

CONSTITUTION
The Union of Part Time Faculty of Wayne State University (UPTF)

Article I
Name

The Union shall be known as the Union of Part Time Faculty (UPTF),-AFT-Michigan/AFT, Local 477, American Federation of Labor - Council of Industrial Organizations (AFL-CIO) hereafter referred to as “the Union.”

Article II
Purposes

Section 1. To represent the interests and protect the academic freedom and other rights of non-tenure track part time faculty on all of Wayne State University campuses and branches.

Section 2. To increase the economic, professional, social and political power of non-tenure part time faculty at Wayne State University, through collective bargaining and political action, and thus to improve the quality of education at Wayne State University.

Section 3. To improve the respect for the profession of teaching, promote education as the primary goal of the University and to encourage professional development and education of the members.

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

Section 5: To strengthen public and government support for universal access to high quality public education at all levels, from primary school to graduate studies, in the state of Michigan and beyond.

Section 7. To help build a dynamic and democratic national labor movement, animated by the principle that an injury to one is an injury to all, and in that spirit, to promote local, national and international labor solidarity.

Section 8. To promote democracy and justice in the society at large.

Article III
Membership

Section 1. All persons in the bargaining unit agreed upon with the employer shall be eligible for membership in the Union.

a. Retired members and members no longer employed in the bargaining unit shall be eligible to continue their membership, as associate members at a dues rate of \$5.00 each for the fall and winter semesters.

b No person shall be denied membership on the basis of age, sex, race, color, national origin, ethnicity, veteran status, height, weight, marital or family status, pregnancy, religious or political belief, religious or political affiliation, disability, including HIV status, sexual orientation, gender identity or expression, or social status.

Section 2. A member in good standing is one whose current dues are paid.

Section 3. Only members in good standing on layoff or employed in the bargaining unit during

the academic year in which the contract is negotiated shall have the right to vote on their collective bargaining contract. Only members in good standing employed during a given semester shall have the right to vote on a job action. All members in good standing shall have the right to vote on all other matters.

Article IV Organizational Structure

The structure of the Union shall consist of:

- a. Members who give the Union its strength by volunteering their time in Union-building activities, by participating in Union meetings and rallies, and by voting in Union elections,
- b. Stewards who represent the members of their unit in the Union Council, promote member participation in, and understanding of, Union activities and priorities, and recruit new members,
- c. A Union Council and Standing Committees which coordinate activities across the main campus of Wayne State University and all other branch campuses,
- d. At least two, Membership Meetings (fall and winter) at which members vote on the Union's annual plan and budget, constitutional amendments, and resolutions.

Article V Union Council

Section 1. The Union Council shall serve as the executive of the Union as a whole, responsible for implementing the will of the members, as set out in the Annual Plan, the Annual Budget and the Resolutions approved by the members at the Membership Meetings. The Union Council shall:

- a. Coordinate the organizing efforts and other activities of the Union;
- b. Prepare an Annual Plan and an Annual Budget for the Union, and submit these to the Annual Membership Convention for approval;
- c. Oversee and execute the administrative needs of the Union;
- d. Promote the development of an informed and active membership; and,
- e. Fulfill all other roles, functions, and duties assigned to it by this constitution.

Section 2. The Union Council shall consist of at least nine (9) voting members, (or more if there are special committee chairs). The voting members shall be the officers of the Union: President, Vice-President, Treasurer, and Secretary of the Union. The Chairs of the Union's Standing Committees, and of any active Special Committees created by the Union Council, will serve as ex-officio members of the Union Council with votes.

Section 3. The Union Council shall meet monthly from September through May for the purpose of initiating, overseeing, or revising the Union's organizing program and to conduct other Union business within its authority. The Union Council may also meet more frequently, or during the months of June through August, at the call of the President or of at least two other Union Council members.

Section 4. The Union Council shall employ all professional, technical, clerical, and support staff of the Union, and establish the salary, benefits, and expense guidelines of any individual employed by the Union.

Section 5. Consistent with the approved budget, the Union Council 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 6. The Union Council shall be responsible for adherence to and enforcement of the Constitution and any Bylaws of the Union.

Section 7. Between Membership Meetings, the Union Council, either directly or through its committees, the Union Council shall report important developments and decisions to the members in order to ensure that the Union's members, stewards and other activists are fully informed on all important matters, and have ample opportunity to make their views on the important issues facing the Union known to Union Council members before critical decisions are made.

Section 8. The Union Council may establish special committees as the need arises to meet the short-term, specific needs of the Union.

Section 9: The Union Council may choose to combine the positions of Secretary and Treasurer, with notice to the membership at the time of nominations of officers.

Section 9. No more than three unexcused absences from Union Council Meetings are allowed. If a member is absent three times without advance notice, then the Secretary will send a letter to the member indicating that the Union Council accepts their resignation from the office they hold. The action will be reported in the minutes of the Union Council meeting before the letter is sent.

Article VI Standing Committees

Section 1. The Standing Committees of the Union are permanent committees that perform essential and ongoing Union functions, including a) Elections, b) Bargaining, c) Political Action, d) Finance, e) Grievance, f) Communications.

Section 3. Elections Committee. Should a member of the Elections Committee seek elected office, they shall resign from the Elections Committee and be replaced promptly.

Section 4. Committee Leadership:

a. The Treasurer shall serve as the Chair of the Finance Committee.

b. The Chairs of all other Ad Hoc or Standing Committees shall be elected by the members of their committees or absent an election, appointed by the Union Council..

Section 5. Duties of the Standing Committees:

a. The Elections Committee shall conduct and supervise all elections and referenda. It shall also determine which members at the Annual Membership Convention are in good standing, and therefore, eligible to vote in the elections. No officers shall serve on the Election Committee.

b. The Bargaining Committee shall oversee the development of a bargaining platform and engage in collective bargaining, keeping the membership fully informed of developments as they unfold, and conducting such research, surveys, hearings, and other activities as promote the realization of these objectives.

c. The Policy and Political Action Education Committee shall monitor government actions relevant to the purposes of the Union as stated in Article II, and educate the members regarding these developments. It shall propose appropriate responses and oversee cooperation between the Union and other organizations committed to these goals. It shall secure voluntary contributions to support the Union's political work, and may recommend endorsement of candidates for local,

d. The Finance Committee shall develop and maintain internal controls to safeguard the Union's assets, guidelines for the reporting of expenses, and policies and procedures for the preparation of an annual budget. The Finance Committee shall assist the Union Council in the preparation of the Annual Budget. It shall oversee the dispersal of funds in accordance with the approved budget, and maintain financial records as required by law. It shall identify and, with the approval of the Union Council, pursue activities to generate revenues. In general, the Finance Committee shall assist and advise the Treasurer in all the duties assigned to that officer.

e. The Grievance Committee shall work with the Stewards in the resolution of contractual and non-contractual disputes in the workplace, maintain records of grievances and their disposition, be responsible for responding to and resolving grievances and disputes beyond the immediate work location, and make recommendations to the Union Council regarding disputes to be taken to arbitration or civil remedy.

f. The Communications Committee shall develop procedures and plans for effectively communicating the Union's goals, values, activities and achievements both to the Union membership and the wider public. It shall assist and coordinate the Union's mass communication and publicity campaigns. Specifically, the Communications Committee shall design, produce and distribute a regular printed communication to the Union and other printed or electronic material as necessary. Such materials may include but are not limited to a print newsletter, email newsletter, website, flyers and posters. It shall also present the views of the Union on both a regular and special basis to the print and electronic media, to other labor and community organizations, and to the general public.

g. Stewards Council shall meet periodically and shall select one or more members to represent it on the Union Council

Article VII Stewards

Section 1. Stewards shall serve as representatives of the members in their units, and as organizers for the Union.

Section 2. Stewards shall be chosen by the members of the unit(s) that they serve, or appointed by the Union Council, absent an election.

a. A steward shall be a member in good standing.

b. In any unit that has fewer than ten (10) members, the unit may be merged with another unit, preferably one with similar characteristics.

c. No unit shall be without representation by a Steward. If necessary, the Union Council may designate a steward from one unit as the representative for members in another unit or units that otherwise would not have a steward.

d. A unit is defined as a department, school, or classroom buildings on extension campuses.

Section 3. In respect to their duties, Stewards shall

a. Organize and recruit members in their units and beyond;

b. Make reports to the membership as necessary;

c. Meet regularly with the members in their units to discuss workplace and organizational issues, and to receive instruction from their membership;

d. Initiate grievances and resolve disputes at the worksite or other appropriate location;

e. Consult regularly with the employer's management personnel at the worksite regarding matters of interest to the Union membership.

- f..Report on activities to the Grievance Committee Chair person.
- g. Participate in the Steward's Council.

Article VIII Membership Meetings

Section 1. Membership Meetings shall be convened in the Fall and Winter in order to make reports to the

membership and to discuss and vote on amendments to the constitution, resolutions, and the annual plan and budget. In addition, the Membership Meetings may include seminars and workshops on professional development, Union organizing, or other areas of concern to the Union and its members.

Section 2. The Membership shall be open to all members of the Union in good standing. Proxy balloting shall be allowed at the convention under procedures established by the Election Committee.

Section 3. The Union Council shall determine the time, place and agenda of the Membership Meetings, and give at least thirty (30) days notice to the members.

Section 4. The Elections Committee shall be responsible for overseeing the votes that take place at the Membership Meetings. .

Section 5. Resolutions shall be put before Membership Meetings in the same manner as proposed on issues of importance A resolution may suggest, but not dictate, policy. No resolution shall be viewed as in any way altering the provisions of this constitution. A majority of the votes cast at Membership Meetings including proxy votes, shall be required for approval of a resolution.

Article IX Budget Process

Section 1. The Union Council shall submit an Annual Budget for the Union, including a proposed dues policy, to the membership at the Winter Membership Meeting for discussion, possible amendment and approval.

Section 2. The fiscal year shall begin July 1 of each year, and end on June 30 of the subsequent year.

Section 3. Revenue for the union will include membership dues, that are set as a part of the budget process. Membership dues shall be 1.85% of member salaries., which includes the percapita amounts for the AFT, State Federation, local and state affiliates of the AFL/CIO as well as insurance premiums for each member.. Whenever the dues of a required affiliate increases the dues for the UPTF shall automatically and simultaneously increase by the same amount.

a. Revenue shall also include agency fees for nonmembers, which are set at ___% of the member dues rate, and are administered in accordance with state and federal law, and Article VIII, Section 1, (a) – (d) of the AFT bylaws.

b.Revenue may also include special assessments for specific purposes passed by the Union Council.

Section 4. The Union Council shall publish its proposed budget to all members at least fourteen (14) days prior to the Winter Membership Meeting. The proposed budget along with a draft report of the previous years financial activities as well as information on any changes shall be included. Publication may take place in the Union's newsletter or other mailing to the membership,

through an email message to the membership, and/ or on a members-only section of the Union's website.

Section 5. A majority of the votes cast at the Winter Membership Meeting, including proxy votes, shall be required for approval of the budget.

Article X Election of Officers

Section 1. Every two years, in the even numbered years, the President, Vice-President, Secretary, and Treasurer of the Union shall be elected by a majority vote of those voting. All Union members in good standing shall be eligible to vote. These elections shall take place at least forty (40) days, and not more than sixty (60) days, before the end of the Fall Semester. Members wishing to run for these offices shall have been members of the union for at least six months, and shall present to the Elections Committee a petition supporting their candidacy, signed by at least twenty (20) members in good standing, no later than thirty (30) days in advance of the election date.

Section 2. No person may be elected to same office for more than three (3) consecutive full terms.

Section 3. The Elections Committee shall plan and oversee all regular and special elections for Union Council officers in accordance with the provisions of this Constitution and By-laws. It shall notify all members of the date and process for the election of these officers at least sixty (60) days in advance of these elections, and notify the members of the nominees for the offices, with biographical information at least 15 days before the election date.

Section 5. The Elections Committee shall investigate and report on any complaint lodged by a member with the Elections Committee concerning the propriety of Union Council elections.

Section 6. Successful candidates shall assume office on the first day of the Winter Semester

Section 7. Vacancies for the positions of Vice-President, Secretary, and Treasurer shall be filled by a majority vote of the Union Council, except in the case of a recall, which will be filled with a special election..

Section 8. A petition signed by thirty percent (30%) of the members in good standing stating specific grounds shall be sufficient to require the Elections Committee to conduct a re-call election of any officer specified in the petition

Article XI Duties of Officers

Section 1. All officers shall contribute to the organizing effort of the Union.

Section 2. The President shall:

- a. Be the presiding officer at the Fall and Winter Membership Meetings, any Special Membership Meetings, and meetings of the Union Council,
- b. Be an ex-officio member of all standing committees except the Elections Committee,
- c. Appoint, with the approval of the Union Council, the chairs of all special committees,
- d. Oversee the ongoing administration of the Union,
- e. Be one of the responsible financial officers of the Union and be authorized to co-sign financial instruments and make regular and usual disbursements of funds,
- f. Serve as the primary spokesperson for the Union,
- g. Make an annual report to the membership of the Union at the Annual Convention,

h. Be able to delegate the responsibilities of the office except where otherwise specified by the constitution.

Section 3. The Vice-President shall:

- a. Assume the duties of the President in the event of the absence, illness, or death of the President,
- b. Attend the Steward Council's meeting when necessary and perform other duties as delegated by the President or assigned by the Union Council,
- d. Co-sign financial instruments in the absence of the President or Treasurer.

Section 4. The Secretary shall:

- a. Maintain the non-financial files and records of the Union,
- b. Chair the Social Committee,
- c. Record and keep accurate minutes of meetings of the Membership Meetings and the Union Council meetings.
- d. Assist the President in handling the correspondence of the Union,
- e. Receive and certify the reports of the Elections Committee,
- f. Perform other duties as delegated by the President, or assigned by the Union Council,

Section 5. The Treasurer shall chair the finance committee, with the assistance of the finance committee, shall:

- a. Receive, record, and deposit all dues monies and other income in the name of the Union,
- b. Chair the Finance Committee, which shall assist and advise the Treasurer in all duties,
- c. Maintain accurate membership records,
- d. Issue membership cards and notices of delinquency,
- h. Be one of the responsible financial officers of the Union and be authorized to co-sign financial instruments and make regular and usual disbursements of funds,
- f. Maintain all financial records of the Union,
- g. Recommend an auditor to the Union Council who will conduct for an annual independent audit of the finances of the Union and make it available to the Union Council and the membership,
- h. Prepare and submit, at minimum, a quarterly financial report to the Union Council,
- i. Make timely payment of all per capita dues to the American Federation of Teachers (AFT) and other affiliates, and submit a monthly per capita membership report, as required by the AFT,
- j. Make timely payment of all bills authorized by the annual budget or this Constitution, and of other expenses as approved by the Union Council,
- k. Prepare and file in a timely manner all appropriate tax returns on behalf of the Union,
- l. Perform other duties as delegated by the President or assigned by the Union Council.

Article XII

Referenda

Section 1. Referenda may be initiated by a majority vote of the Union Council or by a petition from the membership. The Elections Committee shall conduct any referendum as a ballot of the membership.

Section 2. A petition from the membership shall be submitted to the Elections Committee for validation, which shall have ten (10) days to accept or reject the petition. To be considered as valid, a petition from the membership must:

- a. Be signed and dated by at least twenty percent (20%) of the members in good standing of the Union,
- b. Contain the full text of the referendum;
- c. Have had all of its signatures collected in a continuous period of not more than ninety (90) days.

Section 3. Examples of referenda include but are not limited to votes on collective bargaining platforms, on collective bargaining agreements, and on job actions.

Section 4. Referenda may not recall officers, nor amend or contradict this constitution in any way. Referenda may not alter the Annual Budget. Furthermore, no referendum on a job action shall require that the Union undertake the specified action. Rather, such a referendum shall only grant permission for the Union to undertake the specified action if in the judgment of the Union Council it is deemed necessary.

Section 5. All referenda shall be passed by a simple majority of the votes cast.

Article XIII Balloting

Section 1. A ballot of the membership shall be a secret ballot.

Section 2. Unless otherwise specified in this constitution, all members in good standing of the Union shall be eligible to vote in a ballot of the membership and all issues shall be decided by a majority of the votes cast.

Section 3. A ballot of the membership may be conducted by any of the following methods:

- a. A paper ballot to be returned to the Union by the public mail.
- b. A paper ballot to be collected and counted at a campus membership meeting or meetings.
- c. A paper ballot to be collected at a designated campus polling place or places.
- d. An electronic ballot to be collected via the Internet.

Section 4. In the case of balloting on a referendum initiated by a valid petition from the membership, the Elections Committee shall determine the method to be used for the balloting and the date or dates of the balloting, which dates shall not be more than forty-five (45) days after the date on which the petition from the membership was submitted to the Elections Committee. In all other cases, the method to be used for the balloting and the date or dates of the balloting shall be determined by a majority vote of the Union Council.

Section 5. Advance notice of the balloting and a description of the method to be used shall be provided to the entire membership. In no case shall less than fourteen (14) days of advance notice be provided, but other provisions of this constitution may require a longer period of notification.

Section 6. The Elections Committee shall be responsible for conducting the balloting, counting the votes, and certifying and reporting the results.

Article XIV Rules of Order

Robert's Rules of Order, most recently revised shall govern the Union and all of its subordinate bodies in all matters not covered by this constitution or the Bylaws of the Union.

Article XV Affiliations

The Union shall maintain affiliation with the following organizations:

- a. The American Federation of Teachers, AFL-CIO.
- b. AFT-Michigan, AFL-CIO.
- c. The state American Federation of Labor-Congress of Industrial Organizations (AFL-CIO), through the Metropolitan Detroit Central Labor Council.

Article XVI Amendments to the Constitution of UPTF

Section 1. Any member of the Union may propose an amendment to this constitution through the following procedure:

- a. The member shall prepare a petition containing the full text of the proposed amendment. The petition shall adhere to a format to be specified by the Union Council and made available to members through their stewards,
- b. The member shall collect on the petition the valid signatures of twenty percent, (20%) of members in good standing from more than one department of the Union and then submit the original copy of the petition to the Secretary of the Union;
- c. The Secretary shall verify the compliance of the petition with the provisions of this Article, and within ten (10) days of the receipt of the petition either return the petition to the originating member with a written explanation of its deficiencies or transmit the petition to the Union Council for review and discussion;
- d. The Union Council shall publish its recommendation together with the proposed amendment to all members at least fourteen (14) days prior to the next Membership Meeting. Publication may take place by inclusion in the Union's newsletter, or by inclusion on the Union's website, or both.

Section 2. An amendment to this constitution may be proposed by a majority vote of the Union Council when the proposed amendment is on the agenda in advance of the Union Council Meeting.

Section 3. Voting on proposed constitutional amendments that have met the requirements of Section 1 and 2 above shall take place at the next Membership Meeting. Members present at the Meeting shall be polled, and the amendment shall pass with a simple majority of those casting votes.

Section 4. Upon its passage, the amendment shall go immediately into effect, unless the amendment otherwise specifies a time for its going into effect.

Article XVII Availability of 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 the Union is affiliated.

Section 3. The Secretary shall make available upon request a copy to any member or potential member of the Union.

Section 4. A copy shall be published on the Union's website.

Article XVIII
Ratification

This constitution shall go into effect upon its ratification by a majority of the votes cast in a ballot of the membership.

Constitution originally submitted to membership on ____ and passed by a vote of _____.

Signature of Elections Chairperson

Constitution revised on _____, and submitted to the membership on _____ .
Revisions

adopted by ---- vote. _____
Signature of the Elections Chairperson