

# UFF-PHSC Constitution and Bylaws

## CONSTITUTION

### Article I: Name

This organization shall be known as United Faculty of Florida-Pasco Hernando State College (hereafter UFF-PHSC), an affiliate of the Florida Education Association (FEA), the National Education Association (NEA), the American Federation of Teachers (AFT), and the American Federation of Labor-Congress of Industrial Organizations (AFL-CIO).

### Article II: Purposes

Section 1. To bring together regular, full-time, instructional faculty of Pasco-Hernando State College (hereafter PHSC) into relations of mutual assistance and cooperation in order to obtain rights and privileges to which they are entitled.

Section 2. To represent said faculty in collective bargaining.

Section 3. To retain high-quality, dedicated faculty at PHSC.

Section 4. To achieve and safeguard due process and academic freedom.

Section 5. To promote academic excellence in Florida's institutions of higher education.

Section 6. To strengthen the well-being of the people of Florida through teaching and community service.

Section 7. To promote democratization of Florida colleges and universities to better serve students and citizens.

Section 8. To combat all forms of discrimination based on age, disability, gender, marital status, national origin, political belief, race, religion, or sexual orientation.

Section 9. To take appropriate action in order to safeguard rights guaranteed under the Constitutions of the United States of America and the State of Florida and to encourage the promotion of legislative action to improve economic and educational conditions.

## BYLAWS

### Bylaw I: Membership

Section 1. Those eligible for active membership will be all regular, full time faculty employed by PHSC who meet the unit determination as established by the Florida Public Employee Relations Committee.

A. Membership shall be continuous until the member ceases to be employed by PHSC, resigns from the UFF-PHSC, no longer meets the qualifications, or fails to pay membership dues. Membership may begin at any time during the year upon completion of a membership application and either payment of dues or payroll deduction of dues. Membership may be terminated with thirty (30) days written notice to UFF-PHSC and the PHSC Human Resources Department.

B. Membership will not be terminated while a member is involved in a process of dismissal or non-renewal of contract. Members are required to maintain membership throughout the grievance, arbitration, and/or appeal process to receive representation.

C. A member may be expelled for acts detrimental to UFF-PHSC upon presentation of written charges signed by at least 25% of the total membership and approved by at least 75% of the Executive Council (see **Article IV**). The expelled member shall have the right to appeal the decision to the membership at the following regular membership meeting and shall be reinstated with full rights if the majority of members present vote to reinstate. At every step of the procedure, the accused members right to due process shall be protected meticulously

Section 2. An Active member on leave of absence of at least six months shall be eligible for Reserve membership, and Active members who retire from PHSC may retain membership as Retired members. Members on sabbatical may retain active membership.

Section 3. No discrimination shall ever be shown toward members or applicants for membership because of age, disability, gender, marital status, national origin, political belief, race, religion, or sexual orientation.

Section 4. Members shall also be members of the FEA, the NEA, the AFT, and the AFL-CIO

Section 5. UFF-PHSC will be obliged to provide full benefits of membership to members only. UFF-PHSC shall not be required to extend benefits of membership or defend a member for actions prior to membership.

Section 6. Members will be entitled to the privilege of the floor and the right to vote on all matters considered at general membership meetings as well as to attend and to be granted the floor at Executive Council meetings.

## **Bylaw II: The Executive Council - Purpose and Composition**

Section 1. UFF-PHSC shall have a governing body called the Executive Council. The Executive Council shall consist of active members and shall administer the policy of UFF-PHSC as set by the vote of the membership at a meeting of the membership. The Executive Council shall be empowered to act in and on behalf of the membership in emergency situations requiring action which cannot be delayed until a meeting of the membership can be called. Any action by the Executive Council must receive the affirmative vote of the majority of the Executive Council to be effective.

Section 2. The Executive Council shall consist of all elected officers (President, Vice President, Secretary and Treasurer), UFF Senators, and standing committee chairs. The Executive Council must include at least one member from each campus. In the event that the Executive Council does not include a voting member from a particular campus, the President shall appoint a representative for that campus to serve on the Executive Council.

Section 3. The Executive Council shall meet at least once each semester. Any member may attend the Executive Council meetings but only Executive Council members may vote. The President shall be the chairperson of the Executive Council. The President shall set the meeting time and place at least one week prior to the meeting. The Executive Council shall report its activity at each membership meeting.

Section 4. The Executive Council may dismiss a Executive Council member who does not attend three consecutive official meetings of UFF-PHSC (Executive Council and general membership) and who has been give due notice of the possibility of such dismissal. Any such dismissal shall be by majority vote of the Executive Council. The President shall appoint a new Executive Council member, with Executive Council's approval, to serve the remainder of the term.

Section 5. The President shall be a non-voting member of the Executive Council, except in the event of a tied vote.

### **Bylaw III: Officers**

Section 1. The elected officers shall be the President, Vice President, Secretary and Treasurer. Each officer must be an active member in good standing of UFF-PHSC for at least 6 months, except for the initial election.

Section 2. The term of each office shall be two years. A member will not be eligible for a third consecutive term in any particular office but may run for a different office after one or two terms in one office. A partial term due to a special election shall not count against the term limit.

Section 3. In the event that an officer resigns for any reason or is no longer in good standing, the office shall be vacated. Vacancies will be filled by holding a special election not more than 30 days after a vacancy occurs, unless otherwise determined by the bylaws.

### **Bylaw IV: Duties of Officers**

Section 1. The duties of the President shall be:

- A. To preside at all meetings of UFF-PHSC members and of the Executive Council.
- B. To serve as a member of all committees ex officio.
- C. To sign all necessary papers and documents.
- D. To represent UFF-PHSC when and where necessary.
- E. To appoint chairpeople of all committees.
- F. To serve as a member of the United Faculty of Florida Council of Presidents and as a Senator in the United Faculty of Florida's Senate.
- G. To make an annual report to the membership of UFF-PHSC

Section 2. The duties of the Vice President shall be:

- A. To serve as a member of the Executive Council.
- B. To perform all duties of the President in the absence of that officer.
- C. To perform such other duties as are determined by the President or by the Executive Council.

Section 3. The duties of the Secretary shall be:

- A. To serve as a member of the Executive Council.
- B. To issue all notices.
- C. To answer correspondence at the direction of the President.
- D. To report outside correspondence to the President and Executive Council.
- E. To record minutes of meetings of the Executive Council and of the membership.

- F. To keep up-to-date records of the names, addresses, home phone numbers, and office phone numbers of all full-time faculty.
- G. To perform such other duties as are determined by the President of by the Executive Council.

Section 4. The duties of the Treasurer shall be:

- A. To serve as a member of the Executive Council.
- B. To receive, record, and deposit in the name of UFF-PHSC all monies from dues and all other sources.
- C. To keep the membership roll.
- D. To forward all per capita dues, and current membership lists to any affiliate organizations which so require.
- E. To prepare and present a proposed budget for the fiscal year from September 1 through August 31 for adoption by the membership prior to July 15 each year.
- F. To present a written budget report to the membership once a year.
- G. To keep adequate records, available at all times to the Executive Council.
- H. To pay by check, signed by the Treasurer and either the President or the Vice President, all bills authorized by the adopted budget and to retain vouchers or invoices for same. Expenses not authorized by the budget must be presented to the Executive Council.
- I. To perform such other duties as are determined by the President or by the Executive Council.

Section 5. The duties of a Senator shall be:

- A. To serve as a member of the Executive Council.
- B. To represent UFF-PHSC in the Senate of the United Faculty of Florida.
- C. To perform such other duties as are determined by the President or by the Executive Council.

**Bylaw V: Elections**

Section 1. Elections of the Executive Council will be decided by a majority of those voting using Ranked Choice Voting.

Section 2. All Executive Council elections will be conducted by secret ballot. Executive Council elections will be held annually during the month of March. All locations will elect their Executive Council representatives in the same period in March except in cases of filling vacancies, including those created by recall. Executive Council members will take office the following August 1. Elections will be conducted by members of the Election Committee.

Section 3. The term of an officer will be for two years. The names of the officers will be submitted to UFF within fifteen days of their election/appointment.

Section 4. Membership in good standing is required for election to any Chapter position.

Section 5. A call for nominations for elected positions shall be made no less than thirty (30) calendar days prior to election. Nominations shall be due no less than fourteen (14) days prior to the election. The following procedures shall be utilized for any election of officials.

- A. A blank space will be provided on the ballots for each office in order to allow write-in candidates.
- B. Election voting shall be conducted by secret ballot. Every UFF-PHSC member in good standing according to Treasurer's membership roll is eligible to vote.
- C. A majority vote by the UFF-PHSC members voting shall be required to elect officials.
- D. Newly elected officials will take office on August 1. Newly elected officers should attend all meetings upon certification of the election in order to provide continuity.
- E. All elections must conform with the Landrum-Griffith Act. All completed ballots must be retained for three (3) years after an election. They may be inspected by any member.
- F. In situations where an elected officer is not able to complete the term in office, the officer (or designate) must tender a letter of resignation.

Section 6. The following officers shall be elected bi-annually by members of UFF-PHSC

- A. President
- B. Vice President
- C. Treasurer
- D. Secretary
- E. UFF Senators

Section 7. Officers must be active members in good standing for at least six (6) months prior to assuming office, except for the initial election.

Section 8. Nominations for office shall be made by email, nomination form or at a membership meeting during the first fifteen (15) days in February. Notice shall be provided to each member at least fourteen (14) days prior to the meeting at which nominations will be made. Nominations shall be made with due regard to diverse representation.

Section 9. Officers shall be elected by secret ballot. Ballots shall be prepared and mailed to each member in good standing within fifteen (15) days of nomination closing date. The ballots shall specify a date by which ballots must be returned. Only ballots returned to the Elections Committee on or before the specified date shall be counted. The candidate receiving a majority

of the votes cast for each office shall be declared elected. Balloting is not required for uncontested elections, in which only one (1) nomination is put forward for each position. In such cases, the nominee will be considered elected by acclamation.

Section 10. The term of office shall be two (2) years and shall begin on August 1 after the election. The President-elect, if not a current member of the Executive Council, shall serve as an ex officio member on the Executive Council without voting privileges. If the President-elect is a current Executive Council member, he or she will retain voting privileges appropriate to the current office.

Section 11. In the event that a vacancy occurs in the presidency, the vice president shall immediately assume the presidency for the remainder of the term. The completion of this term will not count as a term of service of the vice president if he or she assumes the role and seeks election for president.

Section 12. A recall election may occur for any officer (elected or appointed) for failure to perform the duties of their office, for malfeasance, or for other good cause shown. A recall election shall be held upon petition for same signed by twenty-five percent (25%) or more of the membership.

## **Bylaw VI: Committees**

Section 1. The standing committees shall include: Bargaining Committee, Membership Committee, and Grievance Committee. Ad hoc committees may include but are not limited to Elections Committee, Constitution and Bylaws Committee, Social Committee and other committees as convened by the Executive Council. Nominations shall be made with due regard to diverse representation.

Section 2. The Bargaining Committee will discuss issues pertaining to negotiations and will represent the membership in the negotiations of contracts. Bargaining Committee members shall be appointed by the President with majority approval of the Executive Council to serve for the duration of upcoming contract negotiations and for a longer period as the Bargaining Committee and Chief Negotiator agree shall be necessary. The Executive Council shall accept self-nominations or nominations from UFF-PHSC members to serve on the Bargaining Committee in a non-Chief Negotiator capacity. The President shall not serve on the Bargaining Committee

Section 3. The Chief Negotiator shall serve as Bargaining Committee Chair with the authority to make decisions affecting the process and progress of negotiating. The Chief Negotiator need not

be a member of UFF-PHSC, so long as the Chief Negotiator is an active member of another UFF chapter or an employee or agent of UFF. In the event that the Chief Negotiator is not a member of UFF-PHSC, he or she will not serve on the Executive Council.

Section 4. The Bargaining Committee shall consist of:

- A. At least three members but no more than six members, including the Chief Negotiator
- B. At least one but no more than two Executive Council members may serve on the committee
- C. At least one at-large member but no more than three, from the general membership of UFF-PHSC.

Section 5. A Bargaining Committee member, including the Chief Negotiator, may be removed by majority vote of the Executive Council for failure to perform the duties of the committee membership, for malfeasance, or for other good cause shown.

Section 6. The Executive Council, and other members of the Bargaining Committee will present all proposed contracts to the membership for ratification. Final ratification of all contracts will require a majority vote of the votes cast by secret ballot. All members of the UFF-PHSC bargaining unit will be able to vote on the contract.

Section 7. The Membership Committee shall be responsible for recruiting new members, orienting new full-time faculty to UFF-PHSC, and to implement a plan for growth and sustainability.

Section 8. The Grievance Committee shall evaluate potential grievances and process those determined to have merit in accordance with the Collective Bargaining Agreement and the policies of United Faculty of Florida. A Grievance Committee member may be responsible for representing members as requested. The Grievance Committee shall consist of no more than five members.

Section 9. The Elections Committee shall be convened at least 30 days prior to any general membership vote. The Elections committee will be responsible for administering votes and will consist of at-large members appointed by the President and approved by the Executive Council.

#### **Bylaw VII: Dues**

Section 1. The annual dues for Active members shall be a percentage of annual contracted salary determined by the Senate of the United Faculty of Florida.



Section 2. The annual dues for Reserve members shall be an amount determined by the Senate of the United Faculty of Florida.

Section 3. The dues for Retired members shall be an amount determined by the Senate of the United Faculty of Florida.

### **Bylaw VIII: Rules of Order**

Robert's Rules of Order, Revised, shall govern for the conduct of the Executive Council and general membership meetings, unless an alternative rules of order is approved by the majority of members at a meeting.

### **Bylaw IX- Quorum**

Section 1. A quorum for Executive Council meetings will be a majority of its voting members.

Section 2. A quorum for general membership meetings will be the number of members present at the meeting.

Section 3. A quorum for any other committee meeting will be a majority of its voting members.

### **Bylaw X: Recall of Officers and Senators**

Section 1. An Officer or Senator may be recalled from office for failure to perform the duties of the office, for malfeasance in office, or for other good cause shown. The process for removal from office shall be as follows.

A. A Bill of Particulars stating the specific failure to perform, malfeasance in office, or other good cause must be drawn up and signed by 25% of the UFF-PHSC members as a petition for removal.

B. The Bill shall then be presented to the Executive Council which shall by majority vote determine if the Bill is sufficient for referral to the UFF-PHSC membership for a recall election.

C. A special meeting of the membership must be held within 10 work days after the Executive Council's referral, at which meeting the Bill will be presented by one of the petition signers, and at which meeting the officer or Senator subject to recall will have the right to present oral and written arguments in defense, and at which meeting members may debate the issue. The

officer or Senator subject to recall shall have the privilege of speaking last.

D. Within thirty days of the special meeting, a secret ballot election shall be held in which all members of the chapter shall have the ability to vote on the matter. If two thirds of the members vote in favor of the recall, the officer shall be immediately removed from office. If the two-thirds majority of voting members is not achieved, the officer shall be retained. Within thirty days after such removal, a special election shall be held to fill the vacant office.

### **Bylaw XI: Amendment**

Section 1. Any member may request that the Executive Council propose an amendment to the Bylaws.

Section 2. If an amendment has been proposed, the Executive Council will form an *ad hoc* Constitution and Bylaws committee to research and make a recommendation. The Executive Council will then take action on the proposed amendment.

Section 3. Following the recommendation by the Constitution and Bylaws Committee, the Executive Council may propose amendments to these Bylaws by a majority vote. The Executive Council must notify members at least 7 days prior to the general membership meeting. The proposed amendment must be ratified by an affirmative vote of at least 60% of the voting members. The ratification vote will be made by ballot or at a general membership meeting.

### **Bylaw XII: Availability of Bylaws**

Copies of these Bylaws and all future amendments shall be submitted to United Faculty of Florida and any affiliated organization that so requests.

### **Bylaw XIII: Adoption of the Bylaws**

The provisions of these Bylaws will become effective immediately upon their approval by the membership.