

**Dominican University of California Full Time Faculty Federation of Teachers, AFT
Local 6604, Constitution**

ARTICLE I NAME

This organization shall be known as Dominican University of California Faculty Federation of Teachers, AFT Local 6604, California Federation of Teachers, AFT, AFL-CIO.

ARTICLE II 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, equality, and trade unionism in the society at large.

ARTICLE III MEMBERSHIP

- Section 1. All full-time faculty of Dominican University of California covered by the Collective Bargaining Agreement at Dominican University of California.
- Section 2. No eligible person shall be denied membership, nor shall this organization ever discriminate against individual members or applicants for membership based on race, creed, sex, sexual

orientation, disability, social, political, or economic status, or national origin.

- Section 3. A member in good standing is defined as a member who is current in payment of dues to the organization. A member who is more than 30 days delinquent in dues payment shall be considered to be a member in bad standing, and shall be promptly notified of such status. A member shall be removed from membership in this organization, with notice, following three months of dues nonpayment, unless a plan to pay back dues is made and approved by both the Executive Board and the member.
- Section 4. The Executive Board shall establish guidelines for retiree membership, dues, and participation in the local in the form of a retiree chapter, in accordance with AFT guidelines.

ARTICLE IV ELECTION OF OFFICERS

- Section 1. Elections shall be conducted in accordance with the AFT Constitution and the standards set out by the Labor-Management Reporting and Disclosure Act (LMRDA).
- Section 2. Officers shall be elected in May. Terms of office shall be one year. After a Presidential term is finished, the former President shall serve one additional year on the Executive Board. The organization will elect the following officers.

Executive Board:

- a. President (includes role of bargaining committee chair)
- b. Vice President (includes role of organizing committee chair)
- c. Secretary
- d. Treasurer
- e. Former President

- Section 3. Eligibility for Office
- a. To be eligible for office a person must be a member in good standing of the organization for a period of six months prior to the date of the election.

- b. To be eligible for office on the Executive Board, a person must meet all other qualifications for office under this Article

Section 4. The Elections Committee shall conduct all general and special elections and referenda of the organization.

- a. The Elections Committee shall consist of three members in good standing selected by the Site Representatives at their first meeting of the year (operating year determined by the Executive Board).
- b. Any member of the Elections Committee nominated for or seeking office must vacate their position and be replaced by a member nominated by the president and approved by the Executive Board.

Section 5. Nominations

Note: The first election will not follow the following timelines, but subsequent elections shall.

- a. Thirty (30) days prior to the date of the election, the Elections Committee shall notify all members of the opening of nominations for officers, the offices to be filled and of the date of the election by email to the members' last known email address.
- b. Anyone can self-nominate for office or be nominated by another member 20 days prior to the election.
- c. Members nominated to run for office must affirmatively accept their nomination.
- d. The Election Committee shall determine whether the nominations were timely and if the nominees are eligible for office.

Section 6. At least fifteen (15) days prior to the election, the Election Committee shall notify all members of the election date and the candidates for offices. If any office only has one candidate after nominations have been closed, that candidate shall be deemed duly elected by acclamation.

Section 7. The Elections Committee shall prepare and send ballots by email, 15 days before the election. Voting shall be anonymous.

- Section 8. The votes shall be tabulated by the Elections Committee, and the candidate receiving the most votes wins.
- Section 9. The election results will be published and distributed to the membership within thirty (30) days of the count. All election materials will be saved for at least one (1) year.
- Section 10. Challenges and objections to the election must be submitted in writing, with a statement of supporting reasons that includes specific facts as well as any documentation, 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 ten (10) days after receipt of such objections.
- Section 11. Candidates assume office at the next regularly held membership meeting.
- Section 12. With the exception of the President, or in case of a recall, the Executive Board will have the power to fill vacancies in its membership until the next general election of officers.
- Section 13. A petition signed by forty-five percent (45%) of the membership, and alleging constitutional violations, fiduciary breaches or acts clearly detrimental to the union, shall be sufficient to require the Executive Board to vote on whether to conduct a recall election of the officer identified in the petition. The officer subject to recall and any Executive Board member signing the petition shall not vote on the question of a recall election. If a majority of the Executive Board approves a recall election, the Elections Committee shall supervise the recall election.

ARTICLE V DUTIES OF OFFICERS

- Section 1. The President shall:
- a. chair the bargaining committee
 - b. be the presiding officer at all meetings of the membership, the Executive Board and the Site Representatives;
 - c. be an ex-officio member of all standing committees except the Elections Committee;
 - d. appoint, with the approval of the Executive Board, the chairs of all standing and special committees except the Elections Committee;
 - e. be the principal executive officer of the organization;

- f. receive, report and respond to correspondence of the organization;
- g. supervise all employees of the organization;
- h. 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;
- i. represent the organization before bodies of the employer, executive and legislative officials;
- j. represent the organization before the public, community organizations, and the news media;
- k. be, by office, a delegate to the Central Labor Council, and the state AFL-CIO body;
- l. be, by office, a delegate to the convention of the American Federation of Teachers and meetings or conventions of its affiliated bodies;
- m. make an annual report to the organization's membership; and
- n. 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, illness, or death of the President
- b. Chair the organizing committee
- c. perform other duties as delegated by the President or assigned by the Executive Board; and
- d. cosign financial instruments in the absence of the President or Treasurer.

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. record and keep accurate minutes of meetings of the membership, the Executive Board and the Site Representatives;
- d. assist the President in handling the correspondence of the organization;
- e. oversee the work of, and receive and certify the reports of, the Elections Committee;
- f. perform other duties as delegated by the President, or assigned by the Executive Board; and

- g. perform duties of the office as required by the Labor-Management Reporting and Disclosure Act.

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, Site Representative Council; and membership;
- g. maintain all financial records of the organization;
- h. arrange for an independent audit of the finances of the organization annually and make same available to the Executive Board, Site Representatives, and membership;
- i. transmit per-capita payments on a regular basis to the Secretary-Treasurer of the American Federation of Teachers and similar officers of all other bodies with which the organization is affiliated;
- j. perform other duties as delegated by the President or assigned by the Executive Board;
- k. perform duties of the office as required by the Labor-Management Reporting and Disclosure Act, and the guidelines developed by the AFT.

Section 5. All officers 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 two (2) or more of its members, or at the call of the Site Representatives, 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.

- Section 2. The Executive Board shall prepare and present for approval to the Site Representatives an annual budget in the month prior to the beginning of the fiscal year, which shall be established by the Executive Board.
- 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, benefits and expense guidelines of any general officer 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 report, to the Site Representatives and the membership.
- Section 9. Three unexcused absences from an Executive Board meeting within a year, counted from the date of assumption of office, shall be grounds for an Executive Board member's suspension and/or replacement. Pursuant to Article IV, Section 12, the Executive Board shall have the authority to appoint a member to appoint a member to take the seat of an Executive Board member who was suspended or replaced under the terms of this Section. If the seat of a Vice President becomes vacant due to unexcused absence, he or she must be replaced by a member from the same constituency.

ARTICLE VII COMMITTEES

- Section 1. The standing committees of the organization shall be:
- a. Bargaining

- b. Organizing
- c. Site Representative Council
- d. Ad hoc committees as needed

Section 2. **Bargaining and Organizing Committees:**

The bargaining and organizing committees should have representation from each of the academic units and constituencies. It is possible for people to fulfill more than one of these categories.

- a. At least one representative from the school of Health and Natural Sciences
- b. At least one representative from the Barowsky School of Business
- c. At least one representative from the Term Faculty
- d. At least one representative from the Graduate Programs
- e. At least one representative from the Liberal Arts and Education
- f. At least one representative from the Library

Section 3. The Executive Board, either on its own initiative, or at the direction of the Site Representatives, 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, the bargaining and organizing committees and Site Representative Council shall present their annual programs of action to the Executive Board and the Membership Meeting.

Section 6. The Bargaining Committee shall conduct research, surveys, hearings and other activities that assist the organization in its collective bargaining, or similar, programs.

Section 7. The Organizing Committee shall develop programs and activities that shall cause all eligible persons to join and participate in the organization.

Section 8. The Site Representative Council shall consist of the Executive Board and appointed Site Representatives. Site Representatives shall consist of at least one representative per school, including the library. Meetings of the Site Representatives Council should occur at least once per semester.

Section 9. The duties of Site Representatives members include:

- a. Attending Site Representative Council meetings
- b. Distributing union literature and information to members at one's worksite
- c. Serving on site committees as a union representative
- d. Being the "eyes" and "ears" of the union
- e. Reporting back to the union leadership concerns raised by members
- f. Handling problems/grievances that arise, according to one's level of training
- g. Referring members' problems to the appropriate union official
- h. Conducting site meetings to keep union members informed

ARTICLE VIII MEMBERSHIP MEETINGS

Section 1. The Executive Board shall plan union meetings in advance and provide a calendar of meetings and provide time and place information. Additional meetings as needed will be planned and union members will be given at least seven days advance notice to ensure participation.

Section 2. Special meetings of the membership may be called by:

- a. the Executive Board,
- b. or the petition of thirty percent (30%) of the members.

ARTICLE IX DISCIPLINE OF MEMBERS

Section 1. A member may be disciplined by the organization for actions contrary to this Constitution or to the interests of the union or its membership. Such action may only be initiated by the bringing of written and signed charges to the Executive Board by two or more members of the local; these charges must include a specific and detailed accounting, including any documentation, of the allegations against the member.

Section 2. Upon the receipt of such charges, the Executive Board shall cause a preliminary investigation to be conducted to determine whether the charges against the member have merit. In addition, at this time, the Executive Board shall give a copy of the charges to the accused member.

Section 3. Following the preliminary investigation, the Executive Board shall vote on the question of whether a disciplinary hearing should be held. If a majority of the Executive Board votes to hold a hearing, the member shall be given at least ten (10) days written notice of the hearing.

- Section 4. At a disciplinary hearing, the accused member shall have the right to be represented by a person of his or her choice, and shall have the right to question the charges and present evidence and witnesses to support their defense. At the conclusion of the hearing, a two-thirds (2/3) vote of the Executive Board shall be required for discipline. If a member of the Executive Board has brought the charges against the member, that Board member shall recuse him/herself from the vote.
- Section 5. A disciplined member may appeal the decision of the Executive Board to the membership by requesting a vote at the next regular meeting. A simple majority of the members voting shall be sufficient to overrule the decision of the Executive Board to discipline.

ARTICLE X REVENUES

- Section 1. The dues of this organization shall be 1.25% of salary; this includes the prevailing per capita amounts for 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.
- Section 3. The local union will be responsible for collecting agency fees and shall adopt procedures consistent with local, state and federal law and Article VIII, Sections 1 (a) – (d) of the AFT By-Laws.

ARTICLE XI AFFILIATIONS

This organization shall maintain affiliation with the following organizations:

- a. The American Federation of Teachers, AFL-CIO. Whenever possible, the Dominican University of California Faculty Federation of Teachers will send delegates to the AFT's convention. The delegates will be elected by procedures consistent with Article IV of this Constitution.
- b. The CFT. Delegates to the CFT Convention will be elected by procedures consistent with Article IV of this Constitution.
- c. The state American Federation of Labor-Congress of Industrial Organizations.
- d. The appropriate Central Labor Council(s) of the American Federation of Labor-Congress of Industrial Organizations.

ARTICLE XII RULES OF ORDER

Robert's Rules of Order Newly 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.

ARTICLE XIII AMENDMENT

- Section 1. Thirty percent (30%) of the membership, or Representatives of 30% thereof, may present, by petition, a proposed amendment to this Constitution to the Secretary, who shall notify the Representatives of the proposed amendment no later than thirty (30) days prior to the next meeting of the Site Representative Council. Alternatively, a majority of the Executive Board may vote to present a proposed amendment to the Representatives at the next meeting of the Site Representatives Council. A copy of the proposed amendment, along with an explanation of said amendment, shall be distributed to all Representatives a reasonable time prior to the Site Representatives meeting at which the amendment will be introduced and discussed.
- Section 2. A quorum for any meeting of the Site Representative Council at which constitutional amendments are to be considered and adopted shall consist of representatives of forty (40) percent of the membership of the organization.
- Section 3. The Site Representatives shall vote on all amendments to the Constitution.
- a. Following the meeting of the Site Representatives Council at which the proposed amendment was introduced, the Election Committee will hold a (secret ballot) vote on the amendment at the next meeting of the Site Representatives Council.
 - b. In the alternative, following the meeting of the Site Representatives at which the proposed amendment was introduced, a special Site Representatives meeting for the purpose of voting on the proposed amendment may be called by the Executive Board. The special meeting shall be conducted in accordance with the terms of Article VIII, Section 3.
 - c. The Elections Committee will tally the results. Two-thirds (2/3) of the Representatives present shall be required for passage of the amendment.

ARTICLE XIV AVAILABILITY OF THE 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.

This constitution was adopted by the membership on _____, 20 (date)
(and last amended on _____, 20). (date)

Dominican University of California Faculty Federation of Teachers, AFT Local 6604

Signed: _____ (president)

Attest: _____(secretary)

(SEAL)