plurality vote of those present at the annual National Council meeting, the President. The President shall designate a Vice-President to assume the duties if the President is unavailable or is not present. If the President is permanently incapacitated, a new election will be held. On or before March 31 of the applicable year, members of the Executive Committee shall forward to the Secretary a nomination form for each person initially recommended to serve on the Executive Committee or as an elected Vice-President or Treasurer. Nominations for members who are currently serving as Executive Committee members or elected officers may be recommended by statement in lieu of a completed form.

C. All elected Executive Committee members (which includes officers) shall assume their positions at the conclusion of the annual National Council meeting at which time they were elected. For the Holmes Safety Association, all Executive Committee members shall serve for a period of one year; for Holmes Mine Rescue Association, all Executive Committee members shall serve for a period of two years.

#### **Section 5. VACANCIES AND MEETING ABSENCES**

A. The President shall fill through appointment all elected Executive Committee vacancies occurring during an unexpired term, for the remainder of unexpired term.

B. The Executive Committee members must actively participate in the applicable branch of the Joseph A. Holmes Safety Association. Vice-Presidents and Executive Committee members who fail to attend at least two consecutive annual National Council meetings will be contacted by the appropriate Secretary in writing to determine their interest in remaining as a member of an Executive Committee. This matter, including the reason for their absence will be brought before the next scheduled meeting of the Executive Committee to determine if their membership should continue. The Secretary of the applicable Branch will notify individuals of the Executive Committee's decision.

#### **Section 6. DUTIES OF OFFICERS AND COMMITTEES**

A. Holmes Safety Association. The National Council for the Holmes Safety Association, through its officers and members of the Executive Committee, shall assist state councils, district councils, and local chapters. They shall assist in organizing new councils and chapters, disseminating information on the progress of the Holmes Safety Association, providing articles to the Bulletin, and other matters of general interest within the scope of the Joseph A. Holmes Safety Association.

B. Holmes Mine Rescue Association. The National Council for the Holmes Mine Rescue Association, through its officers and members of the Executive Committee, shall meet to develop best practices, procedures, and training for mine rescue capability for emergency responses. They shall disseminate these guidelines, training, or tools, which may include providing articles to the Bulletin. They may plan, participate in, sponsor, or provide support to the National Coal or Metal and Nonmetal Mine Rescue Training Contests.

#### **Section 7. GENERAL SECRETARY**

The General Secretary shall meet at least annually with each branch of the Joseph A. Holmes Safety Association, but has no voting rights. The General Secretary shall appoint the Secretary for each branch of the Joseph A. Holmes Safety Association.

### **Section 8. PRESIDENT**

Each President shall call all meetings of each National Council and each Executive Committee and preside at them. Each President shall appoint a nominating committee, a finance committee, an auditing committee and such other committees as deemed necessary for the proper functioning of the National Council, and shall assign duties not otherwise provided for by the By-Laws or Constitution.

### **Section 9. VICE-PRESIDENTS**

A. Holmes Safety Association. The four Vice-Presidents for the Holmes Safety Association shall represent each of the interest groups as specified in Section 12.A.(1) other than that interest group represented by the President. Except for resignations or death, the Vice-Presidents shall rotate from Fourth Vice-President to President, one position each year. Persons elected to fill a vacancy as Vice-President shall be assigned from Fourth Vice-President to President, one position each year. Persons elected to fill a vacancy as Vice-President shall be assigned the Fourth Vice-President's position regardless of how the position vacated. The First Vice-President of the preceding year automatically becomes the nominee for President.

B. Holmes Mine Rescue Association. The twelve Vice-Presidents of the Holmes Mine Rescue Association shall represent each of the interest groups as specified in Section 12.A.(2) other than that interest group represented by the President. The Vice-President for Federal Agencies for Coal mines is MSHA's Administrator for Coal Mine Safety and Health; the Vice-President for Federal Agencies for Metal and Nonmetal mines is MSHA's Administrator for Metal and Nonmetal Mine Safety and Health. Before the second year of the elected Vice-Presidents' terms, the Vice-Presidents will elect, by a plurality vote of those present at the annual National Council meeting, the President for a two-year term. The Federal representatives serving as Vice-Presidents will not serve as President.

C. The Vice-Presidents shall assist the President and other officers in conducting the work of the Branch's National Council. In the absence of the President, the highest ranking Vice-President who is present at a meeting shall assume the duties of the President of the Holmes Safety Association. For the Holmes Mine Rescue Association, the President shall designate a Vice-President to assume the duties in the absence of the President.

### **Section 10. SECRETARY**

The Secretary for each branch of the Joseph A. Holmes Safety Association shall be the official contact person for all matters of business and shall provide all official responses to correspondence between meetings. Each Secretary shall notify members of all meetings of the National Council and the Executive Committee; transmit all official communications of the Council; and keep records of all meetings and proceedings of the National Council and Executive Committee. For the Holmes Safety Association, upon application of properly constituted state and district councils and local chapters, the Secretary shall issue all charters under the approved procedures and guidelines of the National Council. The Secretary shall perform such other duties as may be properly assigned by the Executive Committee and the President.

For the Holmes Mine Rescue Association, the Secretary shall attend and evaluate all National Mine Rescue Contests, and provide a written report to the President relative to the overall evaluation of each contest, including recommendations for improvements.

### **Section 11. TREASURER**

The Treasurer for each branch shall receive all funds for its branch of the Joseph A. Holmes Safety Association and shall maintain proper accounting for these funds. Each Treasurer shall pay all obligations of its branch of the Joseph A. Holmes Safety Association which have been properly presented. Annually or as necessary, each Treasurer shall prepare actual and budgeted expenses and the taxes for its branch. The appropriate Treasurer shall sign all contracts, grants, and any other agreements under the applicable Executive Committees' approved procedures. If the Treasurer is not available, the President (except a Federal representative) for the appropriate branch may sign these agreements. If the President is unavailable, then any Vice-President (except a Federal representative) may sign these agreements. Each Treasurer may recommend the investment of surplus funds and recommend how to allocate budgeted funds to assure fiscal integrity. The President and the Treasurer of each branch may not be representatives of the same interest group or entity.

### **Section 12. EXECUTIVE COMMITTEE FUNCTIONS**

A. Composition. (1) Holmes Safety Association. The Executive Committee for the Holmes Safety Association shall be composed of the following: representatives from each state council, representatives from district councils, at large representatives from each

of the interest groups: (a) organized labor, (b) industry management, (c) state enforcement agencies, (d) federal agencies, and (e) manufacturers, suppliers or insurance groups, academia and contractors. (2) Holmes Mine Rescue Association. The Executive Committee for Holmes Mine Rescue Association shall be composed of representatives from the following interest groups: (a) coal management, (b) metal and nonmetal management, (c) labor – coal mines, (d) labor – metal and nonmetal mines, (e) state entities for coal mines, (f) state entities for metal and nonmetal mines, (g) federal agencies – coal mines, (h) federal agencies – metal and nonmetal mines, (i) coal mine rescue trainers, (j) metal and nonmetal mine rescue trainers, (k) coal mine rescue team members, (l) metal and nonmetal mine rescue team members, and (m) vendors, manufacturers, suppliers or insurance groups, academia, and contractors.

B. Duties – Holmes Safety Association. The Executive Committee shall provide oversight of the Holmes Safety Association and supervise its activities. The Executive Committee shall review and recommend all business before presenting the business to the membership. The President shall call at least one meeting of the Executive Committee before the annual National Council meeting each year at a designated time and place (may be virtual or use other means). The Executive Committee may employ such clerical and other assistants as necessary to carry out the responsibilities and duties of its National Council. The designated time and place of the annual meeting of the National Council will be selected by the President from the appropriate zone as noted in Section 12.E.(1). The President may call other meetings of the Executive Committee as necessary, or at the request of any five members of the Executive Committee, after providing 30 days' notice in writing of a suitable time and place (may be virtual or use other means) to each member of the Executive Committee.

C. Duties – Holmes Mine Rescue Association. The Executive Committee shall provide oversight of the Holmes Mine Rescue Association and supervise its activities. The Executive Committee shall review and approve all business, as possible. The President shall call at least one meeting of the Executive Committee before the annual National Council meeting. The Executive Committee may employ such clerical and other assistants as necessary to carry out the responsibilities and duties of its National Council. The President may call other meetings of the Executive Committee as necessary, or at the request of any five members of the Executive Committee, after providing 30 days' notice in writing of a suitable time and place (may be virtual or use other means) to each member of the Executive Committee.

D. Quorum For Business. A minimum of twenty members of the Holmes Safety Association's Executive Committee shall be present before any business of the Executive Committee is official. A minimum of fifteen members of the Holmes Mine Rescue Association's Executive Committee shall be present before any business of the Executive Committee is official. This shall not prevent either Treasurer from paying any obligations of its Branch which have been properly presented for payment when a quorum is not available.

E. Selection Of Annual Meeting Site. (1) Holmes Safety Association. In order to reflect the national scope of the Holmes Safety Association, the annual meeting location of the National Council should be rotated among the following four zones listed below. The site location of the annual National Council meeting will be rotated in the following order: Zone 1, Zone 2, Zone 3, and Zone 4. Each year, at the Executive Committee meeting of the annual National Council meeting, representatives from the following four zones may petition the Executive Committee to consider their particular location as a meeting site for the next annual National Council meeting in their particular zone. Should no representative of a particular zone desire to host the next annual meeting, the annual meeting site will be rotated to the next zone.

#### ZONE 1

Mississippi	Louisiana	Arkansas
Florida	Tennessee	South Carolina
Kentucky	West Virginia	Alabama
North Carolina	Virginia	Georgia
D.C.	Maryland	

#### ZONE 2

Washington	Oregon	Idaho
Montana	Wyoming	North Dakota
South Dakota	Nebraska	Minnesota
Iowa	Alaska	Missouri
Wisconsin	Illinois	

#### ZONE 3

Michigan	Indiana	Pennsylvania
Ohio	New Jersey	Delaware
New York	Rhode Island	Massachusetts
Connecticut	New Hampshire	Vermont
Maine		

#### ZONE 4

California	Nevada	Utah
Arizona	New Mexico	Colorado
Kansas	Oklahoma	Texas
Hawaii		

(2) Holmes Mine Rescue Association. At the annual National Council meeting, the Executive Committee and officers will determine the next annual meeting location.

### **Section 13. COMMITTEE FORMATION**

A. (1) Holmes Safety Association. The President shall appoint each committee, which shall consist of five members from the Executive Committee, one of whom shall serve as chairperson. Committee members should represent each of the five interest groups: (a) organized labor, (b) industry management, (c) state enforcement agencies, (d) federal agencies, and (e) manufacturers, suppliers or insurance groups, academia and contractors. Representation from each interest group shall be a primary consideration for all committee involvement. (2) Holmes Mine Rescue Association. The President shall appoint each committee, which shall consist of at least, seven members from the Executive Committee, one of whom shall serve as chairperson. At least one committee members should represent each of the seven interest groups: (a) management, (b) labor, (c) state entities, (d) federal agencies, (e) mine rescue trainers, (f) mine rescue team members, and (g) vendors, manufacturers, suppliers or insurance groups, academia, and contractors.

B. The President shall designate a chairperson. If representation for any of the listed interest groups is unavailable, the President may appoint varying numbers of committee members so long as at least one committee member is appointed for each interest group that has available representation.

C. A Vice-President shall oversee a committee by ensuring the committee is performing the functions delegated to the committee. The Vice-President participates in the committee work, but is not a member of the committee and does not vote on the committee. For the Holmes Mine Rescue Association, the Vice-Presidents for Federal Agencies shall oversee Coal Mine Rescue and Metal and Nonmetal Guidance and Training Support Committees.

D. A Federal representative may not be the chairperson for any audit, scholarship, or finance committee.

E. The chairperson of a committee is responsible for calling committee meetings and accomplishing the work of the committee. The Chairperson may create subcommittees as needed to accomplish the work of the committee. The chairperson may designate members for a subcommittee from non-Executive Committee members.

### **Section 14. COMMITTEE DUTIES FOR HOLMES SAFETY ASSOCIATION**

A. Nominating Committee. The Nominating Committee shall review all nominations and recommend nominees for all elective offices and for members of the Executive Committee. At least one member of the Executive Committee, a district council, or a state council shall recommend a nomination. Nominations shall be submitted to the Secretary on or before March 31. The Secretary shall forward all nominations to the chairperson and members of the nominating committee no later than April 15. The chairperson shall communicate with the committee members prior to the National Council Meeting and prepare a proposed slate for presentation to the Executive Committee. Upon the recommendation of the Executive Committee, the President shall present the slate to the membership at the annual National Council Meeting for a voice vote and a plurality vote of those present must approve.

Chairperson may call meetings of the Nominating Committee as necessary and at a convenient time prior to the annual National Council Meeting.

B. Finance Committee. The Finance Committee shall conduct periodic reviews of the Branch's actual and budgeted expenses, recommend the investment of surplus funds, recommend reallocating budgeted funds, and recommend any other action necessary to assure the fiscal integrity of the Branch. The Treasurer for the Holmes Safety Association is not a member of the Finance Committee but shall attend its meetings.

C. Audit Committee. The Audit Committee shall, at least once a year, examine and audit the funds and securities belonging to the Holmes Safety Association and report at the annual meeting of the National Council. The Treasurer for the Holmes Safety Association is not a member of the Audit Committee but shall attend its meetings.

D. Scholarship Committee. The Scholarship Committee will administer the Joseph A. Holmes Scholarship Program under the approved procedures and guidelines of the Holmes Safety Association's Executive Committee. The Holmes Safety Association

receives donations for scholarships. The Treasurer for the Holmes Safety Association will maintain these donations in a separate account. The Scholarship Committee shall provide the Holmes Safety Association's Executive Committee with an annual report for review and approval.

E. Program Committee. The Program Committee is to develop and coordinate the annual National Council meeting as outlined in Section 12.E.(1). The committee will arrange all appropriate accommodations as necessary in fulfilling mine safety educational objectives. The chairperson may delegate specific program components to committee members and strive in a collective effort to accomplish informational goals. A committee representative shall report the Program Committee's strategies for the following annual National Council meetings.

F. Revitalization Committee. The Revitalization Committee shall plan, develop, and promote meetings to encourage active membership throughout the States mentioned in Section 12.E. Committee members are to assist in promoting mine safety by organizing, producing, and distributing educational and training information to interested parties. The committee will identify potential growth areas and provide assistance towards establishing new or reviving existing chapters and councils as necessary. A committee representative shall report the current status and future strategies concerning revitalization efforts.

G. Awards Committee. The Awards Committee will administer the Joseph A. Holmes Safety awards under the Executive Committee's approved procedures and guidelines. The committee shall review all award applications and recommend approval or disapproval according to their specified criteria. The National Secretary for the Holmes Safety Association shall send the chairperson and the committee members all award applications submitted. Each committee member shall respond to the chairperson as award applications are received and evaluated. The committee shall monitor award activities and may suggest potential improvements for the recognition of industry safety efforts as necessary.

H. Constitution Committee. The Constitution Committee shall monitor all committee activities in reference to existing Constitution guidelines. The chairperson along with Constitution Committee members may recommend amendment development to the By-laws or Constitution. The Committee shall report all amendment proposals and any committee activity on proposed amendments of the By-laws and Constitution to the Executive Committee.

## **Section 15. COMMITTEE DUTIES FOR HOLMES MINE RESCUE ASSOCIATION**

A. Nominating Committee. The Nominating Committee shall review all nominations and recommend nominees for the elected Vice-Presidents, Treasurer, and for members of the Executive Committee of the Holmes Mine Rescue Association. At least one member of the Executive Committee shall recommend a nomination. Nominations shall be submitted to the Secretary on or before March 31 of the applicable year. The Secretary shall forward all nominations to the chairperson and members of the Nominating Committee no later than April 15 of the same year. The chairperson shall communicate with the committee members prior to the applicable annual National Council meeting and using the Executive Committee's approved procedures and guidelines, prepare a list of nominees for presentation to the Executive Committee. The President shall call for a voice vote of the Executive Committee and a plurality vote of those present must approve. In alternating years, the chairperson shall communicate with the committee members prior to the applicable annual National Council meeting and prepare a list of Presidential candidates for presentation to the Vice Presidents. The President shall call for a vote and a plurality vote of those present must approve.

Chairperson may call meetings of the Nominating Committee as necessary and at a convenient time prior to the annual National Council Meeting.

B. Finance Committee. The Finance Committee shall conduct periodic reviews of the Branch's actual and budgeted expenses, recommend the investment of surplus funds, recommend reallocating budgeted funds, and recommend any other action necessary to assure the fiscal integrity of the Branch and the Association. The Treasurer for the Holmes Mine Rescue Association is not a member of the Finance Committee but shall attend its meetings.

C. Audit Committee. The Audit Committee shall, at least once a year, examine and audit the funds and securities belonging to the Holmes Mine Rescue Association and report at the annual meeting of the National Council. The Treasurer for the Holmes Mine Rescue Association is not a member of the Audit Committee but shall attend its meetings.

D. Coal Mine Rescue Guidance. The Coal Mine Rescue Guidance Committee shall meet to develop best practices, procedures, and training for mine rescue capability for emergency responses at coal mines. The committee shall disseminate these guidelines, training, or tools.

E. Metal And Nonmetal Mine Rescue Guidance. The Metal and Nonmetal Mine Rescue Guidance Committee shall meet to develop best practices, procedures, and training for mine rescue capability for emergency responses at metal and nonmetal mines. The committee shall disseminate these guidelines, training, or tools.

F. Coal Mine Rescue Training Support. The Coal Mine Rescue Training Committee may plan, participate in, co-sponsor, sponsor, or provide support for the biennial National Coal Mine Safety and Health Mine Rescue Training Contest or other training.

G. Metal And Nonmetal Mine Rescue Training Support. The Metal and Nonmetal Mine Rescue Training Committee may plan, participate in, co-sponsor, sponsor, or provide support for the biennial National Metal and Nonmetal Mine Safety and Health Mine Rescue Training Contest or other training.

#### **Section 16. AMENDMENTS TO THE BY-LAWS**

A. Amendment Proposal. The By-laws may be amended by submitting a proposal and supporting rationale to the applicable Branch Secretary by January 31 of each year, or at least four months prior to their respective annual National Council meetings. All proposed amendments must include an endorsement by a member of an Executive Committee or receive official support of an Executive Committee. The Secretary of the applicable Branch shall send copies of such proposals with a response form to the members of the Executive Committee and officers of their Branch. The response form shall provide a means of showing support for or against the proposal, space for comments, and include a return date to the appropriate Branch Secretary. If at least 20 members of the Holmes Safety Association's Executive Committee or at least 15 members of the Holmes Mine Rescue Association's Executive Committee respond, and plurality of the Branch's responses support the proposal, the applicable Branch Secretary shall publish the proposal in the Joseph A. Holmes Safety Bulletin at least 60 days before each annual National Council meeting to allow comments from their membership. All comments received will be copied and distributed to the members of the appropriate Executive Committee at or before the Executive Committee sessions of the National Council meetings. After any needed discussion, the President shall call for a vote of the Executive Committee. At least 20 members of the Holmes Safety Association's Executive Committee or at least 15 members of the Holmes Mine Rescue Association's Executive Committee must be present in order to hold a vote. If a plurality of the Branch's Executive Committee supports the proposal, the President shall submit the proposal to a membership vote at the Branch's National Council meeting.

B. Voting of the Membership. If at least two-thirds of the Branch's membership votes from members present at their National Council meetings, to approve the proposal, the By-laws are amended. Such results shall be published in the next edition of the Bulletin.

C. Amendments. Some amendment proposals may require a vote of both Branches before adoption of the amendments. The Secretaries will meet and facilitate the resolution of any issues between the Branches of the Joseph A. Holmes Safety Association concerning amendment proposals.