

Constitution

And

By - Laws

of the

United Staff

Association

Putnam/Northern Westchester

Board of Cooperative Educational Services

November 17, 2015

**CONSTITUTION**

Article I

Name

The name of this organization shall be the United Staff Association, Local 15-175 of the New York State United Teachers and Local 3072 of the American Federation of Teachers. Putnam/Northern Westchester BOCES.

Article II

Purpose

The purpose of the United Staff Association is:

1. To aid in securing and maintaining such working conditions as will enable the professional growth of the staff and provide quality service to the Putnam/Northern Westchester BOCES community.
2. To work for the professional growth of staff in the matters of curriculum development, education and enrichment and research.
3. To provide an organization to support the efforts of BOCES certificated and non-certificated staff.
4. To improve the professional, economic, social, and civic status of staff.
5. To promote means by which staff may help to formulate policies that governs the special education and occupational education programs.
6. To promote a close and harmonious relationship among BOCES staff.

Article III

Membership

Section 1: There shall be the following membership categories: Active and Retiree.

1. Active membership in this organization shall be open to any person, whose title is delineated in the collective bargaining agreement with the employer.
2. Retiree membership in this organization shall be open to employees who have retired. Retiree members shall be allowed chairperson duties and/or roles if voted in by the general membership.
3. Membership shall be maintained through the payment of all required dues.

Section 2: All active and retired dues paying members shall also be concurrently members of the state and national organizations with which this Association is affiliated (AFT, NYSUT).

Section 3: Membership shall be obtained only through the payment of required dues and completing a membership application form.

Section 4: All active members of this Association shall have equal rights and privileges to nominate candidates, to vote in elections and referendums, to attend membership meetings, and to participate in deliberations and voting upon the business of the Association.

Section 5: No member may be fined, suspended, or expelled, or otherwise disciplined (except for nonpayment of dues) by this Association unless such member has been served with written, specific charges and given a reasonable time to prepare his/her defense and afforded a full and fair hearing.

ARTICLE IV

Officers and Board

Section 1. The officers of this Association shall consist of a president, vice president for CTE, vice president for Special Education, secretary, treasurer and membership chairperson.

Section 2. There shall be a representative body with full governing powers to be known as the Executive Board which shall consist of:

1. The Officers of the Association,
2. The Chairperson of the Grievance Committee,
3. The Chairperson of the Negotiations Committee,
4. The Chairperson of the Program Representative Committee, and
5. The immediate Past President for one year

Section 3. The Executive Board shall conduct the business of the Association between the meetings of the Association. The Executive Board will make full report of its actions at the next regular meeting of the Association. Any proposed change of established policy must be brought to the membership for a vote at the regularly constituted meeting of the Association.

Section 4. The Executive Board shall meet as prescribed monthly.

Article V

Affiliation

This Association shall be affiliated with the New York State United Teachers and its affiliates.

**BY-LAWS**

Article l

Rules of Order

Robert’s Rules of Order (current edition) shall be the authority on all questions of procedure not specifically stated in this Constitution and By-Laws.

Article ll

Duties and Terms of the Executive Board

Section 1. All Officers shall serve for three (3) years, as of the term beginning December, 2016. All representatives must make every effort to attend all executiveand general member meetings. In case of a vacancy on the Executive Board, the vacancy shall be filled by the Executive Board and the person so chosen shall serve only until the end of the unexpired term.

Section 2. The President shall:

1. Preside at all Association meetings.
2. Call special meetings (see By-Laws, Article 9, Section 3).
3. Appoint and dismiss Chairpersons of all committees. (Chairpersons serve at the pleasure of the President).
4. Preside at meetings of the Executive Board.
5. Have a vote in case of a tie.
6. Represent the Association at official functions.
7. Act as a liaison between the Association and the Administration only when accompanied by a least one (1) other member of the Executive Board.
8. Oversee the duties of the other elected officers.
9. Serve as delegate to the NYSUT Representative Assembly and, if applicable, to the AFT Convention.
10. Receive, as a stipend, 15% of the step 1 Appendix A Certificated Salary Schedule, divided in two equal payments, December and June, during that academic year.

Section 3. The Vice President of CTE shall:

1. Assume all duties of the President in his/her absence for CTE members.
2. In case of the President’s resignation, he/she may be appointed President by the Executive Board and shall serve for the unexpired term.
3. Oversee the functions of any special committees assigned by the Executive Board and/or the United Staff Association.
4. Serve to carry out any duties determined by the President and the Executive Board.
5. Receive, as a stipend, 3% of the step 1 Appendix A Certificated Salary Schedule, divided in two equal payments, December and June, during that academic year.

Section 4. The Vice President of Special Education shall:

1. Assume all duties of the President in his/her absence for Special Education members.
2. In case of the President’s resignation, he/she may be appointed President by the Executive Board and shall serve for the unexpired term**.**
3. Oversee the functions of any special committees assigned by the Executive Board and/or the United Staff Association.
4. Serve to carry out duties determined by the President and the Executive Board.
5. Receive, as a stipend, 3% of the step 1 Appendix A Certificated Salary Schedule, divided in two equal payments, December and June, during that academic year.

Section 5. The Secretary shall:

1. Record, type, and keep on file the minutes of all meetings of the United Staff Association. The typed minutes of the previous USA meeting shall be read to the association members for approval and/or correction. Approval and/or corrections shall be noted on the typed copy and it shall be filed.
2. Record, type and keep on file the minutes of all meetings of the Executive Board. Said minutes must be kept indefinitely and accompany any audit.
3. Keep an up-to-date running log of all motions passed.
4. Keep ballots from all elections for one (1) year from the date of the election.
5. Act as liaison between the Public Relations/Newsletter Committee and the Executive Board.
6. Act as liaison between the Social/Hospitality Committee, Fundraising Committee and the Executive Board.
7. Receive, as a stipend, 2% of the step 1 Appendix A Certificated Salary Schedule, divided in two equal payments, December and June, during that academic year.

Section 6. The Membership Chairperson shall:

1. Keep an up-to-date membership register. For the purpose of elections two separate lists must be kept: Active list and Retiree list.
2. Call roll when required or requested.
3. Report membership changes to NYSUT.
4. Maintain a file of all correspondence received by the USA re: membership.
5. Issue bulletins and/or notices as necessary.
6. Be responsible for the updating of all payroll deduction forms in accordance with the current contract.
7. Maintain the list of agency Fee payers.
8. Notify the Payroll Department of the amount of yearly dues.
9. Receive, as a stipend, 3% of the step 1 Appendix A Certificated Salary Schedule, divided in two equal payments, December and June, during that academic year.

Section 7. The Treasurer shall:

1. Be responsible for the collection of dues from the Payroll Department.
2. Record and deposit all income
3. Make all authorized disbursements.
4. Prepare the financial report for the fiscal year to be presented at the September meeting of the Executive Board.
5. Make monthly financial reports to the Executive Board.
6. Submit a financial statement of assets and liabilities and a statement of income and expenses to NYSUT and/or the AFT as may be required by either organization.
7. Be Chairperson of the budget committee.
8. Prepare and submit the annual budget at the May Executive Board and General Membership meetings.
9. Receive, as a stipend, 3% of the step 1 Appendix A Certificated Salary Schedule amount of the current year’s salary schedule, divided in two equal payments, December and June, during that academic year.

Section 8. The Chairperson of the Grievance Committee shall:

1. Act as liaison between the Grievance Committee and the Executive Board.
2. When the grievance chair attends a “meet and confer” with Administration, he/she must be accompanied by the President or his/her designee
3. Inform the Executive board on the progress of current grievances.
4. Advise the Executive Board on grievance procedure.
5. Upon presentation, carry out the terms and provisions of the grievance procedure of the grievance as stated in the negotiated agreement.
6. Be responsible for the receiving, filing, and security of grievance documents.
7. Receive, as a stipend, 4% of the step 1 Appendix A Certificated Salary Schedule, divided in two equal payments, December and June, during that academic year.

Section 9. The Negotiations chairperson shall:

1. Act as liaison between the Negotiations Committee and the Executive Board.
2. Inform the Board on all matters concerning negotiations or the contract.
3. Advise the Board on all contractual questions.
4. Survey the staff as needed for contract proposals, including specialized staff concerning their unique situations.
5. Research contract proposals on a regional and statewide basis.
6. Confer with the NYSUT Labor Relations Specialist and/or the Association’s legal representative.
7. Oversee the negotiation of the contract with others as determined by the President and the Executive Board.
8. Choose the Negotiation Committee and Table Team in conjunction with, and the approval of, the President and the Executive Board.
9. Receive, as a stipend, 4% of the step 1 Appendix A Certificated Salary Schedule, divided in two equal payments, December and June, during that academic year.

Section 10. The Legislative Chairperson shall:

1. Keep abreast of issues related to pertinent or proposed legislation affecting membership and recommend action as needed.
2. Attend the NYSUT Committee of 100.

Section 11. The Program Representative Chairperson shall:

1. Act as liaison between the Program Representatives Committee and the Executive Board.
2. Conduct meetings of the Program Representatives as necessary withquarterly meetings.
3. Distribute Association information, notices, and materials to the Program Representatives.
4. Coordinate training of the Program Representative as needed.
5. Make every effort to attend General Membership meetings.
6. Receive, as a stipend, 2% of the step 1 Appendix A Certificated Salary Schedule, divided in two equal payments, December and June, during that academic year.

Section 12. The immediate Past President shall:

1. Be a non-voting member of the Executive Board for one year.
2. Serve the President and/or Executive Board in an advisory capacity for one year.

Article III

Duties and Terms of Office of Program Representatives

Section 1.

1. All Program Representatives shall take office on the first day of December and shall serve for three (3) years, as of the term beginning December 2016. In case of a vacancy, the vacancy shall be filled by the Executive Board and the person shall serve until the end of the unexpired term.
2. Program Representatives shall be elected from each Program and/or Supervisory area. Adjustments will be made given changes in staff or program as determined by the Executive Board.

Section 2. The Program Representative shall:

1. Conduct quarterly meetings for members within their respective areas.
2. Be a member of the Program Representatives Committee.
3. Act as liaison between their members and the Chairperson of the Program Representatives Committee.
4. Distribute and circulate Association information, notices, and materials while maintaining bulletin boards.
5. Supervise special program activities of the Association.
6. In collaboration with the Grievance Chairperson, endeavor to resolve conflicts at the Program level when appropriate.
7. Program Representative shall attend General Membership meetings.
8. Receive, as a stipend, 0.6% of the step 1 Appendix A Certificated Salary Schedule, divided in two equal payments, December and June, during that academic year.

Article IV

Duties and Responsibilities of the Executive Board

Section 1. The Executive Board shall:

1. Interpret the Constitution and By-Laws
2. Make policy for the Association between the regular meetings of the general membership
3. Make policy recommendations to the membership for their consideration, provide time for discussion between the membership and the Executive Board, and hold a vote on the proposed contract by secret ballot.
4. Act upon expenditures as may be required.
5. Propose an annual budget for the following fiscal year (July 1 through June 30) which shall be submitted to the membership for approval at the May meeting.
6. Appoint members to the standing committees.
7. Distribute contract proposals to the membership before a vote is scheduled, provide time for discussion between the membership and the Executive Board, and hold a vote on the proposed contract by secret ballot.
8. Meet at least monthly during the school year.
9. In the event of the President’s resignation, elect either of the Vice Presidents to serve as President for the remainder of the President’s term.

Section 2. To conduct business the Executive Board must have at least two-thirds (2/3) of its members present.

Section 3. Special meetings of the Executive Board may be called by a majority of the Executive Board (see also By-

 Laws Article II, Section 2-b)

ARTICLE V

STANDING COMMITTEES

Section 1. Appointments

1. Members of standing committees shall be appointed by the Executive Board.

Section 2. Reports

1. Each committee will submit to the President and Executive Board a written summary of the current year’s activities prior to the May general membership meeting. Such reports shall be maintained in a continuous committee file.

Section 3. Titles and Duties

1. Legislative Committee shall:
2. Study and inform the membership of local, state, and national legislation which affects education and staff welfare.
3. Encourage appropriate action on pertinent legislation.
4. Maintain communication with the Executive Board through the First Vice President.
5. Grievance Committee shall:
6. Upon presentation, carry out the terms and provisions of the grievance procedure as outlined in the negotiated agreement.
7. Maintain communication with the Executive Board through the Chairperson of the Grievance committee.
8. Be responsible for the receiving and filing of grievance documents. The grievance committee shall be responsible for the security of the grievance documents.
9. Negotiations Committee shall:
10. Survey the staff (as needed) for contract proposals.
11. Research contract proposals on a regional and statewide basis.
12. Work with the NYSUT Labor Relations Specialists and/or the Associations’ legal representative.
13. Provide opportunity for specialized employee groups to present information related to contractual items that affect them specifically.
14. Negotiate a contract with the representatives of the Board of Education.
15. Maintain communications with the Executive Board through the Chairperson of the Negotiations Committee.
16. Present the proposed contract to the membership for ratification.
17. Review the printed contract as distributed to the staff and shall render interpretations during the agreement’s term.
18. Program Representatives Committee shall:
19. Be comprised of all the Program Representatives (see By-Laws Article III, Section 2-b).
20. Recruit new members through personal contact and periodic notices.
21. Prepare a plan for telephone and mail communication among the membership.
22. Notify the Membership Chairperson of any changes in membership and forward the appropriate forms to her/him (see By-Laws Article II, Section 6-c.
23. Public Relations/Newsletter Committee shall:
24. Be governed by a newsletter editor to be appointed by the president and shall receive recognition in the amount of $1000.00, divided in two equal payments, December and June, during that academic year.
25. Establish liaison with newspapers, radio, and other available channels of communication.
26. Be the official channel through which Association news is released.
27. Not release any communications to the public radio or the press without prior consent of the Executive Board.
28. Provide internal communications (USA Newsletter).
29. Maintain communication with the Executive Board through the Secretary (see By-Laws Article II, Section 5-e).
30. Social/Hospitality Committee shall:
31. Arrange for refreshments for meetings of the Association as needed.
32. Plan and execute all functions of a social nature: dances, dinners, receptions, picnics, etc.
33. Maintain communications with the Executive Board through the Secretary (see By-Laws Article II, Section 5-f).
34. Send cards/gifts to members on occasions as determined by the Executive Board.
35. Fundraising committee shall:
36. Arrange for fundraising for the Association as needed.
37. Plan and execute all fundraising activities.
38. Maintain communications with the Executive Board through the Secretary (see By-Laws Article II, Section 5-f).
39. APPR Committee shall:

Responsibilities and duties to be determined once the New APPR is implemented.

Article VI

Special Committee

The Executive Board shall appoint any special committees as may be deemed necessary. The committees shall be discharged upon completion of their duties. Chairpersons of the special committees shall be responsible for reporting the committee’s actions and/or recommendations to the Executive board.

ARTICLE VII

Nominations & Elections of Officers and Program Representatives

Section 1. Nominations and elections of Officers, Program Representatives, (and delegates to the NYSUT Representative Assembly and AFT Convention, if applicable) will be supervised by an elections committee.

Section 2. The elections committee shall be:

1. Appointed by the Executive Board
2. Comprised of at least 4 members. Membership of this committee will be offered to members in good standing from the different programs.

Section 3. Members of the election committee may not run for an elected position.

Section 4. The elections committee shall:

1. Record nominations taken from the floor at the September meeting.
2. Accept further nominations, in writing, submitted by September 30.
3. Verify the nominations.
4. Check the status of the nominees. (e.g. Are they members in good standing?)
5. Prepare ballots (Ballots shall list office, nominees for each office and provide for write-in votes.)
6. Mail all ballots to the address on record to members in good standing by October 15th.
7. Collect mail-in ballots from the post office box prior to the November meeting.
8. Collect ballots from noon to 4 (at whichtime the election will close) on the day of the election.
9. Tabulate the results of the voting after the close of the business meeting of the Association.
10. Turn the ballots and the election totals over to the Secretary (see By-Laws Article II, Section 5-d).
11. Notify the President and Newsletter Chairperson of the election results for subsequent publication.

Section 5. Election Procedures

1. Nominations will be accepted from the floor at the September meeting of the Association and will be sent in writing (email) to the nominations chairperson by September 30.
2. Additional nominations may be sent to the committee Chairperson by September 30.
3. Ballots will be mailed to the address on record to all active members in good standing by October 15.
4. Ballots may be mailed to the designated post office and postmarked by November 1 or hand carried to the November meeting.
5. Ballots will be counted after the November business meeting is adjourned.
6. Announcement of the results will be published in the newsletter prior to the December meeting.
7. New officers will be installed at the beginning of the December meeting and the new officers shall conduct the December meeting.

Section 6. The election shall be conducted in accordance with the Constitution and By-Laws of the United Staff Association in so far as they are not inconsistent with the provisions of the Landrum-Griffin Act. (Note: the above election procedures in Sections 4 and 5 are in compliance with Landrum-Griffin as of January, 1978.)

Article VIII

Dues

Section 1. The amount of annual dues for the active and/or retired membership of the Association for the following year shall be determined by a vote of the membership at the May meeting after the adoption of the annual budget.

Section 2. Per capita increases for the state federation and the

AFT will be automatically added to the local dues when necessary.

Section 3. Payroll deductions shall be in accordance with the current negotiated agreement with the Board of Education.

Section 4. Dues for all active members will be by payroll deduction.

Section 5. Retired members will pay dues via check.

Article IX

Meetings

Section 1. Meetings of the general membership shall be held on the second Tuesday of October, January and May. If this day falls on a day when school is not in session the meeting will be held on the third Tuesday.

Section 2. During election years the president will call additional meetings to comply with the provisions 9f the Landrum-Griffin Act.

Section 3. Special meetings may be called at the discretion of the President or must be called by the President upon receipt of a written request signed by 20% of the members in good standing.

Article X

Quorum

Section 1. Ten percent (10%) of the members in good standing shall constitute a quorum for general membership meetings.

Section 2. A duly constituted meeting will consist of a meeting called by the Presidentand attended by a quorum. Motions may be passed by a majority of the members present.

Section 3. If, after written notice, given thirty (30) days prior to a general membership meeting, a quorum is not present, the Executive Board may pass those motions necessary for the orderly conducting of Association business.

Article XI

Amendments

Section 1. An amendment to the Constitution and By-Laws may be proposed by:

1. A majority of the Executive Board.
2. No fewer than ten percent (10%) of the members in good standing.

Section 2. Proposed amendments will be presented at a meeting called by the President, e-mailed to all members in good standing, and 30 days later, will be voted on at a subsequent meeting***.***

Section 3. An amendment may be ratified by two-thirds (2/3) of the membership present at a duly constituted (10% of active members in good standing) general membership meeting.

Article XII

Ratification of Collective Bargaining Agreements

Approval or disapproval of any Collective Bargaining Agreement with the employer shall be determined by a majority vote of the members in good standing of this organization, from the unit to which the Collective Bargaining Agreement applies, at a membership meeting called specifically for that purpose. This meeting must consist of a 20% quorum of members in good standing.