

# **CONSTITUTION**

**of the**

## **SCOTIA-GLENVILLE TEACHERS ASSOCIATION**

### **I. NAME**

This organization shall be known as Scotia – Glenville Teachers Association.

### **II. PURPOSES**

The purpose of this organization shall be:

1. To advance the standards of its members' professions;
2. To secure the conditions necessary to provide the greatest rewards for its members in their work environment;
3. To promote the participation of its members in the operational decisions affecting their employment;
4. To promote the welfare and well-being of its members;
5. To promote mutual assistance and cooperation with other organizations with which it is associated;
6. To promote the aims and objectives of the New York State United Teachers and its national affiliates;
7. To expose and fight all forms of racism and discrimination;
8. To promote the unity and strength of its members.
9. Receive, hold and administer funds of the members for the above purposes.
10. Act as the negotiation unit between the membership and the Scotia-Glenville Board of Education.

### **III. AFFILIATIONS**

This organization shall be affiliated with the New York State United Teachers (NYSUT) and its national affiliates.

#### **IV. MEMBERSHIP**

There shall be the following membership categories: Active and Special.

1. Active. Active membership in this organization shall be open to any person, whose title is delineated in the collective bargaining agreement with the employer. (includes Teachers and /nurses)
2. Special membership members holding special membership shall be prohibited from holding office, voting on union matters, or voting on contract ratification
  - a. All Teacher Assistants shall be eligible for special membership
  - b. All Aids and monitors shall be eligible for special membership
  - c. Retiree membership in this organization shall be open to employees who have retired. Retirees are eligible for a free membership
3. Active Membership shall be maintained through the payment of all required dues.

#### **V. OFFICERS- (elected)**

1. The officers of the Scotia Glenville Teachers Association shall be a President, Vice President, Vice President of Elementary, 2<sup>nd</sup> Vice President, Secretary, and Treasurer.
2. Additional positions listed in the by-laws will be appointed by the President and approved by the executive board.
3. Duties of the President: The President shall
  - a. Be chief executive officer of the Scotia Glenville Teachers Association.
  - b. Administer all affairs and execute all policies of the organization.
  - c. Be one of the responsible financial officers of the organization and shall be authorized to co-sign financial instruments and make regular and usual disbursements of funds.
  - d. Certify to the Secretary Treasurer of the American Federation of Teachers that the annual audit/internal financial review was presented to the Executive Board, as the organization's governing body, and to the entire membership annually.
  - e. Preside at all meetings of the Executive Board and general membership.
  - f. Represent the organization with all external groups, and be the first delegate to the NYSUT Representative Assembly and the conventions of its national affiliates.

- g. Appoint and establish the function of all committees with the approval of a majority of the Executive Board.
- h. Call regular and special meetings of the Executive Board and general membership.
- i. Fulfill such other duties as the office requires and as are consistent with this constitution.

4. Duties of the Vice President: The Vice President shall

- a. In the President's absence, the Vice President shall assume the duties and responsibilities of the President and shall perform such other duties as the President may designate.
- b. Co-sign financial instruments in the absence of the President or Treasurer.
- c. Support SGTA president in all contract and personnel affairs for unit members.
- d. Represent district teaching assistants in all matters of contract and personnel affairs
- e. Represent district aides/monitors in all matters of contract and personnel affairs
- f. Interface with negotiation teams, NYSUT LRS and the district regarding contract negotiations for district teaching assistants and aides/monitors.

5. Duties of the Vice President of Elementary (or Secondary)

- a. Should the association president be located at the Secondary level the title shall be Vice President of Elementary; alternatively, should the association president be located at the elementary level, the title shall be Vice President of Secondary
- b. Field concerns from building representatives at that level (elementary/secondary).
- c. Communicate and collaborate with the President regarding concerns at the elementary/secondary level to determine best course of action.
- d. Be responsible for such other activities as assigned by the president and Executive Board.

6. Duties of the Second Vice President:

- a. Chair the Membership Committee

- b. Coordinate membership list between the district and NYSUT lists
- c. Coordinate VOTE-COPE campaign
- d. Extend invitation to new member and agency fee payers to join NYSUT
- e. Be responsible for such other activities as assigned by the president and Executive Board.

7. Duties of the Secretary:

- a. Shall keep all records, minutes of meetings, election reports and ballots and committee and officer reports (Minutes of meetings should be kept indefinitely due to possible audit by the Dept. of Labor and IRS).
- b. Keep record of all meetings of the Association and of the Executive Board.
- c. Keep a record of the attendance at Executive Board meetings.
- d. At the end of the term of office, turn over to the new secretary and director of communication the minutes and records of the Association.
- e. Attend to all correspondence of the retiree's of the Association (i. Cards for condolence and congratulation, coordinate with Events Coordinator spring fling invitations)
- f. Chair the election committee
- g. Upon receipt of forms from president of the association file with the headquarters of state and local affiliates, the names of the new officers.

8. Duties of the Treasurer:

- a. Receive, record and deposit all dues monies and other income in the name of the organization;
- b. Reimburse local officials as mandated by the Expense Reimbursement Policy;
- c. Coordinate with 2<sup>nd</sup> vice president to maintain accurate membership records;
- d. Where appropriate, a local may assign the duty of issuing membership cards and sending notices of dues delinquency to a separate membership coordinator;
- e. Be one of the responsible financial officers of the organization and be authorized to co-sign financial instruments and make regular and usual disbursements of funds;

- f. Maintain all financial records of the organization;
- g. Present periodic financial reports to the Executive Board and an annual report to the general membership;
- h. Collaborate with the Executive Board in the preparation of the annual budget;
- i. Arrange for an independent audit or internal financial review of the finances of the organization annually no later than June 1 and make same available to the Executive Board and membership;
- j. Transmit per-capita payments on a regular basis to the Membership Reporting Department of the New York State United Teachers;
- k. Perform other financial duties as delegated by the President or assigned by the Executive Board;
- l. Perform duties of the office and reports as required by the Labor Management Reporting and Disclosure Act, the Internal Revenue Service and the guidelines developed by NYSUT, AFT and NEA

9. Nominations

- a. Each active member as stated in section four of the constitution and in good standing shall be given reasonable opportunity to nominate candidates for office and to run for office.
- b. Notice of the offices to be filled, the right to make nominations, and the time, place, and proper form for submission of nominations will be published in SGTA newsletter and/or announced in a letter from the President and be prominently posted in each work site.
- c. Nomination procedures shall be determined by the Nominating Committee appointed by the president with the consent of the Executive Board and shall be in compliance with the requirements of the Landrum-Griffin Act (as attached).
- d. Advanced notification of all qualifications for elected office shall be provided to the membership.
- e. The Executive Board shall appoint an ad hoc Elections Committee to conduct and monitor each election held by the local. A building representative from each building will serve on the election committee and be responsible for conducting the elections at the building level
- f. Any full-time tenured active member in good standing is eligible for nomination for office.

10. Elections

- a. Written notice provided by the election committee announcing the time and place of elections shall be mailed to each member in good standing to the member's last known home address at least fifteen (15) days prior to the election, not including the date of mailing.
- b. Election shall be by secret ballot. Proxy votes will be allowed if appropriate form has been completed and turned in at the time of voting. The principle of one-person, one-vote shall apply to all local/council elections.
- c. No union funds or employer funds shall be utilized in any local election. A local or council may expend funds provided such expenditure is consistent with the standards applicable to a union election which is subject to and governed by Title IV of the Labor-Management Reporting and Disclosure Act (LMRDA) ("Landrum- Griffin").
- d. The results of the election shall be provided by the elections committee to the director of communication to be published in SGTA newsletter and/or announced in a letter from the President or Executive Board.
- e. The Secretary (Elections Committee Chair) shall preserve all election records, including ballots, for a period of time equal to the term of office or the election cycle. Further, if the election is contested, the records shall be preserved for a period of one

year after a final determination is made in the contested election.

(Note: The by-laws may provide that the notice of nominations and of the election may be combined in one notice mailed to each member's last known home address at least fifteen (15) days prior to the election, not including the date of mailing.)

[NOTE: Since the President, by virtue of his/her office is automatically the first delegate, the ballot for the election of President shall also specify, "President (Delegate to the NYSUT Representative Assembly and its national affiliates)"

11. Terms of Office.

Duly elected officers shall serve a 1 year term commencing July 1. Each officer shall remain in office until his/her successor assumes the office.

12. Vacancies

- a. If the office of the President becomes vacant, the 1<sup>st</sup> Vice President shall assume the office of President.
- b. If any other office becomes vacant, it shall be filled by the Executive Board until the next election is held by the general membership.

## VI. EXECUTIVE BOARD

1. The Executive Board shall be composed of the duly elected officers and other elected positions. The Executive Board shall meet at least monthly. Special meeting may be called by the President or by petition of a majority of the Executive Board.
2. Non-voting advisory members may be appointed to the Executive Board by the president or a majority of the members of the Executive Board.
3. Executive Board members, other than advisory members, shall be elected by ballot in a manner similar to the election of officers.
4. Elected Building Representatives shall be assigned as follows:
  - a. Four representatives from the high school
  - b. Three representatives from the middle school
  - c. Two representatives from each elementary school
5. Duties: The Executive Board shall:
  - a. Establish the honorarium and expense guidelines of any general officer who is employed by the organization.
  - b. Be empowered to make contracts and incur liabilities including the purchase of services, equipment and real property, to borrow money, to secure such obligations by mortgage or other instrument, and to otherwise engage in financial transactions to the extent permitted by applicable law or statute. The Executive Board shall have the power to sue, complain and defend on behalf of the membership.
  - c. Ensure that an annual financial report and an audit/internal financial review is presented to the membership.
  - d. Ensure that an audit/review by an independent accounting firm *or* an internal financial review conducted by a committee of 3 – 5 members who do not sit on the Executive Board is presented to the membership annually.
  - e. Ensure that an annual budget is adopted, in collaboration with the Treasurer, by the Executive Board/Membership no later than June 30 annually.
  - f. Implement an Investment Policy determining acceptable types of investments, maturity timeframes, and number of commercial banking relationships with assessments of these relationships based on periodic ratings by an independent ratings service.
  - g. Establish a fiscal year for the local which shall commence (July 1) and end

(June 30).

- h. Adopt an expense reimbursement policy and update as necessary.
- i. Interpret the constitution and by-laws.
- j. Act on policy matters for the organization between the meetings of the general membership.
- k. Make policy recommendations to the membership for their consideration.
- l. Approve committee appointments.
- m. Serves to hear appeals from members regarding decisions by the Grievance Committee.
- n. Meet at least monthly during the school year. Special meeting may be called by the president or by petition of a majority of the Executive Board.

## **VII. STANDING COMMITTEES**

Chairpersons and members of standing committees and ad hoc committees shall be appointed by the President with the approval of the Executive Board.

- 1. Negotiations
- 2. Grievance
- 3. Legislation/Political Action
- 4. Membership
- 5. Election
- 6. Events
- 7. Nomination

## **VIII. DELEGATES TO NYSUT AND OTHER AFFILIATES**

Delegates to the NYSUT Representative Assembly, and other affiliates shall be elected by secret ballot in a manner consistent with the Constitution and By-laws of the appropriate state and national organizations and with the Landrum-Griffin Act.

## **IX. PROTECTION OF RIGHTS OF MEMBERS**

1. Every active member in good standing of this organization shall have equal rights and privileges to nominate candidates to hold office, to vote in elections or referendum, to attend membership meetings, and to participate in deliberations and voting upon the business of the organization.
2. No member may be fined, suspended, expelled, or otherwise disciplined (except for nonpayment of dues) by this organization unless such member has been served with written specific charges and given a reasonable time to prepare a defense and afforded a full and fair hearing.
3. No officer of the organization may be removed from office unless such officer has been served with written specific charges and given a reasonable time to prepare a defense and afforded a full and fair hearing before the Executive Board. Following the hearing, the Executive Board may recommend to the membership of the organization that the officer be removed from office by a two-thirds (2/3) vote of the Executive Board. Subsequently, the officer may be removed office by a two-thirds (2/3) vote of the membership at a general membership meeting called for that purpose and pursuant to the organization's by-laws.
4. This organization shall show no discrimination toward any individual or group of individuals on the basis of sex, religion, color, race, marital status, sexual orientation, gender identity, national or ethnic origin, age, disability, or political activities and beliefs.

## **X. RATIFICATION OF COLLECTIVE BARGAINING AGREEMENTS**

Approval or disapproval of any Collective Bargaining Agreement with the employer shall be determined by a majority vote of the members in good standing of this organization, from the unit to which the Collective Bargaining Agreement applies following a membership meeting called specifically for that purpose. Ratification shall be done at the school level in a manner equivalent to the aforementioned election procedures.

## **XI. AMENDMENTS**

1. Any member in good standing may submit an amendment to this constitution to the Executive Board for consideration and will be acted on by the Executive Board no later than the second regular meeting following the submitted amendment proposal.
2. An amendment to this constitution may be proposed to the membership by
  - a. A majority of the Executive Board.
  - b. No fewer than twenty (20) percent of the membership.
3. A proposed amendment must be posted in a conspicuous place in each work site and/or distributed in writing to each member at least ten (10) days before the ratification vote.
4. An amendment may be ratified by a two-thirds (2/3) vote of members in good standing at the school level in a manner equivalent to the aforementioned election procedures

## **XII. PARLIAMENTARY AUTHORITY**

Meetings of all duly constituted bodies of this organization shall be governed by Roberts' Rules of Order, Newly Revised, except as otherwise provided in this constitution.

## **BY-LAWS**

### **DUES**

The dues shall be determined by the budget adopted by the Association.

### **GENERAL MEMBERSHIP MEETINGS**

1. Meetings of the general membership may be called by the President, by a majority of the Executive Board or by petition of twenty (20) percent of the membership. Membership meetings shall be held no less than one time per year.
2. Members shall receive written notification of regular general membership meetings fifteen (15) days prior to the date of the meeting. Special membership meetings may be called with fewer than fifteen (15) days notice, but the notification must be written and must state the purpose and agenda for the special general membership meeting.
3. A quorum for general meetings of the Association shall consist of a majority of the total voting membership. A quorum for Executive Board meetings shall consist of 2/3 of the members. A quorum for committee meetings shall consist of a majority of the committee members.

*Revised February 14, 2017*

List of all SGTA positions elected and appointed that receive an honorarium

**Elected**

President

1<sup>st</sup> Vice President

2<sup>nd</sup> Vice President

Vice President for Elementary

Secretary

Treasurer

Representative Assembly Delegates ( 3 plus president)

Building representative

2 from Glendaal

2 from Glen Worden

2 from Lincoln

2 from Sacandaga

3 from the Middle School

4 from the High School

**Appointed positions**

Communication director

Activities Coordinator

Website Coordinator

Retiree Delegate

ED 12 Representative

New Member Coordinator

PTA council representative

Retiree liaison

Grievance chair

Chief Negotiator

APPR Chair

Teacher Assistants and Aids/ Monitors Representatives

1 High School/ Middle school (from the TA unit)

1 from the Aid and Monitors unit



<b>CHECKLIST FOR ELECTIONS UNDER LANDRUM-GRIFFIN</b>
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1. Are elections held within the three-year limit prescribed by the Landrum-Griffin Act?
2. Do members receive reasonable opportunity for nominating, including notice of the:
  - \_\_\_\_\_ offices to be filled;
  - \_\_\_\_\_ time for submitting nominations;
  - \_\_\_\_\_ place for submitting nominations; and
  - \_\_\_\_\_ proper form for submitting nominations?
3. Do members have reasonable time to choose and nominate candidates?
4. Do all members in good standing have an opportunity to be nominated, subject only to reasonable qualifications uniformly imposed?
5. Are rules governing eligibility for nomination fair, reasonable, and uniformly imposed?
6. Do all candidates have equal opportunity to use membership lists, distribute literature, and campaign for office?
7. Are candidates for office prohibited from using union funds to promote their candidacy?
8. Are all officers and all delegates to conventions at which they vote for officers elected by secret ballot?
9. Do all members in good standing have an opportunity to vote, limited only by reasonable rules uniformly imposed?
10. Are election notices mailed to members at their last known home address at least fifteen days prior to an election?
11. Are candidates given the opportunity to have observers at each polling place at the counting of the ballots?
12. Do members freely support candidates of their choice, without fear of reprisal?
13. Do election procedures conform to the constitution and bylaws, and are they consistent with the provisions of the Act?
14. Are the ballots of each local counted and a report showing the vote published?
15. Are ballots and other election records preserved for at least one year?

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