

# LPSCU RECEIVES CERTIFICATION OF BYLAWS

*The LPSCU has received certification that the amendments to our Bylaws accepted by the 38<sup>th</sup> National Convention held June 27-30, 2004, have been reviewed and approved by the Pennsylvania Deputy Insurance Commissioner. The approved Bylaws are printed below for our members' benefit. Anyone wanting a copy can make a written request to: Mary Jo Savidge, National Secretary/Treasurer, at the Home Office address (or contact Mary Jo via e-mail at [maryjo@lpscu.org](mailto:maryjo@lpscu.org)).*



## Constitution and Bylaws of the Ladies Pennsylvania Slovak Catholic Union

### INTRODUCTION

1. The name of this organization is Ladies Pennsylvania Slovak Catholic Union, under the patronage of the Annunciation of the Blessed Virgin Mary. It was organized in Hazleton, Pennsylvania, and its present headquarters are in Wilkes-Barre, Luzerne County, Pennsylvania. The abbreviation herein adopted is LPSCU.
2. The purpose of the LPSCU shall be to promote the moral, spiritual, and material welfare of its members.
3. The objectives of the organization are:
  - (a) To foster the spirit and practice of true fraternalism among its members.
  - (b) To spread and foster the Catholic Faith.
  - (c) To encourage and perpetuate an appreciation of our members' culture and heritage.
  - (d) To instill patriotic zeal that members remain loyal citizens of the United States.
  - (e) To provide affordable insurance products and benefits to its members.

### MEMBERSHIP

4. To be eligible for membership, a person must be of good moral character, sound in body and mind, of exemplary habits, and a practicing Catholic.
  - (a) Applicant must certify willingness to observe all the laws and regulations of the LPSCU.
  - (b) Applicant must apply for and be eligible to be issued a fraternal benefit certificate by the LPSCU.
  - (c) Applicant must submit a Membership Application which shall attest to the applicant's religious eligibility.
  - (d) The religious qualifications provided for in these Bylaws shall not apply to a non-Catholic spouse of a member, or to their children.
5. Applicant qualifying for membership as stated in these Bylaws must successfully qualify under a non-medical application or must successfully pass a physical examination. The Application for insurance shall be forwarded to the National Secretary-Treasurer and then to the medical examiner for appropriate action. The applicant/insured becomes a member of the LPSCU upon receipt of the first assessed premium.
6. The LPSCU will pay the cost of a medical examination in such an amount as approved by the Board of Directors.

7. In case of an epidemic, war, revolution, or other unforeseen circumstances in any state of the U.S.A., or in any country where the LPSCU does business, the Board of Directors has the power to reject new applications until regular and normal conditions are restored.
8. A member shall pay for the death benefit applied for and approved according to the plan of insurance, as set forth in the table and rates published by the LPSCU.

### BRANCHES AND THEIR DUTIES

9. Branches of the LPSCU:
  - (a) A Branch of the LPSCU may be formed by submitting applications for ten (10) or more members and upon approval of the Board of Directors.
  - (b) Branch Number, for administrative purposes, will be designated by the Board of Directors.
  - (c) An existing Branch cannot change its assigned number without the consent of the Board of Directors.
  - (d) For the purpose of uniformity, Branches shall use only forms furnished by the LPSCU.
  - (e) Branch officers are encouraged to establish rules and regulations for the operation and control of the Branch and members as needs require, so long as they do not conflict with the Constitution and Bylaws of the LPSCU.
10. Duties of LPSCU Branches and/or its officers are:
  - (a) Submit properly completed applications for membership to the National Secretary-Treasurer for approval.
  - (b) Submit properly completed forms to the National Secretary-Treasurer for any transaction requested by a member or, in the event of death, the beneficiary.
  - (c) Provide proper notification of expulsion or suspension of a member to the National Secretary-Treasurer setting forth the reason, giving the full name and address of the member so affected.
  - (d) Other duties directed by the Home Office or the Board of Directors that maintain and uphold the objectives of the LPSCU.
11. A Branch may be suspended or dissolved for any of the following causes:
  - (a) Violation of or failure to obey the Constitution or Bylaws, whether it be intentional or unintentional.
  - (b) When membership diminishes to less than ten (10) members in good standing, for a period of two (2)



- 34. Shall establish, formulate, approve, and designate the forms to be used and the contents thereof, subject to such approval as may be necessary by the insurance department of the states granting licenses to the LPSCU, including but not limited to the adoption and publication of rules/standards/procedures pertaining to the Table of Rates, age limits of membership, medical and non-medical contracts limits, and for reinsurance contracts.
- 35. Shall have authority to employ field workers on such terms and conditions as they deem proper.
- 36. Shall have authority to establish and create a retirement benefit plan for members of the Board of Directors and employees of the LPSCU.
- 37. Shall set the exact date and location of the Convention.
- 38. Shall have the right to take immediate possession of all property or money in the custody or control of such Officers or Branches, and shall have the right to institute legal proceedings, if the Officers of any Branch shall be suspended or expelled, or if a Branch shall fail to comply with all the provisions of the LPSCU Bylaws.
- 39. Shall have the right to designate an individual(s) to act in the place of the Officer(s) suspended, during the time of the investigation.
- 40. Shall have the following responsibilities:
  - (a) provide training and/or assistance to branch officers;
  - (b) assist in the development of marketing material and programs;
  - (c) serve as a chairperson or member of a standing committee, designated by the President, complying with the reporting requirements.
- 41. If any member of the Board of Directors becomes ill or disabled and unable to perform the duties of their office, such member shall be granted a leave of absence for ninety days at full salary. If the disability or illness continues beyond ninety days, then the Board of Directors may appoint an "Acting" substitute who shall receive the salary of the disabled member for the duration of the period so served, except the offices of President or Secretary-Treasurer.

**DUTIES OF THE EXECUTIVE FINANCE COMMITTEE**

- 42. Invest all funds of the LPSCU in such securities and in such manner only as the laws of the Commonwealth of Pennsylvania and the regulations adopted by the Insurance Department of the Commonwealth of Pennsylvania and the LPSCU permit.
- 43. Sell the assets of the LPSCU, thereby authorizing the execution of all necessary documentation required in conveying to the purchaser thereof a good and sufficient title. The Committee shall direct that the payment for said securities shall be made to the Secretary-Treasurer.
- 44. All savings of the LPSCU shall be deposited in a financial institution which provides insurance on deposits. The checking account shall not exceed what is prudently necessary.
- 45. The Secretary-Treasurer is Secretary of the Executive Finance Committee.
- 46. The Executive Finance Committee shall meet at the call of the President, at least quarterly.
- 47. Approve bills presented against the LPSCU for purchases

- and expenditures of an extraordinary nature prior to payment. Ordinary and customary bills need not be approved prior to payment thereof.
- 48. Approve all Convention committees appointed by the President of the LPSCU.

**DUTIES OF THE OFFICERS  
Spiritual Advisor**

- 49. (a) Shall be responsible for all religious matters of the organization. He shall make a report of activities in writing at the Convention.
- (b) Shall contribute to the official publication educational articles of a religious nature.
- (c) Shall decide any dispute regarding ecclesiastical questions of the LPSCU, whose decisions on the matter are final.
- (d) Shall be a member of the Board of Directors and abide by the Bylaws set forth in that section.
- (e) Shall represent the LPSCU on the Executive Board of the Slovak Catholic Federation.
- (f) Shall perform duties outlined in job description on file with the Home Office.

**President**

- 50. The office of President is a full time position working out of the Home Office having the following duties:
  - (a) Shall see that all laws and regulations of the organization are enforced.
  - (b) Shall have the right to visit any Branch and investigate its proceedings or empower a fellow Officer to do so.
  - (c) Shall approve vouchers of the organization for the payment of money.
  - (d) Shall sign all legal documents.
  - (e) Shall develop and implement new insurance products and member benefits.
  - (f) Shall provide direction and guidance to National/District/Branch Officers.
  - (g) Shall provide input and guidance in the daily operations of the Home Office as deemed necessary.
  - (h) Shall call and preside at all Executive Finance Committee meetings.
  - (i) Shall be a member of the Board of Directors and abide by the Bylaws set forth in that section.
  - (j) Shall preside at all Board of Directors meetings and the Convention, directing proceedings and maintaining order.
  - (k) Shall issue the call for all Conventions in the official publication at least three months before the Convention.
  - (l) Shall call a Special Convention at the request of two-thirds of the members of the Board of Directors.
  - (m) Shall cast the deciding vote in case of a tie on any question.
  - (n) Shall submit a written report of actions in the LPSCU to the Convention.
  - (o) Shall appoint the Assistant Recording Secretaries of the Convention and, subject to the approval of the Executive Finance Committee, appoint all Convention committees.
  - (p) Shall have the power to dismiss from office any Officer failing to attend duly constituted meetings or for



- submitted, in accordance with the Bylaws. The Court of Appeals Secretary shall keep the minutes of all meetings. An accurate and complete record of all trials shall be submitted for approval to the Legal Advisor.
- (c) Shall be the duty of the Court to exercise original jurisdiction in all matters:
  - (1) Involving charges against the National Officers or differences between National Officers.
  - (2) Of suspension or expulsion of a National Officer by action of the President or the Board of Directors.
  - (3) Submitted for trial by the Board of Directors or by the President with approval of the Board of Directors.
- (d) Shall have appellate jurisdiction in the following cases:
  - (1) Appeals which shall be taken from the decisions of the Court of a local Branch.
  - (2) Appeals from the decision of the Board of Directors as to controversies between Branches or between the LPSCU.
- (e) Shall adhere to the following procedures in hearings and trials:
  - (1) In cases of original jurisdiction, the Chairperson of the Court shall have the power to convene the members thereof upon the filing of a formal complaint or charge verified by affidavit setting forth the nature of the charges, the names, dates, circumstances, and all details thereof, stating the offense committed or the section and provision of the Bylaws which it is alleged was violated, accompanied by a fee of ten dollars (\$10.00) and a bond signed by the affiant and a freeholder for the payment of costs in the event that the charges are not substantiated, irrespective of the decision of the Court.
  - (2) In the case of appellate jurisdiction, the appeal must set forth the matter and comply with the requirements in cases of original jurisdiction and in addition thereto must set forth a complete record of the testimony given by each witness and the books, papers, letters, or any other documentary evidence already offered together with a report of the decision from which the appeal is taken and the reasons in full why it is alleged the decision is unjust or irregular.
- (f) The following requirements must be observed with regard to trials:
  - (1) The Chairperson of the Court shall convene the said Court within thirty days after filing original charges or an appeal.
  - (2) If the charge or appeal is not in proper form in compliance with these Bylaws, it shall be returned with instructions for its correction and the thirty days required by the preceding section shall run from the date of the filing of the charge or appeal in proper form.
  - (3) Upon receipt of the charge or appeal, the Chairperson of the Court shall serve a copy thereof by registered mail upon the defendant who shall file a written answer thereto supported by affidavit within ten days from the mailing thereof unless the time is extended by the Chairperson of the Court for given reasons.

- (4) The Chairperson of the Court shall fix a day and place for a hearing of the charge to be conducted not later than ninety days after the filing of the charge or appeal.
- (5) The Chairperson of the Court shall have discretion as to the conduct of all trials before the Court, endeavoring as much as possible to give the defendant a fair and impartial trial and an opportunity to be heard.
- (6) In cases involving religious, medical, or legal questions, the Court shall consult the religious, medical, or legal adviser, respectively.
- (7) A majority vote of the Court shall decide all matters before said Court.
- (8) The Court shall have the power to impose punishment in the way of discipline, fine, suspension, or expulsion.
- (9) Appeals from the decision of the Court of a Branch or the Board of Directors must be filed within sixty days.
- (10) The only appeal from the decision of the Court shall be to the Convention and such appeal shall be made in the form prescribed for appeals to the Court.
- (g) All members, Officers, and Branches of the LPSCU shall be subject to charges, trials, and punishment for violation of the Bylaws, rules and regulations of the LPSCU, or for any conduct contrary to the welfare of the LPSCU.
- (h) The National Officers shall have the power to expel, suspend, or punish any member regularly convicted in her/his Branch, subject to the non-forfeiture provisions in member's certificate.
- (i) The National Officers shall have the power to suspend or punish any member or Officer or a Branch of the LPSCU or a National Officer for a violation of the Bylaws or any injury to the property or welfare of the LPSCU, whether by word or deed. Such a member or Officer may appeal the decision of the National Officers to the Court of Appeals.

### Honorary Officers

- 58. An Honorary Officer:
  - (a) Must have 15 years of service as a member of the Board of Directors.
    - a. Shall enjoy the rights of a delegate at all Conventions, but is not considered as a Branch delegate.
    - b. Shall have all travel expenses to and from the Convention paid by LPSCU, but not per diem.

### CONVENTION

- 59. The President, Vice President, Secretary-Treasurer, Chairperson of Trustees, Spiritual Advisor, Fraternal Activities Director, and Public Relations Director shall submit written reports to the Convention.
- 60. The Convention is the highest legislative body of the organization.
- 61. The Convention shall consist of the Board of Directors, Honorary Officers, Court of Appeals, and the delegates sent by various Branches.
- 62. The Convention shall be held every four years at a site



shall be distributed evenly among the surviving contingent beneficiaries.

If all primary and contingent beneficiaries shall predecease the member, the death benefits shall be paid to the estate to the deceased member.

For the purposes of this Section, the failure of a member to make a valid designation of beneficiary; or if the designation of beneficiary made by a member wholly fails because the beneficiaries are ineligible, then such designations shall be construed as though the beneficiary had predeceased the member.

- 77. If the age of a member as shown on the certificate is less than the actual age of such member, then the benefits shall be reduced to such an amount of insurance as would be purchased by the premiums paid by such member at the actual age of the member, which shall then be paid pro rata to the beneficiaries.
78. No suit shall be maintainable to enforce the payment of any certificate until ninety days after the filing in the Home Office of the Society of proofs of claim as herein provided, nor after three years from the date the cause of action accrues.
(a) The LPSCU shall not be liable under any certificate if the death of a member is caused by or result from suicide or self-destruction, while either sane or insane, within two (2) years from the date of the issuance of the certificate, and in that event the full amount of the net mortuary contributions paid thereon will be refunded. Liability shall be limited to the return of mortuary assessment actually paid by the member.
79. An appeal from any findings not involving property rights must be taken to the Court of Appeals of the LPSCU.
80. If no appeal is taken within thirty days, the findings and decisions of said Court shall be final and conclusive as to all questions and all claims for said benefits, the foregoing provisions being a part of the contract of membership in the LPSCU.
81. The said Court shall have the power of declaring forfeitures, imposing penalties and finding that a member stands suspended or expelled.
82. On the death of a member of the Union, whose death constitutes a valid claim against the Union, if there are rival claimants to the amount due, the Union may make payment into court on a proper petition for Interpleader, which funds shall be distributed according to the court order.
83. No beneficiary shall have or acquire any vested interest in any benefit prior to the death of the member. Members may, at any time, change their designation of primary or contingent beneficiary.
84. In case any benefit certificate is lost or destroyed or is in the hands of anyone who refuses to surrender its possession and the member to whom the same was issued desires a new certificate, or desires to have a change of beneficiary, the member may, by affidavit, prove to the satisfaction of the National Secretary-Treasurer the fact of such loss, destruction, or withholding possession, and thereupon a duplicate certificate will be issued and change of beneficiary made as hereinafter provided.
85. No contract between a member of the LPSCU and her/his beneficiary that the beneficiary or any person for the member shall pay such member's assessment and dues, or either of them, shall give the beneficiary a vested right in the benefit certificate or in the benefits, or deprive the member

of the right to change the name of the beneficiary or revoke the certificate, if any, issued by the Union; provided, that such change or revocation be done by written or printed notice to the Union in the manner and form provided by its Bylaws; provided, also, that, in the event of any contract between the member and a beneficiary, a copy of such contract in writing shall be delivered to the Home Office of the Union forthwith. If no such copy of the said contract is delivered as above stated, and the Union in good faith pays the named beneficiary, it shall be released from any further liability.

- 86. All regular or special dues, fines, and assessments must be paid on or before the dates when due. Any member who is in arrears for a period of thirty days is ipso facto suspended from all benefits in the LPSCU, and if the member does not pay up all assessments, dues, or fines within a further period of sixty days, the member will be automatically expelled from the Branch Society of the LPSCU, subject to provision in the member's benefit certificate.
87. A member who has been suspended, expelled, or has withdrawn may be reinstated by complying with the Bylaws of the Society. Where a member has been suspended more than sixty days, reinstatement can be secured only upon medical examination and evidence that the member is in good health.
88. The Articles of Incorporation and the Bylaws now in force or which may hereafter be adopted, the application form, the medical examination form, and the benefit certificate, as amended by any changes or amendments to the Bylaws in effect, now or hereafter, shall constitute the contract between the member and the LPSCU.

MISCELLANEOUS

- 89. All official communications of the LPSCU will be published in the official publication, "Zornicka," and the same shall in all matters be considered as personal notice served upon each member of the Union, except notice of expulsion which shall be sent to the member personally by mail. If Society records indicate that two or more members have the same mailing address, an official publication mailed to one member is considered mailed to all members at that household unless a separate copy is requested.
90. No subordinate Branch, no local Society, nor any of its Officers or members, nor any Officers of the LPSCU shall have power or authority to waive any of the provisions of the Bylaws of the Union and the same shall be binding upon the Union, its subordinate Branches, and each and every member thereof. No knowledge or information obtained by any member or Officer or notice to any member or Officer, shall be held to be knowledge or notice to the LPSCU or the Officers thereof, unless said information or notice be given in writing to the Secretary-Treasurer or the President.
91. At the Convention of the LPSCU, a majority of the elected delegates shall constitute a quorum necessary for the proper conduct of business.
92. At the meeting of the Board of Directors, a majority of the members thereof shall constitute quorum.
93. At the meeting of the Court of Appeals, three members thereof shall constitute a quorum.
94. Should the Bylaws of the LPSCU be silent as to the procedure in the conduct of business at any meeting or Convention, the current edition of "Roberts Revised Rules of Order" shall govern.

