

**THE CONSTITUTION AND BY-LAWS OF
MABALACAT GOVERNMENT EMPLOYEES' ASSOCIATION
(MAGEA)**

KNOW ALL MEN BY THESE PRESENTS:

PREAMBLE

That **WE**, the undersigned, guided by the principle that public office is a public trust and motivated earnestly by the desire to uphold the same principle and believing that as government workers we can become instruments in the promotion of an efficient public service delivery system aimed at gaining the trust and confidence of the public that we are vowed to serve and believing further that only through our combined efforts can we realize these ideals and promote the dignity and respect for the government workers, do hereby promulgate and adopt the following By-laws.

**ARTICLE I
NAME, DOMICILE AND PURPOSE**

That the name of the association shall be **MABALACAT GOVERNMENT EMPLOYEES ASSOCIATION (MAGEA), INC.**.

That the aims and purposes of this Association are:

1. To subscribe to, and become exponents and instruments in the implementation of the tenets and doctrines of public service in accordance with those provided for under the Civil Service Rules and Regulations and other laws, policies or rules affecting government service;
2. To bring the government closer to the people thru efficient, effective and honest service of officials and employees and to strive to become model in government service
3. To provide and strive for the continuous upgrading of knowledge and skills of officials and employees and in order to become a conveyance for progressive changes in government service;
4. To promote closer management and employee relationship subscribing to the principle of mutual respect for labor-management relationship;
5. To provide forum for motivation and recognition of officials and employees;
6. To work hand-in-hand and in closer harmony with top management echelon in our respective departments designed at improving the relationship between government administrators and the general public;
7. To search for ways and means to uplift the morale, dignity and respect for the rights and privileges of government employees through a peaceful and honorable means of negotiations or commitments;
8. To extend mutual benefit and/or assistance to the members of the Association who, by reason of tragedy, calamity or otherwise, shall be in need of such assistance.

**ARTICLE II
MEMBERSHIP**

Section 1. Qualification for Membership – The membership in the Association shall be voluntary and open to all Municipal Government Employees of Mabalacat, Pampanga; with Permanent employees as Regular members, and Temporary and Casual employees as Associate member.

Section 2. Application for Membership – The application for membership shall be made in writing using the prescribed membership application form (MAGEA Form 1), and shall be submitted to the Association thru the Secretary of the Association. Such membership shall be subject to the provisions of Section 1, and, approval by the Executive Board. Notice of decision on membership application shall be furnished by the Secretary to the applicant and posted on designated Association bulletin boards.

Section 3. Member in Good Standing – A member in good standing is one who complies with the duties set forth in Section 1 of Article III of these By-laws, as well as the terms and conditions of the Membership Agreement.

ARTICLE III DUTIES AND RIGHTS OF MEMBERS

Section 1. Duties and Responsibilities - The duties and responsibilities of both Regular and Associate member are as follows:

1. To understand and faithfully obey the By-laws and Membership Agreement and such other rules and regulations as may be promulgated by the Executive Board;
2. To attend and participate actively in all meetings and conferences that may be called by duly constituted authorities and encourage others to do the same;
3. To contribute personal services to the Association when so required and deemed necessary to the best interest of the Association;
4. To choose worthy and capable leaders who shall protect the interest of the Association;
5. To promote the noble mission of the Association and defend the Association as needed;
6. To promptly pay all financial obligations and dues to the Association, and;
7. To obey and respect all promulgations by the government of the Republic of the Philippines.

Section 2. Rights and Privileges - The rights and privileges of a member are as follows:

1. The right to vote in all matters affecting the Association shall be the exclusive privilege of Regular members;
2. To be heard in all deliberations and be able to express his/her opinion on any matter under discussion during Association meetings;
3. To avail of any assistance, services, benefits and facilities of the Association upon compliance with the conditions and requirements thereof;
4. The right to appeal to the Executive Board any decision by the Committees, and;
5. To examine the book of accounts and other records of the Association at reasonable times during working day and upon formal request to the Secretary.

ARTICLE IV SUSPENSION, EXPULSION AND TERMINATION OF MEMBERS

Section 1. Suspension of Membership – The Executive Board may suspend a member by a majority vote of its members present in a meeting upon a motion by the Secretary on the following grounds:

1. Failure to pay monthly dues and other contributions. However, settlement of all arrears may lift the suspension, and;
2. Willful failure to comply with the duties of a member, as well as the terms and conditions of the Membership Agreement.

Section 2. Expulsion – The Executive Board shall have the summary power by a majority vote of all its members to expel any member for a conduct which in the opinion of the Executive Board disturbs the order, dignity, or damages the integrity of the Association, or from any conduct in violation of these By-laws and other rules and regulations of the Association.

Section 3. Termination of Membership – The Executive Board may approve the resignation of a member, provided, a written resignation with thirty (30) days notice thru the Secretary is tendered, and, all obligations with the Association has been settled.

ARTICLE V FEES, DUES, CONTRIBUTIONS AND OTHER FUNDS

Section 1. Membership Fees – A membership fee of PhP 100.00 shall be deducted from the payroll per prospective member upon signing the Membership Application Form. Such fee is refundable in case the application for membership is denied.

Section 2. Monthly Dues – A monthly fee of PhP 50.00 shall be deducted from the payroll per member of the Association. Fifty percent (50 %) shall form part of the general fund of the Association, and the balance shall be deposited in a trust fund which will be given back to the member upon separation from the service and after payment of all outstanding obligations to the Association.

Section 3. Contribution – Upon compliance with Association guidelines, a member of good standing is entitled to the Association’s financial assistance through mandatory contribution by members via salary deduction from the payroll as follows:

1. **Death Benefit** – PhP 200.00 per member on the death of a member and shall be awarded to the legal beneficiary, and PhP 100.00 on the death of a member’s legal spouse or child;
2. **Hospitalization Benefit** – PhP 50.00 per member in the hospitalization of a member. However, availment of this privilege by the member shall be subject to the Executive Board’s approval;
3. **Birthday Bonus** – PhP 10.00 per member on the member’s birthday. However, availment of this privilege shall be voluntary.

Section 4. Fines and Penalties – The Association may impose fines on the members who are absent from duly called meetings and those who have violated the Association’s rules and regulations in the amount approved by the Executive Board.

Section 5. Funds – All funds accruing to the Association shall be promptly deposited by the Treasurer in a reputable bank in the name of the Association not later than five (5) working days upon receipt thereof.

Section 6. Disbursements – Withdrawal from the funds of the Association whether by check or any other instrument shall be signed by the Treasurer and countersigned by the President.

Section 7. Fiscal Year – The Fiscal Year of the Association commences on the first day of January and ends on the last day of December of the same year.

ARTICLE VI MEETINGS

Section 1. Annual Meeting of the General Assembly – The annual meeting of the members shall be held within ninety (90) days of the ensuing calendar year at its principal office or at any designated place.

Section 2. Regular Meetings

1. The Executive Board shall hold a meeting every first Wednesday of each month on the time and date agreed by them;
2. The membership meeting shall be held every three (3) months on the time and place fixed by the Executive Board.

Section 3. Special Meetings – Special meetings of the General Assembly or of the Executive Board shall be called as the need arises, by the Executive Board, or the President, or upon written request by one-third (1/3) of the Regular membership.

Section 4. Quorum – One-third (1/3) of the Regular members of the Association shall constitute a quorum for the transaction of business. A majority of the members of the Executive Board or of any of the committee shall constitute a quorum for the transaction of business within said bodies.

Section 5. Order of Business – The order of business at each meeting of the members shall, as far as practicable, be as follows:

1. Roll call and proof of quorum;
2. Proof of due notice;
3. Reading of, and action taken on the minutes of the last meeting;
4. Report of officers and/or committees;
5. Unfinished business;
6. New business, and;
7. Adjournment.

Section 6. No one, except members of the Association, shall be allowed to take the floor during meetings except upon invitation by the Executive Board, or by the committee during committee meetings.

ARTICLE VII ELECTION OF OFFICERS

Section 1. Regular Election – The regular election of Association officers shall be held on the last Wednesday of March and every two years thereafter. The Association Officers shall be composed of the President, Vice-President, Secretary, Treasurer, Auditor, Public Relations Officer, Business Manager and Four (4) Directors, which shall be elected through secret ballot by the Regular members of the Association.

Section 2. Qualification of Officers – The following are the qualifications of Association officers:

1. The officer must be a Regular member of good standing;
2. Of legal age;
3. Able to read and write, and;
4. Of good moral character and reputation.

Section 3. Filing of Candidacy - A Regular member may run independently, or run by forming a ticket with other Regular members, provided, a certificate of candidacy is filed with the Committee on Election a week before the election.

Section 4. Campaign Period – A one (1) week campaign period shall be observed by all candidates and shall end on the eve of the election.

Section 5. Removal of Officer – Any elected officer may be removed from office, through a special or regular meeting of the Executive Board, by an affirmative vote of two-third (2/3) of all the members of the Executive Board. However, no officer shall be removed from office without due notice and hearing, and, no complaint shall be entertained by the Grievance Committee in the absence of a signed letter-complaint by a member of the Association.

Section 6. Term of Office of Officers – The elected officers shall hold office for two years, or until their successors are elected and qualified, commencing at noon on the first day of May next following the day of the election. An elected officer is eligible to serve a maximum of two (2) consecutive complete terms of office. Voluntary renunciation of the office for any length of time shall not be considered as an interruption in the continuity of the service for the full term for which he was elected. However, an officer who has served two (2) consecutive complete terms in the same office may run for a different office if he so wishes.

Section 7. Vacancies – Whenever a vacancy occurs in an officer's position through death, resignation or removal, the successor shall serve the unexpired term, and, the rule of succession shall be as follows;

1. In case the position of the President is vacated for whatever reason, the Vice-President shall succeed as President;

2. Vacancy in the position of the Vice-President, Secretary, Treasurer, Auditor, Public Relations Officer and Business Manager, shall be filled up by the senior elected Director, and;
3. Vacancy in the position of a Director shall be filled by a Regular member of good standing through a majority vote of the all the members of the Executive Board.

ARTICLE VIII THE EXECUTIVE BOARD

Section 1. Composition – The Executive Board shall be composed of the elected officers of the Association. The President and Secretary of the Association shall be *ex officio* Chairman and Secretary of the Executive Board, respectively.

Section 2. Powers and Duties – The Executive Board shall have the following powers and duties:

1. To have general control and supervision of the affairs of the Association;
2. To make reasonable rules and regulations not inconsistent with the law, Articles of Incorporation, and By-laws, for the management affairs of the Association;
3. To install an accounting system which shall be adequate to meet the requirements of the activities of the Association;
4. To require proper records to be kept of all transactions of the Association;
5. To make available to the membership the monthly financial statement of the Association;
6. To create any committee that it deems necessary, and.
7. To exercise all other rights and privileges vested by the Articles of Incorporation and these By-laws.

ARTICLE IX COMMITTEES

Section 1. The following Committees shall be the regular committees of the Executive Board;

1. **Committee on Education** – Composed of five (5) members with the Vice-President as chairman, and with jurisdiction over all matters relating to the educational advancement of the Association and its members;
2. **Committee on Membership** – Composed of five (5) members with the Secretary as chairman, and with jurisdiction over all matters pertaining to the admission and disciplinary actions on members;
3. **Committee on Finance** – Composed of three (3) members with the Treasurer as chairman, and with jurisdiction over all financial matters of the Association;
4. **Committee on Audit** – Composed of three (3) members with the Auditor as chairman and one (1) representative from both the Regular and Associate members, and with jurisdiction over all audit of the Association, and;
5. **Grievance and Adjudication Committee** – Composed of five (5) members with the Public Relations Officer as chairman and the four (4) Directors as members, and with jurisdiction over all matters pertaining to complaints of members.

Section 2. Special Committees – Other special committees may be created by the Executive Board as the need arises.

Section 3. Members of the above-mentioned committees not provided for in these By-laws, shall be appointed by their respective chairmen and approved by the Executive Board.

ARTICLE X DUTIES AND RESPONSIBILITIES OF OFFICERS

Section 1. Duties of the President – The President shall:

1. Represent the Association in all contracts and its activities with the concurrence of the Executive Board;
2. Preside over meetings of the Executive Board and the general assembly;

3. Prepare in consultation with the appropriate officers and committees, a yearly program of activities of the Association;
4. Ensure that all transactions involving the Association shall be aboveboard, and;
5. Perform such other duties as the Executive Board may prescribe.

Section 2. Duties of the Vice-President – The Vice-President shall:

1. Act as the President in case of the absence or disability of the President, and;
2. Be the Chairman of the Committee on Education.

Section 3. Duties of the Secretary – The Secretary shall:

1. Keep a complete list of all its members and maintains a correct record of all meetings of the Executive Board and general assembly;
2. Attends to all meetings of the Executive Board and general assembly and keeps a journal of its proceedings;
3. Conduct all official correspondence of the Association, and;
4. Serve as Chairman of the Committee on Membership.

Section 4. Duties of the Treasurer – The Treasurer shall:

1. Take custody of all money and property of the Association;
2. Keep a complete record of its financial transactions for the establishment and proof of its financial position at any time and date;
3. Submits financial periodic/special report to the Executive Board, and;
4. Serve as Chairman of the Finance Committee.

Section 5. Duties of the Public Relations Officer – The Public Relations Officer shall:

1. Responsible for the necessary dissemination of information and development regarding the Association;
2. Performs the duties of the Secretary in the absence of the Secretary, and;
3. Serve as the Chairman of the Grievance and Adjudication Committee.

Section 6. Duties of the Business Manager – The Business Manager shall:

1. Responsible for the day management of the affairs of the Association, and;
2. Prepare the annual budget in accordance with the program of activities approved by the Executive Board.

Section 7. Duties of the Auditor – The Auditor shall:

1. Audit the Book of accounts of the Association, and;
2. Serve as Chairman of the Committee on Audit.

Section 8. Duties of the Director - The Director shall:

1. Vote on motions presented to the Executive Board;
2. Be available to serve the Association in any way necessary for the advancement of the Association, and;
3. Be a member of the Grievance and Adjudication Committee.

ARTICLE XI MISCELLANEOUS PROVISIONS

Section 1. Affiliation – The Association may upon approval by the Executive Board, affiliate itself with other association or federation having similar objectives as those of the Association.

Section 2. Printing – These Constitution and By-laws shall be prepared in pamphlet and a copy thereof distributed to each member.

Section 3. Amendments – These By-laws or any portion or provision hereof may be amended, altered, modified or repealed in whole or in part, or a new By-laws be adopted at any regular or special meeting called for the purpose, by a majority (1/2 + 1) vote of all the Regular members.

**ARTICLE XII
DISSOLUTION AND LIQUIDATION**

Section 1. Cause of Dissolution – The dissolution of the Association shall take place in any of the following instances:

1. By a resolution adopted by at least two-thirds (2/3) of all the Regular members at a regular or special meeting called for the purpose;
2. Other causes provided by law.

Section 2. Order of Payments in Liquidation – After dissolution, the assets of the Association shall be used to pay liquidation expenses and all debts of the Association both secured and unsecured. Any surplus assets may be donated to any community project, whether economic, educational, cultural or social, or divided equally among the active members at the time of dissolution.

**ARTICLE XIII
TRANSITORY PROVISION**

Section 1. These By-laws shall take effect immediately upon adoption by a majority of the Regular members.

Section 2. **VOTED** and **ADOPTED** this 21th day of March 2005 at Municipal Hall, Mabalacat, Pampanga.

Sections 3.2 and 3.3 of Article V, was amended in the General Membership Meeting held on October 15, 2005.