

CONSTITUTION AND BY-LAWS

PREAMBLE

We, the faculty and staff of Monsignor Donovan High School, have organized ourselves as a labor union to establish the terms and conditions relating to professional employment in the school, to fully utilize our combined strengths and abilities in the cause of the education of our students, to preserve the unique character of the school, do adopt and subscribe to this constitution, its by-laws and rules of order.

ARTICLE I NAME

This union shall be called GREATER MONSIGNOR DONOVAN COMMUNITY OF FEDERATED TEACHERS (GMDCFT), Local 6435, American Federation of Teachers.

ARTICLE II MEMBERSHIP

Section 1: Eligibility. All persons are eligible for membership who are employed as a full or part-time employees of Monsignor Donovan High school.

Section 2: How to join the union. All eligible persons who express their intent to join the union in writing to the secretary shall become members of the union upon payment of an initiation fee to the treasurer.

Section 3: Initiation Fee and Dues. The initiation fee and the dues shall be established by majority vote of the whole membership.

Section 4: Expulsion. A member may be expelled from the union for violation of any of the bylaws in this constitution. All members accused of violating these bylaws shall have an opportunity to present their arguments before a vote by the Executive Board to expel the member. A member has the right to appeal the expulsion vote to the full membership. A vote to expel must be two-thirds majority. The decision of the full membership is final.

Section 5: Resignation. A member may resign from the union by expressing their intent to resign in writing to the secretary. No resignation can happen until all dues have been paid.

Section 6: Honorary Members. Upon the signed recommendation of one member, seconded by another member, and by three-fourths vote by ballot at the annual meeting, Honorary Membership may be conferred upon a person who shall have rendered notable service to the union. An honorary member shall have none of the obligations of membership in the union, but shall be entitled to all the privileges except those of making motions, of voting and of holding office.

ARTICLE III EXECUTIVE BOARD

Section 1: Day-to-day business of the Union shall be conducted by the representatives. Representatives shall report any occurrences to the President and executive board in a timely manner.

Section 2: There shall be one (1) Representative from each of the bargaining units that belong to the Union and the Officers of the Union.

Section 3: Representatives from the various bargaining units shall be selected by a method acceptable to the members of each bargaining unit on the first Monday in December and they shall serve for a term of two (2) years or until their successors are selected.

Section 4: 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 5: The Executive Board shall determine the agenda for all Membership Meetings.

Section 6: The Executive Board shall employ all professional, technical, clerical and support staff of the organization.

Section 7: The Executive Board shall establish the salary, benefits, and expense guidelines of any general officer who is employed by the organization.

Section 8: 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. The Executive Board shall have the power to sue, complain and defend on behalf of the membership.

Section 9: The Executive Board shall approve the chairperson and membership of all standing and special committees of the organization, except the Nominating Committee, and receive regular reports from such committees.

Section 10: The Executive Board shall be responsible for adherence to and enforcement of the Constitution and By-Laws of the organization.

Section 11: The Executive Board shall issue regular reports, including an annual report, to the membership.

ARTICLE IV EXECUTIVE BOARD

Section 1: The Executive Board of the Union shall be:

- a. President
- b. Vice President
- c. Recording Secretary
- d. Corresponding Secretary
- e. Treasurer

Section 2: To be eligible for office a person must be a member in good standing of the union for six (6) months prior to nomination.

Section 3: Nomination Procedure, Time of Elections. At the regularly scheduled meeting in March, a Nominating Committee of five members shall be elected by the Union by majority vote. It shall be the duty of this committee to nominate candidates for President and Vice President at the annual meeting in May. The Nominating Committee shall report at the regular meeting in April, additional nominations from the floor shall be permitted.

- a. The Nominating Committee may nominate candidates from their committee.
- b. If a member of the Nominating Committee accepts their nomination, then that member must immediately be dismissed from the Nominating Committee.

Section 4: The Nominations Committee shall conduct an election for President. The vote shall be by secret ballot. The majority (50% plus one) of the ballots cast shall determine the outcome of the election.

Section 5: After the president is elected, the Nominations Committee shall conduct an election for Vice President. The Vice President must be from a different bargaining unit than the President-elect. The vote shall be by secret ballot. The majority (50% plus one) of the ballots cast shall determine the outcome of the election.

Section 6: In the absence of a majority, the Nominations Committee shall conduct additional elections, each election dropping from the list of nominees the one nominee who received the fewest votes in the previous election. This shall process shall be repeated until a nominee has a majority of the ballots cast.

Section 7: The President-elect must nominate candidates for each of the following offices: Recording Secretary, Corresponding Secretary, and Treasurer. Each nominee must be approved by the Executive Board by majority vote.

Section 8: Officers are to serve for a term from the beginning of the negotiation process through the end of the contract term, so that there will be no vacancy. An officer's term begins at the start of negotiations. The current officers will continue to be in office while negotiations are taking place as to have one enforcing the old contract and one building the new.

Section 9: Except for the office of President, vacancies in officer positions will be filled by persons who have been nominated by the President and confirmed by majority vote of the Executive Board.

ARTICLE V DUTIES OF EXECUTIVE BOARD

Section 1: The President shall:

- a. be the presiding officer at all meetings of the membership but shall have no vote, except in the case of a tie vote;
- b. shall be an ex-officio member of all standing committees except the Nominating Committee;
- c. shall appoint, with the advice and consent of the Executive Board, the Recording Secretary, the Corresponding Secretary, the Treasurer;
- d. shall appoint, with the advice and consent of the Executive Board, the delegates to conventions, chairs of all standing and special committees except the Elections Committee;
- e. shall be the principal executive officer of the organization;
- f. shall receive, report, and respond to correspondence of the organization;
- g. shall supervise all employees of the organization;
- h. 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;
- i. shall represent the organization before bodies of the employer, executive and legislative officials;
- j. shall represent the organization before the public, community organizations, and the news media;
- 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 able to delegate the responsibilities of the office except where otherwise specified by this Constitution.

Section 2: The Vice President shall:

- a. jointly assume the duties of the President in the event of the absence, illness, or death of the President;
- b. preside over the Executive Board but shall have no vote, except in the case of a tie vote;
- c. oversee the work of and receive regular reports from the Organizing and Leadership Development Committees;
- d. 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 Recording 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. shall record and keep accurate minutes of meetings of the membership and the Executive Board;
- d. oversee the work of, and receive and certify the reports of, the Elections Committee;
- e. perform other duties as delegated by the President, or assigned by the Executive Board and;
- f. perform duties of the office as required by the Labor-Management Reporting and Disclosure Act.

Section 4: The Corresponding Secretary shall:

- a. assist the President in handling the correspondence of the organization and;
- b. perform other duties as delegated by the President, or assigned by the Executive Board.

Section 5: 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 membership cards and 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. 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. oversee 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; and,
- j. perform duties of the office as required by the Labor-Management Reporting and Disclosure Act, and guidelines developed by the AFT.

Section 6: All representatives of the union shall serve as members of the Executive Board.

**ARTICLE VI
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.

Section 2: The Membership Meeting shall meet monthly at a predetermined time and place, or more or less often as approved by the majority vote of assembled members in the regularly constituted Membership Meeting.

Section 3: Quorum for the Membership Meeting shall be fifty percent (50%) of total membership of the organization.

Section 4: Special Meetings may be called by the President (or acting President) by a majority of the Executive Board or by petition to the Executive Board of fifteen percent (15%) of the members in good standing. All such meetings shall be adequately advertised and properly conducted according to the provisions of this Constitution.

**ARTICLE VII
RULES OF ORDER**

Section 1: The rules of Parliamentary practice contained in Robert's "Rules of Order" shall govern the proceedings of this local, provided that they do not conflict with the intent of the Constitution, the By-Laws, or Rules of Order adopted or to be adopted.

**ARTICLE VIII
RATIFICATION**

Section 1: This Constitution will be ratified through a secret ballot vote of the majority.