

Constitution and Bylaws United Federation of College Teachers Local 1460

CONSTITUTION

Article I: Name

This union shall be known as The United Federation of College Teachers (UFCT) Local 1460, American Federation of Teachers, AFL-CIO at Pratt Institute (hereinafter referred to as the “union” or the “organization”).

Article II: Objectives

1. To secure full union rights, including the rights to exclusive recognition and collective bargaining, for all employees who are members of the bargaining unit.
2. To promote the economic well-being of the membership.
3. To promote issues of employment of most concern to the membership.
4. To foster mutual understanding and cooperation amongst the membership.
5. To recognize, insure, and support the creative and academic interests of the membership so as to promote excellence in teaching and learning.
6. To encourage active participation and leadership among members, and to advance democracy and equality at Pratt Institute and in the community at large.

Article III: Membership

3.1 All employees at Pratt Institute, as defined by the current Collective Bargaining Agreement (CBA), including full-time and part-

time members of the teaching staff and full and part-time professional librarians, are eligible for membership.

3.2 There shall be no discrimination toward individual members, applicants or membership, or non-members on the basis of race, ethnicity, religion, nationality, citizenship status, political belief, gender, sexual orientation, marital status, age, disability, social status or membership in or non-membership in the Union, or activity on behalf of the Union.

3.3 A member in good standing shall be one whose dues are no more than two (2) months in arrears. A member shall be removed from membership in the organization, with notice, upon being more than three (3) months in arrears in the payment of individual union dues.

Article IV: Dues

Every member of this Union shall pay into the treasury regular dues in accordance with provisions set forth in the Bylaws of this organization.

Article V: Officers of the Union

5.1 The Union's four (4) officers shall be: President, Vice President, Treasurer, and Secretary. These four officers shall comprise of the organization's Executive Committee.

5.2 All officers shall perform the customary duties and exercise the usual powers of such offices as specified in the Constitution or the Bylaws.

Article VI: Elections

Elections shall be conducted in accordance with the AFT Constitution, the local Bylaws and the standards set out by the Labor-Management Reporting and Disclosure Act (LMRDA).

Article VII: Affiliations

This organization shall maintain affiliation with the following organizations:

(a) The American Federation of Teachers, AFL-CIO. Whenever possible, United Federation of College Teachers Local 1460 will send delegates to the AFT's convention. The delegates will be elected by procedures consistent with Article VI of this Constitution.

(b) The New York State United Teachers of the American Federation of Teachers, AFL-CIO. Whenever possible, the union will send delegates to the state federation's convention. Delegates will be elected by procedures consistent with Article VI of this Constitution.

Article VIII: Amendments

Amendments to this Constitution and these Bylaws may be made in accordance with the provisions of Article IX of the Bylaws.

BYLAWS

Article I: Duties of the Officers

1.1 President: The President shall be the chief executive officer of the the UFCT Local 1460 and shall preside at meetings of the Executive Committee and membership meetings. The President shall make decisions between meetings on the basis of organizational policy, making every effort to consult with Executive Committee, and shall have such powers as may be required for the exercise of those duties.

1.2 Vice President: The Vice President shall assist the President and assume the duties of that office in the absence of the President, and shall become President if that office is vacated.

1.3 Treasurer: The Treasurer shall be responsible for maintaining accurate financial records, the payment of all bills, the annual audit of the union's financial status which shall be disseminated to membership, for maintaining a budget, and for reporting the dues-paying status of membership.

1.4 Secretary: The Secretary shall be responsible for the preparation of the minutes of the Executive Committee and of the membership meetings, and for their prompt dissemination to the membership, and shall maintain the non-financial records of the union.

Article II: Executive Committee

2.1 The Executive Committee shall meet monthly, or at the call of the President, or at the call of two (2) or more of its members, or at the call of the Delegates Assembly, for the purpose of initiating, overseeing or revising the program of the organization and to conduct other business of the organization that is within its authority. A quorum for the Executive Committee shall be a majority of its members.

2.2 The Executive Committee with the assistance of the Treasurer shall prepare, establish, and present to the Delegates Assembly and the membership an annual budget in the month prior to the beginning of the fiscal year.

2.3 The Executive Committee shall employ all professional, technical, clerical, and support staff of the organization.

2.4 The Executive Committee shall establish the salary, benefits, and expense guidelines of any general officer who is employed by the organization.

2.5 The Executive Committee shall be empowered to make contracts and incur liabilities including the purchase of services, equipment, and real property, to borrow money, to secure such obligations by mortgage or other instrument, and to otherwise engage

in financial transactions to the extent permitted by applicable law or statute. The Executive Committee shall have the power to sue, complain, and defend on behalf of the membership.

2.6 The Executive Committee shall be responsible for adherence to and enforcement of the Constitution and Bylaws of the organization.

2.7 The Executive Committee shall issue regular reports, including an annual report, to the Delegates Assembly and the membership.

Article III: Committees

3.1 Grievance Committee: The President with the Executive Committee approval shall appoint members to the Grievance Committee. This shall occur annually, no later than three weeks after January 1. The Grievance Committee shall consist of at least three union members; this committee may not be exclusively composed of elected officers. The Grievance Committee shall follow the procedure for filing grievances as defined in the current CBA.

3.2 Negotiating Committee: The President with the Executive Committee approval shall appoint members to the Negotiating Committee. This shall occur no later than six months before the current Collective Bargaining Agreement expires, and committee members shall serve until the ratification of the Memorandum of Understanding (MOU). The Negotiating Committee shall consist of at least three union members; this committee may not be exclusively composed of elected officers.

3.3 Elections Committee: The Elections Committee shall be comprised of no less than three (3) and no more than five (5) members in good standing. No standing members of the Executive Committee, or anyone appointed to committees thereby, may serve on the Elections Committee. No nominees for a position on the Executive Committee, nor a family member or partner of a nominee, may serve on the Elections Committee. The Delegates Assembly shall solicit participation for the Elections Committee from membership at large no later than March 1; the membership of the Elections

Committee shall be set by the Delegates Assembly no later than April 1. The Elections Committee shall serve a three year term starting September 1 and ending August 31. The Elections Committee shall conduct all general and special elections and referenda of the organization.

3.4 Delegates Assembly: The Delegates Assembly shall be comprised of members from respective Departments. This committee is a non-elected, self-determined body who may take up tasks that include communications, media, steering, membership enrollment, and other tasks they see fit to further the strength and presence of the union. The Delegates Assembly shall communicate regularly with the Executive Committee and the membership. The Delegates Assembly has the additional responsibilities as specified in Article 3.3, 6.2, and 9.2 of the bylaws.

Article IV: Election of Officers

4.1 General Elections

Every three years a General Election shall take place in which the organization's members shall elect a President, Vice President, Treasurer, and Secretary.

(a) No later than September 1, the Elections Committee shall distribute a nominations ballot to all members calling for candidates for office. Each member shall be advised of his/her right to nominate a candidate including him or herself. The nominations ballot shall include all necessary directions as determined by the Elections Committee to best effectuate the foregoing.

(b) A nominee must have been a member in good standing for at least one year prior to his or her nomination and have received at least four (4) supporting nominations, including self-nominations.

(c) In no less than three and no more than four weeks after the nominations ballot has been sent to the membership, nominations must be returned to the Elections Committee. On or following the date

of receipt and within a time period of no longer than ten (10) calendar days, the Elections Committee shall either validate or disqualify each nominations ballot received and notify all nominees of the status of their nomination. Members nominated to run for office must affirmatively accept their nomination. Challenges to nominations must be filed with and resolved by noon of the Saturday on or immediately after October 15, at which time the nominations process will be final.

(d) Within fourteen (14) calendar days following the finalization of the nominations process, the Elections Committee shall distribute to the full membership an elections ballot. The elections ballot shall include all necessary directions as determined by the Election Committee and the date (no later than December 1) on which the ballots are to be returned.

(e) Said notification shall contain appropriate ballots listing the nominees for each office and may include supporting statements from each nominee, which will not exceed one (1) side of a typewritten page.

(f) The Elections Committee shall advise each candidate of the specific day or days between December 1 and December 7 when the ballots will be certified. All elections materials, including the ballots, will be kept in a secure location for one (1) year.

(g) In the event that one candidate fails to gain a majority of valid votes cast, a runoff election will be held at the beginning of the subsequent Spring semester.

(h) Any challenge in connection with any part of the election procedure must be filed with the Elections Committee within ten (10) calendar days upon the awareness of the alleged irregularity. The Elections Committee shall be responsible for the resolution of any protest or alleged irregularity. A majority vote of the Elections Committee shall be adequate for any determination made by the Committee to become operative. The determination by the Elections Committee on all complaints, protests, challenges, or alleged irregularities shall be governed by rules set forth by the Elections Committee.

(i) A full term for Officers shall be three (3) years.

(j) Except as specified in Article 1.2 of the bylaws, when the position of an officer becomes vacant with less than one half of the position's term remaining, the Executive Committee shall appoint a member in good standing to that position. If a position becomes vacant with more than one half of the position's term remaining, the Executive Committee shall appoint a member in good standing to that position, subject to confirmation by the membership, via a process overseen by the Elections Committee. If the membership does not confirm the appointment, a Special Election for that vacant office will be held. This Special Election will be conducted in accordance with the AFT Constitution and standards set out by the LMRDA.

(k) Nothing written herein shall be construed as in any way limiting the number of terms one may serve as an Officer.

4.2 Recall Elections

The recall of any Officer for constitutional violations, fiduciary breaches, or acts clearly detrimental to the union may be initiated by forty (40) percent or more of the membership accompanied by a petition that must specify the specific grounds for the recall.

(a) The said petition shall be sufficient to require the Elections Committee to conduct a recall election of any officer specified in the recall petition.

(b) The Elections Committee shall determine the procedure for a recall election. The procedure shall be approved by a majority vote of those members present at a general or special membership meeting.

(c) The full membership shall receive written notification from the Elections Committee, which shall include the election procedure and its schedule.

Article V: Revenues and Dues Authorization

5.1 Dues for the organization's membership shall be assessed and determined by the UFCT Local 1460.

5.2 The dues authorization schedule shall be equitable and shall not be burdensome to select members whether by status and/or income level.

5.3 The dues authorization schedule determines that membership dues will be assessed at 1% of one's pre-taxed (teaching) gross income for the Fall and Spring semesters only for those members making up to \$60,000. Dues will be assessed at .85% of one's pre-taxed (teaching) gross income for the Fall and Spring semesters only for those members making more than \$60,000.

5.4 Any change to the dues structure shall be made in accordance with Article IX of these Bylaws.

5.5 Firstly, membership dues shall be used to pay UFCT Local 1460's membership dues to NYSUT (New York State United Teachers) and AFT (American Federation of Teachers). Dues shall include the pass through from the dues of the state and national federations to the members. Secondly, dues shall be used to pay for other necessary expenditures outlined herein.

5.6 The Executive Committee may compensate members for union service excepting the service specified by Articles II and III of the bylaws.

5.7 Any expenditure in excess of \$250 dollars (other than payments to NYSUT and AFT, and expenditures necessary for Articles II and IV of the Bylaws) shall require a double signature of both the President and the Treasurer.

Article VI: Membership Meetings

6.1 The Executive Committee shall set the time and place for general and special membership meetings. There shall be at least four (4)

meetings per academic year, two (2) each semester. Members shall be notified of this meeting--at least two (2) weeks prior to the date of the meeting.

6.2 A member in good standing may petition for a special membership meeting by requesting and receiving the approval of the Delegates Assembly. Notice of this meeting must be as specified in section 6.1 of this article.

6.3 A special membership meeting may be called by written petition to the Executive Committee with the signatures of at least twenty five percent (25%) of organization members. The petition must clearly state the purpose of the meeting. Notice of this meeting must be as specified in section 6.1 of this article.

Article VII: Rules of Order

General Membership Meetings shall be conducted following Roberts Rules of Order.

Article VIII: Contract Ratifications

8.1 At least three months prior to the beginning of negotiations, the Negotiations Committee shall ask the Executive Committee to call at least five (5) meetings whereby membership can provide input on the upcoming negotiations.

8.2 After the close of negotiations, the Negotiations Committee shall ask the Executive Committee to call at least five (5) membership meetings with notice distributed to the full membership--preferably at least two (2) weeks prior to the date of the meetings to present the Memorandum of Understanding (MOU).

8.3 At said meetings the Negotiating Committee shall present the MOU that clearly enumerates all proposed amendments and/or changes to the Collective Bargaining Agreement.

8.4 A ratification ballot shall be distributed to each member of the union by the Elections Committee. This ballot shall be distributed no

sooner than one (1) month after the close of negotiations, and no later than four (4) months.

8.5 The ballot shall include the MOU and the balloting procedure and its schedule.

Article IX: Amendments

9.1 Any member in good standing may propose amending this Constitution or Bylaws.

9.2 Amendment proposals must be submitted in writing to the Delegates Assembly. Within eight (8) weeks, the Delegates Assembly shall meet to review the proposed amendment(s). They shall discuss and either approve or disapprove of the proposed amendments. If approved, the Delegates Assembly will ask the Executive Committee to call a meeting of all membership to discuss the proposed amendment. Subsequently, a ballot for ratification including the proposed amendment(s) will be distributed to the full membership by the Elections Committee.

9.3 Proposed amendments must be ratified by two thirds (2/3) of the valid votes cast in a distributed referendum but not by less than thirty (30) percent of the total membership.

Article X: Availability of Bylaws

These bylaws and any amendments hereto shall be on file with NYSUT, the AFT, and the Department of Labor. The Secretary shall make a copy of the Constitution and Bylaws available upon request to any member of the organization.