

## **Constitution (Revised 8/25/11)**

### **Finger Lakes Community College(FLCC) - Greater Rochester Adjuncts Dedicated to Education (FLCC-GRADE)**

#### **I. NAME**

This organization shall be known as the FLCC Greater Rochester Adjuncts Dedicated to Education (FLCC-GRADE).

#### **II. PURPOSES**

The purposes of this organization shall be:

1. To advance the standards of our professions;
2. To secure the conditions necessary to provide the greatest rewards for its members in their work environment;
3. To promote the best interests of its members in the operational decisions affecting their employment;
4. To promote the welfare and well-being of its members;
5. To promote mutual assistance and cooperation with other organizations with which it is associated;
6. To promote the aims and objectives of the New York State United Teachers and its national affiliates;
7. To expose and fight all forms of racism and discrimination;
8. To promote the unity and strength of our professions.

#### **III. AFFILIATIONS**

This organization is an affiliate of the New York State United Teachers (NYSUT) and its national affiliates.

#### **IV. MEMBERSHIP**

Membership will be open to all adjunct faculty, who teach a minimum of one course every two years at Finger Lakes Community College.

1. Membership shall be obtained through the completion and submission of membership forms to the Executive Council. Members shall be able to

participate fully except when considered to be not in good standing for reason of non-payment of all assessed dues.

## **V. DUES**

1. The dues shall be a percentage of the base salary per academic year per member. This includes local dues, and the dues of the state and national affiliate.
2. These dues may be changed by a majority vote of the Executive Council. The dues percentage and distribution shall be presented with the budget at the annual meeting.

## **VI. OFFICERS**

1. The officers of FLCC-GRADE shall be a President, Vice President, Secretary, Treasurer and two At-Large Representatives.
2. Duties of the President
  - a. Be chief executive officer of FLCC-GRADE.
  - b. Administer all affairs and execute all policies of the organization.
  - c. Preside at all meetings of the Executive Council and general membership
  - d. Represent the organization with all external groups.
  - e. Appoint and establish the function of all committees with the approval of the Executive Council.
  - f. Call regular and special meetings of the Executive Council and general membership.
  - g. Fulfill such other duties as the office requires and as are consistent with this constitution.
  - h. Communicate and work with NYSUT and its national affiliates and serve as the Delegate to their Representative Assemblies and committees or appoint a representative to serve on behalf of FLCC-GRADE.
3. Duties of the Vice President: The vice president shall assume the duties and responsibilities of the president in his/her absence and shall perform and assist in such other duties as the president may designate.
4. Duties of the Secretary: The secretary will be responsible for recording all meeting minutes and disseminating communications, as well as perform those

duties usual to this office.

5. Duties of the Treasurer: The treasurer shall be responsible for preparing the annual budget, accepting all dues deductions and submitting payment of dues to NYSUT as well as perform those duties usual to this office.

6. Duties of the At-Large Representatives: The At-Large Representatives shall report on the needs of members they represent to the Executive Council and communicate FLCC-GRADE issues and reports to the members.

## 5. Nominations

a. Each member shall be offered a reasonable opportunity to nominate candidates for office. A Nomination Committee shall be established by the Executive Council in the semester prior to the election.

b. Notice of the offices to be filled, the right to make nominations, and the time, place, and proper form for submission of nominations will be published in the FLCC-GRADE newsletter or website and be mailed or e-mailed to each member at their last known address at least 30 days before the end of the semester prior to the election. Nominations are to be submitted to the Nomination committee within 20 days after the notification.

## 6. Elections

a. Written notice announcing the time and place and method of elections shall be mailed or e-mailed to each member's, in good standing, last known address at least fifteen (15) days prior to the election.

b. The written notice will contain the names, biographies and campaign materials of all nominees running for office.

c. Election shall be by secret ballot in writing at the annual meeting or by a secure online method as determined by the Executive Council. The Executive Council may supplement online balloting before the annual membership meeting with a written ballot at the annual membership meeting.

d. Election results will be announced at the annual membership meeting. The results of the election shall be published in the FLCC-GRADE newsletter or on the FLCC-GRADE website.

e. The candidate for a particular office shall be deemed the winner of the election if they garner a majority of the votes cast for the office.

f. The Secretary shall preserve all election records, including ballots, for a period of one (1) year.

7. Terms of office. Duly elected officers shall serve a 3-year term commencing immediately following the election results.

8. Vacancies

a. If the office of president becomes vacant the vice president shall assume the office of president.

b. If any other office becomes vacant, it shall be filled by election by the Executive Council until the next election is held by the general membership.

c. If an officer fails to perform the duties of their office as described in the Constitution, a majority vote of the Officers may ask for the officer's resignation or the Officers shall present the officer with a letter outlining the failure to perform duties and what immediate course of remediation is required. If the officer fails to perform the course of action outlined, the officer will be relieved of office by a majority vote of the Officers. A replacement will be appointed by the Executive Council to complete the term.

## **VII. EXECUTIVE COUNCIL**

1. The Executive Council shall be composed of the duly elected officers and the chairpersons of any standing committees.

2. Duties: The Executive Council shall:

a. approve an annual budget

b. act upon expenditures as may be required.

c. interpret the constitution and contract.

d. act on policy matters for the organization between the meetings of the general membership.

e. make policy recommendations to the membership for their consideration.

3. The Executive Council shall meet at least quarterly. Special meetings may be called by the president or by petition of a majority of the Executive Council.

## **VIII. STANDING COMMITTEES**

Subject to nomination by the President and the approval of a majority of the other elected officers, the following standing committees may be established and a chairperson appointed.

1. Negotiations
2. Grievance/Issues
3. Legislation/Political Action
4. Constitution
5. Membership/Communication

## **IX. GENERAL MEMBERSHIP MEETINGS**

1. Meetings of the general membership may be called by the president, by a majority of the Executive Committee or by petition of twenty five (25) percent of the membership. Membership meetings shall be held no less than one time per year. All members shall receive reasonable notice of the time and place of the meeting.

2. A quorum at a general membership meeting shall consist of at least fifteen (15) members of the total membership of record at that time.

## **X. PROTECTION OF RIGHTS OF MEMBERS**

1. Every member of this union shall have equal rights and privileges to nominate candidates to hold office, to vote in elections or referendum, to attend membership meetings and to participate in deliberations and voting upon the business of the organization.

2. No member may be fined, suspended, expelled, or otherwise disciplined by this union unless such member has been served with written specific charges and given a reasonable time to prepare a defense and afforded a full and fair hearing.

3. The union shall show no discrimination toward any individual or group of individuals on the basis of sex, creed, color, race, national origin, sexual orientation or political activities and beliefs.

## **XI. RATIFICATION OF COLLECTIVE BARGAINING AGREEMENTS**

1. Approval or disapproval of any Collective Bargaining Agreement with the employer shall be determined by a majority vote of the voting members of FLCC GRADE at a membership meeting called specifically for that purpose, or by a majority of respondents in mail balloting or secure online balloting if approved by the Executive Council. FLCC-GRADE unit members voting on the tentative agreement shall be given no less than a summary of changes at the time of balloting.

## **XII. AMENDMENTS**

1. An amendment to this constitution may be proposed by:

a. A majority of the Executive Council

- or -

b. A written amendment delivered to the president with a petition in support of such amendment containing no less than twenty (20) percent of the membership's signatures and home addresses.

2. A proposed amendment must be distributed in writing to each member at least fifteen (15) days before the ratification vote.

3. An amendment may be ratified by a majority vote at a general membership meeting, or by a majority of respondents in mail balloting or secure online balloting if approved by the Executive Council.

## **XIII. PARLIAMENTARY AUTHORITY**

Meetings of all duly constituted bodies of this organization shall be governed by Roberts' Rules of Order, Newly Revised, except as otherwise provided in these Bylaws. The President will appoint a parliamentarian for FLCC-GRADE for his/her term.

## **ADDENDUM TO GRADE CONSTITUTION**

### **A. NYSUT Requirements**

1. In order for a local to affiliate with NYSUT, the local's constitution must contain provision for:

\_\_\_\_\_The election of local officers.

\_\_\_\_\_The composition and election of an executive council.

\_\_\_\_\_The election of delegates to the NYSUT Representative Assembly, the AFT Convention and other national affiliates.

\_\_\_\_\_The process of selection and function of local committees.

\_\_\_\_\_The amount of dues for local programs.

\_\_\_\_\_The protection of member rights.

\_\_\_\_\_Procedures for amending the Local's Constitution or Bylaws.

\_\_\_\_\_No discrimination on the basis of sex, sexual orientation, creed, color, race, national origin or political activities and beliefs.

2. Policy of the NYSUT Board of Directors provide that the guidelines for determining whether or not a local is in compliance with Article IV, 2(b) of the NYSUT Constitution shall be the Rules and Regulations promulgated by the US Department of Labor, pursuant to the Landrum-Griffin Act. A quick checklist of these requirements, as they pertain to local union elections, follows:

### **CHECKLIST FOR ELECTIONS UNDER**

#### **LANDRUM-GRIFFIN**

\_\_\_\_\_1. Are elections held within the three-year prescribed by the Landrum-Griffin Act?

\_\_\_\_\_2. Do members receive reasonable opportunity for nominating, including notice of the :

\_\_\_\_\_offices to be filled;

\_\_\_\_\_time for submitting nominations;

\_\_\_\_\_place for submitting nominations; and

\_\_\_\_\_proper form for submitting nominations?

\_\_\_\_\_3. Do members have reasonable time to choose and nominate candidates?

\_\_\_\_\_4. Do all members in good standing have an opportunity to be nominated, subject only to reasonable qualifications uniformly imposed?

\_\_\_\_\_5. Are rules governing eligibility for nomination fair, reasonable, and uniformly imposed?

- \_\_\_\_6. Do all candidates have equal opportunity to use membership lists, distribute literature, and campaign for office?
- \_\_\_\_7. Are candidates for office prohibited from using union funds to promote their candidacy?
- \_\_\_\_8. Are all officers and all delegates to conventions at which they vote for officers elected by secret ballot?
- \_\_\_\_9. Do all members in good standing have an opportunity to vote, limited only by reasonable rules uniformly imposed?
- \_\_\_\_10. Are election notices mailed to members at their last known home address at least fifteen days prior to election?
- \_\_\_\_11. Are candidates given the opportunity to have observers at each polling place at the counting of the ballots?
- \_\_\_\_12. Do members freely support candidates of their choice, without fear of reprisal?
- \_\_\_\_13. Do election procedures conform to the constitution and bylaws, and are they consistent with the provisions of the Act?
- \_\_\_\_14. Are the ballots of each local counted and a report showing the vote published?
- \_\_\_\_15. Are ballots and other election records preserved for at least one year?