



Faculty Association

NYSUT-AFT Local #2842

MONROE COMMUNITY COLLEGE

Constitution & Bylaws

Revised: April 2021

Table of Contents

Constitution

ARTICLE I: NAME & AFFILIATION	2
ARTICLE II: OBJECTIVES	2
ARTICLE III: MEMBERSHIP	2
ARTICLE IV: DUES	3
ARTICLE V: OFFICERS	3
ARTICLE VI: EXECUTIVE COMMITTEE	3
ARTICLE VII: FACULTY COUNCIL	4
ARTICLE VIII: ELECTIONS	4
ARTICLE IX: MEETINGS	4
ARTICLE X: RATIFICATION OF AGREEMENTS	4
ARTICLE XI: PARLIAMENTARY AUTHORITY	5
ARTICLE XI: AMENDMENTS TO THE CONSTITUTION	5

Bylaws

ARTICLE I: DUTIES OF OFFICERS	6
ARTICLE II: FACULTY COUNCIL	7
ARTICLE III: COMMITTEES	8
ARTICLE IV: ELECTION PROCEDURES	9
ARTICLE V: LABOR/MANAGEMENT	9
ARTICLE VI: CONTRACT ADMINISTRATORS	10
ARTICLE VII: NEGOTIATING TEAM	10
ARTICLE VIII: RETIREE CHAPTER	10
ARTICLE IX: AMENDMENTS TO THE BYLAWS	11

CONSTITUTION

ARTICLE I: NAME & AFFILIATION

- A. The name of the organization will be the Faculty Association of Monroe Community College.
- B. The Faculty Association of Monroe Community College is affiliated with and therefore subject to the constitutions of the New York State United Teachers (NYSUT) and its national affiliates, the American Federation of Teachers (AFT), and the National Education Association (NEA).

ARTICLE II: OBJECTIVES

The purpose of this organization will be:

- A. To represent the interests of Association members and work to promote and improve their rights, privileges, and working conditions;
- B. To negotiate written agreements with the College, and administer those agreements, on behalf of the bargaining unit;
- C. To further the development of Monroe Community College as an institution of higher learning, serving students and the community;
- D. To promote legislation favorable to education and to the educational profession;
- E. To promote the participation of its members in the operational decisions affecting their employment;
- F. To promote the welfare and well-being of its members;
- G. To promote the aims and objectives of the New York State United Teachers and its national affiliates;
- H. To promote the equity, unity and strength of its members.

ARTICLE III - MEMBERSHIP

- A. Membership will mean unified membership in the Faculty Association of Monroe Community College, the New York State United Teachers, and its affiliates.
- B. "Active" membership is open to all who qualify as members of the bargaining unit, as recognized in Article III of the contract. Active members are those employees who have completed a membership enrollment form and whose dues are current and paid in full. Active members shall be afforded one vote in all voting matters. A person must be a dues paying member of the FA for 30 days before becoming eligible to vote in local union elections and for a period of 90 days to run for office or serve as a member of the negotiating team. Ratification and bylaw votes can be made once a membership enrollment form has been signed.
- C. "Non-Active" members are those members who are on temporary leave, or not employed for a semester, and therefore not paying dues. Non-active members shall not be eligible to vote during the period of non-activity. Non-active members will return to active membership status upon their return to employment and the resumption of dues payments.
- D. "Retiree" membership is available to all active members who retire. Retired members shall be eligible to participate in committees, run for elected office, and vote in elections

and by-laws votes. Retiree members shall be prohibited from voting on contract ratification.

- E. A non-member is a person employed in a bargaining unit position who has not joined the union or who has taken action to withdraw from the union. Non-members have no right or privileges to participate in any union business, nor do they have the right of union representation for the purposes of grievances or disciplinary matters. Further, non-members will not be eligible to receive any NYSUT services as defined by NYSUT policies pertaining to non-membership of April 16, 2018 and September 14, 2018.
- F. Resignation of union membership must be accomplished in writing to the Faculty Association during the annual opt-out period of August 1-August 31. Resignation forms are available from the Faculty Association office.
- G. The Faculty Association will not discriminate against any individual on the basis of race, national or ethnic origin, religion, age, sex, gender identity, sexual orientation, familial status, pregnancy, military status, disability, political beliefs, or employment status.

ARTICLE IV – DUES

- A. Membership dues will be paid by payroll deduction or by direct payment to the Faculty Association in a single payment no later than two weeks after membership approval of the annual budget. Dues for employment for less than an entire academic year will be prorated.
- B. Dues shall be established by the Faculty Council, following a recommendation from the Secretary/Treasurer and the Executive Committee. The annual budget and dues must be approved by the membership via a majority of those voting during a regular or special membership meeting.

ARTICLE V – OFFICERS

The officers of the Faculty Association shall be the President, the Vice President for Professional Staff Faculty, the Vice President for Teaching Faculty, the Secretary/Treasurer and the Grievance Officer.

ARTICLE VI - EXECUTIVE COMMITTEE

- A. The Executive Committee shall carry out the day-to-day business and management of the Faculty Association office, implement Faculty Association policies, and set the agendas for Faculty Council and general membership meetings. The Executive Committee will make recommendations to the Faculty Council regarding grievances, arbitrations, and the annual budget and dues structure.
- B. The Executive Committee will consist of the five officers (President, Vice President for Professional Staff Faculty, Vice President for Teaching Faculty, Secretary/Treasurer, and Grievance Officer) and an additional member selected from Faculty Council and appointed by the President.

ARTICLE VII - FACULTY COUNCIL

- A. The Faculty Council is the governing body of the Faculty Association. Faculty Council will make decisions regarding grievances and arbitrations, set FA policies, and make recommendations to the full membership regarding negotiations and the annual budget and dues structure.
- B. The Faculty Council will consist of five officers (President, Vice President for Professional Staff Faculty, Vice President for Teaching Faculty, Secretary/Treasurer, and Grievance Officer), four standing committee chairpersons (legislative, membership, communication, and adjunct), and nine directors (two teaching, two professional staff, two extension site, one health & safety, one equity & inclusion, and one part-time/adjunct). Effort will be made to find director candidates from the constituency of the above groups.
- C. Faculty Council meetings will occur at least once a month during September through May. The meeting schedule will be shared with the general membership and meetings will be open to any member in good standing.

ARTICLE VIII - ELECTIONS

- A. Officers and members of Faculty Council will be elected for two-year terms. Terms commence July 1 and end June 30 of the following academic year.
- B. Delegates to the NYSUT Representative Assembly and other affiliates shall be elected in a manner consistent with the Constitution and By-laws of the appropriate state and national organizations and with the Landrum-Griffin Act.
- C. Elections shall be conducted by secret ballot and will take place by June 1.
- D. No union funds or employer funds shall be utilized in any local election unless such funds are expended in a way consistent with the standards applicable to a union election which is subject to and governed by Title IV of the Labor-Management Reporting and Disclosure Act (LMDRA – Landrum-Griffin Act).

ARTICLE IX - MEETINGS

- A. Regular Meetings: At least one regular meeting of the Faculty Association membership will be called each semester. An agenda will be distributed at least one week in advance.
- B. Special Meetings: Special meetings may be called by the President, a majority vote of the Executive Committee or the Faculty Council, or a petition of 20% of the members.
- C. Quorum: A quorum will consist of those in attendance after due notification.

ARTICLE X - RATIFICATION OF AGREEMENTS

- A. Negotiated proposed changes to the previous contractual agreement presented in plain language describing salary, fringe benefits, and working conditions will be distributed to members of the Faculty Association in conjunction with the announcement of a special meeting called for the exclusive purpose of discussing the agreement. At least one working day will intervene between the day of the announcement and the day of the meeting.

- B. At least one working day will intervene between the day of the last meeting and the (first) day of voting.
- C. The ratification vote will be by secret ballot conducted for a minimum of six (6) hours on a working day, times to be announced in advance. Absentee ballots may be obtained at the FA office.
- D. The agreement will be ratified if a majority of those voting are in favor of said ratification.
- E. The Faculty Council may authorize implementation of portions of the distributed supplemental agreement before the end of the 30-day period, or before the ratification vote is requested. Implementation of such portions will be rescinded retroactively if a ratification vote fails.
- F. Any written agreement (MOA) supplementing, clarifying or modifying the primary negotiated agreement must be distributed to the membership in final and complete form. A ratification vote for an MOA may be initiated in one of two ways: the Faculty Council may decide to hold a ratification vote, or by written request of 10% of the Association's membership at the time of the distribution of the supplemental agreement (submitted within 10 days of the distribution). If requested, a vote will be scheduled within 30 days of the distribution.
- G. Any written agreement (MOA) supplementing, clarifying, or modifying the primary negotiated agreement must indicate when it expires. No agreement outside the contract will expire later than the implementation date of the next contract. In order to continue in force after the implementation of the next contract, such supplemental agreements must become a part of the negotiated contract as printed and ratified.

ARTICLE XI - PARLIAMENTARY AUTHORITY

Robert's Rules of Order, Newly Revised, will govern all the Faculty Association meetings and its committees in all cases where applicable and not inconsistent with the Constitution and Bylaws.

ARTICLE XII - AMENDMENTS TO THE CONSTITUTION

- A. A proposed amendment to the constitution may be submitted in writing to the Faculty Council by any active member in good standing at a regularly scheduled Faculty Council meeting.
- B. The amendment(s) shall be discussed at the next regularly scheduled Faculty Council meeting and voted upon at that meeting. If two-thirds (2/3) of the votes cast are in favor of the amendment(s), it shall be submitted to a vote of the general membership.
- C. Proposed amendments to the constitution will be published in their entirety to all members of the Faculty Association at least two weeks prior to the vote. A general membership informational meeting to discuss the amendment(s) shall occur prior to the vote.
- D. Voting will be by secret ballot conducted for a minimum of six (6) hours on a working day, times to be announced in advance. Absentee ballots may be obtained at the Faculty Association office.
- E. The Constitution will be amended accordingly, if approved by a 2/3 majority of those voting.

BY-LAWS

ARTICLE I – DUTIES OF OFFICERS

- A. The President shall:
- 1) be the chief administrative officer and public representative of the Faculty Association;
 - 2) preside at Executive Committee and Faculty Council meetings and all general membership meetings of the Faculty Association;
 - 3) serve as liaison with affiliates and other organizations;
 - 4) serve as Chief Negotiator and Contract Administrator;
 - 5) serve as a member of the Labor/Management committee
 - 6) execute the policies established by the Faculty Council
 - 7) sign all negotiated agreements;
 - 8) act as chief delegate to all conventions related to union business;
 - 9) be one of the responsible financial officers of the organization and be authorized to co-sign financial documents and make regular and usual disbursements of funds;
 - 10) supervise employees of the Faculty Association;
 - 11) meet with and advise members regarding contract related concerns;
 - 12) perform other duties customary to the position or as assigned by the Executive Committee
- B. The Vice President for Professional Staff Faculty shall:
- 1) assume the duties of the President in the absence or disability of the President;
 - 2) assist the President in the performance of duties of that office;
 - 3) coordinate the work of special FA committees;
 - 4) serve as a member of the Executive Committee, Faculty Council and the Labor/Management Committee;
 - 5) serve as a liaison to the Faculty Senate and/or other College committees which may require a Faculty Association response or action;
 - 6) will advise the Executive Committee and Faculty Council regarding positions or actions to be taken regarding intra-college matters;
 - 7) be one of the responsible financial officers of the organization and be authorized to co-sign financial documents and make regular and usual disbursements of funds;
 - 8) meet with and advise members regarding contract related concerns;
 - 9) perform other duties customary to the position or as assigned by the Executive Committee
- C. The Vice President for Teaching Faculty shall:
- 1) assume the duties of the President in the absence or disability of the President and the Vice President for Professional Staff Faculty;
 - 2) assist the President in the performance of duties of that office;
 - 3) coordinate the work of special FA committees;
 - 4) serve as a member of the Executive Committee, Faculty Council and the Labor/Management Committee;
 - 5) serve as a liaison to the Faculty Senate and/or other College committees which may require a Faculty Association response or action;
 - 6) will advise the Executive Committee and Faculty Council regarding positions or actions to be taken regarding intra-college matters;

- 7) be one of the responsible financial officers of the organization and be authorized to co-sign financial documents and make regular and usual disbursements of funds;
 - 8) meet with and advise members regarding contract related concerns;
 - 9) perform other duties customary to the position or as assigned by the Executive Committee.
- D. The Secretary/Treasurer shall:
- 1) record, in collaboration with the Faculty Association staff, minutes of all general membership, Executive Committee, Faculty Council and Labor/Management meetings;
 - 2) work with Faculty Association staff to ensure the maintenance of a current membership list;
 - 3) supervise all monies;
 - 4) be one of the responsible financial officers of the organization and be authorized to co-sign financial documents and make regular and usual disbursements of funds;
 - 5) keep records of all receipts and disbursements;
 - 6) prepare an annual budget for approval of membership;
 - 7) supervise the timely and appropriate submission and payment of all taxes;
 - 8) prepare budget updates as requested by Faculty Council;
 - 9) serve as a member of the Executive Committee, Faculty Council and the Labor/Management Committee;
 - 10) perform other duties customary to the position or as assigned by the Executive Committee.
- E. The Grievance Officer shall:
- 1) be available to advise faculty concerning contractual rights and grievances;
 - 2) prepare, process, and present grievances through all formal and informal stages of the grievance procedure;
 - 3) advise the Executive Committee and Faculty Council of all matters related to grievances and arbitrations;
 - 4) work closely with the NYSUT Labor Relations Specialist in preparation of arbitrations and Improper Practice filings;
 - 5) be one of the responsible financial officers of the organization and be authorized to co-sign financial documents and make regular and usual disbursements of funds;
 - 6) serve as a member of the Executive Committee, Faculty Council and the Labor/Management Committee;
 - 7) perform other duties customary to the position or as assigned by the Executive Committee.

ARTICLE II –FACULTY COUNCIL

A. Duties of Faculty Council

The Faculty Council will:

- 1) carry on the general business and formulate the policy of the Faculty Association;
- 2) approve the budget and dues structure for submission to the members;
- 3) appoint the Negotiating Team, with the approval of the membership;
- 4) authorize decisions to proceed to arbitration;
- 5) provide for communication with the general membership through the Faculty Association Newsletter (FAN), website, and email;

- 6) appoint ad hoc committees;
- 7) receive all reports and review all policy recommendations of committees.
- 8) take action on recommendations brought by the membership;
- 9) hold regular meetings which are publicized and open to all Faculty Association members;
- 10) during negotiations, report on negotiations to general membership;
- 11) perform additional duties customary to the body.

B. Duties of Faculty Council Members

- 1) All Faculty Council members shall regularly attend Faculty Council and general membership meetings, serve as a representative of and a resource for information about the Faculty Association, and inform constituents of actions taken by the Faculty Council.
- 2) The four standing committee chairpersons (Legislative, Membership, Communication, and Adjunct) shall convene and lead committee meetings (at least one per semester) and inform Faculty Council of any actions or relevant business.
- 3) The nine directors (two teaching, two professional staff, two extension site, one health & safety, one equity & inclusion, and one part-time/adjunct) shall serve as representatives to their constituencies and as liaisons to appropriately related College committees and groups.

ARTICLE III – COMMITTEES

- A. Each standing committee will consist of a minimum of three (3) members, including the chairperson and at least two (2) others appointed by the chairperson.
- B. The Faculty Association Standing Committees will:
 - 1) report regularly to the Faculty Council;
 - 2) present recommendations on routine matters to the Faculty Council for action;
 - 3) present recommendations on Faculty Association policies and contract proposals to the Faculty Council for its consideration and to the membership for its approval.
- C. The Legislative committee will be chaired by the Legislative Chair, elected to Faculty Council. The committee will consider legislative and political matters relating to education and the teaching profession, keep Faculty Association members informed of critical issues and cooperate with action groups of affiliates, and make NYSUT endorsements for the Monroe County Legislature candidates. These endorsements are made on behalf of all NYSUT members in the county. The Chair will advise the Faculty Council regarding actions related to legislative and political matters and shall lobby with NYSUT to inform elected officials about MCC.
- D. The Membership committee will be chaired by the Membership Chair, elected to Faculty Council. The committee will consider all matters relative to encouraging membership and participation in the Faculty Association.
- E. The Communication committee will be chaired by the Communication Chair, elected to Faculty Council. The committee will consider all matters relative to communicating with the membership and with the public about Faculty Association matters. The committee will work with the Executive Committee and the Faculty Association staff to regularly update the FA website and social media accounts and publish the Faculty Association Newsletter (FAN).
- F. The Adjunct committee will be chaired by the Adjunct Chair, elected to Faculty Council.

The committee will consider all matters affecting adjunct faculty constituents and will make recommendations to the Faculty Council accordingly.

- G. The Scholarship Committee will be chaired by an active Faculty Association member, appointed by the President. The Scholarship committee will manage all business related to the FA Follow Your Dream Scholarship.
- H. The Mediation Committee will be chaired by an active Faculty Association member, and certified mediator, appointed by the President. The committee will include certified mediators who have received training sponsored by the FA. The committee will preside over the FA Mediation program and will provide mediation services and training to FA members and members of the College community.
- I. Other special committees may be appointed by a majority vote of the Faculty Council as needed.

ARTICLE IV – ELECTION PROCEDURES

- A. Nominations:
 - 1) Each active member shall be given reasonable opportunity to nominate candidates for office and to run for office (upon membership for at least 90 days).
 - 2) Notice of the offices to be filled, right to make nominations, and the time, place and proper form for submission of nominations will be published in the Faculty Association Newsletter (FAN), or announced in a letter from the President.
 - 3) Nomination procedures shall be determined by the Faculty Council and shall be in compliance with the Landrum-Griffin Act.
- B. Officer and Faculty Council terms shall be staggered, so that half the positions are up for election each year.
- C. Written notice announcing the time and place of elections shall be sent to all members, at least fifteen (15) days prior to the election.
- D. Elections will be conducted by secret ballot, for a minimum period of 6 hours on a working day. Absentee ballots may be obtained from the Faculty Association Office at least one week prior to voting and returned no later than 2:00p.m. on the last day of voting.
- D. Officer and members of the Faculty Council will be elected by a majority vote. If no majority is achieved between three or more candidates, a run-off election will be held between the two candidates receiving the highest number of votes.
- E. In the case of a vacancy, the president may appoint, with advice of the Faculty Council, a member to fill the vacant position until the next regular election.
- F. The results of the election shall be published in FAN and/or announced in a letter from the President or Faculty Council.
- G. All election records, including ballots, shall be preserved in the Faculty Association office for a period of time equal to the term of office or the election cycle. Further, if the election is contested, the records shall be preserved for a period of one year after a final determination is made in the contested election.

ARTICLE V - LABOR/ MANAGEMENT

- A. Members of the Labor/Management Committee will be the President, Vice-President for Professional Staff Faculty, Vice President for Teaching Faculty, Secretary/Treasurer, and Grievance Officer. A sixth member will be appointed annually by a majority vote of the Faculty Council.

- B. The Labor/Management team will:
 - 1) discuss matters of mutual concern to the Faculty Association and the management of the College;
 - 2) inform Faculty Council of deliberations and potential agreements proposed and made by the Labor/Management committee;
 - 3) maintain an archive of signed minutes.

ARTICLE VI- CONTRACT ADMINISTRATORS

- A. The contract administrators will be the President and one (1) other officer, annually appointed by the president with the advice of the Faculty Council.
- B. Contract administrators will regularly meet with the College contract administrator for the purpose of administering all negotiated agreements, will regularly report to the Executive Committee and Faculty Council, and will assist the negotiating team with the coordinating and preparation of initial contract packages and proposals.

ARTICLE VII - NEGOTIATING TEAM

- A. Any active member in good standing can apply to serve as a member of the Negotiating team, after having been a member for at least ninety (90) days.
- B. The Negotiating Team will be appointed by a majority vote of the Faculty Council with the approval (simple majority) of the membership.
- C. When possible, there will be at least four members, in addition to the President. Effort shall be made to select members representing full-time teaching faculty, full-time professional staff, and part-time/adjunct faculty.
- D. The Negotiating Team will:
 - 1) conduct negotiations for the Faculty Association under the direction of the Faculty Council and with the majority approval of the membership;
 - 2) report regularly and fully to the Faculty Council;
 - 3) consult on a regular basis with all constituencies in the bargaining unit;
 - 4) present the final contract proposal in the Faculty Council for approval and for submission to the membership;
 - 5) follow all guidelines on negotiations as approved by the membership.

ARTICLE VIII- RETIREE CHAPTER

- A. A retiree chapter will be established for the purpose of:
 - 1) maintaining the ties of professional unity between in-service members and retirees;
 - 2) representing and promoting the interests of retiree members;
 - 3) providing a forum for exchanging information of interest and benefit to retired members and for expression of their views.
- B. The retiree chapter shall establish a constitution that delineates membership, officers, committees and their responsibilities.
- C. The Chair, or designee, shall serve as a non-voting member of Faculty Council.

ARTICLE IX – AMENDMENTS TO THE BYLAWS

- A. A proposed amendment to the bylaws may be submitted in writing to the Faculty Council by any member in good standing at a regularly scheduled Faculty Council meeting.
- B. The amendment(s) shall be discussed at the next regularly scheduled Faculty Council meeting and voted upon at that meeting. If a majority of the votes cast are in favor of the amendment(s), it shall be submitted to a vote of the general membership.
- C. Proposed amendments to the bylaws will be published in their entirety to all members of the Faculty Association at least two weeks prior to the vote.
- D. Voting will be by secret ballot conducted for a minimum of six (6) hours on a working day, times to be announced in advance. Absentee ballots may be obtained at the Faculty Association office. Voting on by-law amendments may occur via an online survey.
- E. The bylaws will be amended accordingly, if approved by a majority of those voting.