

THE UNION OF TEACHING FACULTY
CONSTITUTION

ARTICLE I

NAME

The Union shall be known as Union of Teaching Faculty, AFT Michigan/American Federation of Teachers Local 6523, hereinafter referred to as “the Union.”

ARTICLE II

OBJECTIVES

The purposes of the Union shall be the following:

Section 1. To represent the interests and protect the academic freedom and other rights of nontenure-track faculty across the campus of Central Michigan University.

Section 2. To increase the economic, professional, social and political power of nontenure-track faculty at Central Michigan University, through collective bargaining and political action, and thus to improve the quality of education at Central Michigan University.

Section 3. To improve the respect for the profession of teaching, promote education as the primary goal of the University and to encourage professional development and education of the members.

Section 4. To promote increased collegiality of nontenure-track faculty within and across academic units, and make these faculty full citizens in the governance structures of the University.

Section 5: To strengthen public and government support for universal access to high quality public education at all levels, from primary school to graduate studies, in the state of Michigan and beyond.

Section 7. To adhere to the principle that an injury to one is an injury to all, and in that spirit, to promote local, national and international labor solidarity.

Section 8. To actively oppose discrimination, especially against individuals or groups because of their age, race, color, ethnicity, national origin, citizenship status (subject to compliance with federal and state law), sex (including gender identity and gender

expression), religion, disability, height, weight, marital status, ancestry, political persuasion or affiliation, sexual orientation, HIV status, pregnancy, familial status or veteran status. To promote democracy, equality and justice for all.

ARTICLE III

MEMBERSHIP

Section 1. Regular Members: All persons in the bargaining unit agreed upon with the employer shall be eligible for regular membership in the Union.

Section 2. Associate Members: persons not in the bargaining unit agreed upon with the employer shall be eligible for associate membership if they have been employed during the instant academic year.

Section 3. Retiree Members: both nontenure-track faculty and emeritus faculty who return to teach and meet the Union of Teaching Faculty bargaining unit criteria shall be considered members of the Union for at least the semester(s) that they are employed. After this period, they shall have the right become Associate Members.

Section 4. No person shall be denied membership because of any characteristic identified in Article II, section 8, above.

Section 5. A member in good standing is one whose current dues are paid. Only members in good standing may exercise the rights of members under this constitution (including but not limited to the right to hold union office, vote on any union matter, or participate in union committees) Prior to the initiation of dues collection by the union, this requirement of membership in good standing shall be waived.

Section 6. Only regular members may vote on job actions and contract ratification. Associate and Retiree members shall have the right to vote on all other matters.

ARTICLE IV

STRUCTURE OF THE ORGANIZATION

This structure of the Union shall consist of

- a. Members who give the Union its strength by volunteering their time in Union-building activities, participating in Union meetings and rallies, and voting in Union elections,
- b. Stewards who represent the unit's members, promote member participation in, and understanding of, Union activities and priorities, and recruit new members.
- c. The Union Council is comprised of the union's officers.
- d. Standing Committees that coordinate activities across the campus and make decisions on policies affecting the campus and potential affiliate campuses.
- e. An Annual Membership Convention at which members vote on the Union's annual plan and budget, constitutional amendments, and resolutions.

ARTICLE V

UNION COUNCIL

Section 1. The Union Council shall serve as the executive of the Union as a whole, responsible for implementing the will of the members, as set out in the Annual Plan, the Annual Budget and the Resolutions approved by the members at the Annual Membership Convention. The Union Council shall

- a. Coordinate the organizing efforts and other activities of the union;
- b. Prepare an Annual Plan and an Annual Budget for the Union, and submit these to the Annual Membership Convention for approval;
- c. Oversee and execute the administrative needs of the Union;
- d. Promote the development of an informed and active membership, and
- e. Fulfill all other roles, functions, and duties assigned to it by this constitution.

Section 2. The Union Council shall consist of the officers of the Union: President, Vice-President, Treasurer, Communications Officer, Chief Steward, Past President, and Chair of the Contract Enforcement Committee.

Section 3. The Union Council shall meet weekly from September through May for the purpose of initiating, overseeing, or revising the Union's organizing program and to conduct other Union business within its authority. The Union Council may also meet more frequently, or during the months of June through August, at the call of the

President or of at least two other Union Council members.

Section 4. The Union Council shall employ and manage all professional, technical, clerical and support staff of the Union, and establish the salary, benefits, and expense guidelines of any individual employed by the Union.

Section 5. Consistent with the approved budget, the Union Council 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.

Section 6. Between Annual Membership Conventions, the Union Council shall report important developments and decisions to the membership, either directly or through its committees, in order to ensure that the Union's members, stewards and other activists are fully informed on all important matters, and have ample opportunity to make their views on the important issues facing the Union are known before important decisions are made.

Section 7. The Union Council may establish special *ad hoc* committees as the need arises to meet the short-term, specific needs of the Union.

ARTICLE VI

STANDING COMMITTEES

Section 1. The Standing Committees of the Union are permanent committees that perform essential and ongoing Union functions, including

- a) Contract Enforcement and Development Committee
- b) Elections (as needed)

Section 2. Committee Leadership

- a. The Vice-President shall serve as the Chair of the Steward Council.
- b. The Chair and (or) Lead Negotiator of the Bargaining Committee shall be appointed by the Bargaining Committee and ratified by the Union Council.
- c. The Chair of the Contract Enforcement and Development Committee is either appointed by the President or elected by members of the committee.
- d. The Chairs of all other Standing Committees shall be elected by the members of

their respective committees.

Section 3. Duties of the Standing Committees

a. The Elections Committee shall conduct and, with the exception of the initial Membership Convention, supervise all election. It shall also determine which members at the Annual Membership Convention are in good standing and, therefore, eligible to vote in the elections. No officers shall serve on the Elections Committee. Should a member of the Elections Committee seek elected office within the Union, said member shall resign from the Committee and be replaced promptly.

b. The Contract Enforcement and Development Committee shall oversee the development of a bargaining platform and engages in collective bargaining, keeping the membership fully informed of developments as they unfold, and conduct such research, surveys, hearings, and other activities as promote the realization of these objectives. It will also work with the Stewards in the resolution of contractual and non-contractual disputes in the workplace, maintain records of grievances and their disposition, be responsible for responding to and resolving grievances and disputes beyond the immediate work location, and make decisions regarding disputes to be taken to arbitration or civil remedy.

ARTICLE VII

STEWARDS

Section 1. A “unit” is defined as any cohort of non-tenured/non-tenure -track faculty that are grouped together by department, College, or related disciplines. A unit shall be a department, academic program, or institute as the steward’s council deem necessary.

Section 2. Stewards shall serve as representatives of the members in their units, and as organizers for the Union.

Section 3. Stewards shall be chosen by the members of the unit(s) that they serve.

- a. A Steward shall be a member in good standing.
- b. In any unit that has fewer than six (6) members, the unit may be merged with another unit, preferably one with similar characteristics.
- c. No unit shall be without representation by a Steward. If necessary, the Union Council may designate a steward from one unit as the representative for members in another unit or units who otherwise would not have a Steward.

Section 4. In respect to their duties, Stewards shall

- a. Organize and recruit members in their units and beyond;

- b. Make reports to the membership as necessary;
- c. Meet with members in their units to discuss workplace and organizational issues, and to receive instruction from their membership;
- d. Initiate grievances and resolve disputes at the worksite or other appropriate location;
- e. Consult regularly with the employer's management personnel at the worksite regarding matters of interest to the Union membership.

ARTICLE VIII

ANNUAL MEMBERSHIP CONVENTION

Section 1. An Annual Membership Convention shall be convened in order to elect officers, make reports to the membership and to discuss and vote on amendments to the constitution, resolutions, and the annual plan and budget. As provided for in the Union Council Article of this constitution, the Annual Membership Convention shall also resolve any questions of constitutionality in respect to committee procedures and bylaws.

Section 2. The Annual Membership Convention shall be open to all members of the Union in good standing. Proxy balloting shall be allowed at the convention under procedures established by the Elections Committee.

Section 3. With the exception of the initial the Membership Convention, Union Council shall determine the time, place and agenda of the Convention, and give at least forty-five (45) days notice to the members.

Section 4. Resolutions shall be put before the Convention in the same manner as proposed constitutional amendments. The purpose of a resolution is to state the Union's collective opinion on issues of importance. A resolution may suggest, but not dictate, policy. No resolution shall be viewed as in any way altering the provisions of this constitution.

ARTICLE IX

THE BUDGET PROCESS

Section 1. The Union Council shall submit an Annual Budget for the Union, including a proposed dues policy, to the membership at the Annual Membership Convention for discussion, possible amendment and vote. As a part of its budget proposal, the Union

Council shall set the fiscal year of the Union.

Section 2. The Union Council shall publish its proposed budget to all members at least fourteen (14) days prior to the Annual Convention.

ARTICLE X

ELECTION OF OFFICERS

Section 1. During the initial year of this constitution or during any time in which there are no members in good standing who could serve in leadership positions according to rules defined elsewhere in this document, leadership positions will be defined as interim and held in *pro tem* status. During such times, the requirement that leaders be members in good standing, as noted below in Section 3, will be waived.

Interim leaders shall in all cases be elected by a majority of membership voting in a secret ballot or by acclamation as allowed in Section 2, and will serve subject to all rules, conditions, and privileges described elsewhere in this document that do not bear on good-standing status.

Section 2. Every year the President, Vice-President, Secretary, and Treasurer of the Union shall be elected by the membership. Members wishing to run for these offices shall petition the Elections Committee no later than thirty (30) days in advance of the election date. If any nominee for officer runs unopposed, then that officer may be elected by acclamation.

Section 3. To be eligible for office a person must be a member in good standing of the Union for one (1) year prior to the date of the election.

Section 4. The Elections Committee shall plan and oversee all regular and special elections for officers in accordance with the provisions of this Constitution and Union by-laws. In the case of interim officer elections, at least a ten (10) day notice shall be given.

Section 5. The Elections Committee shall investigate and report on any complaint lodged by a member with the Elections Committee concerning the propriety of officer elections.

Section 6. Successful candidates shall assume office within thirty (30) days of the conclusion of the election, with the exception of interim officers, who will assume office immediately.

Section 7. Except in the case of recall, vacancies for officer positions shall be filled by a majority vote of the Union Council until interim elections can be held.

Section 8. A petition signed by thirty percent (30%) of the members in good standing and stating specific grounds shall require the Elections Committee to conduct a re-call election of any officer specified in the petition.

ARTICLE XI

DUTIES OF OFFICERS

Section 1. All officers shall contribute to the organizing effort of the Union.

Section 2. The President shall

- a. Be the presiding officer at the Annual Membership Convention, Membership Meetings, Organizing Committee meetings, and meetings of the Union Council.
- b. Be an *ex officio* member of all standing committees except the Elections Committee and Bargaining Committee.
- c. Appoint, with the approval of the Union Council, the chairs of ad hoc committees,
- d. Oversee the ongoing administration of the Union,
- e. Be one of the responsible financial officers of the Union and be authorized to co-sign financial instruments and make regular and usual disbursements of funds,
- f. Serve as the primary public spokesperson for the Union,
- g. Delegate the responsibilities of the office except where otherwise specified by the constitution,
- h. Shall perform other duties as assigned by the Union Council.
- i. May serve additional terms if desired.
- j. Upon completion of their term(s), may serve an additional year on the Union Council as the immediate Past-President.

Section 3. The Vice-President shall:

- a. Assume the duties of the President in the event of the absence, illness, or death of the President,
- b. Chair the Steward Council and serve on the Grievance Committee,
- c. Perform other duties as delegated by the President or assigned by the Union

Council,

- d. Co-sign financial instruments in the absence of the President or Treasurer.

Section 4. The Communications Officer shall:

- a. Maintain the non-financial files and records of the Union,
- b. Record and keep accurate minutes of meetings as appropriate and the Annual Convention,
- c. Assist the President in handling the correspondence of the Union,
- d. Receive and certify the reports of the Elections Committee,
- e. Perform other duties as delegated by the President or assigned by the Union Council.

Section 5. The Treasurer, with the assistance of the finance committee, shall

- a. Receive, record, and deposit all dues, monies, and other income in the name of the Union,
- b. Be one of the responsible financial officers of the Union and be authorized to co-sign financial instruments and make regular and usual disbursements of funds,
- c. Maintain all financial records of the Union,
- d. Arrange for an annual independent audit of the finances of the Union and make it available to the Union Council and the membership,
- e. Prepare and submit, at minimum, a quarterly financial report to the Union Council,
- f. Make timely payment of all per capita dues to the American Federation of Teachers (AFT) and other affiliates, and submit a monthly per capita membership report, as required by the AFT,
- h. Make timely payment of all bills authorized by the annual budget or this Constitution, and of other expenses as approved by the Union Council,
- i. Prepare and file in a timely manner all appropriate tax returns on behalf of the Union,
- j. Perform other duties as delegated by the President or assigned by the Union Council.

ARTICLE XII

REFERENDA

Section 1. Referenda may be initiated by a majority vote of the Union Council, a majority vote of the Stewards Council, or by a petition from the Membership.

Section 2. A petition from the membership shall be submitted to the Elections Committee for validation, which shall have ten (10) days to accept or reject the petition. To be considered as valid, a petition from the Membership must

- a. Be signed and dated by at least twenty percent (20%) of the members in good standing of the Union.
- b. Contain the full text of the referendum;
- c. Have had all of its signatures collected ninety (90) days prior to its submission.

Section 3. Examples of referenda include but are not limited to votes on collective bargaining platforms, on collective bargaining agreements, and on job actions.

Section 4. Referenda may not recall officers, nor amend or contradict this constitution in any way. Referenda may not alter the Annual Budget. Furthermore, no referendum on a job action shall require that the Union undertake the specified action. Rather, such a referendum shall only grant permission for the Union to undertake the specified action if in the judgment of the Union Council it is deemed necessary.

Section 5. A referendum on a collective bargaining agreement must receive a majority of the votes cast.

ARTICLE XIII

BALLOTING

Section 1. A ballot of the Membership shall be a secret ballot.

Section 2. During the initial year of this constitution or during any time in which there are no members in good standing, card-signing members will be eligible to vote in a ballot.

Section 3. With the exception specified in Section 2 of this article, all members in good standing of the Union shall be eligible to vote in a ballot of the Membership and all issues shall be decided by a majority of the votes cast.

Section 4. A ballot of the Membership may be conducted by any of the following methods:

- a. A paper ballot to be returned to the Union by the public mail.
- b. A paper ballot to be collected and counted at a campus membership meeting or meetings.
- c. A paper ballot to be collected at a designated campus polling place or places.

Section 4. In the case of balloting on a referendum initiated by a valid petition from the membership, the Elections Committee shall determine the method to be used for the balloting and the date or dates of the balloting, which shall not be more than forty-five (45) days after the date on which the petition from the membership was submitted to the Elections Committee. In all other cases, the method to be used for the balloting and the date or dates of the balloting shall be determined by a majority vote of the Union Council.

Section 5. Advance notice of the balloting and a description of the method to be used shall be provided to the entire Membership. In no case shall less than ten (10) days of advance notice be provided, but other provisions of this constitution may require a longer period of notification.

Section 6. The Elections Committee shall be responsible for conducting the balloting, counting the votes, and certifying and reporting the results.

ARTICLE XIV

RULES OF ORDER

Rules of Order for membership meetings and conventions shall be determined by the Union Council. Any member may propose the adoption of Robert's Rules of Order, which must be adopted, if seconded, and then approved by a majority vote. Rules of Order for all other bodies shall be determined by their members, but Robert's Rules of Order may be invoked as above.

ARTICLE XV

AMENDMENTS TO THE CONSTITUTION

Section 1. Any member of the Union may propose an amendment to this constitution through the following procedure:

- a. The member shall prepare a petition containing the full text of the proposed amendment. The petition shall adhere to a format to be specified by the Union Council and made available to members through their Stewards and the Union Council;

b. The Member shall collect on the petition the valid signatures of twenty (20) members in good standing of the Union and then submit the original copy of the petition to the Secretary of the Union;

c. The Secretary shall verify the compliance of the petition with the provisions of this Article, and within ten (10) days of the receipt of the petition either return the petition to the originating member with a written explanation of its deficiencies or transmit the petition to the Union Council for review and discussion;

d. The Union Council shall publish its recommendation together with the proposed amendment to all members at least fourteen (14) days prior to the next Annual Membership Convention.

Section 2. Voting on proposed constitutional amendments that have met the requirements of Section 1 above shall take place at the next Annual Membership Convention. Amendments may be passed by a two-thirds vote.

Section 3. Upon its passage, the amendment shall go immediately into effect, unless the amendment otherwise specifies a time for its going into effect.

Section 4. Within one year after this constitution is first adopted, amendments may be passed by a simple majority vote of members present and voting at the initial Membership Convention. Thereafter, Section 2 applies.

ARTICLE XVI

AVAILABILITY OF CONSTITUTION

Section 1. Three copies of this Constitution and all subsequent amendments shall be submitted to the office of the Secretary-Treasurer of the American Federation of Teachers (AFT).

Section 2. One copy shall be sent to the similar officer of each organization with which the Union is affiliated.

Section 3. The Secretary shall make available upon request a copy to any member of the Union.

Section 4. A copy shall be published on the Union's website.

ARTICLE XVII

AFFILIATIONS

The Union shall maintain affiliation with the following organizations:

- a. The American Federation of Teachers, AFL-CIO.
- b. AFT Michigan, AFL-CIO.
- c. The Michigan State AFL-CIO.
- d. The appropriate Central Labor Council(s) of the AFL-CIO.

ARTICLE XVIII

RATIFICATION

This constitution shall go into effect upon its ratification by a vote of the membership. In the initial General Membership Meeting of the 2010-11 academic year, the notice period for agenda items shall be waived.