

Constitution

United Academics of the University of Kansas, Local XXXX, AFT Kansas, AAUP, AFT, AFL-CIO.

ARTICLE I: NAME

This organization shall be known as United Academics of the University of Kansas, Local XXXX, AFT Kansas, AAUP, AFT, AFL-CIO.

ARTICLE II: OBJECTIVES

The purpose of this organization shall be to:

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

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

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

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

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

Section 6. promote the effectiveness and quality of the The University of Kansas.

Section 7. promote democracy, equality, and trade unionism in the society at large.

ARTICLE III: MEMBERSHIP

Section 1. All faculty and unclassified academic staff of University of Kansas who are not supervisors or managers are eligible for membership in this organization.

Section 2. No person shall be denied membership, nor shall this organization ever discriminate against individual members or applicants for membership on the basis of race, creed, color, sex, sexual orientation, gender identity or expression, disability, social, political, or economic status, national origin, age, or immigration status.

Section 3. Discipline of members

- a. A member, including officers and Executive Board members, 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.

- b. Upon the receipt of such charges, the Executive Board shall cause a preliminary investigation to be conducted in order 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.
- c. 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.
- d. 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 themselves from the vote.
- e. The decision of the Executive Board is final. However, should new facts, exculpatory evidence, or mitigating factors come to light, a disciplined member may, via written submission, present them to the President of the organization or their designee. The Executive Board may vote by simple majority to reconsider the discipline previously meted out to the member. After reconsideration, the Executive Board may vote to reverse or amend the discipline. Two-thirds (2/3) vote of the Executive Board shall be required to reverse or amend discipline.

Section 4. 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 5. Associate members:

- a. shall be subject to the approval of the Executive Board;
- b. shall not be entitled to vote, hold office, or serve on committees;
- c. shall be persons not eligible for full membership in any other AFT local affiliate.

Section 6. The Executive Board may 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 standards established pursuant to the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA or Landrum-Griffin).

Section 2. Officers shall be elected in May of even years. Terms of office shall be two years. The organization will elect the following officers:

- a. President
- b. Vice President
- c. Secretary
- d. Treasurer
- e. Grievance Officer
- f. Three (3) Members-At-Large

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 two months prior to the date of the election.

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

- a. The Elections Committee shall consist of five members in good standing appointed by the President with the approval of 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 will be replaced by a member nominated by the president and approved by the Executive Board.

Section 5. Sixty (60) 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, the necessary qualifications for nomination and election to such offices, and of the date of the election by first class U.S. Mail to the members' last known home address.

Section 6. The nomination of candidates for office shall be conducted as follows:

- a. To be nominated for all offices, a candidate must submit to the Elections Committee a petition containing the signatures of ten (10) members. Said petitions must be submitted no later than thirty (30) days prior to the election.
- b. Members nominated to run for office must affirmatively accept their nomination.
- c. The Election Committee shall determine whether the nominations were timely and if each nominee is eligible to run for office.

Section 7. 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.

Section 8. The rules for balloting and tallying of ballots shall be as follows:

- a. The Elections Committee shall conduct the election. The vote shall be by secret ballot. Write in votes shall not be allowed. In the event there is only one nominee for an office, an election for that office shall not be held and the nominee shall be declared elected by acclamation.
- b. The Elections Committee shall establish rules to govern the election which will include rules for replacement of lost or spoiled ballots.
- c. The Elections Committee shall ensure the secrecy of the ballot.
- d. The Elections Committee shall cause the ballots to be tallied as soon as possible following the date and time that balloting concludes but no later than twenty-four (24) hours following that date and time.

Section 9. The largest plurality of ballots cast shall determine the outcome of the election for president, vice president, secretary, treasurer, and grievance officer. The three (3) candidates for Member At-Large of the Executive Board who receive the highest number of votes shall be elected. In the event that there are three (3) or fewer candidates nominated for the office of Member At-Large of the Executive Board, the nominated candidates shall be declared elected by acclamation and no balloting shall be conducted for the office. Any remaining Member At-Large seats shall be declared vacant and may be filled on an interim basis in accordance with the provisions of section 13 of this Article.

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. The election results will be published and distributed to the membership within thirty (30) days of the count. All election materials, including the ballots, will be kept in a secure location for one (1) year.

Section 12. Successful candidates shall assume office within thirty (30) days of the conclusion of the election.

Section 13. 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 14. 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. be the presiding officer at all meetings of the membership and the Executive Board;
- b. be an ex-officio member of all standing committees except the Elections Committee;
- c. appoint, with the approval of the Executive Board, the chairs of all standing and special committees unless otherwise specified in this Constitution;
- d. be the principal executive officer of the organization;
- e. receive report and respond to correspondence of the organization;
- f. supervise all employees of the organization;
- g. 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. represent the organization before bodies of the employer, executive and legislative officials;
- i. represent the organization before the public, community organizations, and the news media;
- j. be, by office, a delegate to the Topeka Federation of Labor, AFL-CIO, and Kansas AFL-CIO;
- k. be, by office, a delegate to the convention of the American Federation of Teachers and meetings or conventions of its affiliated bodies;
- l. 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, illness, or death of the President;
- b. oversee the work of and receive regular reports from the Organizing Committee and other committees as determined by the Executive Board;
- c. co-sign financial instruments in the absence of the President or Treasurer;
- d. perform other duties as delegated by the President or assigned by the Executive Board.

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 and the Executive Board;
- 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 duties of the office as required by the LMRDA and guidelines developed by the AFT;
- g. receive record and deposit all dues monies and other income in the name of the organization;
- h. maintain accurate membership records;

- i. issue membership cards and notices of delinquency;
- j. perform other duties as delegated by the President or assigned by the Executive Board.

Section 4. The Treasurer shall:

- a. 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;
- b. maintain all financial records of the organization;
- c. arrange for an independent audit of the finances of the organization annually and make same available to the Executive Board and membership;
- d. 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;
- e. perform other duties as delegated by the President or assigned by the Executive Board;
- f. perform duties of the office as required by the Labor-Management Reporting and Disclosure Act, and the guidelines developed by the AFT.

Section 5. The Grievance Officer shall oversee the work of the Grievance Committee and perform other duties as delegated by the President or assigned by the Executive Board.

Section 6. At-large Members of the Executive Board shall:

- a. Each attend Executive Board meetings and perform such duties as requested by the Executive Board;
- b. Perform other duties as delegated by the President or assigned by the Executive Board.

Section 7. All officers listed in this Article shall serve as members of the Executive Board.

ARTICLE VI: EXECUTIVE BOARD

Section 1. The Executive Board shall meet at least six (6) times a year, or at the call of the President, or at the call of two (2) or more 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.

Section 2. The President shall set the date, time, and location of each Executive Board meeting and provide reasonable notice to the Members At-Large.

Section 3. The Executive Board shall be empowered to:

- a. initiate, oversee or revise the program of the organization, conduct all business of the organization that is within its authority, and establish policies and procedures for doing the same;

- b. establish financial policies and procedures, adopt the budget, submit all books annually to a certified public accountant for audit, and present a financial report annually to the membership;
- c. employ all professional, technical, clerical and support staff of the organization;
- d. establish the salary, benefits and expense guidelines of any general officer who is employed by the organization;
- e. make contracts and incur liabilities including the purchase of services, equipment and real property, borrow money, secure such obligations by mortgage or other instrument, and otherwise engage in financial transactions to the extent permitted by applicable law or statute;
- f. sue, complain and defend on behalf of the membership;
- g. approve the chairperson and membership of all standing and special committees of the organization, unless otherwise provided in this Constitution, and receive regular reports from such committees;
- h. be responsible for adherence to and enforcement of the Constitution of this organization
- i. issue regular reports, including an annual report, to the membership; and
- j. assume other duties as may be provided for by law or this Constitution.

Section 4. 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.

ARTICLE VII: COMMITTEES

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

- a. Elections;
- b. Grievance;
- c. Organizing.

Section 2. The Executive Board may establish special committees. Unless otherwise specified in this Constitution, the charge, role, and responsibilities of special committees shall be established via policies adopted by the Executive Board, which may be amended or revised from time-to-time.

Section 3. Unless specified elsewhere in this Constitution, the President, with the approval of the Executive Board, shall appoint all committee chairs and committee members.

Section 4. Each committee shall present its annual program of action to the Executive Board.

Section 5. The Elections Committee shall conduct and supervise all elections of the organization.

Section 6. The Grievance Committee shall be directed by the Grievance Officer and 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; and shall be responsible for the

processing of grievances and disputes beyond the immediate work location. The grievant may appeal these last decisions to the Executive Board. The Executive Board shall develop and adopt a policy that governs how it shall approach grievances not referred to arbitration, as well as other litigation and/or administrative appeals. The Grievance Committee shall follow this policy.

Section 7. The Organizing Committee shall assist the Executive Board in developing programs and activities that shall cause all eligible persons to join and participate in the organization. It shall also identify the professional and work-related educational and training needs of the membership and develop programs and activities that meet said needs, taking into consideration the resources of the organization's affiliates.

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. The Membership Meeting shall approve the annual budget; shall receive and approve committee reports, including the required annual financial report or audit; and shall shape the policies of the organization, for example, by developing and voting on resolutions.

Section 2. The Executive Board shall determine the time and place and give thirty (30) days notice of any general membership meeting. At least one membership meeting shall be held in each of the Fall and Spring semesters.

Section 3. Special meetings of the membership may be called by:

- a. The Executive Board, or
- b. the petition of ten percent (10%) of the members

The notice of the special meeting and the agenda shall be circulated to all members at least seven (7) days in advance of the meeting. Items not included on the agenda for the special meeting will not be addressed. All special meetings shall be adequately advertised and conducted according to the provisions of this Constitution.

ARTICLE IX: REVENUES

Section 1. The dues of this organization shall be calculated as a % of salary, plus the prevailing per capita amounts for the AFT, AAUP, AFT Kansas, and AFL-CIO local and state affiliates, and insurance premiums. Whenever the dues of a required affiliate increases, the dues of the local shall automatically and simultaneously increase by the same amount.

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 American Federation of Teachers, AFL-CIO. Whenever possible, this organization will send delegates to the AFT's convention. The delegates will be elected by procedures consistent with Article IV of this Constitution.
- b. The American Association of University Professors, AFT, AFL-CIO. Whenever possible, UAKU will send delegates to the AAUP's biennial meeting. The delegates will be elected by procedures consistent with Article IV of this Constitution.
- c. AFT Kansas of the American Federation of Teachers, AFL-CIO. Whenever possible, the union will send delegates to the state federation's convention. Delegates will be elected by procedures consistent with Article IV of this Constitution.
- d. The Kansas American Federation of Labor-Congress of Industrial Organizations.
- e. The Topeka Federation of Labor of the American Federation of Labor-Congress of Industrial Organizations.

ARTICLE XI: 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 XII: AMENDMENTS

The process of amendment of this Constitution may be initiated in any of the following two (2) ways:

- a. The Executive Board may vote to present amendments for consideration and adoption via referendum of the total membership of the organization.
- b. Twenty (20) percent or more of the total membership of the organization may submit, via petition, amendments for consideration and adoption via referendum of the membership.

Section 2. The Secretary shall circulate all amendments duly proposed in accordance with section 1 of this Article to the membership within fourteen (14) days of receipt. The membership shall be provided no less than thirty (30) days to review proposed amendments prior to the commencement of a referendum. An explanation of proposed amendments may be provided along with the text of the amendment.

Section 3. Proposed amendments shall be considered for adoption by the membership via referendum.

- a. No later than forty-five (45) days following receipt of duly proposed amendments by the Secretary, the Elections Committee shall oversee the transmission of ballots to the membership.
- b. The membership shall be provided no less than fifteen (15) days to vote via means designated by the Elections Committee.
- c. The Elections Committee will tally the results. Two-thirds (2/3) of the membership voting in the referendum shall be required for passage of the amendment.

ARTICLE XIII: AVAILABILITY OF CONSTITUTION

Section 1. A copy of this Constitution shall be submitted to the office of the Secretary Treasurer of the American Federation of Teachers. Whenever this constitution is amended, the amended copy shall be submitted to the same. The constitution may be submitted via electronic means.

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.