

THE BY-LAWS
of the
FREDONIA CHAPTER
UNITED UNIVERSITY PROFESSIONS

ARTICLE 1

NAME

The name of this organization shall be the Fredonia Chapter of United University Professions, Local #2190 of the American Federation of Teachers, AFL-CIO (hereinafter, the "Fredonia Chapter" or "Chapter").

ARTICLE 2

PURPOSE

The purpose of the Fredonia Chapter shall be to promote the aims of UUP, namely, to improve the terms and conditions of employment of those it represents; to promote mutual assistance and cooperation among the members of UUP; to advance education in a democracy and democracy in education; to promote the principle of unity and collective bargaining in higher education; and to defend the civil, professional, and human rights of those it represents. Its purpose is also to monitor local compliance with the Agreement between New York State and UUP. In addition, it shall be the purpose of the Chapter to promote academic excellence and to strengthen the college and university community. The Chapter will organize and support activities associated with its campus responsibilities as a union and shall cooperate with other Chapters, UUP, UUP affiliates, and other appropriate organizations in furtherance of these objectives.

ARTICLE 3

MEMBERSHIP

Section 3.1--Classes of Membership

3.1.1. There shall be the following classes of membership in the Fredonia Chapter, as defined by the UUP Constitution: Regular Membership, Special Membership, either Retired or Sustaining; Associate Membership; and Honorary Membership.

3.1.2. Regular membership (hereinafter, "member" or "membership") in this Chapter shall be open to employees in the Professional Services Negotiating Unit (08) at the State University of New York, College at Fredonia. Membership in good standing shall be maintained through membership in UUP as specified in the UUP Constitution.

3.1.3. Rights of members other than regular members are defined by the UUP Constitution.

Section 3.2--Categories of Membership

Membership shall be of either of two categories, "academic" or "professional." "Academic" members shall be those persons with academic rank. "Professional" members shall be those persons with professional rank.

ARTICLE 4

MEETINGS OF THE MEMBERSHIP

Section 4.1--Authority

Chapter members may create policies at duly constituted meetings or through referenda. The annual Chapter budget shall be approved by majority vote at a Chapter meeting.

Section 4.2--Regular Meetings

There shall be at least one meeting of the Chapter membership each academic year. The Chapter President shall call all meetings of the Chapter membership and preside over them. The Chapter President shall send a written announcement of a regular Chapter meeting to all members prior to the meeting. The announcement shall contain the meeting agenda; that agenda, however, may be modified at the meeting.

Section 4.3--Special Meetings

Special meetings may be called by the Chapter President, at the request of a majority of the Executive Board, or at the petition of at least ten per cent of the Chapter membership. Unless extraordinary circumstances prohibit it, the Chapter President shall send a written announcement of a special Chapter meetings to all members prior to the meeting. The announcement shall contain the meeting agenda; that agenda, however, may be modified at the meeting.

Section 4.4-- Referenda

The Executive Board shall initiate referenda by a majority vote or upon the petition of at least ten per cent of the Chapter membership. Referenda shall be conducted using procedures adopted by the Executive Board.

ARTICLE 5

OFFICERS

Section 5.1--Definition

The officers of the Chapter shall include a President, a Vice President for Academics, a Vice President for Professionals, a Secretary, a Treasurer, a Grievance Chair for Academics, a Grievance Chair for Professionals, a Membership Development Officer, a Part-Time Concerns Officer, an Affirmative Action Officer, a Retirement Concerns Officer, and an Amenities Officer.

Section 5.2--Duties

5.2.1 The Chapter President shall preside over meetings of the Chapter and the Executive Board; shall be the first delegate to the Delegate Assembly; maintain liaison with UUP; recommend appointments for standing committees and ad hoc committees to the Executive Board for its approval and shall be a non-voting member of all committees; recommend statewide committee appointments, upon request from the statewide President, to him/her; serve as the administrative officer of the Chapter; be authorized to sign checks in the absence or incapacity of the Treasurer; and perform other functions and duties usually attributed to the office of President. The Chapter President keeps the other officers and Executive Board members informed of developments affecting the Chapter; identifies issues and concerns that the Executive Board should address and brings them to the attention of the Executive Board by placing them on the Board's proposed agendas, adding to proposed agendas any other issue brought to him for Board consideration; carries out the policies of the Executive Board; articulates Chapter and Union policy for all audiences as chief spokesperson for the Chapter; provides leadership on campus and elsewhere; represents and speaks for the Chapter at statewide meetings, Labor-Management meetings, and other functions; and works collaboratively with and seeks to facilitate the activities of other Chapter officers as necessary.

5.2.2 The Vice Presidents shall have as their primary duties the representation of the members of the categories they represent by representing their interests at Labor-Management meetings, working to advance their status both on campus and within UUP; planning and coordinating development activities on campus, ascertaining their concerns and bringing those concerns before the Executive Board for consideration and appropriate policy formulation and/or action. The Vice Presidents shall jointly be responsible for organizing a Department Representative structure, assuring a department representative is in place for every department, recruiting department representatives, interacting with department representatives, disseminating information to department representatives, and organizing meetings of department representatives as appropriate. The Vice Presidents shall report on activities to the Executive Board on a regular basis. The Vice Presidents shall develop knowledge of the contract and grievance procedures as they affect members of his/her category and shall work to foster mutual understanding between academics and professionals in order to close the professional and organizational gap between the members of the two categories. The Vice Presidents shall act as liaisons with their respective statewide Vice Presidents, responding to their requests. In addition, they shall perform other responsibilities and duties assigned by the Chapter President and/or the Executive Board. In the event the Chapter President is absent or disabled, the Vice President from the alternate category shall automatically assume the duties of the presidency until such time as the Executive Board meets and appoints an Acting Chapter President or until a special election is held.

5.2.3 The Secretary shall keep accurate minutes of the meetings of the Chapter, the Executive Board, and Labor-Management meetings. The Secretary shall assist in maintaining Chapter files and shall perform other such functions usually attributed to this office as requested by the Chapter President, the Executive Board, or the Chapter. The Secretary shall report activities to the Executive Board on a regular basis.

5.2.4 The Treasurer shall be bonded and shall be responsible for the funds of the Chapter, depositing them in a checking or savings account as appropriate; keep accurate accounts of receipts and disbursements; be authorized to issue checks and make withdrawals and transfers as authorized by the Chapter President or Executive Board; advise the Executive Board on motions to expend funds; provide regular expenditure statements to the Executive Board; develop and propose an annual budget to the Executive Board; prepare and submit expenditure reports to the UUP Administrative Office; prepare and submit annual audit materials as required; advise and implement, as necessary, policies directed by the UUP Administrative Office; prepare and submit to the statewide Finance Committee requests for emergency funds, as necessary; act as liaison between the Chapter Executive Board and statewide Treasurer, Comptroller, and/or accountants; and keep the Chapter President and Executive Board informed of the financial condition of the Chapter.

5.2.5 The Grievance Chairs for Academics and for Professionals shall be responsible for assisting members of the bargaining unit with problems and concerns and for processing grievances according to appropriate procedures; responsible for the receipt and handling of all disciplinary, grievance, and improper practice charges within their respective areas; report activities to the Executive Board on a regular basis; develop knowledge of the contract and grievance procedures as they affect members of their category; advise the grievant and work with the grievant, with the Chapter President, and with the Chapter's Labor Relations Specialist in the resolution of disciplinary, grievance, and improper practice charges within their areas.

5.2.6 The Part-Time Concerns Officer shall be responsible for monitoring the concerns of part-time members and shall report to the Chapter, the Executive Board, and the Chapter President as appropriate and make recommendations to the Executive Board; responsible on campus for the development and dissemination of information in the area of part-time concerns and for the implementation of Chapter services within that area; and shall represent the interests and concerns of part-timers on the Executive Board.

5.2.7 The Affirmative Action Officer shall be responsible for monitoring Affirmative Action and related concerns and shall report to the Chapter, the Executive Board, and the Chapter President as appropriate and make recommendations to the Executive Board; responsible on campus for the development and dissemination of information regarding affirmative action and for the implementation of Chapter services within that area; and shall represent affirmative action interests and on the Executive Board.

5.2.8 The Membership Development Officer shall be responsible for maintaining membership records and publishing regular reports on them; organizing campaigns for new members at the beginning of each semester or when lists are available; meeting with new hires when groups are available; maintaining stocks of membership forms, benefit forms, etc.; getting New Hire Packets to new hires; harassing fee payers regularly; acting as liaison with the statewide Membership Development Officer and the statewide Membership Committee, if possible; assisting with membership meetings; and contacting those about to retire and those who have retired to encourage Active Retiree Membership.

5.2.9 The Retirement Concerns Officer shall be responsible on campus for the development and dissemination of information regarding retirement concerns and for the implementation of Chapter services within that Area; representing retirement concerns on the Executive Board; report to the Executive Board on a regular basis; encouraging current retirees to become UUP Active Retired Members, attending meetings, and taking an active part in the deliberations of the Western New York Chapter of retired UUP members; helping keep retired members informed of the issues before the statewide Committee on Active Retirement Membership (COARM) and its Retirees Legislative Action Group (RELAG) which lobbies the New York State Legislature on behalf of retirees benefits; and working with the Chapter Executive Board in organizing the annual Fredonia UUP Recognition Dinner and in other matters particularly important to retirees.

5.2.10 The Amenities Officer shall be responsible on campus for responding to significant occurrences in the lives of UUP members and friends of UUP by extending acts of kindness such as sending cards, plants, flowers, and/or other expressions as directed by the Executive Board and/or by membership request; notifying members of action(s) taken in response to their requests; and maintaining records of all purchases, providing the Treasurer with quarterly reports.

Section 5.3--Selection and Terms of Office

5.3.1 All officers except the Amenities Officer shall be elected by the Chapter membership for a term of two years. Elections shall be governed by the provisions of the UUP Constitution and Article 10 of these By-Laws.

5.3.2 The Amenities Officer shall be appointed by the Chapter President, subject to approval by the Executive Board. The term of office of Amenities Officer shall be for two years and shall coincide with the terms of the elected officers.

ARTICLE 6

EXECUTIVE BOARD

Section 6.1-- Definition

The Executive Board shall consist of:

6.1.1 The officers, as specified in Article 5.1, shall be voting members of the Executive Board.

6.1.2 Members who received at least ten (10) votes in the Chapter election for the position of Academic or Professional Delegate to the Delegate Assembly shall be voting members of the Executive Board. Members who received fewer than 10 votes in the Chapter election for the position of Academic or Professional Delegate to the Delegate Assembly shall be members of the Executive Board ex officio without vote.

6.1.3 The Newsletter Editor shall also be a member of the Executive Board ex officio without vote, unless he/she is otherwise a voting member of the Executive Board as defined in Articles 5.1 and 6.1.2

Section 6.2--Duties

6.2.1 The Executive Board shall be the policy-implementing body of the Chapter and shall be responsible for the administration of the Chapter and its activities. It shall approve a budget for submission to the Chapter, approve all expenditures pursuant to the Chapter Budget and authorize extraordinary expenditures, carry out policies established by the Chapter, report its transactions to the Chapter, suggest policies for consideration by the Chapter, arrange for such ancillary staff members and assistance as are necessary to attain the goals of the Chapter, act on behalf of the membership in the absence of membership policy and during periods of time when Chapter meetings cannot be reasonably convened, and generally represent UUP and the Chapter. The Executive Board shall also appoint individuals to fill vacancies, or direct that a special election be held. The Executive Board shall also carry out such other duties as are reasonably associated with an Executive Board.

6.2.2 Duties of the Newsletter Editor shall be defined by the Executive Board.

Section 6.3--Terms of Office

Except where otherwise specified, terms of office for elected and appointed positions of the Executive Board shall be two years.

Section 6.4--Meetings

6.4.1 The Executive Board shall meet at least monthly during the academic year. Meetings shall be convened by the Chapter President or by a written request of one third of the Executive Board or ten per cent of the Chapter membership. The Chapter President shall send a written announcement of an Executive Board meeting to all members of the Executive Board prior to the meeting. The announcement shall contain the meeting agenda; that agenda, however, may be modified at the meeting.

6.4.2 Executive Board meetings, other than executive sessions, shall be open to all members of the Chapter. Members of the Chapter shall be notified by appropriate means of the schedule of Executive Board meetings.

Section 6.5--Minutes

Minutes of all Executive Board Meetings and Labor-Management meetings shall be taken and preserved and shall be available to any interested member upon request. Reports of the meetings shall be published and distributed to Chapter membership.

ARTICLE 7

DELEGATES TO THE UUP DELEGATE ASSEMBLY

Section 7.1--Definition

The first delegate shall be the Chapter President; the second shall be the Vice President of the alternate category of the Chapter President; the third shall be the Vice President of the same category as the Chapter President, if the Chapter is entitled to an additional representative from the category. Additional delegates shall be elected by and from the membership according to the provisions of the UUP Constitution.

Section 7.2--Duties

In addition to serving as members of the Executive Board, Delegates shall represent the Chapter at the Delegate Assembly of UUP. Delegates shall analyze the business to be conducted at each Delegate Assembly and seek input from the membership on issues of importance to the Chapter. Delegates shall report to the membership on actions taken by the Delegate Assembly.

Section 7.3--Seating at the Delegate Assembly

The number of Chapter representatives eligible for seating at the Delegate Assembly shall be determined by UUP, in accordance with the UUP Constitution. Prior to each Delegate Assembly the Chapter President shall ask Delegates, in rank order of their election, their intention to serve at that Delegate Assembly. Delegates who do not so confirm with the Chapter President at least seven days prior to the Delegate Assembly shall be replaced by the next ranking Delegate who so confirms. If a Delegate is so replaced, that Delegate shall not be eligible for seating at the Delegate Assembly in place of any confirmed Delegate who attends the Delegate Assembly.

Section 7.4--Selection and Terms

Delegates shall be elected in accordance with the UUP Constitution.

ARTICLE 8

DEPARTMENT (OR BUILDING, OR AREA) REPRESENTATIVE STRUCTURE

Section 8.1--Definition

The Vice Presidents shall develop and coordinate a Department (or Building, or Area) Representative Structure that assures every member is represented.

Section 8.2--Duties

Department (or Building, or Area) Representatives shall assist in the recruiting of members; assist in the dispersal of information; mobilize the membership for action when necessary; and advise the Executive Board on the needs of the membership.

Section 8.3--Selection and Terms

Department (or Building, or Area) Representatives shall be appointed by the Chapter President, subject to approval by the Executive Board. The term of office for Department (or Building, or Area) Representatives shall be for two years and shall coincide with the terms of the elected officers.

ARTICLE 9

COMMITTEES

Section 9.1--Labor Management Committee

Chapter officers shall constitute the UUP committee responsible for representing the Chapter at Labor-Management meetings conducted pursuant to the Agreement between UUP and the State of New York. The Chapter President of the Chapter shall be responsible for the conduct of the meetings. Members of the Executive Board, Chapter members, and representatives or staff employees of UUP may be added to this group by the Chapter President. In the event the Chapter President is absent, the Vice President from the alternate category shall be responsible for the conduct of the meetings.

Section 9.2-- Standing Committees and Ad Hoc Committees

The Chapter through action taken at its Chapter meetings and/or the Chapter's Executive Board shall create such Standing Committees and such Ad Hoc Committees as deemed appropriate for the conduct of the Chapter's activities, mission and goals, including offering guidance, assistance and support to the work of various Chapter Officers in areas such as affirmative action, grievances, legislation, part-time concerns, membership, and safety and health.

Section 9.3--Selection and Terms

9.3.1 Unless otherwise specified, members of all standing and ad hoc committees shall be appointed by the Chapter President, subject to approval by the Executive Board.

9.3.2 The term of office of Standing Committee members shall be for two years and shall coincide with the terms of the elected officers.

9.3.3 The term of office of Ad hoc Committee members shall expire upon the completion of their charge and/or the expiration of the term of the officers.

ARTICLE 10

ELECTIONS

Section 10.1--Chapter Elections

Chapter elections, except those held to fill vacancies, shall be held every two years for each elective office and be completed no later than May 1. Terms of office shall begin on June 1. Persons elected to fill vacancies shall take office at the time of election.

Section 10.2--Conduct of Elections

Chapter elections shall be conducted in accordance with the UUP Constitution.

Section 10.3--Vacancies

In the event of a vacancy in an office, the Executive Board shall within thirty days by

majority vote either designate a person to serve out the term of the office or direct that a special election be held. The Executive Board may appoint any eligible individual to fill the term of an office which becomes vacant, except those offices which require election for legal recognition, such as delegate to the UUP Delegate Assembly and affiliate conventions or assemblies.

ARTICLE 11

RECALL

Section 11.1--Removal for Cause

An officer, delegate, or member of the Executive Board may be removed from office for valid cause. Valid cause for removal from office may include, but not be limited to, continued neglect or non-performance of the duties of the office; misuse of Chapter funds; intentional misrepresentation of the organization to outside parties.

Section 11.2--Procedure

11.2.1 Upon receipt of written charges and a petition of ten per cent of the Chapter membership, or one third of the Executive Board, the Chapter President shall appoint a Select Committee, subject to approval by the Executive Board, to conduct a confidential investigation. The Select Committee shall be composed of not less than three and not more than five members of the Chapter. If charges are raised against the Chapter President, the Select Committee shall be appointed by the Vice President of the opposite category. The charges from such a petition shall be mailed registered or certified mail, return receipt requested, to the official address of the individual charged; and shall be given to the Select Committee.

11.2.2 An individual charged must indicate in writing, receipt of the charges and an interest in retaining the office in question. Failure to indicate such interest within two weeks of receipt of the charges shall be deemed to be a resignation, and the office shall be declared vacant. In such case, the Select Committee shall report the resignation and vacancy to the Executive Board, and the investigation shall be considered closed.

11.2.3 If a vacancy is declared, it shall be filled in accordance with the procedures in Article 10.3. If a vacancy is not declared, the Select Committee shall investigate the charges and provide an opportunity for the individual charged to respond. Such an investigation shall be conducted in accordance with the latest edition of *Robert's Rules of Order, Newly Revised*. Following the conclusion of an investigation, the Select Committee shall report its findings to an executive session of the Executive Board. If the Executive Board concludes that there is merit to the charges, it shall call a special meeting of the membership according to procedures in Article 4.3. At the special membership meeting there shall be a full discussion of the charges and the individual charged shall have the right to present a defense. A majority vote of those attending the special membership meeting shall be required to authorize a recall election.

Section 11.3--Recall Election

A vote to remove an officer, delegate or member of the Executive Board shall be conducted by mail to the official address of each member of the Chapter. Chapter members shall have at least 14 calendar days to return their ballots. A vote to remove an officer, delegate or member of the Executive Board shall require a majority of those voting.

ARTICLE 12

PARLIAMENTARY AUTHORITY

Section 12.1--Quorum

12.1.1 A quorum for a meeting of the membership shall be ten per cent of the Chapter membership.

12.1.2 A quorum for a meeting of the Executive Board shall be a majority of its members.

Section 12.2--Parliamentary Authority

Meetings shall be conducted in accordance with the latest edition of *Robert's Rules of Order, Newly Revised*, except that these By-Laws or the UUP Constitution shall take precedence.

ARTICLE 13

CONSTRUCTION AND SEVERABILITY

Section 13.1 - Construction and Severability

13.1.1 If a provision is discovered to be null and void because of a conflict with an authority that must take precedence, the Executive Board shall have the authority to change the provision to make it conform to all necessary policy/statements.

13.1.2 A decision by a competent agency invalidating a clause, phrase, or section of these By-Laws shall not invalidate any other clause, phrase, or section.

ARTICLE 14

AMENDMENT

Section 14.1--Amendment

14.1.1 Amendment of these By-Laws may be proposed by the Executive Board or by written petition of ten per cent of the chapter membership. A proposed amendment shall be submitted to the membership, in writing, prior to a regular or special meeting of the

membership called in accordance with the procedures in Article 4.2, or 4. Following such a Chapter meeting, a vote on a proposed amendment shall be conducted by mail to all members of the Chapter. Chapter members shall have not less than 14 calendar days to return their ballots.

14.1.2 Amendments to these By-Laws shall go into effect immediately upon adoption by a two-thirds vote of the members voting in a mail ballot according to the procedures specified in Article 14.1.1.