

# **CONSTITUTION AND BYLAWS OF THE UNION OF ADJUNCT FACULTY AT PACE**

## **ARTICLE I NAME**

This organization shall be known as The Union of Adjunct Faculty at Pace (Union), also referred to in this Constitution and Bylaws ("Constitution") as the UAFP

## **ARTICLE II PURPOSE AND OBJECTIVES**

The purpose of this organization shall be:

Section 1. To secure full trade union rights, including the rights to exclusive recognition and collective bargaining, for all employees who are eligible for membership.

Section 2. To advance the economic, social, and political well-being of the membership.

Section 3. To promote the improvement of standards in the employment situation of the membership.

Section 4. To encourage mutual understanding and cooperation among the membership.

Section 5. To promote the interests of citizens who are served by the membership.

Section 6. To promote the effectiveness and quality of the institutions in which our members work.

Section 7. To promote democracy and equality in the society at large.

Section 8. To improve the quality of education, research, and scholarship at a Pace University in cooperation with the other members of our academic community.

Section 9. To secure and advance the professional and economic interests of the adjunct faculty at Pace University.

### **ARTICLE III MEMBERSHIP**

Section 1. All persons are eligible for membership who are employed as Adjunct Professors and Part Time Instructors employed by Pace University, which includes the entire bargaining unit covered by the Collective Bargaining Agreement between Pace and the UAAP.

Section 2. No person shall be denied membership on the basis of sex, race, national origin, religious or political belief, sexual orientation, disability or social status.

Section 3. A. A member may be expelled from the organization upon the bringing of written and signed charges by two or more members, who shall present such charges and documentation to the Executive Board.

B. A majority vote of the Executive Board shall cause an expulsion hearing to be held at which time the accused member shall have the right to examine and question the charges and be represented by a person of their choice. At the conclusion of the hearing, a two-thirds vote of the Executive Board shall be required for expulsion. A person expelled from the organization may appeal the decision of the Executive Board to the membership by requesting a vote at the next scheduled meeting. A simple majority of the members voting shall be sufficient to overrule the decision of the Executive Board to expel.

Section 4. A member shall automatically be dropped from the rolls of the organization upon being two (2) months in arrears in the payment of their dues.

### **ARTICLE IV ELECTION OF OFFICERS**

Section 1. Officers shall be elected every three years in April of that year . Terms of office shall be three years. The organization will elect the following officers:

- a. President
- b. Vice President
- c. Secretary

d. Treasurer

Section 2. To be eligible for office a person must be a member in good standing of the Union for a period of one year prior to the date of the election.

Section 3. An Elections Committee shall conduct all general and special elections and referenda of the Union.

- a. The Elections Committee shall consist of three members in good standing appointed by the President and approved by the Executive Board. The Elections Committee shall elect its chair.
- b. Any member of the Elections Committee nominated for or seeking office must vacate their position and be replaced by a member in good standing appointed by the President and approved by the Executive Board.

Section 4. Sixty (60) days prior to the date of the election the Elections Committee shall notify all members of the opening of nominations for offices to be filled and of the date of the election electronically and/or by first class U.S. Mail to the members' last known home address.

Section 5. To be nominated a candidate must submit to the Elections Committee a petition containing the signatures of at least (10) ten members. Said petitions must be submitted no later than thirty (30) days following the notice of the opening of nominations.

Section 6. The Elections Committee shall announce the procedure for the election of officers at the Membership Meeting. The procedure shall include the requirement that the vote be by secret ballot and that the majority of the ballots cast shall determine the outcome of the election.

Section 7. In the absence of a majority, the Elections Committee shall conduct a run-off election between the two candidates who have received the most votes for the office in question.

Section 8. Challenges and objections to the election must be submitted in writing, with a statement of supporting reasons and facts, to the Elections Committee within five (5) days of the count. The Elections committee shall issue its written opinion regarding the objections no later than 10 days after receipt of such objections.

Section 9. The election results will be published and distributed to the membership within thirty (30) days of the count. All elections

materials, including the ballots, will be kept in a secure location for at least one year.

Section 10. Successful candidates shall assume office within thirty (30) days of the conclusion of the election.

Section 11. With the exception of the President, or in case of a recall, the Executive Board will have the power to fill vacancies on the Executive Board until the next general election of officers.

Section 12. A petition signed by thirty percent (30%) of the membership, and stating specific documented acceptable grounds (e.g. fiscal impropriety) shall be sufficient to require the Elections Committee to conduct a recall election of any officer specified in the petition under the procedures in Section 6. If an officer is recalled, the Elections Committee shall hold a special election under the procedures in Sections 4-6 of this Article.

Section 13. The President shall receive up to a \$8,500.00 stipend per year for the duties set forth herein. The Vice President shall receive up to a \$7,500.00 stipend per year for the duties set forth herein. The Secretary shall receive up to a \$5,000 stipend per year for the duties set forth herein.

## **ARTICLE V DUTIES OF OFFICERS**

Section 1. The President shall:

- a.** be the presiding officer at all meetings of the membership and the Executive Board;
- b.** shall be an ex-officio member of all standing committees except the Elections Committee;
- c.** shall appoint, with the approval of the Executive Board, the chairs of all standing and special committees except the Elections Committee;
- d.** shall be the principal executive officer of the organization;
- e.** shall receive, report and respond to correspondence of the organization;
- f.** shall supervise all employees of the organization;
- g.** shall be one of the responsible financial officers of the organization and shall be authorized to co-sign financial instruments and make regular and usual disbursements of funds;

- h.** shall represent the organization before bodies of the employer, executive and legislative officials;
- i.** shall represent the organization before the public, community organizations, and the news media;
- j.** shall be, by office, a delegate to the Central Labor Council, and the state AFL-CIO body;
- k.** shall be, by office, a delegate to the convention of the American Federation of Teachers and meetings or conventions of its affiliated bodies;
- l.** shall make an annual report to the organization's membership; and
- m.** shall be able to delegate the responsibilities of the office except where otherwise specified by the Constitution.

**Section 2. The Vice-President shall:**

- a.** assume the duties of the President in the event of the absence, resignation, illness, or death of the President;
- b.** shall perform other duties as delegated by the President or assigned by the Executive Board;
- c.** shall co-sign financial instruments in the absence of the President or Treasurer; and
- d.** shall handle the processing and adjustment of grievances.

**Section 3. The Secretary shall:**

- a.** maintain the non-financial files and records of the organization;
- b.** be the custodian of the seal and charter of the organization;
- c.** shall record and keep accurate minutes of meetings of the membership and the Executive Board;
- d.** assist the President in handling the correspondence of the organization,
- e.** oversee the work of, receive and certify the reports of the Elections Committee;
- f.** perform other duties as delegated by the President, or assigned by the Executive Board;
- g.** perform duties of the office as required by the Labor-Management Reporting and Disclosure Act;
- h.** where appropriate, a local may merge the offices and duties of the Secretary and Treasurer; and

- i. Such other duties as may be assigned by the President.

Section 4. The Treasurer shall:

- a. receive, record and deposit all dues monies and other income in the name of the organization;
- b. maintain accurate membership records;
- c. issue membership cards and notices of delinquency;
- d. be one of the responsible financial officers of the organization and be authorized to co-sign financial instruments and make regular and usual disbursements of funds;
- e. maintain all financial records of the organization;
- f. arrange for an independent audit of the finances of the organization annually and make same available to the Executive Board and membership;
- g. oversee the work of and receive reports from the Finance Committee;
- h. perform other duties as delegated by the President or assigned by the Executive Board;
- i. perform duties of the office as required by the Labor-Management Reporting and Disclosure Act, and the guidelines developed by the AFT and or NYSUT; and
- j. where appropriate a local may merge the offices and duties of the Secretary and Treasurer.

Section 5. All officers elected by the general membership of the organization shall serve as members of the Executive Board.

## **ARTICLE VI EXECUTIVE BOARD**

Section 1. The Executive Board shall meet monthly, or at the call of the President, or at the call of at least a majority of its members, 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 Board shall be one-half of its members. Meetings may at the President's option be held electronically.

Section 2. The Executive Board shall determine the agenda for all Membership Meetings.

Section 3. The Executive Board shall employ all professional, technical, clerical and support staff of the organization.

Section 4. The Executive Board shall establish the salary, stipend benefits and expense guidelines of any general officer or appointed position who is employed by the organization.

Section 5. The Executive Board 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 Board shall have the power to sue, complain and defend on behalf of the membership.

Section 6. The Executive Board shall approve the chairperson and membership of all standing and special committees of the organization, except the Elections Committee, and receive regular reports from such committees.

Section 7. The Executive Board shall be responsible for adherence to and enforcement of the Constitution and By-Laws of the organization.

Section 8. The Executive Board shall issue regular reports, including an annual written report that will be distributed to the membership.

Section 9. The Executive Board shall approve initial contract proposals for negotiations by the negotiating committee and proposed contractual agreements for ratification by the membership. The Executive Board shall be empowered to establish the procedure by which contractual proposals will be proposed, ratified or a strike to be called, which shall include a secret ballot vote of the Union's membership.

## **ARTICLE VII COMMITTEES**

Section 1. The committees of the organization may be, at the option of the Executive Board:

- a) Member Benefits,
- b) Contract Development,
- f) Leadership Development,
- g) Legislation,

- h) Organizing,
- i) Political Education,
- j) Professional Development,
- k) Publications,
- l) Public Relations,
- m) Social.

Section 2. The standing committees of the UAFP shall be:

- a) Elections,
- b) Finance,
- c) Grievance,

Section 3. The Executive Board, either on its own initiative, or at the direction of the Representative Assembly, may establish special committees.

Section 4. Upon appointment by the President and approval by the Executive Board, committee chairs shall have thirty (30) days to select committee members and present their names to the Executive Board for approval.

Section 5. Within 30 days of formation, each committee shall present its annual program of action to the Executive Board and the Membership Meeting.

Section 6. The Member Benefits Committee shall be responsible for identifying, implementing and administering programs of insurance, purchase, travel, and welfare, which are of advantage to the membership.

Section 7. The Contract Development Committee shall conduct research, surveys, hearings, and others activities that assist the organization in its collective bargaining, or similar, programs.

Section 8. The Elections Committee shall conduct and supervise all elections of the organization.

Section 9. The Finance Committee shall assist the Executive Board in the preparation of the annual budget and shall identify, and with the approval of the Executive Board, pursue activities to generate revenues for the good and welfare of the organization.

Section 10. The Grievance Committee shall work with the officers in the



resolution of contractual and non-contractual disputes in the workplace; shall maintain records of grievances and their disposition; shall be responsible for the processing of grievances and disputes beyond the immediate work location; and shall make decisions regarding disputes to be taken to arbitration or civil remedy. The grievant may appeal these last decisions to the Executive Board.

Section 11. The Leadership Development Committee shall identify the organizational, education and training needs of the organization's officers, committee members, staff and membership and develop or locate the resources needed to meet those needs.

Section 12. The Legislation Committee shall be responsible for monitoring government actions that may affect the membership and develop appropriate responses to such action in cooperation with affiliated organizations.

Section 13. The Organizing Committee shall develop programs and activities that cause all eligible persons to join and participate in the organization.

Section 14. The Committee on Political Education shall secure voluntary contributions to support the political work of the organization; screen and recommend endorsement of candidates for local, state and federal office to the Executive Board; educate members on the issues of importance to the organization, its membership and clients; and develop programs to promote voter registration and to support the election of candidates who support the interests of the organization, its membership and the people they serve.

Section 15. The Professional Development Committee shall identify the professional and work-related educational and training needs of the membership and develop programs and activities that meet said needs.

Section 16. The Publications Committee shall design, produce and distribute a regular printed communication to the membership; a regular bulletin for officers and committee chairs; and other printed material for the organization as necessary.

Section 17. The Public Relations Committee shall present the views of the organization on both a regular and special basis to the print and electronic media, other labor and community organizations and the general public.

Section 18. The Social Committee shall conduct activities that promote the social well-being of the membership, are attractive to potential members and promote community among organized labor and in the society at large.

## **ARTICLE VIII MEMBERSHIP MEETINGS**

Section 1. The legislative power of the organization shall be vested in the Membership Meeting. Unless otherwise stipulated in the constitution, action items and elections shall require a simple majority of votes cast in the Membership Meeting.

Section 2. The Membership Meeting shall meet at least once a year (Fall or Spring) at a predetermined time and place, or more or less often as approved by the majority vote of assembled members in the regularly constituted Membership Meeting.

Section 3. Quorum for the Membership Meeting shall be 20 or more members. .

Section 4. Special meetings may be called by the President (or acting President), by a majority of Executive Board or by petition to the Executive Board of fifteen percent (15%) of the members in good standing. All such meetings shall be adequately advertised and properly conducted according to the provisions of this Constitution.

## **ARTICLE IX REVENUES**

Section 1. The dues of the Union shall be equal to the agreed percentage set forth on the NYSUT/AFT schedule in effect at the time, plus any mandated increases in required affiliation fees, including the AFT, state federation and AFL-CIO local and state affiliates, and insurance premiums.

Section 2. Special assessments for specific purposes may be levied by the Executive Board provided that the actions required for a referendum have not been initiated within thirty (30) days of the decision of the Executive Board.

## **ARTICLE X**

## **AFFILIATIONS**

This organization shall maintain affiliation with the following organizations:

- a. The state American Federation of Labor-Congress of Industrial Organizations.
- b. The appropriate Central Labor Council(s) of the American Federation of Labor-Congress of Industrial Organizations.

## **ARTICLE XI RULES OF ORDER**

*Robert's Rules of Order, Revised* shall govern this organization and all of its subordinate bodies in all matters not expressly covered by this Constitution or the By-Laws of this organization. The Secretary will be responsible for maintaining compliance with Roberts Rules of Order.

## **ARTICLE XII AMENDMENT**

Section 1. Either thirty percent (30%) of the membership may present, by petition, or by majority vote of the Executive Board, a proposed amendment to this constitution to the Secretary, who shall notify the membership of the proposed amendment no later than thirty (30) days prior to the conduct of a special membership meeting. Discussion of the proposed amendment will be scheduled for said membership meeting.

Section 2. The Elections Committee will hold a vote on the amendment at the next Membership Meeting. The Elections Committee will tally the results. Two-thirds (2/3) of those members voting shall be required for passage of the amendment.

## **ARTICLE XIII 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.

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

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

**ARTICLE XVI  
DISOLUTION**

Upon the dissolution of this organization, which shall be permitted with the unanimous vote of the Executive Board, its assets shall be distributed back to the membership.

Revised \_\_, 2017