

Constitution of the St. Francis College Adjunct Faculty Union (SFCAFU)

I. NAME

This Union shall be known as the St. Francis College Faculty Union, Local 7965, NYSUT/AFT/NEA/AFL-CIO, herein referred to as SFCAFU and/or the Union.

II. PURPOSES

The purposes of the Union shall be:

1. To promote the best interests of students and education at St. Francis College.
2. To secure the conditions necessary for the greatest effectiveness of the College's adjunct faculty.
3. To advance the standards of, and promote unity and strength in, our profession.
4. To be compensated (on a pro-rata basis) with fulltime faculty for each course we teach. That is, to achieve parity in the spirit of "equal pay for equal work," as well as to improve the benefits and other terms and conditions of employment for members of the bargaining unit.
5. To function as a democratic organization, one which constantly strives to encourage and promote a high level of membership participation.
6. To stand in solidarity with other workers, both the organized and the unorganized.
7. To expose and fight all forms of racism and discrimination.

III. AFFILIATIONS

The Union is an affiliate of the New York State United Teachers (NYSUT), the American Federation of Teachers (AFT), and their state and national affiliates and recognizes the benefit of working closely with other unions, particularly those which represent adjunct faculty. The Union is committing to supporting other workers' organizing efforts, especially those of workers at St. Francis College.

IV. MEMBERSHIP

1. Membership in SFCAFU shall be open to all adjunct faculty for whom the Union bargains collectively. Adjunct faculty are eligible for membership immediately upon commencement of employment.
2. To be a member in good standing, a member shall have taught at least one course as an adjunct faculty member at St. Francis College within the previous eighteen (18) months -- or twenty-four (24) months in the case of extenuating medical or personal family emergencies -- be current in dues, and have not been terminated or have not been reappointed for just cause by the College.

V. OFFICERS

1. There shall be five (5) officers of the Union: President, Vice President, Secretary, Treasurer, and Lead Organizer. They must be members of the Union in good standing to serve as officers.
2. Terms of office for officers shall be for three (3) years commencing immediately upon their election to office.

3. Duties of the President. The President shall:

- a. Serve as chief executive officer of SFCAFU
- b. Administer all affairs and execute all policies of the Union
- c. Prepare the agenda for and preside at all Executive Council and General Membership meetings
- d. Represent the Union with all external groups or appoint a designee to do so in his/her absence
- e. Create and establish the function of all committees in consultation with other members 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

4. Duties of the Vice President. The Vice President shall:

- a. Perform duties designated by the President
- b. Assume the duties and responsibilities of the President in his/her absence when designated
- c. Serve as Chair of the Grievance and Defense Committee
- d. Perform such other duties as may be required by the President or Executive Council

5. Duties of the Secretary. The Secretary shall:

- a. Keep and maintain all correspondence and records of the Executive Council and the Union
- b. Distribute the agenda and notices for all Executive Council and General Membership meetings
- c. Keep and maintain the minutes of Executive Council and General Membership meetings and make available said minutes for membership review
- d. Deliver all records of the Union to his/her successor at the end of his/her term
- e. Perform other such duties as may be required by the President or Executive Council

6. Duties of the Treasurer. The Treasurer shall:

- a. Keep and maintain all financial records of the Union, including, but not limited to, accurate accounts of receipts and disbursements
- b. Oversee the transmission of dues and fees to NYSUT.

- c. Disburse the funds of the Union upon authorization of the Executive Council
- d. Prepare monthly financial reports as well as membership and agency fee reports as required by the Executive Council
- e. Prepare for an annual audit or financial review as required by AFT Constitution and policy
- f. Deliver all financial records of the Union to his/her successor at the end of his/her term
- g. Perform other such duties as may be required by the President or Executive Council

7. Duties of the Lead Organizer. The Lead Organizer shall:

- a. In conjunction with the other members of the Executive Council, encourage maximum participation of the members in the activities of the Union
- b. In conjunction with the other members of the Executive Council, engage in and coordinate outreach to increase Union membership
- c. In conjunction with the other members of the Executive Council, identify, recruit, and train bargaining unit members to serve as Department Representatives
- d. Chair the Membership and Organizing Committee.

VI. EXECUTIVE COUNCIL

1. The Executive Council shall consist of the five (5) duly elected officers.

2. The Executive Council shall:

- a. Propose, approve, and execute policies and resolutions of the Union, except those otherwise specified by this Constitution and By-Laws
- b. Propose amendments to the By-Laws
- c. Approve initial contract proposals prior to the start of collective bargaining and approve tentative collective bargaining agreements prior to ratification by the membership. The Executive Council shall have the authority to reject a tentative collective bargaining agreement and direct the Bargaining Committee to continue negotiating with the College's administration.
- d. Approve the appointment of members and chairpersons of the standing and ad-hoc committees and editors of the Union's publications
- e. Fill vacancies among the elected officers as described in this Constitution and By-Laws and direct the Elections Committee to immediately commence the process of conducting a special election
- f. Ensure that an audit/review is conducted annually by an independent CPA or, in lieu of that, an annual internal financial review is conducted in accordance with American Federation of Teachers (AFT) guidelines and that in either case, such review is presented to the membership

- g. Represent the needs of the bargaining unit members to the Union and/or the College, as appropriate
- h. Determining which grievances shall be submitted to arbitration
- i. Appoint (and remove if necessary) Department Representatives

VII. GENERAL PROVISIONS OF THE EXECUTIVE COUNCIL

1. The Executive Council shall meet regularly quarterly with at least one of these meetings occurring within thirty (30) days before or after the first day of the Fall semester.
2. The President, or a minimum of three (3) members of the Executive Council, can call a special meeting of the Executive Council.
3. A majority of the membership of the Executive Council shall constitute a quorum.

VIII. DEPARTMENT REPRESENTATIVES

1. There shall be as many Department Representatives as the Executive Council deems appropriate.
2. Duties of Department Representatives. Department Representatives shall:
 - a. Keep members informed of the activities of the Union and act as a liaison to the Executive Council
 - b. Recruit new members to the Union
 - c. Inform the President and Vice President of all issues brought to his/her attention as potential grievances and, when appropriate, represent bargaining unit members in the processing of grievances
 - d. Perform other such duties as may be required by the Lead Organizer or Executive Council

IX. COMMITTEES

1. Committees, both standing and ad hoc, shall be created by the Executive Council. Such committees shall include an ad hoc Elections Committee and may include a Grievance and Defense Committee, a Membership and Organizing Committee, a Bargaining Committee, and others as needed. The members and chairpersons of all committees, with the exception of the Grievance and Defense Committee (which shall be chaired by the Vice President) and the Membership and Organizing Committee (which shall be chaired by the Lead Organizer), shall be nominated by the President and approved by the Executive Committee.

- a. The Elections Committee shall
 - i. Conduct all elections which the President and the Executive Council direct

ii. Determine nomination and election procedures not specified by the Constitution and By-Laws

iii. Determine the specifics of the nomination procedures, including, but not limited to, the time, place, and proper form for the submission of nominations. The Elections Committee shall determine the specifics of the election procedures, including, but not limited to, the wording on the ballot, the location where voters shall return ballots, and the process by which ballots will be counted, including a system for election observers. Election procedures must be in accordance with Labor-Management Reporting and Disclosure Act (LMRDA), also known as the Landrum-Griffin Act.

X. GENERAL MEMBERSHIP MEETINGS

1. General Membership meetings shall be held at least once annually. Meetings of the General Membership may be called by the President, by a majority of the Executive Council, or by petition of ten (10) percent of the membership whose standing must be authenticated by the Secretary within one (1) week of receipt of the petition. Petition items must be included on the agenda of General Membership meetings. All members shall receive notice of the time and place of the meeting.

2. Ten (10) members in good standing shall constitute a quorum at a General Membership meeting. For General Membership meetings at which ratification of collective bargaining agreements, strike authorization, and other votes will occur, see SFCAFU By-Laws, Article IV.

XI. PARLIAMENTARY AUTHORITY

Meetings of all duly constituted bodies of the Union shall be governed by Roberts' Rules of Order, Newly Revised, except as otherwise provided in this Constitution.

St. Francis College Adjunct Faculty Union (SFCAFU) By-Laws

I. DUES

1. The dues rate for adjunct faculty shall be 2.50% of gross earnings. Note: For the purposes of the SFCAFU Constitution & By-Laws, "gross earnings" shall refer *only* to wages received as an adjunct faculty member at St. Francis College. Wages earned at other institutions or places of employment and wages earned in other capacities of work at St. Francis College (e.g., work as a staff member for those who are employed as staff and adjunct faculty by the College) shall *not* be considered gross earnings for the purposes of the calculation and payment of dues.
2. These dues may be changed by a simple majority vote of the General Membership after reasonable notice to the members, or by majority vote of members in a membership referendum. The Elections Committee shall determine the procedures for a vote of the members to change the dues rate.

II. NOMINATION OF OFFICERS, ELECTION OF OFFICERS, AND TERMS OF OFFICE

1. Nominations

- a. Only members in good standing shall be eligible to nominate, and be nominated, as candidates for office.
- b. Nomination procedures, including which Union offices are to be filled and the time, place, and proper form for the submission of nominations shall be announced to the members of the Union at least ten (10) days prior to the commencement of the nominations procedure.
- c. Members in good standing shall have the opportunity to nominate themselves or other candidates for office.
- d. Members of the Elections Committee are not eligible for nomination to office.

2. Officer Elections

- a. Elections of officers shall be conducted by secret ballot in accordance with the Labor-Management Reporting and Disclosure Act (LMRDA), also known as the Landrum-Griffin Act.
- b. All members in good standing shall be notified of the election at least fifteen (15) days in advance.
- c. The results of the election shall be announced to the members as soon as feasible but, in any case, no later than one (1) week after the counting of the ballots.
- d. The Secretary shall maintain all election records for one (1) year.
- e. No member shall hold more than one (1) office at a time.

f. Union funds shall not be used by any candidate in his/her campaign for election to a Union office.

g. The Elections Committee shall provide a complete list of the Union membership, including the most current contact information available to the Union, to each candidate for office.

3. Election Protest Procedures

a. Any member in good standing may protest the general election of officers based upon an irregularity in the election procedure by submitting a letter that describes such irregularity to the Chair of the Elections Committee immediately upon the protestor becoming aware of the alleged irregularity.

b. The Elections Committee shall be responsible for reviewing any protest or alleged irregularity and shall determine the merits of such protest or allegation as well as any necessary action for resolution (e.g., another election). The determination of the Elections Committee on all protests or alleged irregularities shall be final.

4. Officer Recall Procedures

a. A recall election may be initiated by any member in good standing by a recall petition stating the reasons for the proposed action and signed by twenty-five percent (25%) of the members. The signers of the petition must be members in good standing.

b. A petition demanding a recall election shall be presented to the Executive Council through the Secretary, who shall verify that each signer is a member in good standing.

c. Whenever feasible, the members who served on the Elections Committee during the last general election shall be re-appointed for a recall election. Recall elections shall be completed no later than thirty (30) days after the authenticity of the petition has been certified.

d. An officer may be removed by a two-thirds (2/3) majority of those casting ballots.

e. When a vacancy occurs due to a recall election, the position shall be filled according to the procedures listed below under Succession of Officers.

5. Succession of Officers

a. In the event the President cannot complete his/her term, his/her vacant position shall be filled by the Vice President.

b. If any other office of the Executive Council becomes vacant, it shall be filled by appointment of the Executive Council until the next election is held by the General Membership.

6. NOTE [This note will not be included in copies of these By-Laws after January 1, 2014]: Because of the recent formation of SFCAFU, and for the purpose of conducting Union business during the Summer 2013 months (such as opening a bank account, establishing a postal address, etc.) and for the purpose of ensuring maximum participation in the first election of officers, the following special provisions shall apply:

- a. The Bargaining Committee may conduct internal elections and set such dates for steps in the procedure as they deem practicable and reasonable.
- b. Any Union members elected by this special procedure shall serve as interim officers of the Union until the first election of officers by the General Membership is held in the Fall, 2013 semester.

III. EXECUTIVE COUNCIL MEMBERS STIPENDS

Members of the Executive Council shall receive a five hundred dollar (\$500) stipend per year of service.

IV. RATIFICATION OF COLLECTIVE BARGAINING AGREEMENTS, STRIKE AUTHORIZATION VOTES, AND GENERAL MEMBERSHIP VOTES

1. Approval of any Collective Bargaining Agreement with St. Francis College shall be determined by a majority of the votes cast by the members of the Union. A copy of the proposed Collective Bargaining Agreement, a summary of the proposed Collective Bargaining Agreement, or a Memorandum of Agreement shall be distributed to all members in good standing no less than fifteen (15) days prior to the vote on its ratification. The vote shall follow at least one (1) meeting of the General Membership. The Elections Committee shall determine the specifics of the ratification vote.
2. A vote to give the Executive Council the authority to call a strike shall be determined by a majority of the votes cast by the members of the Union. The vote shall follow at least one (1) meeting of the General Membership. The Elections Committee shall determine the specifics of a strike authorization vote.
3. Delegates to the NYSUT Representative Assembly and other affiliates shall be elected by secret ballot in a manner consistent with the Constitution and By-Laws of the appropriate state and national organizations and with the Landrum-Griffin Act.
4. All other votes put before the General Membership shall follow at least one (1) meeting of the General Membership. The meeting agenda shall include the issues to be voted upon by the General Membership. The Elections Committee shall determine the date for the return of the ballots.

V. PROTECTION OF RIGHTS OF MEMBERS

1. Every member of the Union shall have equal rights and privileges to nominate candidates for office, to vote in elections or referenda open to the general membership, to attend General Membership meetings, and to participate in deliberations and discussions about the business of the Union open to the General Membership.
2. The Union shall not discriminate against any individual or group of individuals on the basis of sex, sexual orientation, creed, color, race, religion, disability, age, military status, marital status, prior arrest or conviction record, national origin, and/or political activities and beliefs.

VI. AMENDMENTS

1. Amendments to the SFCAFU Constitution and By-Laws may be proposed by a majority of the Executive Council or by petition of at least twenty percent (20%) of the membership.
2. A two-thirds majority vote of the General Membership is required for adoption of amendments to the SFCAFU Constitution as described in the SFCAFU By-Laws, Article IV.

3. A simple majority vote of the General Membership is required for adoption of amendments to the SFCAFU By-Laws as described in the SFCAFU By-Laws, Article IV.

VII. DISSOLUTION

In the event of the dissolution of the Union, the AFT Constitution shall be the governing document.

VIX. INITIAL ADOPTION

Initial adoption of the St. Francis College Adjunct Faculty Union Constitution and By-Laws shall be by a majority of the votes cast in a mail ballot election which shall conclude no later than ten (10) days following the distribution of the ballots.