

Bylaws (Revision of 2013)

Technical and Scientific Working Group for Fire and Explosions

1 NAME:

- 1.1 The name of this organization shall be the Technical and Scientific Working Group for Fire and Explosions, hereinafter referred to as T/SWGFEX.

2 PURPOSE:

- 2.1 The purpose of T/SWGFEX is to promote and maintain dialogue among personnel in the forensic laboratory, public safety, private investigation, and legal communities and to promulgate and foster development of:

- 2.1.1 National protocols and/or guides for the collection and analysis of fire and explosion debris, and residues, to be published by the National Center for Forensic Science or other appropriate organizations or to be submitted to ANSI accredited standards development organizations
- 2.1.2 Training and quality assurance guidelines for fire and explosion scene personnel and laboratory practitioners
- 2.1.3 Job descriptions for practitioner positions
- 2.1.4 Guidelines and protocols that integrate fire and bombing scene investigations and forensic laboratory analyses into incidents of terrorism or weapons of mass destruction.

- 2.2 Toward this end, T/SWGFEX has the power to:

- 2.2.1 Establish, revise, and enforce a code of ethics for T/SWGFEX members.
- 2.2.2 Develop and carry out programs and activities to achieve the above purpose.
- 2.2.3 Encourage research and development of new techniques in the field of forensic fire and explosion investigation and laboratory analyses.

3 MEMBERSHIP:

- 3.1 All T/SWGFEX members should be professionals involved in the investigation and/or training/education of fire and/or explosion incidents, and/or the laboratory analysis of fire and explosion debris and residues, except those identified in 3.3. Each T/SWGFEX member or prospective member is expected to conduct themselves in accordance with the practices, procedures, and codes of conduct that one's own

profession generally recognizes as consistent with a high level of professional ethics. Members are to abide by the T/SWGFEX Code of Ethics.

3.1.1 No person shall be denied membership for reason of race, sex, creed, or religion.

3.1.2 Subject matter experts selected to work with ad hoc committees, who are not members of T/SWGFEX, must meet the requirements for members as defined in 3.1 or 3.3.

3.2 T/SWGFEX may vote to adopt or suspend the collection of monetary dues payments from its members.

3.3 It may be necessary to add members outside of the fire and explosion scene investigation or laboratory analysis field as stated in 3.1. This would occur when special expertise is required (such as, but not limited to, the fields of anthropology, safety, training, quality assurance, and legal issues) which cannot be provided by a person as described in 3.1.

3.4 Only T/SWGFEX members are allowed to vote. Each T/SWGFEX member has one vote.

3.5 It is the responsibility of each member to contact the Chair or Vice Chair of T/SWGFEX to ensure the organization has their most current email and telephone number. Failure to do this may result in the loss of meeting or voting opportunities

3.6 With the exception of fraud or malfeasance, the sponsor (NCFS) shall defend and indemnify every member acting on behalf of T/SWGFEX on any matter involving T/SWGFEX.

4 ORGANIZATION:

4.1 T/SWGFEX shall seek financial support and sponsorship by the National Center for Forensic Science, the National Institute of Justice, or other appropriate source, to assist T/SWGFEX in achieving its purpose.

4.2 T/SWGFEX shall be divided into standing and ad hoc committees:

4.2.1 Standing Committees

4.2.1.1 Executive

4.2.1.2 Research

4.2.1.3 Communications

4.2.1.4 Membership

4.2.1.5 By-Laws

4.3 Ad hoc committees may be created or abolished by a simple majority vote of the Executive Committee.

4.4 The T/SWGFEX Chair, upon the advice and consent of the Membership and Executive Committees, will appoint the members who are to serve on any Ad Hoc Committee.

4.4.1 The assignment of committee members to a particular committee should, insofar as possible, seek a balance of affected interest.

4.4.2 Committee Chairs, Vice Chairs, or Co-Chairs, with the approval of the T/SWGFEX Chair may appoint non-T/SWGFEX members (subject matter experts) to their ad hoc committee as needed.

4.4.2.1 The term Vice Chair or Co-chair has been used at various times with various committees.

4.4.2.2 A committee may have two or more Co-chairs who share equal authority and responsibility within their committee.

4.4.2.3 A Vice Chair is a position of secondary authority and responsibility who assists or substitutes for the Chair of the Committee as requested.

4.5 The T/SWGFEX Chair, at his or her discretion, may choose to either appoint the Committee Chairs, Vice Chairs, or Co-Chairs or allow the committee members to elect their Chair and Co-Chair.

4.5.1 Committee Chairs, Vice Chairs, and Co-Chairs serve a term of (4) four years and may serve two consecutive terms if desired by the committee.

4.5.2 Committee Chairs, Vice Chairs, and Co-Chairs terms may not exceed the period of time which their committee is in existence.

4.5.3 If a committee is abolished, the former Chairs, Vice Chairs, and Co-Chairs shall be moved to regular member status and with the remaining committee members assigned to a new committee.

5 OFFICERS:

5.1 The officers of T/SWGFEX shall consist of the following and shall hold terms of office as indicated.

5.1.1 Chair, four (4) years

5.1.2 Vice-Chair, four (4) years

5.1.3 Executive Secretary, four (4) years. The Executive Secretary is an officer, but is a non-voting member of the Executive Committee concentrating instead on recording events and meetings.

5.1.4 Five members of the Executive Committee (3) years.

5.1.4.1 The Executive Committee consists of the Chair, Vice-Chair, Director of NCFS, one NCFS Director's designee, and the five elected members of the Executive Committee.

5.1.5 In recognition that an elected officer may be unable to fill their term of office due to illness, termination of membership, transfer of job duties, or other reasons, they may be replaced as follows:

5.1.5.1 Should the vacancy be the Chair of T/SWGFEX, the Vice-Chair shall move to the position of Chair for the remainder of the unexpired term.

5.1.5.2 Should the positions of Chair and Vice-Chair of T/SWGFEX be vacant at the same time, the Executive Committee by a majority vote, shall appoint a member of T/SWGFEX as Chair for the remainder of the unexpired term.

5.1.5.3 Should one or more elected Executive Committee positions or the Executive Secretary position be vacant, the Chair, Vice-Chair, and remaining members of the Executive Committee shall, by majority vote, appoint member(s) of T/SWGFEX to the serve the remainder of the unexpired term.

5.1.5.4 In the event of a tie vote, the Director of NCFS shall cast the deciding vote.

5.2 Elections

5.2.1 Nominations for candidates to fill the Chair, Vice Chair, Executive Secretary, and Executive Committee shall be open to the floor at a meeting or through an electronic gathering of a quorum of T/SWGFEX near the end of the calendar year which is the last year in the elected officer's term.

5.2.2 T/SWGFEX Chair, Vice Chair, and Executive Committee members, shall be elected by a simple majority vote of a quorum of members responding to either an annual or special T/SWGFEX Meeting or electronic gathering of the current office holder's term.

5.2.3 A special meeting for the purpose of electing officers may be a physical meeting or an electronic call for nominations and votes using such resources as the Internet, email, telephone, or fax.

5.2.4 All officers may serve up to two consecutive terms.

6 DUTIES OF OFFICERS:

- 6.1 Chair of T/SWGFEX shall preside over general meetings and Executive Committee meetings. The Chair will recommend establishment of ad hoc committees as necessary and serve as an ex-officio member of all committees. The Chair shall also make recommendations and assign tasks and members to committees as necessary. The Chair shall execute any other duties as listed in the By-Laws or Rules for T/SWGFEX.
- 6.2 Vice-Chair of T/SWGFEX shall assist the Chair in his or her duties and act for the Chair in his or her absence.
- 6.3 Executive Secretary of T/SWGFEX shall record the minutes of all formal T/SWGFEX General or Executive Committee meetings and prepare a report of those minutes. Said reports shall be delivered to the General or Executive Committee meetings within six months of the meeting date for consideration and approval.
- 6.4 The Executive Committee shall perform the duties prescribed by these by-laws, T/SWGFEX Standard Operating Procedures and by the parliamentary authority adopted in these by-laws.
- 6.5 The Executive Committee has the authority by a simple majority vote to create T/SWGFEX Standard Operating Procedures for the organization and the various committees.

7 MEETINGS:

- 7.1 T/SWGFEX shall have at least one general meeting per year (referred to as the “annual” meeting) provided that a sponsor has sufficient funds to arrange such a physical meeting.
- 7.1.1 When a physical meeting is not possible, the Chair and Executive Committee shall attempt to organize a meeting via technology (conference call, web meetings, or such other method as approved by the Chair and Executive Committee) and shall ensure that all T/SWGFEX members are invited to participate and that a quorum exists before business is conducted.
- 7.2 The Chair of T/SWGFEX may call for additional meetings at any time provided sufficient notice is conveyed.
- 7.3 To the extent possible, notice of the meetings will be communicated to each member at least sixty (60) days before the meeting date.
- 7.4 Public notice of T/SWGFEX meetings may be made on the T/SWGFEX website or other vehicles as selected by the Executive Committee.

8 PARLIAMENTARY AUTHORITY:

8.1 The rules contained in the current edition of Robert's Rules of Order, Newly Revised, shall govern T/SWGFEX in all cases to which they are applicable and in which they are not inconsistent with these by-laws and any operational rules that the Executive Committee may adopt.

9 AMENDMENTS TO THE BYLAWS AND THE CODE OF ETHICS:

9.1 Proposed amendments to the Bylaws or the Code of Ethics shall be submitted to the By-Laws Committee.

9.2 Upon review, the By-Laws committee may either return the proposed amendments to the proposer with recommendations for changes and re-submittal or pass the proposed amendments to the Executive Committee.

9.3 If accepted by the Executive Committee of T/SWGFEX, the proposed amendments shall be communicated to the T/SWGFEX membership a minimum of thirty (30) days prior to a scheduled vote.

9.4 Amendments shall require a two-thirds positive vote of T/SWGFEX members present at a meeting where a quorum is present or two-thirds positive vote by those responding to an electronic (email, listserve, or web initiated) vote (if the quorum described under 10.1.2 is established).

10 VOTING:

10.1 A quorum for voting purposes is defined as:

10.1.1 An assembly of twenty-five (25) or more members of T/SWGFEX comprising members from both the laboratory and scene committees.

10.1.2 The total number of attendees shall be determined by the number registered for attendance at the opening of the meeting.

10.1.3 A written or electronic response by twenty-five (25) or more members of T/SWGFEX comprising members from both the laboratory and scene committees provided all members of T/SWGFEX were apprised of the impending vote at a minimum of 30 days in advance.

10.2 One vote per member

10.3 Members may not transfer their vote by proxy to another member.

10.4 Voting is valid at T/SWGFEX meetings, functions, or on assigned projects.

10.5 Voting by electronic means is permitted:

10.5.1 At the discretion of the T/SWGFEX Chair, on items requiring a vote by the general membership.

10.5.2 At the discretion of a committee co-chair, on items requiring a vote by their specific committee.

10.6 The terms “majority” or “simple majority” are defined as one vote above fifty percent of all positive and negative votes received, within the voting time frame as defined in the by-laws.

10.7 The term “two-thirds majority” will be determined by the total number of positive and negative votes received within the voting time frame as defined in these by-laws.

10.8 Voting may be by a show of hands, written on a form, or an electronic response of an email, listserv query, or other web based query.

These amended By-laws were passed by the membership of T/SWGFEX at a meeting held at Phoenix, Arizona on Monday, 08/19/2013.