

RIC/AFT ADJUNCT UNION CONSTITUTION AND BY-LAWS

CONSTITUTION

PREAMBLE

We, the members of the Rhode Island College Adjunct Faculty Chapter of the American Federation of Teachers, have joined together to ensure adjunct faculty participation in decision making at Rhode Island College and to promote the professional and economic satisfaction of the members and the advancement of education, by means of our cooperative action and by affiliation with the American Federation of Teachers.

Article I. Name

The name of this organization shall be the Rhode Island College Adjunct Faculty Chapter of the American Federation of Teachers, AFL-CIO, Local #1563, hereinafter referred to as the “RIC/AFT Adjunct Union.”

Article II. Objectives

This chapter, as a professional organization, unites members of the Rhode Island College adjunct faculty in a federation for mutual assistance in order to:

- a. Promote and protect an atmosphere and structure of academic freedom for faculty and students in the pursuit and dissemination of knowledge and in the acquisition and dissemination of skills.
- b. Provide the best possible conditions for teaching and research. These conditions include workloads, salaries, fringe benefits, and other relevant concerns.
- c. Provide and guarantee appropriate job security for adjunct faculty.
- d. Provide and guarantee protection against arbitrary actions, and ensure due process in case of grievances.
- e. Promote maximum adjunct faculty participation in decision making.
- f. Promote the excellence of Rhode Island College and its service to society.
- g. Promote the interests of adjunct faculty, the teaching profession, and higher education in general.
- h. Embody these objectives in a workable Agreement with the Board of Governors for Higher Education in Rhode Island.

Article III. Membership

- Sec. 1. All unclassified professional employees of the state of Rhode Island engaged in adjunct teaching at Rhode Island College shall be eligible for membership.
- Sec. 2. It is intended by Section 1 to exclude those whose function is primarily administrative or managerial. Persons appointed Dean or higher administrative rank are ineligible.
- Sec. 3. In special circumstances, persons other than those described in Section 1 may be elected to membership if not excluded by Section 2.
- Sec. 4. Membership and its rights and privileges shall not be denied or abridged on account of sex, color, race, age, disability, religion, creed, ethnic or national origin, marital status, sexual preference, or political belief.
- Sec. 5. Membership in good standing is required to hold office or to vote in elections or membership meetings. Good standing shall be defined in the by-laws.

Article IV. Membership Meetings

- Sec. 1. The primary method of expressing the will of the RIC/AFT Adjunct Union is a vote of members. Major policies are to be established or altered in this way or as provided in Article VI.
- Sec. 2. Notice of any meeting is required. Meetings shall be held and conducted in accordance with the by-laws.
- Sec. 3. Petitions and position statements shall be presented by the Executive Committee of the RIC/AFT Adjunct Union to the membership at least five (5) days prior to the date on which it shall be considered. If the petition is to be circulated, supportive services should be provided by the union for the petition to be duplicated and distributed.

Article V. Officers

- Sec. 1. The officers shall be a President, a Vice President, a Secretary, and a Treasurer.
- Sec. 2. Only members in good standing may vote or hold office.
- Sec. 3. Officers shall be elected biannually by the membership by secret ballot as provided in the by-laws, and shall hold office until their successors qualify. Vacancies shall be filled for the unexpired term as provided in the by-laws.
- Sec. 4. The duties and responsibilities of the officers shall be as provided in the by-laws.

Article VI. Executive Committee

- Sec. 1. The Executive Committee shall superintend the administration of the policies of the Chapter; it shall have the power to act for the membership within the limits of the Constitution and by-laws when necessary between membership meetings except that it shall not have the power to set dues or assessments; it shall have such other powers, duties and responsibilities as may be set by the by-laws or the membership.
- Sec.2. The Executive Committee shall consist of the four officers, the Chairperson of the departmental representatives, and two members elected annually at large by the membership as provided in the by-laws. Any vacancies among the elected members may be filled by the Executive Committee for the unexpired term.
- Sec. 3. The President of the RIC/AFT Adjunct Union shall be the chairperson of the Executive Committee.

Article VII. Departmental Representatives

- Sec. 1. Departmental Representatives shall be a principal instrument of two-way communication between the membership and the Executive Committee on adjunct faculty concerns and issues.
- Sec. 2. Their duties and responsibilities shall be specified in the by-laws.

Article VIII. Committees

- Sec. 1. Standing committees may be established by by-laws. The committee members and chairperson shall be appointed by the President with the advice and consent of the Executive Committee unless otherwise provided. The duties and responsibilities of the committee shall be as provided in the by-laws.
- Sec. 2. Additional standing committees and ad hoc committees may be established by the membership. With the approval of the Executive Committee, such committees may also be established by the Departmental Representatives or by the President.
- Sec. 3. Each committee chairperson shall make periodic reports and a written annual report to the Executive Committee unless excused.

Article IX. Affiliations

- Sec. 1. The RIC/AFT Adjunct Union shall maintain affiliations with the Rhode Island Federation of Teachers and Health Professionals, the American Federation of Teachers, the Rhode Island AFL-CIO, and the Providence Central Labor Council, unless otherwise determined as provided for in Section 4 of this Article
- Sec. 2. The selection and duties of delegates to these bodies shall be in accordance with the by-laws and applicable laws.

- Sec. 3. This Chapter is autonomous. It is not automatically bound by positions taken by affiliated organizations. Only specific valid action of the membership, or the Executive Committee when authorized for the membership, is binding on the Chapter.
- Sec. 4. Nothing in this Constitution or the by-laws shall be construed as abrogating the right of members of this Chapter to initiate and effect the disassociation of the Chapter from any or all affiliations. Such disassociation may be effected by a vote of a majority of all members in good standing or by amendment of this Constitution. Such action shall automatically annul the relevant portions of the Preamble, Article I, Article IX, and related by-laws.

Article X. Elections

- Sec. 1. Elections shall be carried out in accordance with the by-laws and applicable laws.

Article XI. Finance

- Sec. 1. To finance operations of the RIC/AFT Adjunct Union, dues and assessments may be levied on the membership by the membership in accordance with the bylaws, and collected by the Treasurer, who shall be responsible for their safekeeping and disbursement as directed by the membership of the Executive Committee.

Article XII. By-Laws

- Sec. 1. Proposals for enactment or amendment of by-laws may be initiated by vote of two thirds of the members of the Executive Committee or by petition signed by at least ten percent of the members of the Chapter in good standing, or by petition signed by at least two-thirds of the Departmental Representatives voting in the affirmative. Any such proposal shall be placed before the membership not less than ten (10) days nor more than thirty (30) days after filing with the Secretary, and the text shall be communicated to members in advance of the vote.
- Sec. 2. If approved by two-thirds of the votes cast by members in good standing in that ballot, the amendment shall thereby be approved.

Article XIII. Amendments to the Constitution

- Sec. 1. Proposals for amendments of this Constitution may be initiated by vote of two-thirds of the members of the Executive Committee or by petition signed by at least ten percent of the members of the Chapter in good standing, or by a two-thirds vote of the members of the Departmental Representatives. Any such proposal shall be placed before the membership not less than ten (10) class days nor more than thirty (30) class days after filing with the Secretary, and the text shall be communicated to members in advance of the vote.

- Sec. 2. If approved by a majority of the members in good standing, the proposal shall be submitted to secret ballot of the members in good standing not less than eight (8) class days nor more than thirty (30) class days thereafter.
- Sec. 3. If approved by two-thirds of the votes cast by members in good standing in that ballot, the amendment shall thereby be approved.
- Sec. 4. Not later than three years after taking effect, this Constitution shall be reviewed by a special committee appointed for this purpose by the Executive Committee. The special committee shall report its findings to the membership not later than four months after appointment of the committee, excluding time that is not part of the academic year. Such report shall have the same status with regard to Section 1 of the Article as a proposal from the Executive Committee.

Article XIV. Ratification

- Sec. 1. If approved by the Executive Committee, this proposed Constitution shall be presented to the membership for ratification. A two-thirds majority of votes cast shall be necessary for ratification, in which case this Constitution shall take effect fourteen days later.
- Sec. 2. If the proposed constitution is ratified, persons then holding office may continue to do so for the remainder of the terms to which they were elected.
- Sec. 3. If ratified, three copies of this Constitution and all subsequent amendments shall be submitted to the National Office of the American Federation of Teachers; copies shall be made available to other affiliated organizations upon request; and any member of the Chapter in good standing may obtain a copy upon request to the Secretary.

Record of Ratification:

Approved by the Executive Committee (date, vote)

Approved by membership ballot (date, vote):

Attest:

By-Law I. Membership

- Sec. 1. Included in those eligible for membership are: adjunct faculty who have completed six credit hours within the previous two years.
- Sec. 2. Members in good standing are members who qualify under Article III of the Constitution and Section 1 above and whose dues and assessment are not in arrears. Members not in good standing are defined as members whose dues and/or assessments are in arrears more than sixty (60) days. Good standing may be reinstated immediately by payment of arrears.

By-Law II. Membership Meetings

- Sec. 1. "Regular meetings" of the membership shall be held at least once during the academic year at a time and place to be set by the Executive Committee. Members are expected to be available to express their will at such meetings. Notice of each regular meeting shall be published at least one week in advance, together with an agenda of the business expected.
- Sec. 2. A special meeting may be called upon one week's notice, published together with an agenda. The business of a special meeting is presumed more pressing than usual, so every effort shall be made to assure maximum attendance and to inform the membership concerning the business to be considered.
- Sec. 3. An emergency meeting may be called on 24 hours notice if approved by two-thirds of the Executive Committee. Maximum effort shall be made to inform members. Such a meeting may take action only if two-thirds of the members in good standing present vote to waive longer notice.
- Sec. 4. New business not on the agenda of a meeting may be brought up from the floor. However, action shall not be taken on such business unless two-thirds of the members in good standing present vote to waive notice.
- Sec. 5. Proposed resolutions or public statements reflecting membership compliance must be distributed to the general membership at least five (5) days prior to the Chapter meeting at which such statements will be considered for adoption.
- Sec. 6. A quorum is required to take any action other than procedural.
- a. For action on Chapter policy, financial matters, and proposals to enact or amend either the by-laws or the Constitution, a quorum shall be ten (10) members in good standing.
 - b. For other actions, such as implementation of decisions and receipt of reports of officers and committees, and for making provisions for elections and referenda, a quorum shall be ten (10) members in good standing.
 - c. Decisions shall be by majority vote of the members in good standing present and voting, except as otherwise provided by the Constitution, By-Laws, or Rules of Order.
- Sec. 7. Robert's Rules of Order shall govern meetings, except as otherwise provided.

By-Law III. Officers

- Sec. 1. The President shall:
- a. Preside at all membership meetings and meetings of the Executive Committee;
 - b. Appoint members and chairpersons of committees with the advice and consent of the Executive Committee if not otherwise provided for;

- c. Be a voting member ex-officio of all committees;
- d. Be the principal spokesperson for the Chapter and represent it when and where necessary;
- e. Sign necessary documents and contracts if duly authorized, thereby binding the Chapter;
- f. Make formal reports as frequently as practicable;
- g. Provide leadership and, by word and example, stimulate other members, officers, and committees vigorously to forward the objectives of the Chapter;
- h. Have the power to delegate the above duties except as otherwise prohibited;
- i. Be a delegate to the national convention of the American Federation of Teachers.

Sec. 2. The Vice President shall:

- a. Perform all the duties of the president in the absence or disability of the President;
- b. Become President if the President dies, resigns, becomes permanently Disabled, or ceases to be a member of the Chapter;
- c. Perform such other duties as may be directed by the Chapter, the Executive Committee, or the President.

Sec. 3. The Secretary shall:

- a. Make and keep records of the activities of the Chapter and Executive Committee, including, but not limited to, minutes of meetings, except as otherwise assigned;
- b. Provide and issue notices;
- c. Carry on correspondence under the direction of the President;
- d. Perform such other duties as may be directed by the Chapter, the Executive Committee, or the President.

Sec. 4. The Treasurer shall:

- a. Receive, record, and deposit in the name of the RIC/AFT Adjunct Union all monies collected, whether by dues, fees, assessments, or otherwise;
- b. Certify as to the good standing of each member, specifically making known to the President and to elections officials those who are not in good standing;

- c. With the Finance Committee, be responsible for the construction and submission of the Chapter's budget. Pay all bills and obligations of the Chapter within the approved budget or as authorized by the membership. Items in excess of \$500.00 require approval by the membership or by the Executive Committee;
- d. Be the principal financial officer of the organization and be authorized to sign or co-sign financial instruments and make regular and usual disbursements of funds subject to procedures established by the Executive Committee;
- e. Forward appropriate membership lists and remittances to the Rhode Island Federation of Teachers and Health Professionals and the American Federation of Teachers;
- f. Have charge of the books of account, upon which she/he shall report in writing at each membership meeting unless excused by the membership or the Executive Committee, and submit the books and records for audit as called for;
- g. Make special reports of the financial status of the Chapter as required by law or by will of the President or Executive Committee, and make a full annual report to the membership;
- h. Perform such other duties as may be directed by the Chapter, the Executive Committee, or the President.

Sec. 5. In the event of the death, resignation or disability of an officer other than the President, the President or acting President with the advice and consent of the Executive Committee shall appoint a person to fill the position until the next regular election.

Sec. 6. Officers shall take office fourteen days after the close of balloting or at such other time within thirty days of that date as the membership shall set in advance of the election.

By-Law IV. Executive Committee

Sec. 1. The Executive Committee shall hold regular meetings. It shall hold other meetings on call of the President or upon the request of three or more members of the Committee. Members of the Committee shall be notified of meetings and agenda at least 48 hours in advance except in an emergency.

Sec. 2. Valid action may be taken by the Executive Committee if either of the following conditions is met, unless otherwise provided in the Constitution or By-Laws:

- a. If at least a majority of its members (7) agree on the action, or
- b. If at least two-thirds of its members (5) are present, in which case a vote of a majority of those present is decisive.

Sec. 3. Minutes shall be kept and be available to members of the Committee. A summary of actions shall be reported to the membership of the Chapter.

- Sec. 4. The President of the Chapter shall be chairperson of the Executive Committee.
- Sec. 5. The Executive Committee shall designate one of its members to further facilitate liaison with Departmental Representatives.
- Sec. 6. The Executive Committee shall advise and consent to the appointment of committee members and chairpersons by the President, unless otherwise provided, and shall supervise the work of committees. The Executive Committee approves the Chapter's budget.
- Sec. 7. The Executive Committee shall set the time and place of each membership meeting, prepare the agenda, and cause the agenda to be published in advance of the meeting as provided in the Constitution and By-Laws.
- Sec. 8. The Executive Committee may delegate its authority except concerning the approval of the proposed by-Laws or amendments to the Constitution or By-Laws.
- Sec. 9. In a given term of office any officer or Executive Committee member who is absent for 1/3 or more of the regularly scheduled Executive Committee meetings without acceptable reason, shall be ineligible for renomination to serve on the Executive Committee in the following year.

By-Law V. Departmental Representatives

- Sec. 1. The chief role of the departmental representatives is two-way communication between the membership of the Chapter and the Executive Committee. In particular it shall advise the Executive Committee of the desires of the membership with respect to policies and strategies of importance to the membership, especially where these desires need to be made known between membership meetings.
- Sec. 2. Department representatives shall be composed of the following:
- One member from each academic department/ program designated by the adjunct faculty in that department. If no representative is designated, then the chairperson of the departmental representatives may appoint such departmental representative.
- Sec. 3. Each representative shall serve two year terms.
- Sec. 4. The Chairperson shall be elected by the departmental representatives. This Chairperson shall automatically be a member of the Executive Committee.
- Sec. 5. The departmental representatives shall meet on dates they set or on call of its chairperson or the President. At least one week's notice shall be given except in emergencies.
- Sec. 6. The departmental representatives shall choose a recorder who shall keep minutes of all proceedings and report same to the members and to the Executive Committee. The departmental representatives may choose other officers.

- Sec. 7. In its role as representatives of departmental adjunct faculty, the departmental representatives shall appoint certain members of the Nominating Committee and Elections Committee as provided in the By-Law on Standing Committees, and one member to the Finance Committee and to the Evaluation Committee.

By-Law VI. Delegates to Affiliated Organizations

- Sec. 1. All delegates to meetings or conventions of affiliated organizations shall be members of the Chapter in good standing. The President shall be an ex-officio delegate. In absence of the President, the Vice President shall act in his place.
- Sec. 2. Delegates (including alternates if any) to the annual convention of the Rhode Island Federation of Teachers and Health Professionals (presently held in October) shall be elected by the membership no later than the preceding month.
- Sec. 3. Delegates and alternates to the national convention of the American Federation of Teachers shall be elected by the membership except that the President—or in his absence the Vice-President—shall automatically be a delegate. The number of delegates shall equal the number to which the Chapter is entitled under the Constitution of the American Federation of Teachers, and the number of alternates shall equal the number of delegates, except that in each case a smaller number may be set by action of the membership.
- Sec. 4. Delegates to other affiliated organizations shall be appointed by the Executive Committee.
- Sec. 5. Every reasonable effort shall be made by the Chapter to pay legitimate expenses of delegates to meetings and conventions of affiliated organizations. First priority is payment of expenses of the President, or the Vice-President in his place, if serving as a delegate. Other available money for expenses shall be equally divided among the other delegates (or alternates serving as delegates).
- Sec. 6. All delegates shall make reports to the Executive Committee about the meetings attended. Upon request of the Executive Committee, such a report shall be in writing.

By-Law VII. Elections

- Sec. 1. Elections shall be conducted in accordance with the AFT Constitution and the standards set out by the Labor-Management Reporting and Disclosure Act (LMRDA).
- Sec. 2. Officers shall be elected in January of odd years. Terms of office shall be two years. The organization will elect the following officers:
- a. President
 - b. Vice-President
 - c. Secretary
 - d. Treasurer

- Sec. 3. To be eligible for office a person must be a member in good standing of the organization for a period of six months prior to the date of the election.
- Sec. 4. The elections committee shall conduct all general and special elections and referenda of the organization.
- a. The Elections Committee shall consist of three members in good standing, two appointed by the Executive Committee and one appointed by the departmental representatives.
 - b. Any member of the elections committee nominated for or seeking union office must vacate their position and will be replaced by a member nominated by the president and approved by the executive committee.
- Sec. 5. Nominations
- a. Sixty (60) days prior to the date of election, the elections committee shall notify all members of the opening of nominations for officers, the offices to be filled, the necessary qualifications for nomination and election to such offices, and of the date of the election by first-class U.S. Mail to the members' last known home address.
 - b. To be nominated for any union office, a candidate must submit to the elections committee a petition containing the signatures of fifteen (15) members. Said petition must be submitted no later than thirty (30) days following the notice of the opening of nominations.
 - c. Members nominated to run for office must affirmatively accept their nomination.
 - d. The elections committee shall determine whether the nominations were timely and if each nominee is eligible to run for office.
- Sec. 6. At least fifteen (15) days prior to the election, the elections committee shall notify all members of the election date and the candidates for offices. (Note: provided the local has already provided notice by first-class U.S. Mail, as required in Section 5, this reminder about the election could be distributed by other means, such as members' mailboxes, union bulletin boards, electronic newsletter, email and/or the local's Web site.)
- Sec. 7. The elections committee shall prepare and send ballots by U.S. mail to all members in good standing for the preceding sixty (60) days, in such manner as to ensure the secrecy of the ballot, no later than fifteen (15) days following the close of nominations. The period between the mailing and return date for the ballots shall be no fewer than twenty (20) calendar days.
- Sec. 8. The ballots shall be tabulated by the elections committee, and a plurality of the ballots cast for each office shall determine the outcome of the election.

- Sec. 9. The election results will be published and distributed to the membership within thirty (30) days of the conclusion of the election. All elections materials, including the ballots, will be kept in a secure location for one (1) year.
- Sec. 10. Challenges and objections to the election must be submitted in writing, with a statement of supporting reasons that includes specific facts as well as any documentation, to the elections committee within seven (7) days of the announcement of results. The elections committees shall issue its written opinion regarding the objections no later than fourteen (14) days after receipt of such objections.
- Sec. 11. Elected candidates shall assume office within thirty (30) days of the announcement of the election results.

With the exception of the president, where the vice-president will assume the presidency, or in case of a recall, the executive board will have the power to fill vacancies in its membership until the next general election of officers.

- Sec 12. A petition signed by forty-five percent (45%) of the membership, and alleging constitutional violations, fiduciary breaches or acts clearly detrimental to the union, shall be sufficient to require the executive board to vote on whether to conduct a recall election of the officer identified in the petition. The officer subject to recall and any executive board member signing the petition shall not vote on the question of a recall election. If a majority of the executive board approves a recall election, the elections committee shall supervise the recall election.

By-Law VIII. Standing Committees

- Sec. 1. Unless otherwise provided, standing committees and their chairpersons may be appointed annually by the President with the advice and consent of the Executive Committee.
- Sec. 2. The Grievance Committee shall consist of three to five members. It shall act on all grievances and complaints submitted in writing to the RIC/AFT Adjunct Union, and shall make recommendations to the Executive Committee concerning the carrying of grievances beyond the College level. It shall counsel members of the RIC/AFT and, at its discretion, other interested persons about the handling of possible grievances and complaints and ways to avoid the development of grievances and complaints. It shall inform the Executive Committee of significant developments concerning grievances or complaints, and make summary status and activity reports to the executive Committee at least once a semester during the academic year.
- Sec. 3. The negotiating Committee shall consist of at least three to five members. Under the supervision of the Executive Committee, the Negotiating Committee shall bargain collectively for the employees included in the bargaining unit whenever the RIC/AFT Adjunct Union is authorized to do so.

- Sec. 4. The Program Development Committee shall compile and analyze information and prepare materials and make recommendations including those concerning compensation and load for use of the Executive Committee and Negotiating Committee, and make recommendations regarding future activities of the Chapter.
- Sec. 5. There shall be an Elections Committee. It shall consist of two persons appointed by the Executive Committee and one nominated by the Departmental Representatives. It shall conduct elections as provided in the by-law on elections (By-Law VII).
- Sec. 6. The Finance Committee shall consist of the Treasurer, one member appointed by the Executive Committee and one member appointed by the Departmental Representatives. The Committee shall review operations of the Treasurer, seek to maximize the income and minimize the expenses of the RIC/AFT Adjunct Union, recommend budgets to the President and Executive Committee, and arrange for any needed audits of the Treasurer's book and records.
- Sec. 7. The Facilities Committee shall consist of at least three members. It shall seek improvements in the facilities for instruction and other adjunct faculty purposes, both on its own initiative and on complaint from the adjunct faculty or, at its discretion, from other members of the College Community. It shall make recommendations to the Executive Committee and the Negotiating Committee.
- Sec. 8. The Evaluation Committee shall consist of two members appointed by the Executive Committee and one member appointed by the Departmental Representatives. It shall have the responsibility for planning and conducting surveys of adjunct faculty evaluation of the performance of administrators who are of adjunct faculty concern, primarily for the purpose of showing how or where administrative performance could or should be improved.
- Sec. 9. There shall be a Committee on Human Rights. This Committee shall seek to promote both the elimination of discrimination and the provision of equal rights and conditions within the college. The committee shall consist of at least two chapter members.

By-Law IX. Ad Hoc Committees

- Sec. 1. Ad hoc committees may be established by the President with the advice and consent of the Executive Committee or by direction of the membership.
- Sec. 2. Ad hoc committees shall be appointed to study, act, and/or make recommendations on specific problems or areas. Their composition and charge shall be appropriate to the purpose. Each such committee shall make a final report and, unless the final report is made within two months of the appointment of the committee, shall make progress reports to the Executive Committee.

By-Law X. Finances

- Sec. 1. The dues of this organization shall be 5.23% of the Adjunct Faculty Level 1 rate of pay for one credit hour per semester or summer session when employed. This includes the prevailing per capita amounts for the AFT, state federation, and AFL-CIO local and state affiliates, and insurance premiums. Whenever the dues of a required affiliate increases, the dues of the local shall automatically and simultaneously increase by the same amount.
- Sec. 2. Special assessments for specific purposes may be levied by the executive committee.

Submitted for ratification on October 25, 2010