

## AFT LOCAL 1839 CONSTITUTION

### **Preamble:**

We, the members of the New Jersey City University Professionals, American Federation of Teachers Local 1839, have joined together to ensure participation in decision making at NJCU and to promote the professional and economic satisfaction of the members and the advancement of education, by means of our cooperative action and affiliation with the AFT.

### **Article I. Name:**

This organization shall be known as the New Jersey City University Professionals, (DBA American Federation of Teachers – Local 1839).

### **Article II. Objectives:**

This Local, as a union of professionals, unites members in a federation for mutual assistance in order to:

1. Promote and protect an atmosphere and structure of academic freedom for members and students in the pursuit of education, scholarship and service.
2. Provide the best possible conditions for teaching, learning, research and service. These conditions include, but are not limited to, work loads, salaries, fringe benefits, and other relevant factors.
3. Promote and protect job security for all members of the bargaining unit.
4. Provide and protect against arbitrary actions and ensure due process.
5. Promote maximum participation in union & university communities by unit members.
6. Promote the excellence of New Jersey City University and its service to the urban mission.
7. Promote the interests of unit members, the teaching profession, and public higher education in general.
8. Embody these objectives in a workable statewide agreement between the State of NJ and the Council of NJ State College Locals, and through local agreements between New Jersey City University and Local 1839.
9. Eliminate inequality in education in all its forms.

10. Cooperate with organized labor and to promote policies and procedures consistent with the aims of organized labor.

**Article III. Membership:**

1. All members of the university faculty/professional staff bargaining unit and the adjunct bargaining unit as defined by PERC are eligible for membership if employed at New Jersey City University. Included are faculty, librarians, professional staff, and adjuncts at New Jersey City University and the A. Harry Moore School. Those designated as managerial personnel are excluded.
2. Retired members of the Local may elect to continue as members. They shall not pay dues or have voting privileges, but they may attend and speak at all meetings.
3. Persons who have worked with or shown great interest in or given aid to the Local may be made honorary members. These members shall not pay dues or have voting privileges, but they may attend and speak at all meetings.
4. Membership and its rights and privileges shall not be denied or abridged on account of sex, color, race, age, religion, ethnic origin, marital status, sexual preference, political belief or physical condition.
5. For the purposes of voting and holding office, members are in good standing if either of the following criteria is met:
  - a. Currently a full dues paying member (not agency member) and not 60 days in arrears. Dues paying membership requires signature of an *Authorization to Withhold Union Dues* card.
  - b. In January of the election year, on behalf of the Election Committee, the local will send out a notice to all members regarding elections for that academic year. This notice will inform adjunct faculty and part time members they must pay union dues for the spring semester in order to vote or hold office.

**Article IV. Officers:**

1. The officers of this organization shall be the President, five Vice-Presidents, Recording Secretary, Corresponding Secretary and Treasurer.
2. All officers, except four vice-presidents, shall be elected by the membership as determined by a majority of the votes cast in a secret ballot. The vice-presidents for full-time/part-time faculty, AHM, the professional staff/librarians, and adjuncts shall be elected by the members of their respective constituencies by a plurality of the votes cast in a secret ballot.

3. Terms of office shall be two years. Holders of a specific office cannot retain that office for more than three successive terms.
4. Elected officers will take office on the first day of June of the year in which they are elected and shall hold office through June 30th of the following year, unless removed from office for reasons stated in **(Article V, Section 6)**.
5. Elected officers are subject to recall by the membership on matters relevant to the performance of their duties. A petition signed by 20% of the members, specifying the particulars of performance, shall be required to initiate a recall election. The election will be conducted by a secret ballot open to the membership relevant to the office. A 2/3 vote of the relevant membership shall be required to remove an officer.

**Article V. Executive Committee:**

1. The Executive Committee shall superintend the administration of the policies of the local. It shall have the power to act for the membership within the limits of the constitution when necessary between membership meetings, except that it shall not have the power to set dues or assessments. It shall have other powers, duties, and responsibilities as may be set by the membership.
2. The Executive Committee of this Local shall be chaired by the President and consist of all elected officers, chairpersons or standing committees, and delegates to the CNJSCL.
3. The Executive Committee shall meet at least once every month during the academic year in order to administer the policies of the organization as set by the membership. The membership shall be given notice of the schedule of Executive meetings.
4. The Executive Committee meetings will be open to all members.
5. The Executive Committee shall set the time and place of each membership meeting, prepare the agenda, and cause the agenda to be published in advance of the meeting as provided in the constitution.
6. In a given term of office, any officer or Executive Committee member who is absent for three consecutive regularly scheduled Executive meetings without acceptable reason shall be subject to removal from office. Removal will be effected by a 2/3 vote of the membership after being placed on the meeting agenda by a vote of 2/3 of the Executive Committee.

**Article VI. Duties and Responsibilities of the Officers:**

**1. The President shall:**

- A. Preside at all membership meetings and meetings of the Executive Committee.
- B. Appoint members and designate Chairpersons Pro Tem to convene the first meeting of ad-hoc committees with the advice and consent of the Executive Committee if not otherwise provided for.
- C. Be a member ex-officio of all committees.
- D. Be the principal spokesperson for the Local and represent it when and where necessary.
- E. Sign necessary documents and contracts if duly authorized, thereby binding the Local.
- F. Formally report in writing to the membership once each academic year summarizing accomplishments of the Chapter and outlining plans for the next twelve months.
- G. Have the power to delegate the above duties except as otherwise provided.
- H. Be a delegate to the national convention of the American Federation of Teachers and the Council of New Jersey State College Locals.

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

- A. Serve as chief organizer for the entire bargaining unit.
- B. Supervise, direct and oversee the work of union representatives.
- C. Attend meetings and events representing the local upon the instructions of the president.
- D. Perform all the duties of the president in the absence or temporary disability of the president and the Executive Vice President shall serve as an interim president if the president dies, resigns, becomes permanently disabled, or ceases to be a member of the union”.
- F. Serve on the Local’s negotiating committee for the state-wide / master agreement or designate another member to serve in his/her place.
- G. Be a delegate to the national convention of the American Federation of Teachers and the Council of New Jersey State College Locals.

**3. The Vice-President for Professional Staff and Librarians shall:**

- A. Monitor report on, and work to address concerns of the Professional Staff and Librarians about the terms and conditions of employment and other related concerns.
- B. Working with the president, shall represent the Professional Staff and Librarians at meetings with university administrators.
- C. Communicate on a regular basis with the Professional Staff and Librarians concerning union matters.
- D. Work with the executive vice president and other union members to build and/or sustain faculty membership in Local 1839.

- E.** Serve on the negotiating committee for local negotiated matters, i.e., local negotiations, or designate another constituent member to serve in his/her place, when any Professional Staff and Librarians issue(s) are on the agenda.
- F.** Serve on the Local's negotiating committee for the state-wide/master agreement or designate another constituent member to serve in his/her place.
- G.** In consultation with the President, convene and chair meetings of the Professional Staff and Librarians as necessary.

**4. The Vice-President for A. Harry Moore School Members shall:**

- A.** Monitor report on, and work to address concerns of members at the A Harry Moore School about the terms and conditions of employment and other related concerns.
- B.** Working with the president, shall represent the members at the A Harry Moore School at meetings with university administrators.
- C.** Communicate on a regular basis with the members at the A Harry Moore School concerning union matters.
- D.** Work with the executive vice president and other union members to build and/or sustain faculty membership in Local 1839.
- E.** Serve on the negotiating committee for local negotiated matters, i.e., local negotiations, or designate another constituent member to serve in his/her place, when any A. Harry Moore member issue(s) are on the agenda.
- F.** Serve on the Local's negotiating committee for the state-wide/master agreement or designate another constituent member to serve in his/her place.
- G.** In consultation with the President, convene and chair meetings of the members at the A Harry Moore School as necessary.

**5. The Vice-President for Adjunct Faculty shall:**

- A.** Monitor report on, and work to address concerns of adjunct faculty about the terms and conditions of employment and other related concerns.
- B.** Working with the president, shall represent the adjunct faculty at meetings with university administrators.
- C.** Communicate on a regular basis with the adjunct faculty concerning union matters.
- D.** Work with the executive vice president and other union members to build and/or sustain faculty membership in Local 1839.
- E.** Serve on the negotiating committee for local negotiated matters, i.e., local negotiations, or designate another constituent member to serve in his/her place, when any adjunct faculty issue(s) are on the agenda.
- F.** Serve on the Local's negotiating committee for the state-wide/master agreement or designate another constituent member to serve in his/her place.
- G.** In consultation with the President, convene and chair meetings of the adjunct faculty as necessary.

**6. The 5<sup>th</sup> Vice President shall:**

- A. Monitor report on, and work to address concerns of the full-time and part-time faculty about the terms and conditions of employment and other related concerns.
- B. Working with the president, shall represent the full time and/or part time faculty at meetings with university administrators.
- C. Communicate on a regular basis with the full-time and part-time faculty concerning union matters.
- D. Work with the executive vice president and other union members to build and/or sustain faculty membership in Local 1839.
- E. Serve on the negotiating committee for local negotiated matters, i.e., local negotiations, or designate another constituent member to serve in his/her place, when any full-time and/or part-time faculty issue(s) are on the agenda.
- F. Serve on the Local's negotiating committee for the state-wide/master contract or designate another constituent member to serve in his/her place.
- G. In consultation with the President, convene and chair meetings of the full-time and/or part-time faculty as necessary.

**7. The Recording Secretary shall:**

- A. Make, keep, and distribute records of the activities of the Local and Executive, including but not limited to minutes of all Executive and membership meetings.
- B. Maintain a policy file of all action that is taken at membership meetings that determines policy of action for the Local.

**8. The Corresponding Secretary shall:**

- A. Provide and issue notice, including meeting notices.
- B. Carry on correspondence under the direction of the president.
- C. Perform the duties of the recording secretary in his/her absence.

**9. The Treasurer shall:**

- A. Conduct all financial operations of the Local, including the collection and deposit of dues, payment of all authorized bills, per capita assessments of affiliated organizations, and filing tax returns.
- B. Keep the membership roll and provide it to members of the Executive Committee and chairs of ad hoc committees when needed for official functions.
- C. Be chairperson of the Budget/Finance Committee and shall present a written budget to the members at the beginning of each academic year.

**D.** Keep financial records and have them available for examination or audit as required; and give a financial report at each membership meeting.

**10. The Chief Negotiator:**

**A.** Under the direction of the President and the Executive Committee.

**B.** Prepares demands for items to be negotiated with the University administration, selects negotiating teams, and conducts or supervises negotiations on these items.

**C.** Through workshops and informal discussions, trains members in the negotiating process.

**D.** Heads the local's delegation to the Council team negotiating with the State of New Jersey on the Agreements for the full/part time and adjunct faculty units.

**E.** Reports regularly to the Executive Committee and to the membership meetings on the status of negotiations.

**F.** Position is appointed by the Local President

**Article VII. Elections:**

1. The Elections Committee provided for in (**Article IX**) shall be entirely responsible for conducting the voting for officers, chairpersons of standing committees, elected delegates, and union reps. Elections will be conducted in accordance with the local Constitution, By-Laws, and federal election and campaign rules.
2. The Elections Committee shall seek and receive nominations in March of an election year.
3. Elections shall be by secret ballot of the members in good standing. The persons receiving the most votes for each office from the relevant membership shall be elected. In case alternates are to be elected, there shall be a single list of candidates for delegates and alternates combined. The persons receiving the largest number of votes will be the delegates and those receiving the next highest shall be alternates. All ties shall be decided by a run-off election.
4. Balloting shall be conducted by an independent professional organization, such as the *American Arbitration Association*.
5. The Election and Campaign Rules will be determined by the Elections Committee and presented to the membership for ratification by the February General Membership meeting.
6. The following are the positions that will be elected:

- A. President
  - B. Five Vice Presidents
  - C. Corresponding Secretary
  - D. Recording Secretary
  - E. Treasurer
  - F. Chairpersons of the Standing Committees
  - G. Delegates and Alternates to the AFT National Convention
  - H. Union Reps and Two Alternates
  - I. Delegates and Alternates to the CNJSCL
  - J. Delegates and One Alternate to the Hudson County Central Labor Council
7. Only members in good standing may vote. The Election Committee shall have the authority to decide cases of questioned voters or ballots.
  8. Any member in good standing may challenge a local union officer election by filing a protest in writing with the Election Committee within 10 days after election results are posted.
  9. Should vacancies occur in office between regular elections, they shall be filled by the candidate with the highest number of votes from those present at a General Membership meeting. Notice of such a vacancy and impending vote will be made to the entire membership at least 20 days prior to the election. The Executive Committee can fill an office on an acting basis, but the office must be filled on a permanent basis by the candidate with the highest number of votes from those present at the next General Membership meeting and within 75 days of the vacancy. Ties will require a run-off election.

**Article VIII. Membership Meetings:**

1. The primary method of expressing the will of the Local is a vote of members called together in a meeting, or another form of vote ordered by such a meeting. Major policies are to be established or altered in this way or as provided elsewhere.
2. There shall be regularly scheduled meetings. There may also be special meetings. Notice of any meetings is required. Meetings shall be held and conducted in accordance with the rules of this constitution and be open to all members.
3. Minutes of each regular or special meeting will be prepared by the recording secretary and distributed to the members of the Local at the next meeting for approval. Two copies will be placed in the files for a historical record.
4. An agenda for each regular meeting, and when possible for special meetings, will be published in the College Bulletin. Any member who wishes to have items placed on the published agenda by informing the president 10 days prior to the meeting.

5. If called for by any member, a quorum is needed for action during regular meetings. A quorum is considered to be 10 members of this Local, including at least three Executive members.

**Article IX. Committees:**

**1. Standing Committees:**

The chairperson of each standing committee shall be elected as described in (**Article VII**) and shall be a member of the Executive Committee. Members of the standing committees shall be appointed by the president with the advice and consent of the Executive Committee.

**2. Ad Hoc Committees including the Elections Committee:**

**A.** Ad hoc committees may be established by the President with the advice and consent of the Executive Committee or by direction of the membership.

**B.** Ad hoc committees shall be appointed to study, act and/or make recommendations on particular problems or areas of study. Their composition and charge shall be explicit and appropriate to the purpose. Each committee shall make a final report with progress reports as required.

**C.** The Election Committee shall have five members in good standing selected by the Membership by December of the year preceding an election from member volunteers solicited from the membership of the Local. Member of the Election Committee cannot run for office in the election they superintend.

**Article X. Affiliations:**

1. This Local shall maintain affiliation with the American Federation of Teachers, Council of NJ State College Locals, and the Hudson County Central Labor Council.
2. Delegates to these bodies shall be elected in accordance with (**Article VII**), with the number to be determined as prescribed by the affiliation. Unless otherwise determined, the number of alternates will be equal to 1/3 of the number of delegates. Elected alternates will become delegates if the number allotted increases during their term.
3. Dues required for affiliation with these bodies will be paid by the Local as assessed.

4. This Local is not automatically bound by positions taken by the affiliated organizations and may through action by the membership either endorse or oppose affiliated positions.

**Article XI. Finance:**

1. To finance operations of this Local, dues and assessments may be levied on the membership by the membership.
2. Items listed in the annual budget may be paid by the treasurer without further approval. Items not so listed must be authorized by the membership or the Executive Committee.

**Article XII. Negotiations and Contract Ratification:**

1. For negotiations concerning the full-time bargaining unit, the negotiating team of the Local will consist of the president, vice presidents, grievance chairperson, and delegates to the CNJSCL. If attendance at negotiations is limited to two representatives, the president and 2nd vice president will represent the Local unless otherwise determined by the membership or by the Executive Committee.
2. For negotiations concerning the adjunct bargaining unit, the negotiating team of the Local will consist of the president, the 4th vice president, the chairperson of the adjunct grievance committee, and the adjunct delegates to the CNJSCL. If attendance at negotiations is limited to two representatives, the president and the 4th vice president will represent the Local unless otherwise determined by the membership or by the Executive Committee.
3. Membership in the Local is **(not)** required to vote on contract ratification. All members of the **(union)** are eligible to vote and a majority of those voting is required to ratify.

**Article XIII. Dues:**

1. Establishments of dues shall be by vote of the membership after: **(a)** 2/3 of the Executive Committee approves the dues structure, or **(b)** a petition signed by at least 10% of the membership.
2. Upon either of the above the Executive Committee shall present to the membership at a regular or special meeting the financial condition of the Local and the reasons for the change in dues.
3. Change in dues structure must be presented to the membership in writing one week prior to the next regular meeting, at which a vote of 2/3 of those present will be required for acceptance of the dues change.

4. The president will instruct the treasurer to make all necessary arrangements with the University and the State.
5. Members on leave of absence must make all arrangements to pay dues in orders to remain members in good standing. It is not the responsibility of this Local to allow a member to remain in good standing if he/she does not pay dues on time.

**Article XIV. Rules or Order:**

*Roberts Rules of Order (current edition)* shall govern in all cases not governed by this constitution.

**Article XV. Amendment to the Constitution:**

1. Proposal for amendment of this constitution may be initiated by 2/3 of Executive members or by a petition signed by at least 10% of membership in good standing.
2. Members shall be notified ten days in advance of the proposed changes, and proposed changes shall be considered by the members at two consecutive monthly meetings. They shall be brought to a vote at the second meeting with a 2/3 majority of votes cast needed for approval.

**Article XVI. Ratification:**

1. If approved by the Constitutional Committee and the Executive Committee this proposed constitution shall be presented to the membership at two consecutive meetings and brought to a vote at the second meeting. Amendments to the proposed text may be presented and voted upon at their meeting.
2. A 2/3 vote of the members present shall be required for ratification.
3. The constitution shall become effective 48 hours after ratification. Copies of this constitution upon ratification shall be sent to all members of the Local and all affiliated organizations. Copies shall be sent to other organizations upon request. The secretary shall maintain copies for all new members and a copy shall be placed in the historical files.