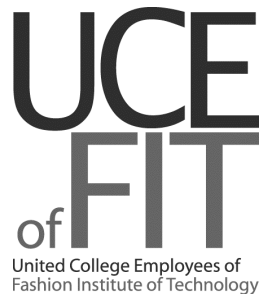


***CONSTITUTION AND BYLAWS  
OF  
UNITED COLLEGE EMPLOYEES  
OF  
THE FASHION INSTITUTE OF TECHNOLOGY  
  
THE STATE UNIVERSITY OF NEW YORK  
LOCAL 3457, AMERICAN FEDERATION OF TEACHERS  
NATIONAL EDUCATION ASSOCIATION AFL-CIO  
AFFILIATED WITH NEW YORK STATE UNITED TEACHERS***



***Revised Spring 2023***

# UCE OF FIT CONSTITUTION

## ARTICLE I: NAME

- Section 1. The name of this organization shall be United College Employees of FIT, Local 3457 - AFL-CIO. The Local shall be affiliated with NYSUT and its national affiliates, AFT, NEA, AFL-CIO.

## ARTICLE II: OBJECTIVES

- Section 1. To advance the professional interests of the faculty and staff of FIT.
- Section 2. To improve the quality of education at FIT.
- Section 3. To cooperate with the FIT Faculty Senate in the achievement of our common objectives.
- Section 4. To promote better understanding and communication among FIT faculty, staff, students, and administration.
- Section 5. To cooperate with other teacher organizations, particularly those affiliated with NYSUT and its national affiliates, AFT, NEA, AFL-CIO.
- Section 6. To cooperate with organized labor and other interested groups for the purpose of advancing democratic concepts through the school at all levels.

## ARTICLE III: MEMBERSHIP

- Section 1. Full membership shall be open to all faculty members, technologists, staff members, and any other title included in the bargaining unit. Members of the above classifications employed on a part-time basis are eligible for the same privileges of union membership as full-time personnel.
- Section 2. Individuals who lose their positions and whose cases are under grievance arbitration or litigation shall retain full membership in the union upon payment of minimum dues.
- Section 3. Only members in good standing are eligible to vote or serve as officers or committee members.

## **ARTICLE IV: OFFICERS**

- Section 1. The officers of the Local shall be the President, Executive Vice President, two (2) Vice President for Faculty, two (2) Vice President for Staff, Vice President for Contract Management and Grievances, Vice President for Environmental Health & Safety, Secretary, Treasurer, Assistant Treasurer, and Membership Director.
- Section 2. Each officer elected shall serve for a term of two years commencing on September 1, and ending on August 31.
- Section 3. The President's duties shall be
- a) to preside at all Administrative and Executive Committee meetings;
  - b) to serve as Chairperson on the Negotiating Committee;
  - c) to be the ranking delegate to all conventions;
  - d) to be the spokesperson for the Union in all matters;
  - e) to be an ex-officio member of all standing committees of the Local;
  - f) to recommend candidates as replacement officers if a term cannot be completed.
- Section 4. The duties of the Executive Vice President shall be to assist the President in coordinating the activities of the other officers, and to perform such other duties as assigned by the President. This officer is to be elected from the membership at large for a term of office not to run concurrently with the President. He/she shall sit on the Administrative, Executive, and the Political Action Committees. He/she shall be a member of the union's negotiating team. Should the President be unable to complete his/her term of office, the Executive Vice President will complete the President's term of office.
- Section 5. All Vice Presidents' duties shall be
- a) to assist the President in the performance of his/her duties;
  - b) to be members of the Negotiating Team, and Administrative and Executive Committees.
  - c) The Vice President for Staff shall preside over the Staff Committee;
  - d) The Vice President for Faculty shall preside over the Faculty Committee;
  - e) The Vice President for Environmental Health & Safety shall preside over the Environmental Health & Safety Committee.

- Section 6. The duties of the Secretary shall be
- a) to maintain accurate records of the proceedings of all membership meetings;
  - b) to maintain accurate records of all Executive Committee meetings;
  - c) to handle correspondence for the Union;
  - d) to serve on the Executive Committee;
  - e) to receive the reports of the Nominations and Elections Committee;
  - f) to serve on the Administrative and Executive Committees;
  - g) The secretary shall chair the Nominations and Elections Committee.
- Section 7. The duties of the Treasurer shall be
- a) to keep accurate records of Local expenses and dues;
  - b) to pay from Local funds those expenses of the Local, as approved by the Executive Committee;
  - c) to work with the Membership Director and Secretary on membership lists and categories;
  - d) to chair the Budget Committee;
  - e) to serve on the Administrative and Executive Committees;
  - f) to present to the Executive Committee and make available to the membership a financial statement as of August 31st, to be published by May 31st;
  - g) to be responsible for financial planning and investment of Union funds.
- Section 8. The duties of the Assistant Treasurer shall be to assist the Treasurer in carrying out all his/her assigned functions. This officer is to be elected from the membership at large for a term of office not to run concurrently with the Treasurer. This officer shall sit on the Administrative, Executive, and Budget Committees.
- Section 9. The duties of the Membership Director shall be
- a) to be responsible for coordinating membership drives;
  - b) to work with the Treasurer to update membership lists;
  - c) to serve on the Administrative and Executive Committees;
  - d) to chair the Public Relations Committee.
- Section 10. The duties of the Vice President for Contract Management and Grievances shall be
- a) to call meetings of the Grievance Committee;
  - b) to preside over such meetings;
  - c) to advise potential grievant;
  - d) to represent the union at all grievance hearings or appoint a representative to such hearings;
  - e) to report to the Executive Committee periodically;
  - f) to serve on the Administrative, and Executive Committees;
  - g) to be responsible for contractual implementation between contract negotiation periods.

## ARTICLE V: COMMITTEES

- Section 1. General Rules:
- a) All full members (see Article III) in good standing shall be eligible to serve on Committees.
  - b) All elected committee members shall serve for two years with staggered terms of office.
  - c) All appointed members of committees shall serve for two years.
  - d) Ad-Hoc committees may be appointed by the President or the Executive Committee.
  - e) A majority of the membership of a committee shall constitute a quorum. A majority of those present and voting shall be sufficient to pass a motion at a committee meeting.
  - f) All chairpersons of committees shall be voting members of the committees.
- Section 2. Administrative Committee
- a) Membership shall include all officers.
  - b) Meetings shall be called at least twice a month. Additional meetings may be called by the President.
  - c) Responsibilities:
    - 1) assist the President in the discharge of his/her responsibilities under the Constitution and in the management of the daily activities of the union;
    - 2) to make policy recommendations to the Executive Committee for their deliberation and decisions;
    - 3) to coordinate the activities of all standing committees;
    - 4) develop long range planning goals;
    - 5) to negotiate with the administration on revision and/or amendments to any existing contract;
    - 6) to initiate grievances on behalf of the union;
    - 7) to participate in Recall Procedures as per Article IX.
- Section 3. Executive Committee
- a) Membership: The members of the Executive Committee shall include all officers (see Article IV, Section 1) of the Local. In addition, the Executive Committee shall include one representative for each 27 members (or major portion thereof) of faculty and staff respectively. At least two of the faculty representatives shall be chosen from classroom faculty, at least two from non-classroom faculty, and at least four from part-time faculty. At least one of the staff representatives shall be chosen from part-time staff.
  - b) The Executive Committee shall meet at least once a month during the academic year. Additional meetings of the Executive Committee may be called by the President or by any three members of the Executive Committee.

c) Responsibilities:

- 1) to establish union policy within the framework of the Constitution and Bylaws and the contract between the Union and the College;
- 2) to give direction to all committees of the Union;
- 3) to interpret the contract;
- 4) to reassess the Union Constitution, Bylaws and Contract and to recommend revisions as necessary;
- 5) Upon recommendation of the President, to appoint acting officers of the Union in case of prolonged absence;
- 6) to prepare a slate of collective bargaining demands in conjunction with the Negotiating Committee;
- 7) to approve the contract prior to submission to the general membership for ratification;
- 8) to decide whether a grievance goes to arbitration under the auspices of the Union;
- 9) to approve non-budgeted expenditures over \$5,000 from the Union's treasury;
- 10) to vote on changes to the Collective Bargaining Agreement between contracts;
- 11) to confirm appointment to committees;
- 12) to hear appeals of Grievance Committee decisions;
- 13) to approve the Union's annual budget.

Section 4.

Grievance Committee

- a) Membership: The Grievance Committee shall consist of the Vice President for Contract Management and Grievances, who shall chair it, and nine (9) non-officer members elected at large with at least three (3) from classroom faculty, one (1) from non-classroom faculty, one (1) from part-time faculty and four (4) from staff.
- b) Responsibilities:
  - 1) to hear grievances;
  - 2) to implement the grievance procedure as stated in the Union contract;
  - 3) to evaluate current grievance procedures and to recommend necessary revisions to the Negotiating Team prior to the new contract negotiations;
  - 4) to recommend to the Executive Committee whether or not to go to arbitration.

Section 5.

Budget Committee

- a) Membership: The Budget Committee shall consist of the Treasurer, who shall chair it, the President, Assistant Treasurer, and three (3) members appointed by the President.
- b) Responsibilities:
  - 1) to develop and recommend an annual Union budget to the Executive Committee;
  - 2) to assist the Treasurer in financial planning and investments.

- Section 6. Faculty Committee
- a) Membership: The Faculty Committee shall consist of the Vice President for Faculty, who shall chair it, and five (5) non-officer faculty members of the Executive Committee.
  - b) Responsibilities: The Faculty Committee shall
    - 1) make recommendations to the Executive Committee on issues that affect faculty;
    - 2) serve as a liaison between the Executive Committee and the faculty at large.
- Section 7. Staff Committee
- a) Membership: The Staff Committee shall consist of the Vice President for Staff, who shall chair it, and all staff members of the Executive Committee plus four (4) staff members elected by the staff.
  - b) Responsibilities: The Staff Committee shall
    - 1) make recommendations to the Executive Committee on issues that affect staff;
    - 2) serve as a liaison between the Executive Committee and the staff at large.
- Section 8. Legislation and Political Action Committee
- a) Membership: The Legislation and Political Action Committee shall consist of one Union Officer and six (6) members of the Executive Committee. The President shall recommend a candidate or candidates to be chairperson of the Legislation and Political Action Committee; subject to the approval of the Executive Committee.
  - b) Responsibilities: The Legislation and Political Action Committee shall
    - 1) coordinate political activities of the union;
    - 2) coordinate VOTE COPE campaign;
    - 3) direct lobbying efforts;
    - 4) recommend convention resolutions to the Executive Committee for State and National Conventions.
- Section 9. Public Relations Committee
- a) Membership: The Membership and Publicity Committee shall consist of the Membership Director, who shall chair it, and at least five (5) members appointed by the Executive Committee upon recommendation of the Membership Director.
  - b) Responsibilities:
    - 1) to oversee the production and distribution of the UCE Newsletter;
    - 2) to publicize to the membership activities of the Union and its committees;
    - 3) to develop and coordinate programs for the welfare of the membership.

- Section 10. Nominations and Elections Committee
- a) Membership: ten (10) members elected at large; the Secretary shall chair this committee.
  - b) Responsibilities: To oversee all nominations and elections in accordance with the procedures outlined in the Bylaws.
- Section 11. Environment Health & Safety Committee
- a) Membership: The Environmental Health & Safety Committee shall consist of the Vice President of Environmental Health & Safety, who shall chair it, and at least five (5) members upon recommendation of the VP of Environmental Health & Safety.
  - b) Responsibilities:
    - 1) to identify current and potential health & safety hazards and problems;
    - 2) to identify appropriate measures to eliminate or control hazards and problems;
    - 3) to identify union concerns for discussion and resolution;
    - 4) to communicate with and education union membership through training workshops, newsletters and meetings.

#### **ARTICLE VI: MEMBERSHIP MEETINGS**

- Section 1. A general membership meeting shall be held at least twice in each academic year.
- Section 2. General membership meetings may be called by the Executive Committee or by petition of fifty members to the Executive Committee. A quorum at a general membership meeting shall consist of twenty percent of the total membership of record at that time.
- Section 3. Members may request items to be placed on the agenda of general membership meetings by petition of at least 5% of the total membership.

#### **ARTICLE VII: AMENDMENTS**

- Section 1. Amendments to the Constitution shall be proposed and made available to all members at least two weeks prior to the general membership meeting at which they will be discussed.
- Section 2. Amendments shall be adopted only after approval by two-thirds of ballots cast. A mail ballot shall be used for voting on amendments.
- Section 3. A defeated amendment may not be resubmitted within the same academic year except by a two-thirds vote at a general membership meeting.

## **ARTICLE VIII: PARLIAMENTARY AUTHORITY**

- Section 1. Meetings of the Local and its committees shall be governed by Sturgis's *The Standard Code of Parliamentary Procedure*, except as otherwise provided in this Constitution and Bylaws.

## **ARTICLE IX: RECALL PROCEDURE**

- Section 1. Causes for Recall:
- a) Behavior that is detrimental to the Union or its membership.
- Section 2. Procedures:
- a) Recall must be initiated by a petition to the Administrative Committee of 25% signators from active members.
  - b) Administrative Committee will sit as a hearing committee to determine probable cause. No other items shall be on the agenda of such a hearing.
  - c) The Administrative Committee shall present its recommendation to the Executive Committee.
  - d) 75% vote of the Executive Committee is required to implement recall.

## **UCE OF FIT BYLAWS**

### **ARTICLE I: DEFINITION OF MEMBERS IN GOOD STANDING**

Members who are not more than three months behind in the payment of their dues are members in good standing. Members who are more than four months behind in the payment of their dues will be dropped from membership.

### **ARTICLE II: ELECTION PROCEDURES**

- Section 1. Nominations of all officers and committee members shall be made by petition containing the signatures of at least ten members in good standing. No member may run for more than one officer position at a time. Petitions must be submitted the Union office by the date specified on the position.
- Section 2. A list of nominees shall be distributed by the committee to the membership not later than April 15th.
- Section 3. Elections for officers and committee members shall be by mail ballot.

- Section 4. The entire membership shall vote to elect the President, Executive Vice President, Vice President for Contract Management and Grievances, Secretary, Treasurer, Membership Director, Assistant Treasurer and Vice President of Environmental Health & Safety. Only the faculty shall vote to elect the Vice President for Faculty, and the Vice President for Adjunct Affairs. Only the staff shall vote to elect the Vice President for Staff. The entire membership shall vote for elected posts on all committees except the Staff Committee. Only the Staff shall vote to elect members of the Staff Committee.
- Section 5. To be elected to an office, a candidate must receive a majority of the votes cast for the office. To be elected to a committee, a candidate must receive a plurality of votes cast for that position.
- Section 6. When a run-off is required, it shall be conducted within a reasonable time as determined by the Nominations and Elections Committee.
- Section 7. Delegates to conventions, for which elections must be held, shall be elected biannually, to serve for one year in accordance with the above procedures.

### **ARTICLE III: DUES STRUCTURE**

- Section 1. Effective January 1, 2007, annual dues shall be .6 of one percent of total earnings (.006 x gross salary) up to a maximum of \$540.00. Plus NYSUT/AFT per capita assessment.
- Section 2. Minimum Dues: All employees who earn \$1,000 or less shall pay .6 of one percent of total earnings (.006 x gross salary) or \$25 per semester, whichever is greater, in addition to the NYSUT/AFT per capita assessment.

### **ARTICLE IV**

- Section 1. Bylaws may be amended by majority vote at a membership meeting, except for changes in dues, which require a mail ballot after a membership meeting.