

# Bylaws of United Academics - AAUP/AFT Local 4996

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## ARTICLE I. Authority of the Bylaws

The Bylaws of United Academics - American Association of University Professors/American Federation of Teachers Local 4996 are subordinate to the Constitution.

## ARTICLE II. Membership

### Section 1. Voting rights

- A. Eligible members are Bargaining Unit Members but are not extended voting rights, or those rights afforded members in good standing through the Constitution and Bylaws.
- B. Voting rights are extended to any Bargaining Unit Member who is an active member in good standing for at least three months.

### Section 2. Bargaining Unit Members

The membership of UA-AAUP/AFT is as defined in the Constitution.

### Section 3. Termination of Membership

- A. An active member may resign by notifying the Secretary.
- B. An active member may be expelled for cause by a two-thirds majority vote of the Representative Assembly after opportunity for a hearing.
- C. Active membership is forfeited by non-payment of dues under conditions established by the Representative Assembly.

### Section 4. Discrimination

No discrimination will ever be shown toward individual active members or eligible members because of status of union membership, race, creed, sex, sexual orientation, disability, social, political affiliation or economic status, or national origin.

## ARTICLE III. Officers and Executive Board

### Section 1. Election of Officers

- A. The four Organizational Vice-Presidents will be elected by the voting membership in good standing of their respective main campus or all extended sites collectively according to the procedures established by the Labor-Management Reporting and Disclosure Act.
- B. Election Cycle
  1. The offices of President, Secretary and Treasurer are elected by the at-large membership in good standing according to the procedures established by the Labor-Management Reporting and Disclosure Act, in the years 2014, 2017, and every three years thereafter.
  2. Upon ratification of these bylaws, the current Secretary/Treasurer will become the Treasurer, and an election for Secretary for the remainder of the term will be conducted according to the rules in Article III, Section 1.F for filling a vacancy.

3. Elections for Organizational Vice-Presidents will be conducted in the year following the elections for the offices of President, Secretary and Treasurer (2015, 2018, and every three years thereafter).
  4. Forty-five (45) calendar days prior to the date of the election, the Elections Committee must notify all members in good standing of UA-AAUP/AFT of the opening of nominations for office.
  5. The date of all officer elections will be the first Monday in February of the year in which the election for that office is to be held.
  6. All elections will be by secret ballot. All voting members will receive at least ten (10) days prior to the date of the election in order to cast their vote according to the procedures established by the Labor-Management Reporting and Disclosure Act.
- C. Nominations
1. To be nominated as the President, Secretary, or Treasurer, the candidate must obtain the endorsement of 10 members in good standing. All endorsements must be submitted no later than twenty (20) calendar days following the notice of the opening of nominations.
  2. To be nominated as an Organizational Vice-President, the potential candidate may self-nominate or be nominated by a member in good standing.
  3. To complete their nomination, candidates may be required to provide candidate statements, personal photographs, and other information necessary to allow the voting membership to correctly identify the candidate.
- D. The President, Secretary, Treasurer, and the Organizational Vice-Presidents are elected to three (3) year terms, and they can be elected for up to a maximum of four (4) consecutive terms.
1. Successful candidates for office shall prevail in the election by receiving the highest number of votes cast for the office.
  2. In the event the top two or more vote getters receive the same number of votes, a run-off election will be held between those tied vote getters within fifteen (15) calendar days following certification of the election. In the event of a second tie, the Representative Assembly will vote to break the tie.
- E. Successful candidates will assume office on the first day of July of the election year.
- F. With the exception of the office of the President, all vacancies on the Executive Board with less than half of the term remaining will be filled by a majority vote of the Executive Board. Vacancies of all officers with more than half the term remaining will be filled by a special election of the membership in good standing, under the procedures outlined in this section.
- G. Vacancy in the office of the President
1. In the event of a vacancy of the office of President a special election will be held within sixty (60) calendar days, and the Executive Board will appoint an interim president from among the four (4) Organizational Vice Presidents within ten (10) calendar days of the vacancy.
  2. The Secretary will direct the Elections Committee to conduct a special election to fill the office within 60 days of the vacancy.
  3. If the next regular election of the President is within 60 days of the vacancy, the interim president will serve out the remainder of the term and no special election will be held.
- H. Recalls
1. For the offices of President, Secretary and Treasurer, a petition signed by thirty percent (30%) of the membership in good standing and stating specific grounds, is sufficient to require the Elections Committee to conduct a recall election.
  2. For any other elected position, i.e., Organizational Vice President or Representative Assembly member, thirty percent (30%) of the membership in good standing of the main

- campus, or thirty percent (30%) of the membership in good standing of all extended sites, is sufficient to require the Elections Committee to conduct a recall election.
3. For offices other than Secretary, the Secretary must certify the petition within ten (10) days and direct the Elections Committee to proceed with the recall election. For the office of Secretary, the President must certify the petition within ten (10) days and direct the Elections Committee to proceed with the recall election. If an officer is recalled, the Elections Committee must hold a special election under the provisions of this section.
  4. Between a recall election being called and the certification of the recall vote, the officer in question will suspend their duties and the Representative Assembly may appoint an interim officer to carry out the duties of the position until the matter is resolved.
- I. An officer absent from six (6) Executive Board meetings during the term will be considered to have resigned from the position. The position will be filled under the procedure outlined in this section.

## Section 2. Duties of Officers

- A. The President:
1. Is the presiding officer at all meetings of the general membership, the Representative Assembly and the Executive Board.
  2. Is an ex-officio member of all standing committees with the exception of the Elections Committee.
  3. Ensures committees are appointed as per the procedure laid out in the Constitution and Bylaws.
  4. Is responsible for the ongoing administration of UA-AAUP/AFT and acts as its chief executive officer.
  5. Receives, reports and responds to correspondence of UA-AAUP/AFT.
  6. Supervises all employees of UA/AAUP/AFT.
  7. Is one of the responsible financial officers of UA-AAUP/AFT. The President is, pursuant to the approved budget, authorized to sign financial instruments and make regular and usual disbursements of funds up to \$10,000. Financial instruments for disbursements of more than \$10,000 will require two authorized signatures.
  8. Represents UA-AAUP/AFT before University of Alaska management and other organizations, as well as executive and legislative officials of the State of Alaska.
  9. Is a delegate to the Central Labor Council of the AFL- CIO.
  10. Is a delegate to the conventions of the American Association of University Professors and the American Federation of Teachers, and meetings of the conventions of its affiliated subordinate bodies.
  11. Provides, at a minimum, a quarterly report to the membership of UA-AAUP/AFT.
  12. Is able to delegate the responsibilities of the office except where otherwise specified by the Constitution and the Bylaws.
  13. Coordinates the work of, and receives regular reports from, all standing committees.
  14. Is responsible for statewide political action, including the coordination of political action activities at the three main campuses and all extended sites collectively in consultation with the Executive Board.
- B. The Secretary:
1. Ensures the maintenance of the non-financial files and records of UA-AAUP/AFT.
  2. Maintains and makes available to the membership current copies of the Constitution, Bylaws, budget, and union policies and regulations.
  3. Is the custodian of the Seal and the Charter of UA-AAUP/AFT.

4. Ensures that Proper Notice is given for union governance meetings as per Article VIII, Section 1.
  5. Ensures that accurate minutes of general meetings of the membership, the Executive Board, and the Representative Assembly are taken, and ensures that these minutes are recorded, kept, distributed to the Representative Assembly, and posted to the UA-AAUP/AFT website in a timely manner.
  6. Maintains and makes available on the Union website a list of current committees and their chairs and memberships.
  7. Ensures proper compliance by the Elections Committee with relevant constitutional and by-law procedures, and receives and certifies the results of the elections based on the reports of the Elections Committee. A statement to the membership at large stating the number of votes for each candidate and announcing the candidate with the most votes as the newly elected official will constitute certification.
  8. Is a delegate to the conventions of the American Association of University Professors and the American Federation of Teachers, and meetings and conventions of their affiliated subordinate bodies.
  9. Performs other duties as delegated by the President or assigned by the Executive Board.
- C. The Treasurer:
1. Issues or causes to be issued membership cards and notices of delinquency and maintains membership records.
  2. Ensures all membership dues and other income in the name of UA-AAUP/AFT are received, recorded, and deposited.
  3. Ensures that per capita payments are transmitted on a regular basis to the Secretary/Treasurer of the American Association of University Professors, the Secretary/Treasurer of the American Federation of Teachers, and similar officers of all other bodies with which UA-AAUP/AFT is affiliated as well as overseeing other regular and usual disbursements of funds.
  4. Is one of the responsible financial officers of UA-AAUP/AFT, and is, pursuant to the approved budget, authorized to sign financial instruments and make regular and usual disbursements of funds up to \$10,000. Financial instruments for disbursements of more than \$10,000 will require two authorized signatures.
  5. Arranges for an annual independent audit of the finances of UA-AAUP/AFT, and makes the results available to the Executive Board, the Representative Assembly, and the membership.
  6. Oversees the work of, and receives reports from, the Finance, Budget, and Audit Committee.
  7. Performs duties of the office as required by the Labor-Management Reporting and Disclosure Act.
  8. Is a delegate to the conventions of the American Association of University Professors and the American Federation of Teachers, and meetings of the conventions of its affiliated subordinate bodies.
  9. Performs other duties as delegated by the President, or assigned by the Executive Board.
- D. The Organizational Vice-Presidents at the University of Alaska Anchorage, the University of Alaska Fairbanks, the University of Alaska Southeast, and for all extended sites collectively:
1. Coordinates contract development, grievances, communications, public relations, benefits, professional development, social, legislative, and political education activities at each main campus and all extended sites collectively.
  2. Performs other duties as delegated by the President or assigned by the Executive Board.

3. Is a delegate to the conventions of the American Association of University Professors and the American Federation of Teachers, and meetings of the conventions of its affiliated subordinate bodies.

### **Section 3. The Executive Board**

All officers discussed in Article III serve as members of the Executive Board. The Executive Board:

- A. Meets monthly for the purpose of initiating, overseeing, or revising the program of UA-AAUP/AFT and to conduct other business of UA-AAUP/AFT. Additional meetings may be called by the president or at the call of two (2) or more Executive Board members in good standing. Proper Notice must be given for each Executive Board meeting. Executive Board meetings may be conducted in person, by phone or by video conferencing.
- B. Has the power to schedule special meetings of the Representative Assembly, subject to Proper Notice requirements.
- C. Establishes the salary, benefits, and expense guidelines of any staff member who is employed by UA-AAUP/AFT subject to the approved budget or separate approval by the Representative Assembly.
- D. Consistent with the approved budget, is empowered to make contracts and incur liabilities for services, equipment and real property, to borrow money, to secure such obligations by mortgage or other instrument, and otherwise to engage in financial transactions to the extent permitted by applicable law or statute.
- E. Approves the chairperson and membership of all standing and special committees of UA/AAUP-AFT, except the Elections Committee, and receives regular reports from such committees.
- F. Appoints the Collective Bargaining Negotiation Team, which:
  1. Serves at the pleasure and direction of the Executive Board.
  2. Is made up of the President, a Chief Negotiator, and one representative from each main campus and all extended sites collectively.
  3. Works closely with the standing Collective Bargaining Committee.
  4. Represents UA-AAUP/AFT in any collective bargaining contract negotiations; and
  5. Recommends to the Executive Board action on any proposed collective bargaining contract.
- G. Is responsible for adherence to and enforcement of the Constitution and Bylaws of UA-AAUP/AFT.
- H. Transmit any negotiated contracts (and the Negotiation Team's recommendations) to the Representative Assembly for action.

## **ARTICLE IV. Representative Assembly**

### **Section 1. Election of Representative Assembly**

Representative Assembly members will be elected by the members in good standing of UA-AAUP/AFT as follows:

- A. At each main campus and at all extended sites collectively for each university, one Representative will be elected for each fifty (50) Active (dues-paying) Bargaining Unit Members, or a fraction thereof, according to established procedures:
  1. In order to be a member of the Representative Assembly, a candidate must be a voting member in good standing.
  2. Each main campus (UAA, UAF, UAS) is entitled to a minimum of two (2) representatives, excluding their Organizational Vice-President.

3. The extended sites associated with each university, defined below, are collectively entitled to a minimum of one (1) representative each, excluding their Organizational Vice-President.
  - i. The extended sites of UAS include the Sitka Campus and Ketchikan Campus.
  - ii. The extended sites of UAA include the Kenai Peninsula College, Matanuska-Susitna College, Kodiak College, and Prince William Sound College.
  - iii. The extended sites of UAF include the Bristol Bay Campus, Chukchi Campus, Community and Technical College, Interior Alaska Campus, Kuskokwim Campus, and Northwest Campus.
- B. Re-apportionment of seats in the Representative Assembly must be determined at least one month prior to the election of a new Representative Assembly.
- C. Representatives are elected for three (3) year terms in a procedure similar to and consistent with the nomination and election of Organizational Vice-Presidents in Article III Section 1 of these Bylaws. Representatives will take office on the first day of July.
- D. All members of the Representative Assembly other than the President have full voting rights at Representative Assembly meetings. The President may only vote to break a tie.
- E. With the exception of a recall, all vacancies must be filled by a majority vote of the Representative Assembly within 30 days of any vacancy occurring. It is the responsibility of the President to schedule a special meeting if one is needed, and it is the responsibility of the relevant Organizational Vice President to recruit voting members in good standing to apply to fill the vacancy.
- F. If a Representative Assembly Member expects to have to miss more than two (2) consecutive Representative Assembly meetings for a reason such as sabbatical leave or Family Medical Act leave, then they need to notify the relevant Organizational Vice President to either make arrangements for remote participation or to resign their position to create a vacancy.
- G. If a Representative Assembly Member is unable to attend a meeting for an emergent reason, they may seek approval from their Organizational Vice President for an excused absence that will not count towards their total in item I below.
- H. Representative Assembly Members who have been absent from three (3) consecutive Representative Assembly meetings or three (3) regular Representative Assembly meetings during their term will be considered to have resigned their position, creating a vacancy.

## **Section 2. Duties of the Representative Assembly**

The Representative Assembly:

- A. Is the governing body of UA-AAUP/AFT, subject to the final authority of the membership.
- B. Selects the Elections Committee pursuant to Article V, Section 6.A below.
- C. Representative Assembly members are delegates to the conventions of the American Association of University Professors and the American Federation of Teachers, and meetings of the conventions of its affiliated subordinate bodies.
- D. Meets for the purpose of establishing the policies of the organization, receiving and reviewing the reports of the President, Executive Board, and Committees, takes appropriate action as specified in the Constitution, and initiates and takes other such actions as the body deems necessary.
- E. Regular meetings of the Representative Assembly will be held in August, October, February and April. Two of the meetings must be in person, unless it is unsafe to do so, but the other two may be held by phone or video conference at the discretion of the President. Dates of the four meetings for the coming academic year must be set at the April meeting of the Representative Assembly. Special meetings, upon Proper Notice, may be conducted in person, or by phone or video conference.

- F. Special meetings of the Representative Assembly may be called upon submission of a request by more than twenty-five percent of the membership of the Representative Assembly to the President.
- G. Any negotiated collective bargaining contract will be presented by the Secretary to the Representative Assembly at a properly noticed meeting. Upon a majority vote of the entire Representative Assembly in favor of accepting the contract, the contract will be submitted, under provisions determined by the Representative Assembly and together with the recommendation of the Representative Assembly, to the membership for ratification. A simple majority vote of active members in good standing will constitute acceptance of the negotiated contract.
- H. A quorum for the Representative Assembly meetings is 50 percent (50%) of the Representative Assembly members.

### **Section 3. Duties of Representative Assembly Members**

- A. Attend all regular and special meetings of the Representative Assembly and all meetings of the general membership.
- B. Assist their Organizational Vice President in holding regular meetings of the membership at the worksite, or other appropriate place, for the purpose of making reports, discussing workplace and organizational concerns, receiving instruction from the membership, and other activities as may be required.
- C. Serve on at least one regular or ad-hoc committee of UA-AAUP/AFT.

### **Section 4. Referenda**

- A. Referenda concerning policies or actions taken by the Representative Assembly may be initiated by a petition signed by thirty percent (30%) of the active members in good standing.
- B. The petition is to be provided to the Secretary who will certify the petition and direct the Elections Committee to hold a special election.

## **ARTICLE V. Committees**

### **Section 1. Duties of All Representative Assembly Committees**

- A. Upon appointment by the Executive Board and confirmation by the Representative Assembly, committee chairs, with the exception of the Elections Committee and the Elections Appeals Committee, should, within one month, select committee members and present their names to the Executive Board for approval.
- B. Provide a report at each regular meeting of the Representative Assembly.
- C. Maintain a list of current members.

### **Section 2. Collective Bargaining Committee**

The Collective Bargaining Committee is responsible for conducting research and training in preparations for negotiations, including recommendations and nominations to the Executive Board for the negotiation team.

### **Section 3. Finance, Budget, and Audit Committee**

The Finance, Budget, and Audit Committee assists the Executive Board in the preparation of the annual budget and, with the approval of the Executive Board, identifies and pursues activities for the financial good and welfare of UA- AAUP/AFT.

### **Section 4. Organizing, Membership, and Communications Committee**

The Organizing, Membership, and Communications Committee:

- A. Actively works to recruit and maintain members.
- B. Identifies the training needs of UA-AAUP/AFT's officers, members of the Representative Assembly, committee members, and staff, and develops or locates the resources needed to meet those needs.
- C. Assists the Organizational Vice-Presidents in developing programs and activities that promotes membership and participation in UA- AAUP/AFT.
- D. Identifies the work-related needs of the membership and develops programs and activities that meet these needs.
- E. Prepares a communication plan to present to the Representative Assembly for approval.
- F. Creates and maintains appropriate electronic communication services to members.
- G. Identifies and informs the membership of programs that are of benefit to the membership.

### **Section 5. Legislative Relations Committee**

The Legislative Relations Committee:

- A. Is responsible for monitoring government actions that may affect the membership and develops appropriate responses to such action in cooperation with affiliated organizations.
- B. Secures voluntary contributions to support the political work of UA-AAUP/AFT, screens and recommends endorsement of candidates for local, state and federal office to the Representative Assembly, and develop programs to promote the registration of persons to vote and to support the election of candidates endorsed by the Representative Assembly.
- C. Coordinates lobbying efforts on behalf of the membership.

### **Section 6. Elections Committee**

The Elections Committee:

- A. Is composed of a Chair and four (4) members selected every three (3) years by the Representative Assembly. The membership of the Elections Committee must include representatives from the University of Alaska Fairbanks, the University of Alaska Anchorage, the University of Alaska Southeast, and the Extended Sites collectively.
- B. The Chair of the Elections Committee will be selected by the Representative Assembly and is responsible for reporting to the Secretary and to the Representative Assembly the results of elections.
- C. The Elections Committee is responsible for carrying out reapportionment of seats on the Representative Assembly consistent with Article IV, Section 1.A above.
- D. The Elections Committee is responsible for conducting all general and special elections to include votes on:
  1. The ratification of and/or amendments to contracts.
  2. Amendments to the Constitution.
  3. Elections of officers and representatives.
  4. Other matters covered in the Constitution and Bylaws.

- E. Sends information to the membership concerning the duties, responsibilities, rewards, etc., of serving on the Representative Assembly. This will include how to be elected to the Representative Assembly, how often it meets, and other information, which will describe for potential candidates the commitment needed for successful membership on the Representative Assembly.
- F. Members of the Committee cannot run for executive office during the same year they serve on the Committee.
- G. The Elections Committee will conduct all general and special elections of UA-AAUP/AFT and promulgate guidelines and procedures consistent with the Labor-Management Reporting and Disclosure Act, the Bylaws and the Constitution. The Elections Committee will create:
  - 1. Procedures for electronic/online elections and voting.
  - 2. Procedures for elections and voting for which paper ballots are to be used.
  - 3. Procedures for nominations to be on the ballot for all officers and Representative Assembly members.

## Section 7. Election Appeals Committee

- A. Membership
  - 1. The Election Appeals Committee is composed of four members in good standing of United Academics, one each from the University of Alaska Fairbanks, the University of Alaska Anchorage, and the University of Alaska Southeast, and the Extended Sites collectively, and one alternate.
  - 2. The Representative Assembly, at its October meeting in odd-numbered years, will elect the members of the Election Appeals Committee. Nominations must be made at least two weeks in advance of the October meeting. The Election Appeals Committee will select one of its members to serve as chair of the committee.
  - 3. No candidate for or incumbent seeking reelection to the Executive Board or member of the Election Committee is eligible to serve on the Election Appeals Committee during that election cycle.
- B. No member of the Election Appeals Committee may endorse a candidate for an Executive Board position or for the Representative Assembly membership.
- C. Appeals
  - 1. Appeals may only be considered after the final votes of the relevant election are certified by the Secretary.
  - 2. Any United Academics member may appeal an adverse decision of the Election Committee by submitting an appeal, in writing, to the Election Appeals Committee no later than ten business days after the date on which the final vote totals were certified and announced to the membership by the Secretary.
  - 3. Absent compelling circumstances, only evidence originally submitted to the Election Committee may be submitted to or be considered by the Election Appeals Committee. At the same time an appeal is submitted, the member submitting the appeal must serve a copy of the appeal by certified mail, return receipt requested, upon any candidate(s) who may be affected by the disposition of the appeal and must certify to the Election Appeals Committee that he or she has done so. Any other member involved in the Election Appeals Committee's investigation may submit an opposing statement in writing to the Election Appeals Committee within ten business days of the receipt of a copy of the appeal. At the same time, that member must serve a copy of the opposing statement by certified mail, return receipt requested, upon the appealing member and must certify to the Election Appeals Committee that he or she has done so.

- D. The Election Appeals Committee must establish a process of investigation that is consistent with the Labor-Management Reporting and Disclosure Act and should avoid any conflict of interest.
- E. The decision of the Election Committee will be sustained unless the Election Appeals Committee determines that the Election Committee's interpretation and/or its application of the United Academics Election Process were arbitrary or capricious.
- F. Three members of the Election Appeals Committee will constitute a quorum for the disposition of an appeal. The Election Appeals Committee's decision is final and binding.
- G. The Election Appeals Committee will report its final decisions to the Executive Board, the Representative Assembly, the appealing member, and any other member involved in the appeal within three months of its receipt of the appeal.

## **ARTICLE VI. Dues**

### **Section 1. Membership Dues**

The dues of this organization are equal to 1.05 percent of the gross salary.

### **Section 2. Special Assessments**

Special assessments for specific purposes may be levied by no less than 2/3 vote of the Representative Assembly.

## **ARTICLE VII. Availability of Constitution**

### **Section 1. Copies**

- A. The Secretary must make available a copy of the Constitution and the Bylaws to each member of UA-AAUP/AFT.
- B. Copies of the Constitution and all subsequent amendments must be submitted by the Secretary to the offices of the Secretary/Treasurer of the American Association of University Professors, the Secretary/Treasurer of the American Federation of Teachers, and to the similar officer of each organization with which UA-AAUP/AFT is affiliated.

## **ARTICLE VIII. Access**

### **Section 1. Proper Notice**

Proper Notice requires the posting of the date, time, place, and agenda of any Executive Board meetings, Representative Assembly meetings, or General Meeting of the Membership on the UA-AAUP/AFT website, along with email notice to the general membership, at least seven (7) days prior to any meeting.

### **Section 2. Emergency Meetings**

The President may call emergency meetings of the Executive Board or Representative Assembly with less than seven (7) days' notice if circumstances require; however, the first act at such a meeting must be to approve the necessity of the meeting by majority of the members of the body. Failure to approve the necessity of the meeting means no further actions may be taken at the meeting.

### **Section 3. Open Meetings**

All meetings of UA-AAUP/AFT are open to members in good standing, except when the meeting is called into an executive session.

### **Section 4. Documents**

All documents of UA-AAUP/AFT must be made available to members in good standing upon request, with the exception of those protected by statute, law, considerations of personal privacy, or because they are part of ongoing contract negotiations.

## **ARTICLE IX. Review and Amendment**

### **Section 1. Amendment**

- A. Any amendment to the Bylaws requires Proper Notice.
- B. May be ratified at either a regular or special meeting of the Representative Assembly.
- C. Requires a two-thirds ( $\frac{2}{3}$ ) vote of the current membership of the Representative Assembly for approval.