



**Constitution of the
Michigan State University
Union of Nontenure-Track Faculty
Local 1855 AFT**

**Adopted June 10, 2010
and amended February 4, 2015**

Constitution of the Michigan State University Union of Nontenure-Track Faculty Local 1855 AFT

ARTICLE I NAME

This organization shall be known as the MSU Union of Nontenure-Track Faculty Local 1855 and shall be affiliated with the American Federation of Teachers, AFT Michigan, AFL-CIO.

ARTICLE II OBJECTIVES

The purpose of this organization shall be:

Section 1. To represent the interests, protect the academic freedom, create an open and transparent environment and strengthen other rights of nontenure-track faculty of Michigan State University.

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

Section 3. To improve respect for the contributions of our members, and to encourage their professional development.

Section 4. To promote increased collegiality of nontenure-track faculty within and across academic units, and make these faculty full citizens in the governance structures of the University.

Section 5. To strengthen and promote public support for higher education.

Section 6. To promote policies enhancing the employment security of the members.

Section 7. To promote democracy and equality in the workplace.

ARTICLE III MEMBERSHIP

Section 1. All faculty and academic staff of Michigan State University whose position is included in the Union of Nontenure-Track Faculty bargaining unit 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, sex, sexual orientation, gender identity, gender expression, disability, social, political, or economic status.

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. 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,

The Executive Board shall establish dues for Associate members.

Section 5. 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 XII REVENUES

Section 1. The monthly dues of this organization shall be 1.6% of salary for that month for duties covered by the MSU/UNTF contract.

Members who do not perform duties covered by the MSU/UNTF contract may have their membership continue through summer semester without payment of dues.

Members who do not perform duties covered by the MSU/UNTF contract during spring or fall semester who wish to continue their membership shall pay dues of \$100 per semester.

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). To be eligible for office a person must be a member in good standing of this organization for at least six (6) months prior to the date of the election.

Section 2. Officers shall be elected. Terms of office shall be three years. Officers shall be elected in May 2016 and each May every three years thereafter.

The organization will elect the following officers:

- a. President
- b. Vice-President

- c. Secretary
 - d. Treasurer
 - e. Chair – Organizing Committee
 - f. Chair – Negotiating/Grievance Committee
 - g. Chair – Communications Committee
 - h. Chair – Solidarity/Political Action
 - i. Chair – Finance Committee
- These officers shall constitute the Executive Board

Section 3. The Elections Committee shall conduct all general and special elections and referenda of the organization.

- a. The Elections Committee shall consist of three to five (5) members in good standing nominated by the President and approved by the Executive Board in January of election years.
- 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.
- c. The Elections Committee shall set a May deadline for mail ballots to be received. This is referred to as the Election Day.

Section 4. Nominations

- a. At least three (3) months prior to the Election Day, the Elections Committee shall notify all members of the opening of nominations for officers, the offices to be filled, the deadline for nominations and the Election Day. This notice shall be sent by first class U.S. mail to the members' last known home address or by e-mail to members' university accounts. The notice shall contain a statement that the President, by virtue of her/his office, will also serve as a delegate to the convention of the American Federation of Teachers and meetings or conventions of its affiliated bodies.
- b. Nominations must be made in writing and received by the Elections Committee at least two (2) months prior to the Election Day.
- c. Members nominated to run for office must affirmatively accept their nomination in writing at least five (5) days after being notified by the Election Committee of their nomination.
- d. The Election Committee shall validate all nominations for eligibility and timeliness. E-mail shall meet the "in writing" requirement of this Article.

Section 5. No later than fifteen (15) days after the close of nominations the Election Committee shall notify all members of the Election Day and the validated candidates for offices who have accepted nomination. This notice shall be sent by first class U.S. mail or e-mail. When all candidates are unopposed, the

Election Committee is not required to send ballots and this notice shall serve as notice of the election results.

Section 6. The Elections Committee shall prepare and send ballots for contested races by first class U.S. mail to all members in good standing in such manner as to ensure the secrecy of the ballot, no later than one month following the close of nominations.

Ballots shall be mailed with a return envelope and a plain envelope enclosed. The return envelope shall have the member's name and address printed on the outside for purposes of validation of membership. The plain envelope shall be unidentifiable, used to contain the ballot, and shall be placed within the return envelope. The return envelope must be signed by the member. There shall be no proxy voting and no write-in candidates.

Section 7. The Local shall rent a post office box to receive the mail ballots. In order to be counted a ballot must be received by 9:00 am on Election Day. The ballots shall be tabulated by the Election Committee on the Election Day.

Section 8. 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 Election Day. The Elections Committee shall issue its written opinion regarding the objections no later than ten (10) days after receipt of such objections.

Section 9. The election results will be published and distributed to the membership within fifteen (15) days of the Election Day. This may be done by e-mail, newsletter or U.S. mail. All elections materials, including the ballots, will be kept in a secure location for one (1) year.

Section 10. Successful candidates shall assume office on the day that results are published.

Section 11. With the exception of the office of President or an office vacated by a recall election, the Executive Board will have the power to fill vacancies in its membership until the next general election of officers.

Section 12. Recalls

A petition signed by at least thirty percent (30%) 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 voting Executive Board approves a recall election, the Elections Committee shall supervise the recall election.

Section 13. E-mail shall meet the "in writing" requirement of this Article.

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. shall be an ex-officio member of all standing committees and special committees except the Elections Committee;
- c. shall appoint, with the approval of the Executive Board, the chairs of all standing and special committees except the Elections Committee;
- d. shall be the principal executive officer of the organization;
- e. shall with the assistance of the Secretary receive, report and respond to correspondence of the organization;
- f. shall supervise all employees of the organization;
- g. shall 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. shall represent the organization before bodies of the employer, and government agencies.
- i. shall represent the organization before the public, community organizations, and the news media;
- j. shall be, by office, a delegate to the Central Labor Council, and the state AFL-CIO body;
- k. shall be, by office, a delegate to the convention of the American Federation of Teachers and meetings or conventions of its affiliated bodies;
- l. shall make an annual report to the organization's membership; and
- m. shall be permitted 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. shall assist the Local Representatives in their duties;

- c. shall chair, assist and receive regular reports from the Organizing Committee;
- d. shall perform other duties as delegated by the President or assigned by the Executive Board; and
- e. shall co-sign 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, 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 other duties as delegated by the President, or assigned by the Executive Board;
- g. perform duties of the office as required by the Labor-Management Reporting and Disclosure Act; and
- h. the Executive Board may merge or separate the offices and duties of the Secretary and Treasurer.

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 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. beginning one year after the commencement of the first contract between the UNTF and MSU shall arrange for an independent audit of the finances of the organization annually and make same available to the Executive Board, and membership;
- g. 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;
- h. chair, assist the work of and receive reports from the Finance Committee;
- i. perform other duties as delegated by the President or assigned by the Executive Board;
- j. perform duties of the office as required by the Labor-Management Reporting and Disclosure Act, and the guidelines developed by the AFT; and
- k. the Executive Board may merge or separate the offices and duties of the Secretary and Treasurer.

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, 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 membership an annual budget by the 15th of the month prior to the beginning of the fiscal year, which shall be established by the Executive Board.

Section 3. The Executive Board shall select and employ all professional, technical, clerical and support staff of the organization.

Section 4. 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.

Section 5. 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 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 of the organization.

Section 8. The Executive Board shall issue regular reports, including an annual report, to the membership.

Section 9. Three consecutive absences from any regularly scheduled monthly Executive Board meeting, 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 11, the Executive Board shall have the authority to appoint a member to take the seat of an Executive Board member who was suspended or replaced under the terms of this Section.

ARTICLE VII COMMITTEES

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

- a. Communications;
- b. Elections;
- c. Finance;
- d. Negotiating/Grievance;
- e. Organizing;
- f. Solidarity/Political Action

Section 2. The Executive Board may establish special committees.

Section 3. The Communications Committee shall work with the officers to construct all web applications, newsletters, press and TV releases and other means of communicating with and for the membership.

Section 4. The Elections Committee shall conduct and supervise all elections of the organization as set forth in Article. IV. Section. 4 above.

Section 5. The Finance Committee shall assist the Executive Board in the preparation of the annual budget and shall identify and, with the approval of the Executive Board, pursue activities to generate revenues for the good and welfare of the organization.

Section 6. The Negotiations/Grievance Committee 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 members involved 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 Negotiating/Grievance 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 Solidarity/Political Action Committee shall work with the officers in working with the other unions at MSU, preparation of position papers for political action and carrying out liaison with other unions in the Greater Lansing/East Lansing area.

ARTICLE VIII

LOCAL REPRESENTATIVES

Section 1. Local Representatives shall be appointed by the Executive Board. It is the goal of this Local to have a Representative in each college/department/unit which employs a significant number of bargaining unit members.

Section 2. Local Representatives must be and remain members in good standing in order to serve.

Section 3. In the event there is more than one (1) eligible member interested in serving as the Local Representative for a particular college/department/unit, the Executive Board may call for an election and/or designate the assigned area for the Local Representatives.

Section 4. The President may call Council meetings of the Local Representatives. The President or her/his designee shall preside over any meetings of the Local Representatives.

ARTICLE IX

DUTIES OF LOCAL REPRESENTATIVES

Section 1. Local Representatives shall:

- a. be familiar with the MSU/UNTF contract
- b. identify themselves as a UNTF Local Representative to their co-workers
- c. attend all regular and special meetings of the Local Representatives Council and all meetings of the general membership
- d. as needed hold meetings of the membership in their college/department/unit, for the purpose of making reports, discussing workplace and organizational concerns, receiving instruction from the membership, and other activities as may be required;
- e. recruit eligible persons to membership;
- f. help process grievances and resolve disputes at their college/department/unit; and
- g. consult regularly with MSU's management personnel at their college/department/unit regarding matters of interest to the union membership.

ARTICLE X MEMBERSHIP MEETINGS

Section 1. The Executive Board shall determine the time and place and give fifteen (15) days' notice of any general membership meeting. Meetings shall be held at least once each spring semester and once each fall semester.

Section 2. Special meetings of the membership may be called by the petition of twenty-five percent (25%) of the members.

The petition for the special meeting shall include the agenda. Items not included on the agenda for the special meeting may not be addressed. Special meetings shall be advertised and conducted in the same manner as regular general membership meetings.

Section 3. At Membership Meetings the members shall vote on resolutions to guide the policies of the organization: receive and review the reports of the President, Executive Board and Committees; review and approve the budget submitted by the Executive Board, taking appropriate action as otherwise specified in the Constitution; and initiate and take other such actions as the body deems necessary.

Section 4. Quorum for action at a Membership Meeting shall be 5% of the total membership.

ARTICLE XI RATIFICATION OF UNION CONTRACTS

Section 1. A general membership meeting shall be called by the Executive Board for the express purpose of ratifying any collective bargaining agreement between the Union and Michigan State University. Members will be given fifteen (15) days' notice (by e-mail or US mail) unless the Executive Board determines that it is in the best interest of the membership to waive the 15 days. In no event will members be given less than 48 hours' notice.

Section 2. Ratification requires a majority of those members voting. A member may authorize another member to vote on her/his behalf by executing a proxy form developed by UNTF. Signed and dated proxies will be accepted before voting takes place.

ARTICLE XII REVENUES

Section 1. The monthly dues of this organization shall be 1.6% of salary for that month for duties covered by the MSU/UNTF contract.

ARTICLE XII AFFILIATIONS

This organization shall maintain affiliation with the following organizations:

- a. The American Federation of Teachers, AFL-CIO. Whenever possible, The Union of Nontenure-Track Faculty of Michigan State University will send delegates to the AFT's convention. The Executive Board shall decide whether to send delegates and recommend to the membership any expenses that will be paid by UNTF for attendance at the convention. If UNTF is sending delegates in addition to the President, the delegates will be elected by secret ballot at a membership meeting. All members will be given at least 15 days' notice by U.S. mail of the date, time and location of the meeting and the procedures for nominations. The membership will also approve any expenses that will be paid by UNTF for attendance at the convention.
- b. The Michigan state federation of the American Federation of Teachers, AFL-CIO. Whenever possible, the union will send delegates to the state federation's convention. The Executive Board shall decide whether to send delegates and recommend to the membership any expenses that will be paid by UNTF for attendance at the convention. If UNTF is sending delegates in addition to the President, the delegates will be elected by secret ballot at a membership meeting. All members will be given at least 15 days' notice by U.S. mail of the date, time and location of the meeting and the procedures for nominations. The membership will also approve any expenses that will be paid by UNTF for attendance at the convention.
- 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 XIII RULES OF ORDER

Robert's Rules of Order Newly Revised shall govern meetings of this organization and all of its subordinate bodies when specifically requested by a member present and in all matters not expressly covered by this Constitution.

ARTICLE XIV AMENDMENT

Section 1.

Twenty five percent (25%) of the membership, may present, by petition, a proposed amendment to this Constitution to the Secretary, who shall notify the Membership of the proposed amendment no later than thirty (30) days prior to the next meeting of the Membership.

Alternatively, a majority of the Executive Board may vote to present a proposed amendment to the Membership. A copy of the proposed amendment, along with an explanation of said amendment, shall be distributed in a reasonable time prior to Membership the meeting at which the amendment will be introduced and discussed.

Section 2. A quorum for any meeting at which constitutional amendments are to be considered and adopted shall consist of five (5) percent of the membership.

Section 3. The Membership shall vote on all amendments to the Constitution.

a. Following the meeting 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 Membership.

b. In the alternative, following the meeting at which the proposed amendment was introduced, a special Membership 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 X, Section 1.

c. The Elections Committee will tally the results. Two-thirds (2/3) of the members present shall be required for passage of the amendment.

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. The copy provided may be electronic.

This constitution was adopted by the membership on June 10, 2010; (and last amended on February 4, 2015).

UNTF Penny Gardner Signed: _____
(local name) (president)

(SEAL) Attest: _____
(secretary)