

**By-laws of  
United Academics - American Association of University  
Professors/American Federation of Teachers Local 4996**

**ARTICLE I. – Name**

As stated in the Constitution, this organization shall be called United Academics – American Association of University Professors / American Federation of Teachers (UA-AAUP/AFT).

**ARTICLE II. – Objectives**

The objectives of UA-AAUP/AFT shall be as stated in the Constitution.

**ARTICLE III. – Membership**

Section 1. Voting rights.

- A. Voting rights shall be extended to any Bargaining Unit Member who is a full member in good standing of UA-AAUP/AFT and who has paid full dues for at least one pay period prior to the election as verified by the latest payroll run available prior to the date of the election.
- B. Agency fee payers are Bargaining Unit Members but shall not be extended voting rights, or those rights afforded members in good standing through the Constitution and By-laws.

Section 2. Bargaining Unit Members

The bargaining unit as certified by the Alaska Labor Relations Agency (ALRA) under the United Academics Collective Bargaining Agreement (CBA) and the bargaining unit as certified by the ALRA under the University of Alaska Federation of Teachers CBA are eligible for full membership in UA-AAUP/AFT.

Section 3. Resignation

A member may resign by notifying the Secretary-Treasurer and may be expelled for cause by a two-thirds majority vote of the Representative Assembly after opportunity for a hearing. Membership shall be forfeited by non-payment of dues under conditions established by the Representative Assembly.

Section 4. Discrimination

No discrimination shall ever be shown toward individual members or agency fee payers because of union membership, race, creed, sex, sexual orientation, disability, social, political or economic status, or national origin.

## ARTICLE IV. – Officers and Executive Board

### Section 1. Election of Officers.

- A. The following shall be officers of the UA-AAUP/AFT and constitute its Executive Board:
1. President, a state-wide officer,
  2. Four (4) Organizational Vice-Presidents, one each from the main campuses of the University of Alaska Anchorage, the University of Alaska Fairbanks, and the University of Alaska Southeast, who shall be a member of the faculty at one of the main campuses, and one representing all extended sites collectively, who shall be a member of the faculty at one of the extended sites,
  3. Secretary-Treasurer, a statewide officer.
- B. To be eligible for office a person must be a full member in good standing of UA-AAUP/AFT for a period of one year prior to the date of the election.
- C. The four Organizational Vice-Presidents (University of Alaska Anchorage, University of Alaska Fairbanks, University of Alaska Southeast, and all extended sites collectively) shall 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.
- D. Election Cycle
1. The offices of President and Secretary/Treasurer shall be 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. Elections for Organizational Vice-Presidents will be conducted in the year following the statewide elections (2015, 2018, and every three years thereafter).
  3. Forty-five (45) calendar days prior to the date of the election, the Elections Committee shall notify all members in good standing of UA- AAUP/AFT of the opening of nominations for office.
  4. The date of all officer elections will be the third Monday in April of the year in which the election for that office is to be held.
  5. All elections will be by secret ballot. All voting members will receive a reasonable amount of time prior to the date of the election in

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order to cast their vote according to the procedures established by the Labor- Management Reporting and Disclosure Act.

#### E. Nominations

1. To be nominated as the President or Secretary/Treasurer, the candidate must obtain the endorsement of twenty (20) members in good standing of UA-AAUP/AFT, ten (10) per cent of the members in good standing of the candidate's own main campus (at the University of Alaska Anchorage, the University of Alaska Fairbanks, and the University of Alaska Southeast), or ten (10) per cent of the members in good standing of all extended sites collectively if the candidate is a member of the faculty at one of the extended sites, whichever is the smaller, for the office sought. 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.

#### F. The President, Secretary/Treasurer and the Organizational Vice-Presidents shall be elected to three (3) year terms, and 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.

#### G. Successful candidates shall assume office the first day of July of the election year.

#### H. With the exception of the office of the President, all vacancies in the Executive Board with less than half of the term remaining shall 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.

I. Vacancy in the office of the President.

1. In the event of a vacancy of the office of President there will be a special election 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/Treasurer 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.

J. Recalls.

1. For the office of President and Secretary/Treasurer, a petition signed by thirty percent (30%) of the membership in good standing and stating specific grounds, shall be 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 main campus, **or thirty percent (30%) of all extended sites collectively,** shall be sufficient to require the Elections Committee to conduct a recall election.
3. The Secretary/Treasurer shall certify the petition and direct the Elections Committee to proceed with the recall election. If an officer is recalled, the Elections Committee shall hold a special election under the provisions of this section.

- K. 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 shall:

1. Be the presiding officer at all meetings of the general membership, the Representative Assembly and the Executive Board,
2. Be an ex-officio member of all standing committees with the exception of the Elections Committee
3. Appoint, after consultation of the Representative Assembly and with

the approval of the Executive Board, the chairs of all standing and special committees except the Elections Committee,

4. Appoint, after consultation of the Representative Assembly and with the approval of the Executive Board, the members of the Negotiating Team, from the at-large membership in good standing of UA- AAUP/AFT, The negotiating team shall:
  - a. Serve at the pleasure and direction of the Executive Board,
  - b. Be made up of the president, a chief negotiator and one representative from each **main campus and all extended sites collectively**,
  - c. Work closely with the existing committee structure,
  - d. Represent UA-AAUP/AFT in any contract negotiations,
  - e. Recommend to the Executive Board action on any contract proposed,
5. Be responsible for the ongoing administration of UA-AAUP/AFT and act as its chief executive officer,
6. Receive, report and respond to correspondence of UA-AAUP/AFT,
7. Supervise all employees of UA/AAUP/AFT,
8. Be one of the responsible financial officers of UA-AAUP/AFT. The President shall be 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,
9. Represent UA-AAUP/AFT before University of Alaska management and other organizations, as well as executive and legislative officials of the State of Alaska,
10. Be, by elected office, a delegate to the Central Labor Council of the AFL- CIO,
11. Be, by elected office, 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,
12. Make an annual report to the membership of UA-AAUP/AFT,
13. Be able to delegate the responsibilities of the office except where

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otherwise specified by the Constitution and the By-laws,

14. Coordinate the work of, and receive regular reports from, all standing committees,
15. Be 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 Organizational Vice-Presidents and the Executive Board.

B. The Secretary-Treasurer shall:

1. Ensure the maintenance of the non-financial and financial files and records including membership records of UA-AAUP/AFT,
2. Issue or cause to be issued, membership cards and notices of delinquency,
3. Be the custodian of the seal and charter of UA-AAUP/AFT,
4. Take accurate minutes of general meetings of the membership, the Executive Board, and the Representative Assembly, and assure that these minutes are recorded and kept and distributed to the Representative Assembly.
5. Guarantee all dues monies and other income in the name of UA-AAUP/AFT are received, recorded, and deposited,
6. Make sure 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,
7. Be one of the responsible financial officers of UA/AAUP/AFT and be 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. Arrange for an annual independent audit of the finances of UA-AAUP/AFT and make the results available to the Executive Board, the Representative Assembly, and the membership,
9. Oversee the work of and receive reports from the Finance, Budget and Audit Committee,

10. Ensure proper compliance by the Elections Committee with relevant constitutional and by-law procedures; and receive and certify 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 shall constitute certification,
  11. Perform other duties as delegated by the President, or assigned by the Executive Board,
  12. Perform duties of the office as required by the Labor-Management Reporting and Disclosure Act,
  13. Be, by elected office, 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.
- C. 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 shall:
1. Coordinate 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. Perform other duties as delegated by the President, or assigned by the Executive Board,
  3. Be, by elected office, 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 IV shall serve as members of the Executive Board. The Executive Board shall:

- A. Meet monthly, or at the call of the president, or at the call of two (2) or more of its members in good standing, or at the call of the Representative Assembly by a majority vote for the purpose of initiating, overseeing, or revising the program of UA-AAUP/AFT and to conduct other business of UA- AAUP/AFT. Meetings of the Executive Board shall be posted to the membership no later than one week before the meeting

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date. Meetings may be conducted in person, or by phone or video conferencing,

- B. Establish the salary, benefits, and expense guidelines of any staff member who is employed by UA-AAUP/AFT,
- C. Consistent with the approved budget, be 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,
- D. Approve the chairperson and membership of all standing and special committees of UA/AAUP-AFT, except the Elections Committee, and receive regular reports from such committees,
- E. Be responsible for adherence to and enforcement of the Constitution and By- laws of UA-AAUP/AFT,
- F. Issue regular reports, including an annual report, to the Representative Assembly and the membership,
- G. Transmit any negotiated contracts (and its recommendations) to the Representative Assembly for action.

## **ARTICLE V. – 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 shall be elected for each fifty (50) dues-paying Bargaining Unit Members, or a fraction thereof, according to established procedures. The extended sites at UAS include the Sitka Campus and Ketchikan Campus. The extended sites at UAA include the Kenai Peninsula College, Matanuska-Susitna College, Kodiak College, and Prince William Sound College. The extended sites at UAF include the Bristol Bay Campus, Chukchi Campus, Community and Technical College, Interior Alaska Campus, Kuskokwim Campus, and Northwest Campus. All main campuses are entitled to a minimum of two (2) representatives. The extended sites associated with each university collectively are entitled to a minimum of one (1) representative,
- B. The number of Representatives shall not exceed thirty (30),



- C. At such time as a re-apportionment of seats in the Representative Assembly is necessary, it will be the task of the members of the Representative Assembly to accomplish that re-apportionment,
- D. Representatives shall be elected for three (3) year terms in a procedure similar to and consistent with the nomination and election of Organizational Vice-Presidents in Article IV Section 1 of these By-laws. Representatives will take office on the first day of July
- E. With the exception of a recall, all vacancies shall be filled by a majority vote of the Representative Assembly,
- F. Representative Assembly Members who have been absent from three (3) Representative Assembly meetings during their term will be considered to have resigned their position. The position will be filled by a majority vote of the Representative Assembly,
- G. The Representative Assembly election will be conducted in the year following the statewide elections (2015, 2018, and every three years thereafter).

## Section 2. Duties of the Representative Assembly.

The Representative Assembly shall:

- A. Be the governing body of UA-AAUP/AFT, subject to the final authority of the membership,
- B. Fill all vacancies on the Elections Committee,
- C. Be, by elected office, 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. Meet regularly for the purpose of establishing the policies of the organization, receiving and reviewing the reports of the President, Executive Board, and Committees, taking appropriate action as specified in the Constitution, and initiating and taking other such actions as the body deems necessary,
- E. The Representative Assembly shall meet bi-annually in Anchorage. It may meet more often and/or at other sites by majority vote of the Representative Assembly or by majority vote of the Executive Board. Meetings of the Representative Assembly shall be posted to the membership no later than one week before the meeting date. Meetings may be conducted in person, or by phone or video conferencing.

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- F. Upon a majority vote in favor of accepting the contract by the Representative Assembly, 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 of the membership voting will constitute acceptance of the negotiated contract,
- G. A quorum for the Representative Assembly meetings is 50 percent of the Representative Assembly membership,

### Section 3. 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 membership in good standing.
- B. The petition is to be provided to the Secretary/Treasurer who will certify the petition and direct the Elections Committee to hold a special election

## **ARTICLE VI. – Committees**

### Section 1. Collective Bargaining Committee

The Collective Bargaining Committee shall be responsible for conducting research and training in preparations for negotiations, including recommendations/nominations for the negotiation team.

### Section 2. Finance, Budget and Audit Committee

The Finance, Budget and Audit Committee shall assist the Executive Board in the preparation of the annual budget and, with the approval of the Executive Board, shall identify and pursue activities for the good and welfare of UA-AAUP/AFT.

### Section 3. Membership Committee

The Membership Committee shall:

- A. Identify the training needs of UA-AAUP/AFT's officers, members of the Representative Assembly, committee members, and staff and develop or locate the resources needed to meet those needs,
- B. Assist the Organizational Vice-Presidents in developing programs and activities that shall cause all eligible persons to join and participate in UA-AAUP/AFT,
- C. Identify the work-related needs of the membership and develop

programs and activities that meet these needs,

- D. Conduct activities that promote the social wellbeing of the membership, are attractive to potential members, and promote community among faculty,
- E. Supervise and maintain the official list of members and recommend reapportionment to the Representative Assembly before the tri-annual election of Representatives (held in conjunction with election of Organizational Vice-Presidents),
- F. Identify, implement and administer programs of insurance, purchase, travel, and welfare that are of advantage to the membership,
- G. Send 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.

#### Section 4. Legislative Relations Committee

The Legislative Relations Committee shall:

- A. Be responsible for monitoring government actions that may affect the membership and develop appropriate responses to such action in cooperation with affiliated organizations,
- B. Secure voluntary contributions to support the political work of UA-AAUP/AFT, screen and recommend 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.

#### Section 5. Communications Committee

The Communications Committee shall:

- A. Design, produce and distribute a regular printed communication to the membership, a regular bulletin for officers, members of the Representative Assembly, and committee chairs, and other printed material for UA-AAUP/AFT as necessary,
- B. Present the views of UA-AAUP/AFT on both a regular and special basis to the print and electronic media, other labor and community organizations, and the general public.

## Section 6. Elections Committee

The Elections Committee shall:

- A. Be comprised 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, and the University of Alaska Southeast,
- B. The Chair of the Elections Committee shall be selected by the Representative Assembly and shall be responsible for reporting to the Secretary-Treasurer and to the Representative Assembly the results of elections,
- C. The Elections Committee shall be 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 By-laws,
- D. Members of the Committee shall not run for an elective office during the same year they serve on the Committee.
- E. The Elections Committee shall 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 By-laws 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 shall be composed of three members of the United Academics Representative Assembly, one

from each of the three Major Academic Units, and one alternate.

2. The Representative Assembly, at its fall meeting in odd-numbered years, will elect the members of the Election Appeals Committee. 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 shall be 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/Treasurer.
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 by the Secretary/Treasurer.
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 shall 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 shall 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 shall serve a copy of the opposing statement by certified mail, return receipt requested, upon the appealing member and shall certify to the Election Appeals Committee that he or she has done so.

D. The Election Appeals Committee shall 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 shall constitute a quorum for the disposition of an appeal. The Election Appeals Committee's decision will be 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.

#### Section 8. Chairs and membership

Upon appointment by the President and approval by the Executive Board, committee chairs, with the exception of the Elections Committee and the Elections Appeals Committee, shall have one month to select committee members and present their names to the Executive Board for approval.

#### Section 9. Program of Action

Within one month of formation, each committee shall present its annual program of action to the Executive Board and the Representative Assembly.

### **ARTICLE VII. – Dues**

#### Section 1. Membership Dues

The dues of this organization shall be equal to 1.02 percent of the gross salary plus mandated increases in required affiliation fees and insurance premiums.

#### Section 2. Special Assessments

Special assessments for specific purposes may be levied by action of the Representative Assembly.

### **ARTICLE VIII. – Availability of Constitution**

#### Section 1. Copies

- A. Copies of the Constitution and all subsequent amendments shall be submitted 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.
- B. The Secretary-Treasurer shall make available a copy of the Constitution

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and the By-laws to each member of UA-AAUP/AFT.

## **ARTICLE IX. – Access**

### Section 1. Open meetings

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

### Section 2. Documents

All documents of UA-AAUP/AFT shall 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 X. – Review and Amendment**

### Section 1. Review

These By-laws shall be re-examined every three (3) years.

### Section 2. Amendment

After prior notice of intent to amend, i.e., at least one week prior to the meeting, these By-laws may be amended by two-thirds majority vote of the members of the Representative Assembly present in person, or by phone or video conference.