

**AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS
UNION COUNTY COLLEGE CHAPTER
CRANFORD, ELIZABETH, PLAINFIELD CAMPUSES
CRANFORD, NEW JERSEY 07016**

**CHAPTER
CONSTITUTION AND BY-LAWS**

**Adopted:
December 3, 1986**

**Amended:
February 24, 1988**

CONSTITUTION AND BY-LAWS OF THE UNION COUNTY COLLEGE CHAPTER
OF
THE AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS

Article I: Name

The name of the organization shall be the Union County College Chapter Of the American Association of University Professors.

Article II: Purpose

The purpose of this organization shall be to promote the interests of higher education, to advance the standards, ideals and welfare of the academic profession, to improve the terms and conditions of employment of the faculty of Union County College through collective bargaining, to represent the faculty of Union County College through collective bargaining, to represent the faculty of Union County College in all matters concerned with collective bargaining, and to further the interests of the Chapter, the faculty of Union County College and the academic profession.

Article III: Membership

1. There shall be two (2) categories of membership in this Chapter:
 - a) Active Member. Any member of the collective bargaining unit as defined in a collective bargaining agreement to which the Chapter is a party who, if eligible, becomes an active member of the national AAUP shall be, at his or her request, an active member of this Chapter. An active member in good standing as defined in Section 2 of this Article shall have all rights of membership in the Chapter including, but not limited to, the right to vote, to hold office, and to serve on committees.
 - b) Inactive Member. Any person who has been an active member of the Chapter but who, for reasons including leaves of absence, retirement, or temporary reassignment from the bargaining unit is not part of the bargaining unit, and who is eligible to become and does become an active member of national AAUP, may on written request become an inactive member of the Chapter. Anyone eligible to become an active member may opt to become an inactive member by written request to the Chapter. An inactive member, except an individual who is holding

a position of administration in the College, may attend but not vote at meetings of the Chapter.

An inactive member may not hold office or serve on committees.

2. An active member in good standing is an active member who is not delinquent in the payment of his or her required dues – national Chapter, and/or assessment – for more than sixty (60) days. An inactive member in good standing is an inactive member who is not delinquent in the payment of his or her required dues – national and/or Chapter – for more than sixty (60) days.
3. A member in good standing who is delinquent in the payment of his or her required dues for more than thirty (30) days shall be sent a written notice of his or her delinquency to his or her home address as last reported to the Treasurer of the Chapter. If the arrearage in dues is not paid within sixty (60) days of the date payment was due, the member shall cease to be a member in good standing and shall have no rights of membership in the Chapter.
4. Inactive members shall not attend meetings called only to discuss matters relating to collective bargaining or continue in attendance at a meeting during the time in which a matter related to collective bargaining is under discussion.

Article IV: Dues

1. The Executive Committee may propose a change in Chapter dues and/or assessments. Written notice of intention to vote upon a change in Chapter dues for an assessment shall be given to members at least fifteen (15) days prior to the date of a meeting at which the vote will take place. The notice shall contain the date, time, and place of the meeting. The proposed change in Chapter dues shall be adopted at the meeting if agreed to by a majority vote of eligible voters present and voting in a secret ballot.
2. At the last regular meeting of the Chapter for the academic year, the Executive Committee shall present to the active members of the Chapter a budget for the next academic year setting forth all anticipated expenses.

Article V: Officers of the Chapter

1. The officers of the Chapter shall be a President, a Vice-President, a Recording Secretary, a Corresponding Secretary, a Treasurer, a Grievance Officer, a Contract Administrator, an Assistant Treasurer, an Assistant Grievance Officer, and an Assistant Contract Administrator.

2. All officers shall serve for two (2) years, commencing on April 1 after their election.
3. In the case of a vacancy in the office of President, the Vice-President shall succeed to that office for the remainder of the unexpired term. Other officer vacancies shall be filled by appointment by the Executive Committee subject to ratification by a majority vote of eligible voters present and voting at a regular meeting of the Chapter.
4. Officers of this Chapter may be removed for misconduct or dereliction of duty by a two-thirds vote of eligible voters present and voting at a special meeting of the Chapter called specifically for this purpose. No officer shall be removed unless he or she is first charged by a majority vote of the Executive Committee. An officer charged by a majority vote of the Executive Committee shall be served with specific written charges, shall be given at least thirty (30) class days to prepare a defense, and shall be afforded a full and fair hearing at the special meeting. The special meeting shall be chaired by an active member in good standing, who is not a member of the Executive Committee and not an interested party, elected by a majority vote of eligible voters present and voting at the special meeting.

Article VI: Election of Officers

1. Officers shall be nominated at a meeting of the Chapter to be held not later than thirty (30) days prior to the date the election of officers shall take place. Not less than ten (10) days prior to the election date, written notice of the date, time and place of the election, the list of offices to be filled, and the names of the nominees, shall be mailed to each active member at his or her home address, as last reported to the Treasurer of the Chapter.
2. Officers shall be elected at a meeting of the Chapter in February or March. Voting shall be by secret written ballot and shall be conducted during designated times at designated polling places at the College. Following the close of the polls, a meeting shall be convened at which time the ballots shall be counted and the results certified.
3. Officers shall be elected by a majority vote of eligible members voting in the secret ballot election. In the event no candidate receives a majority of the votes cast, there shall be another secret ballot conducted at the meeting. In the event that no candidate has received a majority of votes,

the runoff election shall be between the two (2) candidates receiving the highest number of votes.

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Article VII: Duties of Officers

1. The President shall have the duties usually associated with this office. He or she shall preside over all meetings of the Chapter and the Executive Committee. He or she shall be the official representative of the Chapter. He or she shall be a member of the Executive Committee and non-voting ex-officio member of all other committees.
2. The Vice-President shall have the duties usually associated with the office. The Vice-President shall substitute for the President in his or her absence.
3. The Recording Secretary shall record and distribute the minutes of the Chapter and the Executive Committee meetings, and maintain official documents of the Chapter.
4. The Corresponding Secretary shall keep a list of all officers and members, prepare the agenda for the Chapter and Executive Committee meetings (with the advice of the President), notify members of Executive Committee and Chapter meetings, and conduct the correspondence appropriate to the office.
5. The Treasurer shall receive and deposit moneys in the name of the Chapter, make disbursements with the approval of the Executive Committee and keep the membership records and rolls of the Chapter. The Treasurer shall present an annual financial report to the Chapter and, in consultation with the President, prepare an annual budget for presentation to the Executive Committee. Upon reasonable notice, the Treasurer shall make available the financial records of the Chapter to any member for inspection. The Treasurer shall oversee the administration of the Chapter's Demand and Return Procedure for representation fee payers. The Treasurer shall arrange annually for an audit of the Chapter's book by a Certified Public Accountant who is not an Employee of Union County College.
6. The Grievance Officer shall receive and process complaints and grievances submitted by faculty members, and complaints and grievances of the Chapter.
7. The Contract Administrator shall have the responsibility for routinely collecting information on salaries, employee benefits, budgets, personnel actions, conditions of employment, and other matters necessary for processing grievances, and in preparation for negotiations of a successor agreement. He/she shall also be responsible for making this information available to faculty members as needed and for notifying faculty of deadline provisions in the Agreement.

8. The Assistant Treasurer shall assist the Treasurer in the performance of his or her duties. The Assistant Treasurer shall substitute for the Treasurer in his or her absence.
9. The Assistant Grievance Officer shall assist the Grievance Officer in the performance of his or her duties. The Assistant Grievance Officer shall substitute for the Grievance Officer in his or her absence.
10. The Assistant Contract Administrator shall assist the Contract Administrator in the performance of his or her duties. The Assistant Contract Administrator shall substitute for the Contract Administrator in his or her absence.

Article VIII: Committees

1. The Executive Committee is the only Standing Committee of the Chapter. Additional Standing Committees may be established by a majority vote of eligible members present and voting at a meeting of the Chapter.
2. Select committees may be established by the Executive Committee.
3. Committees, other than the Executive Committees, shall elect their own chairpersons subject to the approval of the President. Committees shall keep minutes of each meeting and send copies to the Recording Secretary. All committees shall be responsible to and report to the Executive Committee.

Article IX: The Executive Committee

1. The Executive Committee shall be composed of the officers of the Chapter as listed in Article V Section 1. The Committee shall meet at least once a month during the academic year.
2. The Executive Committee shall have the authority to delegate specific responsibility to any committee or committees it may appoint or which may be established by the membership.
3. The Executive Committee shall authorize all expenditures and shall approve the employment of all persons who serve the Chapter.
4. The Executive Committee shall decide whether to submit any grievance of any faculty member to arbitration.

5. Any decision of the Executive Committee may be overruled by a two-thirds vote of eligible voters present and voting at a meeting of the Chapter if permitted by law.

Article X: The Bargaining Team

1. The Bargaining Team shall be a Select Committee to represent the Chapter in collective bargaining negotiations including bargaining under any reopener clause or mid-term bargaining as a result of changes in conditions.
2. The Bargaining Team shall consist of five Chapter members appointed by the Executive Committee from a list submitted by the membership.
3. The Bargaining Team shall submit reports on a regular basis to the Executive Committee during the period that demands are being prepared and during collective bargaining negotiations.
4. In the preparation of demands and in negotiations, the Bargaining Team shall act in accordance with instructions of the Executive Committee and the Chapter, and shall present proposed agreements to the Executive Committee before submission to the membership.

Article XI: Grievance and Arbitration

1. The Grievance Officer shall review each written grievance submitted by any faculty member and shall arrange to forward said grievance to the Administration. The Grievance Officer shall also recommend to the Executive Committee which grievances, if any, the Chapter shall file in its own name, and which grievance, if any, the Chapter shall file as a joint grievance with the faculty member and which grievance shall be filed in the grievant's name only.
2. With respect to every grievance filed and not resolved, the Grievance Officer shall recommend to the Executive Committee whether or not to submit the grievance to arbitration. The Executive Committee shall make the decision as to whether or not to request arbitration.
3. In the event that a faculty member who has filed a grievance objects to the decision of the Executive Committee concerning whether or not to request arbitration, he or she shall have the right to appeal such decision to the Chapter at the next meeting of the Chapter provided that he or she notifies the President

in writing of his or her intention to appeal within fifteen (15) class days of the date the date the Executive Committee notified him or her of its decision.

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4. In the event of an appeal by a faculty member, or for any other reasons which may make the Chapter unable to comply with the time periods for requesting arbitration, the Executive Committee shall first request the College's agreement to an extension of the time periods and, if said extension is not agreed upon, shall file a request for arbitration notifying the College that such request is subject to rescission upon action by the Chapter.
5. The Executive Committee shall present all grievance appeals to the next Chapter meeting after the appeal was filed. The Chapter shall grant the appeal by a two-thirds vote of those active members present and voting.

Article XII: Chapter Meetings

1. The Chapter shall have at least four (4) regular meetings each academic year.
2. Special meetings of the Chapter shall be called by the President at the request of a majority of the Executive Committee, at the request of the Chairperson of the Bargaining Team during the negotiations, or upon the written request of ten (10) active members of the Chapter.
3. Extraordinary meetings of the Chapter shall be called by the Executive Committee for situations which are determined by the Committee to require the Chapter's immediate attention.

Article XIII: Quorum and Voting

1. A quorum shall be fifteen (15) percent of active members in good standing except that a quorum for extraordinary meetings shall be thirty (30) percent of active members in good standing.
2. There shall be no voting by absentee or proxy ballot except that the first ballot for election to any office may be by absentee ballot.

Article XIV: Discipline and Due Process

No member of the Chapter shall be fined, suspended or otherwise disciplined, except as provided in Article III of this Constitution, unless the member has been charged by a majority vote of the Executive Committee. Charges and proposed

penalties may be brought against a member for violations of the Constitution and By-Laws, violations of the collective bargaining agreement, violations of any policies or principles of the American Association of University Professors. A member charged by a majority vote of the Executive Committee shall be served with specific written charges, shall be given at least thirty (30) class days to prepare a defense prior to the meeting at which the decision of the charges shall be made, and shall be afforded a full and fair hearing at said meeting. The discussion of the charges shall be chaired by an active member of the Chapter in good standing, who is not a member of the Executive Committee and not an interested party, elected by a majority vote of eligible active members present and voting. A majority vote of eligible active members present and voting at the meeting shall be necessary to find the member guilty of the charges of the Executive Committee and to approve or modify the penalty imposed.

Article XV: Ratification of Collective Bargaining Agreements

1. All proposed collective bargaining agreements to which the Chapter is a party must be ratified by a majority vote of eligible active members present and voting at the meeting.
2. Unless the Executive Committee determines otherwise because of exigent circumstances, eligible voters shall have a least five (5) days to study a proposed collective bargaining agreement before voting to accept or to reject the proposed agreement, and copies of a proposed collective bargaining agreement shall be made available to eligible voters for their examination.

Article XVI: Amendments

Amendments to this Constitution and By-Laws may be proposed to the Executive Committee by an eligible voter. The Executive Committee shall report each proposed amendment to this Constitution and By-Laws to a meeting of this Chapter with the Committee's recommendation. Proposed amendments must be approved by a two-thirds vote of eligible votes present and voting in a secure ballot. The Executive Committee shall inform the membership in writing of all proposed amendments to this Constitution and By-Laws at least twenty (20) class days prior to a meeting at which the proposed amendments are to be voted on.

BY-LAWS

1. Every member has the right to information concerning rules, actions, and other matters affecting the membership of the Chapter. The Chapter shall forward a copy of each collective bargaining agreement to members. It shall also make available to each member an up-to-date copy of the Constitution and By-Laws of the Chapter, and shall permit any active member in good standing to examine the accounts and minutes of the Chapter and of the Executive Committee.
2. Meetings of the Chapter and of its committees shall be closed except as otherwise directed by a majority vote of the Chapter or of the committee involved.
3. At the beginning of each academic year a written schedule for at least four (4) regular Chapter meetings shall be distributed to all Chapter members.
4. Written notice of the date, time, place, and agenda of all Chapter meetings shall be given by the Corresponding Secretary at least seven (7) days prior to the dates of the meetings. This rule may be suspended by the Executive Committee for notice of an extraordinary meeting.
5.
 - a) For the listing of Chapter members from which the Executive Committee shall appoint five (5) as members of the Bargaining Team, forms shall be made available to all Chapter members during the semester preceding the commencement of collective bargaining negotiations for their use in identifying and recommending members willing to serve on the Collective Bargaining Team. Recommendations shall be accepted by the Executive Committee until the last day of the semester.
 - b) To establish a Collective Bargaining Team, the Executive Committee shall consider all components of the Union County College Faculty, its academic programs, its professorial ranks, and its several campuses. The criteria for appointment shall be:
 - demonstration of commitment to AAUP principles and practices,
 - expertise in skills required for collective bargaining, and experience
 - in support of the faculty's professional standards and its AAUP Agreements.
6. Chapter meetings shall be conducted in accordance with Robert's Rules of Order except as otherwise provided in this Constitution and By-Laws.