

# Constitution of Bucks County Community College Federation of Teachers, Local 2238

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## ARTICLE I Name and Affiliation

### Section 1. Name

The name of this organization shall be the Bucks County Community College Federation of Teachers, Local 2238.

### Section 2. Affiliations

The Federation shall maintain affiliation with and whenever possible send delegates to the following organizations:

- A. The American Federation of Teachers
- B. The American Federation of Teachers – Pennsylvania (AFTPA)
- C. The Pennsylvania State Labor Council of AFL-CIO
- D. The Bucks County AFL-CIO Central Labor Council

## ARTICLE II Objectives

The objectives of this Federation shall be:

- A. To promote and maintain excellence of education.
- B. To promote the welfare of all members of the bargaining unit.
- C. To guarantee the principles of academic freedom.
- D. To bring the faculty of the College and other interested persons and groups into association of mutual assistance and cooperation.
- E. To pursue these objectives by orderly, democratic processes.

## **ARTICLE III Membership and Voting Privileges**

### **Section 1. Qualification for membership**

All employees excluding Department Deans or immediate supervisors, first level supervisors, Management level employees and confidential employees as defined by the Public Employee Law, Act #195 of Pennsylvania, 1970, or any Act or Law which amends or supersedes it eligible for membership in this organization.

No discrimination shall be shown toward individual members or applicants for membership because of ethnic or national origin, race, gender, creed, sexual orientation, disability, age, marital status, religious beliefs, political activities or beliefs.

### **Section 2. Definition of Member in Good Standing**

#### **A. Faculty**

1. A full-time faculty Federation member in good standing shall be defined for the purpose of these Bylaws and Constitution as any member whose dues are current.
2. A part-time faculty Federation member in good standing shall be defined for the purposes of these Bylaws and Constitution defined as any member whose dues are current or were current during the preceding nine months.

### **Section 3. Voting Privileges**

Only members in good standing shall have the privilege of deliberating and voting on matters presented to the membership of the Federation.

- A. A full-time faculty Federation member has one vote. Non-members, including fair-share contributors, have no voting privileges.
- B. A part-time faculty Federation member has one vote. Non-members, including fair-share contributors, have no voting privileges.

### **Section 4. Eligibility for Office**

Only members in good standing as defined by the Constitution shall be eligible for nomination to run for any office within the Federation.

Candidates for the Executive Officers of the Federation must be members in good standing of the Federation for at least two semesters, one of which must have been in the academic year in which the member stands for office.

### **Section 5. Commitment to Payment of Dues**

In any given year, no membership dues payments may be terminated until the end of the Contract for that year.

## **ARTICLE IV Officers**

### **Section 1. The President**

- A. The President, who shall be elected by a majority of the vote of all members of the Federation in good standing, is chief executive officer of the Federation.
- B. The President shall preside over all meetings of the Federation.
- C. The President shall be chair of the Executive Committee and the Steering Committee and shall vote only to break a tie.
- D. The President shall be chair of the Negotiating Committee and shall vote only to break a tie.
- E. The President may at his/her discretion, sit on any other committee, sub-committee, or ad hoc committee as a non-voting member.
- F. The President, with the advice and consent of the Executive Committee and Steering Committee, shall appoint members in good standing to any and all committees to fill vacancies occurring during a term.
- G. The President, with the advice and consent of the Executive Committee and Steering Committee, may create and staff ad hoc committees as the need arises.

## **Section 2. The First Vice-President**

- A. The First Vice-President, who shall be elected by a majority of the vote of all members of the Federation in good standing, is second executive officer of the Federation.
- B. The First Vice-President shall succeed to the Presidency in the event of the President's inability to serve and shall represent the President whenever such representation is necessary.
- C. The First Vice-President shall preside over meetings of the Federation and of the Steering Committee in the President's absence.
- D. The First Vice-President shall fulfill whatever responsibilities the President delegates to her/him.
- E. In the event that no member of the executive committee is elected to Advisory Council, the First Vice-President will be appointed as the Federation's representative.
- F. The First Vice-President shall serve on the Negotiating Committee.
- G. The First Vice-President shall act as a facilitator for the governance system as a whole and shall write a monthly report of all governance activities for distribution.

## **Section 3. The Second Vice-President**

- A. The Second Vice-President, who shall be elected by a majority of the vote of all members of the Federation in good standing, is third executive officer of the Federation.
- B. The Second Vice-President shall preside over meetings of the Federation in the absence of the President and First Vice-President and shall succeed to the Presidency in the event of the inability of the President and First Vice-President to serve.
- C. The Second Vice-President shall administer the disposition and processing of all grievances.
- D. The Second Vice-President shall secure the advice and consent of the Executive Committee before progressing a grievance to arbitration.
- E. The Second Vice-President shall report to both the Executive Committee and the Steering Committee on the current status of grievances.
- F. The Second Vice-President shall serve on the Negotiating Committee.

## **Section 4. The Third Vice-President**

- A. The Third Vice-President, who shall be a part-time faculty member elected by a majority of the vote of all members of the Federation in good standing, is fourth executive officer of the Federation.
- B. The Third Vice-President shall report in conjunction with the Part-Time Representative At-Large to the Executive Committee and Steering Committee on issues pertaining to part-time faculty.
- C. The Third Vice-President shall serve on the Negotiating Committee.

### **Section 5. The Treasurer**

- A. The Treasurer, who shall be elected by a majority of the vote of all members of the Federation in good standing, is fifth executive officer of the Federation.
- B. The Treasurer shall present a financial report quarterly.
- C. The Treasurer shall prepare an annual budget covering the year from July 1<sup>st</sup> through June 30<sup>th</sup>, with the advice and consent of the Executive Committee and the Steering Committee, and shall present this budget for adoption at the first General Membership meeting of the Federation in the fall semester.
- D. The Treasurer shall receive, record, and deposit in the name of the Federation monies from all sources and shall pay all duly authorized bills, retaining vouchers or invoices for the same.
- E. The Treasurer shall present all financial records for the annual, independent audit and shall distribute the auditor's report once a year to the Executive Committee and make it available to members in good standing.
- F. The Treasurer shall keep the membership roll and shall issue receipts for dues upon request.
- G. The Treasurer shall keep members apprised of whatever financially beneficial programs are available to them under the auspices of the American Federation of Teachers.
- H. The Treasurer shall forward all per capita dues and current lists to the National Office of the American Federation of Teachers and to other affiliated organizations to keep the Federation in good standing at all times.

### **Section 6. The Recording Secretary**

- A. The Recording Secretary, who shall be elected by a majority of the vote of all members of the Federation in good standing, is sixth executive officer of the Federation.
- B. The Recording Secretary shall keep minutes and records of the Federation including Standing Committees.
- C. The Recording Secretary shall submit draft minutes from any committee s/he serves on to the Corresponding Secretary for distribution a week before the meeting at which a vote for approval will take place.
- D. After minutes are approved and any corrections made, the Recording Secretary shall archive and submit the final approved minutes within a week to the Corresponding Secretary for distribution.

### **Section 7. The Corresponding Secretary**

- A. The Corresponding Secretary, who shall be elected by a majority of the vote of all members of the Federation in good standing, is seventh executive officer of the Federation.

- B. The Corresponding Secretary shall prepare and distribute to each member of the Federation a monthly newsletter containing information of importance and interest to the membership.
- C. The Corresponding Secretary shall maintain a file of copies of all correspondence issued on behalf of the Federation.
- D. A week before the vote on approval, the Corresponding Secretary shall distribute draft minutes received from the Recording Secretary to the following:
  - 1. Steering Committee minutes to Steering Committee members
  - 2. Executive Committee minutes to Executive Committee members
  - 3. General Membership and Special Meeting minutes to members in good standing
- E. Within a week of the meeting at which the minutes are approved, the Corresponding Secretary shall distribute final approved minutes to the following:
  - 1. Steering Committee minutes to Steering Committee members
  - 2. Executive Committee minutes to Executive Committee members
  - 3. General Membership and Special Meeting minutes to members in good standing

### **Section 8. Part-Time Representative At-Large**

- A. The Part-Time Representative At-Large, who shall be a part-time faculty member elected by a majority of the vote of all members of the Federation in good standing, is the eighth executive officer of the Federation.
- B. The Part-Time Representative At-Large shall, in conjunction with the Third Vice-President, report to Executive Committee and Steering Committee on issues pertaining to part-time faculty.

## **ARTICLE V Department Representatives for Steering Committee**

### **Section 1. Election**

Department Representatives shall in April of each year be elected by a majority of members in good standing, present and voting in each department as follows: Departments of the Arts (2), Behavioral and Social Science (2), Business Studies (2), Kinesiology and Sports Studies (1), Professional Studies (1), Language and Literature (2), Science, Technology, Engineering and Math (STEM) (4), Learning Resources and Student Services (1). If the number of nominations exceeds the number of positions, then the department shall conduct an election by secret ballot. The candidates with the highest vote totals shall fill the slots until the positions are all filled.

### **Section 2. Responsibilities**

Department Representatives shall:

- A. Serve as members of the Steering Committee;
- B. Act as spokesperson for their academic area within the Steering Committee;
- C. Convey to their area, for discussion by their area, all questions under consideration by the Steering Committee;
- D. Function as a Membership Committee of One (1) for their area;
- E. Orient new faculty in their area regarding the objectives and the workings of the federation; and
- F. Be responsible for the distribution of any literature that is made available for their area.

## **ARTICLE VI General Membership Meetings**

### **Section 1. Time of General Membership Meetings**

The Federation shall meet each month during the fall and spring semesters to deliberate on the official business of the Federation.

### **Section 2. Order of Business**

General Membership meetings of the Federation shall conform to the order of business prescribed in the Bylaws, Article II, Section 1.

### **Section 3. Special Meetings**

Special meetings of the Federation may be called by:

- A. The President
- B. The Executive Committee
- C. The Steering Committee
- D. The Negotiating Committee
- E. The General Membership, through petition of at least one-third of all members.

Calls for such meetings must be given in writing to all members of the Federation at least two working days in advance of the meeting time and must include an itemization of business to be considered. No other business may properly come before such meetings.

### **Section 4. Quorum**

At least thirty members in good standing must be present in order to conduct business at any general membership or special meeting of the Federation. This section applies to all business except for the election of officers or ratification of contract, both of which must take place over a period of four consecutive evenings and three consecutive days as announced by the Steering Committee.

## **ARTICLE VII Parliamentary Authority**

### **Section 1. Official Rules**

The rules contained in Robert's Rules of Order, latest edition, shall govern in all cases in which they are applicable and in which they are not inconsistent with this Constitution and Bylaws.

### **Section 2. Parliamentarian**

A Parliamentarian may be appointed by the President to assist the presiding officer in making rulings at any and all meetings of the Federation.

## **ARTICLE VIII Amendments to the Constitution**

### **Section 1. Amending Procedures**

This Constitution may be amended by a two-thirds vote of all members of this Federation in good standing and voting conducted by secret ballot over a four-day period established by the Steering Committee, provided previous written notice of the proposed amendments and rationale shall have been distributed to all members in good standing at least one week prior to the voting. Only ballots marked according to ballot instructions and deposited at the polling places designated by the Steering Committee shall be judged valid and counted.

## **Section 2. Provision to Exclude**

The provisions set forth in this Constitution may not be altered or replaced, except by means established in Section 1, above.

## **ARTICLE IX Standing Committees**

### **Section 1. The Standing Committees**

The Standing Committees of the Federation shall be:

- A. Executive Committee
- B. Steering Committee
- C. Negotiating Committee
- D. Meet and Discuss Committee

### **Section 2. The Executive Committee**

#### **A. Composition**

The Executive Committee shall be composed of all Executive Officers of the Federation.

#### **B. Meetings**

The Executive Committee shall meet at the request of the President or at the request of the Second vice-president.

#### **C. Responsibilities**

The Executive Committee shall advise the President on urgent matters when meetings of the Steering Committee or of the General Membership are not feasible.

1. To advise the Second Vice-President on matters relating to grievances.
2. To authorize the payment of bills.
3. To join the Second Vice-President in deciding upon the moving of any and all grievances to Step 4 of the Grievance Procedure.
4. To administer all of the affairs of the Federation and execute policies of the Federation.
5. To work as a committee, consulting with each other before final decisions or commitments are made on the implementation of policy as to encourage full discussion and coordination on executive actions.
6. To supervise and review all public statements which represent the official position of the Federation.

7. To present a tentative contract to the membership for a vote of ratification.

### **Section 3. The Steering Committee**

#### **A. Composition**

The Steering Committee shall be composed of:

1. The elected officers of the Federation, as well as members of the Negotiating Committee
2. The Department Representatives
3. Five part-time At-Large Representatives elected by a majority of members in good standing.

#### **B. Meetings**

At least ten members in good standing must be present in order to conduct business at any Steering Committee meeting of the Federation. The Steering Committee shall meet every month during the fall and spring semesters at least two weeks before each General Membership meeting of the Federation. Special meetings may be called as needed by the President of the Federation; by the Executive Committee; by the Negotiating Committee, upon a majority vote of its members; or by the General Membership, through petition of at least ten percent of all members in good standing, at least two working days in advance of the proposed meeting.

#### **C. Responsibilities**

The Steering Committee shall have the following responsibilities:

1. Examine questions raised within the academic areas concerning policies, procedures, and decisions falling within the purview of the current contract and recommend appropriate action to the responsible party or parties.
2. Review the college-wide conduct of contractual policy.
3. Distribute agenda time among petitioners for such time and approve the agenda for each General Membership meeting of the Federation.
4. Advise the Federation of the need for changes in established policies and procedures and for the adoption of new policies and procedures.
5. Advise the President on appropriate action when time and/or circumstance prevent his seeking direction from the general membership.
6. Prepare the slate(s) of nominees for Federation offices and for the Negotiating Committee.
7. Hear and act upon grievance appeals, either sustaining or reversing the decision of the Second Vice-President and/or of the Executive Committee.

### **Section 4. Negotiating Committee**

#### **A. Composition**

The Negotiating Committee shall be composed of the President; the President Elect; the First Vice-President Elect; the Second Vice-President Elect; the Third Vice-President Elect; two members in good standing at least one of whom must be a part-time faculty member, elected by a



majority of the vote of all members of the Federation in good standing; and one alternate member, elected by a majority of the vote of all members of the Federation in good standing.

### **B. Meetings**

The Negotiating Committee shall meet when called by the President for the purpose of fulfilling the responsibilities outlined in C below.

### **C. Responsibilities**

1. Solicit priorities from General Membership
2. Prepare a list of priorities and an outline of the parameters of the Committee's bargaining position to be presented to the Federation for approval before formal negotiations begin.
3. Negotiate a tentative Contract with representatives of the Board of Trustees.
4. Keep the membership regularly apprised of the progress of negotiations to the extent allowable under the conditions agreed upon by the negotiating parties.
5. Present a tentative Contract in writing to the Executive Committee for approval.
6. Sit with the Executive Committee in deciding matters pertaining to grievances.

## **Section 5. Meet and Discuss Committee**

### **A. Composition**

The Meet and Discuss Committee shall be composed of members of the Executive Committee joined by all remaining members of the Negotiating Committee.

### **B. Meetings**

The Meet and Discuss Committee shall meet as necessary to fulfill the responsibilities as outlined in Act 195 and according to the terms of the current Federation Contract.

## **ARTICLE X Elections**

### **Section 1. Time of Elections and Term of Office**

Elections shall be held during the spring semester of every other year, as soon as possible after the awarding of individual contracts. Elections shall be for members of both the Executive Committee and the Negotiating Committee. The term of office shall be two years.

### **Section 2. Nominations**

Slates of nominees shall be prepared by the Steering Committee at least one month in advance of all elections. Nominations from the floor shall be honored providing that the nominators have received prior consent of the nominees.

### **Section 3. Balloting**

Elections shall be held over a period of four consecutive evenings and three consecutive days as announced by the Steering Committee. Only ballots marked according to ballot instructions and

deposited at the polling places designated by the Steering Committee shall be judged valid and counted.