

# **EMU AAUP Constitution**

## **ARTICLE I. NAME**

The name of this organization shall be the Eastern Michigan University - Chapter of the American Association of University Professors (EMU-AAUP).

## **ARTICLE II. PURPOSE**

The purpose of this organization shall be to promote the interests of higher education and research, to advance the standards and welfare of the academic profession, and to serve as the collective bargaining agent for the faculty of the University.

## **ARTICLE III. MEMBERSHIP DUES AND FISCAL YEAR**

### **A. Membership**

1. Active Membership. An Active Member is a member of the collective bargaining unit under the definition of the unit by the Michigan Employment Relations Commission (MERC) or the contract currently in force between EMU-AAUP and Eastern Michigan University who has paid the current collective bargaining dues and national, state and local Association dues. Active Members may vote in the elections of the Chapter, hold elective office in the Chapter, and vote on collective bargaining issues.

### **B. Dues**

1. EMU-AAUP shall establish dues for active members.

2. No person shall be deemed an Active Member who is delinquent in the payment of dues for more than thirty-one (31) calendar days after the end of the month in which the semester commences. The Association shall notify the Faculty Member by certified mail explaining that he/she is delinquent in not tendering the required Association dues. If the arrearage in dues is not paid within thirty (30) days after this notice is sent, that person shall thereupon be subject to the procedure determined by the agreement between EMU-AAUP and Eastern Michigan University currently in force.

3. Those in the bargaining unit who wish to change their status to Active Membership during a fiscal year may do so by paying the difference in a lump sum directly to the Chapter unless another payment schedule is approved by the Executive Committee.

4. No provision of this article shall be interpreted as in any way limiting the ability of the Chapter to negotiate collective bargaining service fees for those members of the bargaining unit who choose not to hold membership in the Chapter.

#### C. Fiscal Year

The Fiscal Year shall be the year September 1 through August 31.

### **ARTICLE IV. OFFICERS OF THE CHAPTER**

A. The Chapter shall have a President, Vice-President, Secretary, Treasurer and four (4) Members-at-Large. The only voting members of the EMU-AAUP Executive Committee shall consist of the four (4) elected officers (President, Vice-President, Secretary, and Treasurer) of the Chapter, four (4) Members-at-Large, and the Immediate Past President. A majority of the voting EMU-AAUP Executive Committee shall constitute a quorum for conducting business of the Committee. All officers and at-large members are expected to attend all Executive Committee meetings unless excused.

B. The President, Vice President, Secretary, Treasurer and Members At-Large shall be elected for two (2) year terms and may be reelected to succeed themselves no more than once.

C. The Executive Committee shall appoint one or more Grievance Officers. The performance of Grievance Officers shall be evaluated each year.

### **ARTICLE V. DUTIES OF THE OFFICERS OF THE CHAPTER**

A. The President shall preside over all meetings of the Chapter and of the Executive Committee. The President shall be the official representative of the Chapter. Unless appointed a voting member in the usual manner, the President shall be a non-voting member of every committee, not to be included in the quorum count.

B. The Vice President, in the absence of the President, shall assume the duties of the President and shall perform other duties as directed by the Chapter, including coordination of and liaison with Department Stewards.

C. The Secretary shall keep the minutes of the Chapter and Executive Committee meetings, maintain the official records of the Chapter, prepare the agenda for Chapter meetings (with the advice of the President), circulate notices to the Chapter membership, conduct the correspondence appropriate to the office and keep the membership rolls of the Chapter, and shall perform other duties as directed by the Chapter.

D. The Treasurer shall be responsible for the collection of all Chapter monies and for the discharge of all financial obligations of the Chapter. The Treasurer shall, in consultation with the President, present every year at the September Chapter meeting a proposed budget for the current fiscal year, for the consideration and approval of the Chapter. The Treasurer shall also present an interim report on the current budget for review and acceptance by the Chapter at the first (1st) Chapter meeting of the Winter semester. At the regular October meeting the Treasurer shall present an annual financial report on the previous fiscal year for review and acceptance by the Chapter. The Executive Committee may request, at its discretion, periodic financial statements from the Treasurer. The Treasurer shall annually, prior to the regular October meeting, present the books of the Chapter for a financial statement by an independent firm. Any change to the budget proposed by the membership shall be presented to the Executive Committee for discussion prior to approval by the membership.

E. The Members At-Large shall carry out those duties assigned to them by the President and/or Executive Committee.

F. The Grievance Officer(s) shall be acquainted with current grievance procedures. The Grievance Officer(s) shall assist and advise any and all persons in the bargaining unit from the initiation of a grievance to its eventual resolution. The Grievance Officer(s) shall advise the Executive Committee on all matters pertaining to the grievance procedure and on all grievance cases.

## **ARTICLE VI. DUTIES OF THE EXECUTIVE COMMITTEE**

A. The Executive Committee shall act for the Chapter in carrying out the purposes of the Chapter, it shall establish committees for the Chapter and shall convene special meetings of the Chapter at its discretion. The Executive Committee may propose alterations in the schedule of dues and regulations governing their payment, subject to ratification by the Active Membership.

B. The Executive Committee shall authorize all expenditures of Chapter funds and shall also act as the body which approves the employment of persons to serve the Chapter, including that person or independent firm, authorized to examine the books of the Chapter.

C. The President, Vice President, Secretary, Treasurer, Immediate Past President of the Chapter, and Members At-Large shall serve as members of the Bargaining Council.

D. The Executive Committee shall appoint the members of the Step III Grievance Board when such appointment is required by the contract currently in force between EMU-AAUP and Eastern Michigan University.

E. The Executive Committee shall recommend the size and composition of the Negotiating Team to the Bargaining Council for ratification or resubmission to the Executive Committee.

1. The members of the Negotiating Team shall remain in office until discharged of their duties by the Executive Committee.

2. Any vacancy on the Negotiating Team shall be filled with the advice of the Negotiating Team and by recommendation of the Executive Committee to the Bargaining Council for ratification or resubmission to the Executive Committee.

## **ARTICLE VII. ELECTION PROCEDURES FOR THE EXECUTIVE COMMITTEE**

A. The Executive Committee shall appoint a Nominations and Elections Committee whose function shall be to insure that there are nominees for each vacant office or position to be filled by election of the Active Membership of the Chapter as a whole. The Nominations and Elections Committee shall consist of at least one member from each of the colleges of the University. Members of the Executive Committee may not serve on the Nominations and Elections Committee. The Nominations and Elections Committee shall submit the names of two (2) candidates, if possible, for the offices of President, Vice President, Secretary, Treasurer, and for the positions of Members At-Large. The names of all the nominees shall be presented at a Chapter meeting preceding the election. Additional nominations may be made from the floor at this or at subsequent meetings held prior to the balloting. Voting shall be by secret ballot. For each of the four offices the nominee receiving a majority of the votes shall be declared elected. If no nominee receives a majority of the votes cast for a particular office there shall be a run-off election between the two (2) candidates with the highest number of votes. For Members At-Large, the candidates with the highest number of votes shall be declared elected.

B. Only Active Members of the Chapter are eligible for election to Chapter offices, to serve on the Executive Committee, or to vote in the Chapter elections.

C. Any vacant elective office or position on the Executive Committee shall be filled as soon as possible by a special election for the unexpired term, except that if more than two-thirds (2/3) of the term has expired, the Executive Committee may appoint an Active Member of the EMUAAUP to fill the office or position.

D. Recall Procedures: Any or all officers of the Chapter or the Members At-Large may be removed from office by a recall vote. One-fifth (1/5) of the Active Members of the Chapter must petition for a recall in order to institute these proceedings. A majority of those voting must vote in favor of removal from office. Vote shall be by secret ballot.

E. Executive Committee members are expected to attend all Executive Committee meetings unless excused. The Executive Committee can bring its own petition to the Chapter members under D. above.

## **ARTICLE VIII. DEPARTMENTAL STEWARDS**

A. Within a month of the ratification of the contract, the Active Members of the EMUAAUP in each department shall elect from among themselves a Departmental Steward. The term of office of the Departmental Steward shall correspond with the duration of the contract, unless recalled by a two-thirds (2/3) majority vote of the Active Members of the department. If for any reason a Departmental Steward does not finish the term of office, the remainder of the term shall be completed by a new Departmental Steward elected by and from the Active " Members of the Department.

B. The duties of the Departmental Steward shall be:

1. To communicate with the Chapter office through:

a. maintaining contact with Chapter Grievance Officer(s) regarding grievances from departmental faculty, and informing Grievance Officer(s) of potential problems.

b. attending AAUP Chapter meetings and encouraging colleagues in the department to attend.

2. To communicate with Departmental Colleagues through:

a. contacting newly hired faculty in the department and personally encouraging them to join AAUP.

b. convening and presiding over meetings of AAUP members within the department whenever necessary and distributing other information to department faculty.

3. To participate in contract negotiations through:

a. collecting suggestions for potential contract changes to be included in contract negotiations.

b. serving on Bargaining Council for each new contract and reopener.

c. convening and presiding at meetings of AAUP members within the department for the purpose of electing representatives to the Bargaining Council.

## **ARTICLE IX. CONTRACT NEGOTIATIONS: BARGAINING COUNCIL, NEGOTIATING TEAM AND CONTRACT RATIFICATION**

A. Composition of the Bargaining Council: The Bargaining Council shall consist of the Executive Committee, Departmental Stewards, and Departmental Representatives.

B. Selection of Departmental Representatives to the Bargaining Council:

1. Each University Department shall be entitled to at least one (1) Departmental representative for every ten (10) active EMU-AAUP members.

2. Departmental Representatives shall be Active Members of EMU-AAUP at the time of their nomination and election.

3. Departmental Representatives shall be nominated and elected by the Active Members of EMU-AAUP within their own Departments.

4. Questions of eligibility, proportional representation, and other matters of interpretation pertaining to the selection of Departmental Representatives to the Bargaining Council shall be determined by the Executive Committee.

C. Term of Office of the Bargaining Council: The Bargaining Council shall remain in existence until discharged of its duties by the procedures specified in Article II of the By-Laws.

D. Duties of the Bargaining Council: The duties of the Bargaining Council shall be:

1. To select a chair and other officers from its own ranks and develop its own operating procedures.

2. To establish and maintain effective communication with the entire bargaining unit and survey the faculty with regard to collective bargaining matters, in order to determine faculty desires and priorities.

3. To keep members of the bargaining unit informed as to the progress of negotiations.

4. To familiarize itself with AAUP policies, procedures, and reports as useful guidelines affecting faculty welfare, both within and outside of the collective bargaining process.

5. To familiarize itself with collective bargaining contracts currently or previously in effect at other colleges or universities.

6. To familiarize itself with the process of collective bargaining at other institutions, including both successes and failures.

7. To make recommendations to the Negotiating Team regarding terms to be sought in the contract and to assist in gathering the data necessary to support the recommendations.

8. To meet regularly with the Negotiating Team in order to assess progress, suggest strategy, and to generally assist in the entire -negotiating process up to and including the ratification of a contract.

E. Duty of the Negotiating Team: The duty of the Negotiating Team shall be to negotiate a contract with the representatives of the Board of Regents of Eastern Michigan University. The Negotiating Team shall first submit any proposed agreement to the Executive Committee for discussion and recommendation, the Executive Committee shall then present any proposed agreement along with its recommendation to the Bargaining Council for discussion and for the Bargaining Council's recommendation to the Active Members for ratification or rejection. This meeting of the Bargaining Council to be called by the President at the request of the Chief Negotiator.

F. Ratification: Seven (7) days prior to a ratification vote being conducted, copies of the proposed agreement will be made available for members perusal. The Executive Committee shall then call a meeting of the Active Members of the Chapter for their consideration of the proposed contract and of the recommendation of the Bargaining Council. For the 72 hours after the meeting, a secret vote shall be taken on the contract. All active members will be given a ballot through a secure online voting system. During the Fall or Winter terms the ratification meeting shall be called in the evening or on a weekend. During the Spring and Summer terms, the meeting shall be called at a time when the fewest classes are scheduled to meet. A contract negotiated by the Negotiating Team shall become binding when ratified by the Board of Regents of Eastern Michigan University and by a majority of the Active Members of EMU-AAUP who vote during the ratification period.

## **ARTICLE X. MEETINGS AND QUORUM**

A. At least four (4) Chapter meetings shall be held each year. (September, October, February and March)

B. A quorum, as specified in Article I. of the By-Laws, shall be necessary to conduct all business.

C. EMU-AAUP can hold virtual meetings rather than in-person meetings at the discretion of the Executive Committee.

## **ARTICLE XI. CHAPTER-WIDE REFERENDUM**

A. The Executive Committee may designate any matter as "a matter of great importance to the Chapter." Such a designation will at any time empower the Executive Committee to conduct a Chapter-wide secret vote of the Active Membership on this matter. The position supported by a majority of those voting in the referendum shall be binding on the Chapter. This section shall not prevent the Executive Committee from polling the membership of EMU-AAUP on any other matter to obtain an advisory, non-binding expression of member sentiment.

B. Upon petition by one-fifth (1/5) of the Active Members, the Executive Committee must designate any matter, except contract ratification, presented in the petition as "a matter of great importance to the Chapter" and proceed to poll the Active Membership on this matter within twenty-one (21) calendar days of receipt of the petition, by a secret ballot. The position supported by a majority of those voting in the referendum shall be binding on the Chapter.

## **ARTICLE XII. AMENDMENTS**

A. Any Active member may propose an amendment to the Constitution at a meeting of the Chapter. The proposed amendment must be submitted at the next meeting in writing. If the Active Members in attendance at the next regularly scheduled meeting of the Chapter agree by majority vote to consider the proposed amendment, it must then be submitted to the Active Members for ratification. Ratification shall require a two-thirds (2/3) affirmative vote of those Active Members who cast ballots on the amendment. Voting shall be by secret ballot.

B. Notice of the proposed amendment shall be included in the written agenda provided to all members prior to the Chapter Meeting at which it is considered for submission to the Active Membership of the Chapter as a whole.

## **ARTICLE XIII. CHAPTER DISSOLUTION**

In the case that the Chapter is dissolved, all assets of the Chapter shall be transferred to the Collective Bargaining Congress of the AAUP, Washington, D.C.