

# UFF-SJR STATE CONSTITUTION AND BY-LAWS

## CONSTITUTION

### **Article I: Name**

This organization shall be known as United Faculty of Florida – Saint Johns River State College (hereafter UFF-SJR State), an affiliate of the Florida Education Association (FEA), the National Education Association (NEA), the American Federation of Teachers (AFT), and the American Federation of Labor-Congress of Industrial Organizations (AFL-CIO). For the purposes of this document and all other binding documents of UFF-SJR State, “faculty” means all members of the bargaining unit: professors, instructors, advisors, librarians, etc., unless the document explicitly uses exclusive language to partition parts of the bargaining unit.

### **Article II: Purposes**

Section 1. To bring together regular, full-time faculty of Saint Johns River State College (hereafter SJR State) into relations of mutual assistance and cooperation in order to obtain rights and privileges to which they are entitled.

Section 2. To represent said faculty in collective bargaining.

Section 3. To retain high-quality, dedicated faculty at SJR State.

Section 4. To achieve and safeguard due process and academic freedom.

Section 5. To promote academic excellence in Florida's institutions of higher education.

Section 6. To strengthen the well-being of the people of Florida through teaching and community service.

Section 7. To promote shared governance, honesty, and transparency between the faculty and administration of SJR State, in order to better serve the college's students.

Section 8. To promote democratization of Florida colleges and universities to better serve students and citizens.

## BYLAWS

### Bylaw I: Membership

Section 1. All regular, full time faculty employed by SJR State who meet the unit determination as established by the State of Florida Public Employee Relations Commission will be eligible for active membership.

A. Membership shall be continuous until the member ceases to be employed by SJR State, resigns from the UFF-SJR State, no longer meets the qualifications, or fails to pay membership dues. Membership may begin at any time during the year upon completion of a membership application and either payment of dues or payroll deduction of dues. Membership may be terminated with thirty (30) days written notice to UFF-SJR State and the SJR State Human Resources Department.

B. Membership will not be terminated while a member is involved in a process of dismissal or non-renewal of contract. Members are required to maintain membership throughout any related grievance, arbitration, and/or appeal process to receive union representation.

C. A member may be expelled for acts detrimental to UFF-SJR State upon presentation of written charges signed by at least sixty percent (60%) of the total membership and approved by at least seventy-five (75%) of the Council. The accused member shall have the right to appeal the decision to the membership at the following regular membership meeting and shall be reinstated with full rights if the majority of members present vote to reinstate. At every step of the procedure, the accused member's right to due process shall be protected meticulously.

Section 2. Active members who retire from SJR State may retain membership as Retired members. Members on sabbatical may retain active membership. The UFF Constitution and By-Laws, as well applicable Florida and Federal law, define and regulate the definitions and procedures of Reserve and Retired members.

Section 3. No discrimination shall ever be shown toward members or applicants for membership because of age, disability, gender, marital status, national origin, political belief, race, religion, or sexual orientation.

Section 4. Members shall also be members of the FEA, the NEA, the AFT, and the AFL-CIO.

Section 5. UFF-SJR State will be obliged to provide full benefits of membership to members only. UFF-SJR State shall not be required to extend benefits of membership or defend a member for actions which arose prior to membership.

Section 6. Members will be entitled to the privilege of the floor and the right to vote on all matters considered at general membership meetings as well as to attend and to be granted the floor at Council meetings.

Section 7. General meetings for the full membership shall be held at least once per semester (Fall and Spring). The meeting will rotate between the three (3) main campuses, when convenient: St. Augustine, Orange Park, and Palatka.

## **Bylaw II: The Council - Purpose and Composition**

Section 1. UFF-SJR State shall have a governing body called the Council. The Council shall administer the policy of UFF-SJR State. The Council shall have the power to act on behalf of the membership in situations requiring action which cannot be delayed until a meeting of the membership can be called. Any action by the Council must receive the affirmative vote of the majority of the Council to be effective.

Section 2. The Council shall consist of the elected officers: President, Vice President for Palatka Campus, Vice President for St. Augustine Campus, Vice President for Orange Park Campus, Secretary, Treasurer, United Faculty of Florida (UFF) Senators, and the FEA delegates. (UFF-SJR State has one UFF Senator for every 25 members and the President is automatically a Senator; UFF-State has one FEA Delegate for every 50 members.)

Section 3. The Council shall meet at least once each semester (Fall and Spring). Any member may attend the Council meetings but only Council members may vote. The President shall be the chairperson of the Council. The President shall set the meeting time and place at least one (1) week prior to each meeting. The Council shall report its activity at each general membership meeting.

Section 4. The Council may dismiss a Council member who does not attend three (3) consecutive official meetings of UFF-SJR State (Council and general membership) and who has been given due notice of the possibility of such dismissal. Any such dismissal shall be by majority vote of the Council. The President shall appoint a new Council member, with Council's approval, to serve the remainder of the term.

## **Bylaw III: Officers**

Section 1. Each officer must be an active UFF-SJR State member in good standing for at least six (6) months, except for in the initial election.

Section 2. The term of each office shall be two (2) years.

Section 3. If an elected officer is not able to complete the term in office, the officer (or designate) must tender a letter of resignation.

Section 4. In the event that an officer resigns for any reason or is no longer in good standing, the office shall be vacated. The President shall appoint a new Council member, with Council's approval, to serve the remainder of the term.

#### **Bylaw IV: Duties of Officers**

Section 1. The duties of the President shall be:

- A. To preside at all meetings of UFF-SJR State members and of the Council.
- B. To sign all necessary papers and documents.
- C. To represent UFF-SJR State when and where necessary.
- D. To nominate chairs and members of all committees, who must be approved with majority vote of the Council.
- E. To serve as a member of the UFF Council of Presidents and as a Senator in the UFF Senate.
- F. To make an annual report to the membership of UFF-SJR State.

Section 2. The duties of the Vice President of each campus shall be:

- A. To serve as a member of the Council.
- B. To be the representative of the concerns of the members from their particular campus, and to voice those concerns to the Council.
- C. To perform such other duties as are determined by the President or by the Council.

Section 3. The duties of the Secretary shall be:

- A. To serve as a member of the Council.
- B. To take over the responsibilities of the President if the President cannot fulfill those responsibilities.

- C. To issue all notices and to answer all correspondence at the direction of the President.
- D. To report outside correspondence to the President and Council.
- E. To record minutes of meetings of the Council and of the membership.
- F. To keep up-to-date records of the names, addresses, home phone numbers, and office phone numbers of all full-time faculty.
- G. To perform such other duties as are determined by the President or by the Council.

Section 4. The duties of the Treasurer shall be:

- A. To serve as a member of the Council.
- B. To receive, record, and deposit in the name of UFF-SJR STATE all monies from dues and all other sources.
- C. To keep the membership roll.
- D. To forward all per capita dues, and current membership lists to any affiliate organizations which so require.
- E. To prepare and present a proposed budget for the fiscal year from September 1 through August 31 for adoption by the membership prior to July 15 each year.
- F. To present a written budget report to the membership once a year.
- G. To keep adequate records, available at all times to the Council.
- H. To pay by check, signed by the Treasurer and either the President or the Secretary, all bills authorized by the adopted budget and to retain vouchers or invoices for same. Expenses not authorized by the budget must be presented to the Council.
- I. To perform such other duties as are determined by the President or by the Council.

Section 5. The duties of a Senator shall be:

- A. To serve as a member of the Council.
- B. To represent UFF-SJR State in the UFF Senate.

C. To perform such other duties as are determined by the President or by the Council.

Section 6. The duties of a FEA Representative shall be:

A. To serve as a member of the Council.

B. To represent UFF-SJR State in the FEA.

C. To perform such other duties as are determined by the President or by the Council.

## **Bylaw V: Elections**

Section 1. All Council elections will be conducted by secret ballot. Council elections will be held biannually during the month of March, with the exception of the initial elections. Council members will take office the following August 1. The initial officers will take office as soon as possible after the first elections.

Section 2. An Election Committee of at least two (2) people will run the election. With the exception of the first election, the Election Committee will be appointed by the President with the majority approval of the Council. The Election Committee for the first election will be appointed by the Organizing Committee. Members of the Election Committee cannot run for office during the election.

Section 3. The following procedures shall be used for any election of officials, though they may be modified for the initial election:

A. The Elections Committee shall be convened at least forty-five (45) days prior to any general membership vote.

B. A call for nominations for elected positions shall be made no less than thirty (30) calendar days prior to election. Nominations may be made electronically or in person. Nominations shall be due no less than fifteen (15) days prior to the election.

C. Every UFF-SJR State member in good standing according to Treasurer's membership roll is eligible to vote.

D. All candidates for office must electronically publish a campaign Statement outlining their values, objectives, and platform no later than eight (8) days before the election. The Elections Committee will electronically

distribute all campaign Statements seven (7) days before the election. All UFF-SJR State members should have access to this information.

E. All election will be guided by the principles of the Landrum-Griffin Act, but the Election Committee may deviate from said act if the requirements are onerous for a particular election. All completed ballots must be retained for three (3) years after an election. They may be inspected by any member.

F. Ballots shall be prepared and mailed to each member in good standing. The ballots shall specify a date by which ballots must be returned. Only ballots returned to the Election Committee on or before the specified date shall be counted. Balloting is not required for uncontested elections, in which only one (1) nomination is put forward for each position. In such cases, the nominee will be considered elected by acclamation.

G. The candidate receiving the most votes cast for each office shall be declared elected. In event of a tie, the newly elected members of Council will decide via majority vote. If no majority can be reached by the Council, the President-elect will decide who serves in the position.

H. If a position is not filled after an election, the President will appoint, with majority approval of the Council, the unfilled position.

Section 4. The names of the officers will be submitted to UFF within fifteen (15) days of their election/appointment.

Section 5. Newly elected and appointed officers should attend all meetings upon certification of the election to provide continuity. The President-elect, if not a current member of the Council, shall serve as an ex officio member on the Council without voting privileges. If the President-elect is a current Council member, he or she will retain voting privileges appropriate to the current office.

Section 6. In the event that a vacancy occurs in the Presidency, the Secretary shall immediately assume the Presidency for the remainder of the term.

## **Bylaw VI: Committees**

Section 1. The standing committees shall include: The Bargaining Committee, the Membership Committee, and the Grievance Committee. Ad hoc committees may

include but are not limited to: Constitution and Bylaws Committee and other committees as convened by the Council.

Section 2. The Bargaining Committee will discuss issues pertaining to negotiations and will represent the membership in the negotiation of contracts. Bargaining Committee members, including the Chief Negotiator, shall be appointed by the President, with majority approval of the Council, to serve for the duration of upcoming contract negotiations and for a longer period as the Bargaining Committee agree is necessary. To aid and guide the appointment process, the President shall consider volunteers and suggestions from UFF-SJR State members about the composition of the Bargaining Committee, but the President and Council are not bound by such member volunteers and suggestions. The President shall not serve on the Bargaining Committee.

Section 3. The Chief Negotiator shall serve as Bargaining Committee Chair with the authority to make decisions affecting the process and progress of negotiating. The Chief Negotiator need not be a member of UFF-SJR State, so long as the Chief Negotiator is an active member of a UFF chapter or an employee or agent of UFF.

Section 4. The Bargaining Committee shall consist of:

- A. At least five (5) members but no more than fifteen (15) members, including the Chief Negotiator.
- B. At least one (1) but no more than three (3) Council members.

Section 5. Any Bargaining Committee member, including the Chief Negotiator, may be removed by majority vote of the Council for failure to perform the duties of the committee membership, for malfeasance, not representing the interest of the bargaining unit, or for other good cause shown.

Section 6. The Membership Committee shall be responsible for recruiting new members, orienting new full-time faculty to UFF-SJR State, and implementing a plan for growth and sustainability.

Section 7. The Grievance Committee shall evaluate potential grievances and process those determined to have merit, in accordance with the Collective Bargaining Agreement and the policies of UFF. A Grievance Committee member may be responsible for representing members as requested. The Grievance Committee shall consist of no more than five (5) members.

## **Bylaw VII: Dues**

Section 1. The annual dues for Active members shall be a percentage of annual contracted salary as determined by the UFF Senate.

Section 2. The dues for Retired members shall be an amount determined by the UFF Senate.

### **Bylaw VIII: Rules of Order**

Robert's Rules of Order, Revised, shall govern the conduct of the Council and general membership meetings.

### **Bylaw IX: Quorum**

Section 1. A quorum for Council meetings will be a majority of its voting members. Council meetings require a quorum.

Section 2. Membership meetings do not require a quorum.

Section 3. A quorum for any other committee meeting will be a majority of its voting members and shall be required for an official meeting.

### **Bylaw X: Recall of Officers**

Section 1. A recall election may occur for any officer (elected or appointed) for failure to perform the duties of their office, for malfeasance, or for other good cause shown. The process for removal from office shall be as follows:

A. A Bill of Particulars stating the specific failure to perform, malfeasance in office, or other good cause must be drawn up and signed by forty percent (40%) of the UFF-SJR State members as a petition for removal.

B. The Bill shall then be presented to the Council which shall by majority vote determine if the Bill is sufficient for referral to the UFF-SJR State membership for a recall election.

C. A special meeting of the membership must be held within ten (10) work days after the Council's referral. At this meeting, the Bill will be presented by a petition signer, the officer subject to recall will have the right to present oral and written arguments in defense, and members may debate the issue. The officer subject to recall shall have the privilege of speaking last.

D. Within thirty (30) days of the special meeting, a secret ballot election shall be held in which all members may vote. If at least two-thirds of the members vote in favor of the recall, the officer shall be immediately

removed from office. If the two-thirds majority of members is not achieved, the officer shall be retained.

Section 2. The President shall, with majority approval of the Council appoint a new person to fulfil the duties of the recalled individual through the rest of the term.

### **Bylaw XI: Amendment**

Section 1. Any member may request that the Council propose an amendment to the Bylaws.

Section 2. If an amendment has been proposed, the Council will form an ad hoc Constitution and Bylaws committee to research and make a recommendation. The Council will then act on the proposed amendment.

Section 3. Following the recommendation by the Constitution and Bylaws Committee, the Council may propose amendments to these Bylaws by a majority vote. The Council must notify members at least seven (7) days prior to the general membership meeting. The proposed amendment must be ratified by an affirmative vote of at least sixty percent (60%) of the voting members. The ratification vote will be made by electronic ballot or at a general membership meeting.

### **Bylaw XII: Availability of Bylaws**

Copies of these Bylaws and all future amendments shall be submitted to UFF and any affiliated organization that so requests.

### **Bylaw XIII: Adoption of the Bylaws**

The provisions of these Bylaws will become effective immediately upon their approval by the membership in a founding meeting.