

CONSTITUTION OF THE DOWLING COLLEGE CHAPTER OF NEW YORK STATE UNITED TEACHERS Local #3890

Preamble

The Dowling College Chapter of NYSUT will not discriminate 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 in any of its activities.

Article I --- Purpose

1. The Dowling College Chapter of New York State United Teachers shall have as its purposes: the facilitation of a more effective cooperation among teachers and research scholars in universities and colleges and in professional schools of similar grade; the promotion of the interests of higher education and research; and in general the advancement of standards, ideals and welfare of the profession.
2. This chapter shall feel free to consult with and advise the Administration of the College on matters which might materially affect cordial, constructive and educationally sound relations between and amongst faculty, students and administration.
3. In conjunction with the ideals of higher education, this Chapter shall make every effort to maintain the rights of students to experiment freely with and put into practice those concepts which its members, as representatives of the academic profession, strive to foster in them both in and out of the classroom and laboratory.
4. This Chapter shall engage in collective bargaining with the administration and Board of Trustees on matters pertaining to wages, working conditions, and other matters which effect the welfare of the faculty and the college.
5. The Dowling College Chapter agrees to recognize the affiliations of NYSUT, AFT, and the AFL-CIO as long as the Chapter chooses to remain affiliated. The Dowling College Chapter reserves the right to disaffiliate with any outside organization should the Chapter members so decide to do so. *[Article I.5 adopted 18 October 2006]*

Article II --- Membership and Dues

1. Membership and classes of membership in the Dowling College Chapter of New York State United Teachers.
 1. Active Members. Any person who holds a position of teaching or research in a university or college in the United States or Canada, or in the discretion of the Chapter in an American controlled institution situated abroad, or in a professional school of similar grade may be admitted in Active membership in the NYSUT Chapter. Any professional appointee included in a collective institution may also be admitted to Active membership in the Chapter.
 2. Graduate Student Members. Any person who is, or within the past five years has been, a graduate student may be admitted to Graduate Student membership. Graduate student members shall be transferred to Active membership as soon as they become eligible.

3. Associate Members. Any member who ceases to be eligible for Active or Graduate student membership because his work has become primarily administrative shall be transferred to Associate membership.
 4. Emeritus Members. Any Active or Associate member retiring for age may be transferred at his request, to Emeritus membership.
- b. The admission of members shall require two steps.
1. Application. Application for Active and Graduate Student membership shall be made to the Secretary-Treasurer of the Chapter.
 2. Acceptance and Notification. When an applicant's eligibility has been determined, it shall be the duty of the Secretary-Treasurer to inform him promptly that he has been accepted to membership, and to include his name in the list of new members sent to chapter officers. A person's membership may be protested on grounds of eligibility by an Active member of the Chapter. If a majority of the members of the Executive Council vote to sustain the protest, the person in question will be informed that his membership has ceased to be effective.
- c. A member may resign by notifying the Secretary-Treasurer or may be expelled for cause by a two-thirds vote of the Chapter after opportunity for a hearing. Membership shall be forfeited by non-payment of dues under conditions to be established by the Chapter.
2. New York State United Teachers membership is a prerequisite to Chapter membership.
 3. Only members in good standing shall vote on issues or in elections in the Chapter. Members who have paid all dues and assessments within one month after they become due shall be members in good standing.
 4. Local union dues and fees may be raised and assessments imposed only by a majority vote by secret ballot of the members in good standing at a special or regular meeting, after reasonable notice of the proposal has been given. A majority of all the members in good standing is required for passage of dues/fees increase or assessment.
 5. Dues shall be payable each year in September, or in any manner decided by the Chapter.
 6. Any member delinquent in dues or assessments may be reinstated as a member in good standing upon payment of dues and assessments in arrears, and dues and assessments currently owed and payable.

Article III --- Officers

1. The officers of the Chapter shall be a President, a Secretary-Treasurer and such other officers as the Chapter may designate from time to time.
2. The term of office of the President shall be one year, and shall expire on February one of each year. The president shall have the duties usually associated with this office, shall preside at meetings of the Chapter and the Executive Council, and shall be ex officio member of all committees of the Chapter.
3. The term of office of the Secretary-Treasurer shall be one year, and shall expire on February one of each year. The Secretary-Treasurer shall, in the absence of the president, preside at meetings of the Chapter, shall carry on the work of the Chapter under the general direction of the President; shall prepare the business for the meetings and keep records thereof; shall conduct correspondence and pay all bills approved by the Executive Council; shall collect the membership dues and any other sums due the Chapter and deposit them in the name of the Chapter; and shall submit a financial statement at the last meeting of each year to the Chapter.

Article IV --- Executive Council

1. The Executive Council shall consist of:

The President
The Secretary-Treasurer
The Chairman of the Negotiating Committee
The Chairman of the Liaison Committee
The immediate Past-President

In the event that an immediate past-President resigns or otherwise vacates his position on the Executive Council, his place shall be automatically assumed by the Chapter President who preceded him.

2. The council shall carry out the purposes of the Chapter and, subject to the authority of a meeting as defined in this Constitution for the Chapter.

Article V --- Negotiating Committee

1. The Negotiation Committee shall consist of a Chair and Four members. The Chair may come from any School or Department; the members must come from each of the Schools--one from Arts and Science, one from Education, one from Business, and one from the Library Department. Each member is to be elected by the Chapter and all of whom shall be members of the bargaining unit.
2. The Negotiating Committee shall be responsible to the Chapter for all matters involving collective bargaining.
3. The Negotiating Committee shall be authorized to recommend to the Chapter the terms and conditions of employment which it has negotiated with the administration and Board of Trustees.
4. If a vacancy occurs on the Negotiating Committee a replacement shall be elected at the next regular meeting to the Chapter. If a regular meeting of the Chapter is not scheduled to occur within one month, a special meeting shall be called for that purpose.
5. Members shall take office February one, shall serve a term of one year, and shall be eligible for reelection for two succeeding terms of office. After that, one year must elapse before that person may be reelected.
6. Each member of the Dowling College Negotiating Committee shall be given a stipend that is equivalent to 3 overload credits total for his/her membership on the Negotiating Committee during a period of full contract negotiations (when the Faculty Agreement is about to expire). These stipends will be awarded to each member of the Negotiating Committee not later than one month after a successor contract has been ratified by the Chapter. In order to be eligible for the full stipend, a member of the Negotiating Committee must fulfill all of his/her responsibilities and service to the Committee. The Chair of the Negotiating Committee and the President of the Chapter shall each receive 6 overload credits total pay as a stipend for his/her work related to Negotiating Committee work. All of the stipends herein cited will be paid at the prevailing overload pay rate in the newly ratified contract. *[Article V.6 adopted 18 October 2006]*

Article VI --- Liaison Committee

1. The Liaison Committee shall consist of three members and a chairman, each to be elected by the Chapter and all of whom shall be members of the bargaining unit.

2. The Liaison Committee shall be responsible to the Chapter for all matters involving the establishment of vehicles for the dissemination of information between members of the bargaining unit as well as between the Chapter and any other relevant party. The Committee will also carry on any other work of the Chapter as designated by the President.
3. If a vacancy occurs on the liaison Committee, a replacement shall be elected at the next regular meeting of the Chapter. If a regular meeting of the Chapter is not scheduled to occur within one month, a special meeting shall be called for that purpose.
4. The chairman and members of the Liaison Committee may serve no more than two consecutive terms of office.

Article VII --- Elections

1. Officers of the Chapter and members of its Committee shall be elected annually. All incumbencies shall be for a period of one year commencing February 1st of the year following that in which elections began. Such elections shall be held according to the following procedures:
 - a. The elections shall be conducted using the election services of the American Arbitration Association, except in cases in which all of the positions being elected are uncontested. In such instances, the results of the election shall be considered final at the conclusion of the nominations process and the services of the American Arbitration Association, as delineated and where referenced below, shall not be utilized.
 - b. Beginning with the October Chapter meeting and ending with the November Chapter meeting, nominations may be made in person at either Chapter meeting or by mail, email, or in writing to a member of the Executive Council. A second is not necessary for a nomination. The Executive Council may periodically update a list of nominees on the Chapter website, and any nominee may confirm acceptance or decline nomination by notifying a member of the Executive Council.
 - c. At the November Chapter meeting the President shall announce the names of all Chapter members nominated to date, and shall announce whether nominees have accepted or declined nomination, or have not responded. Those nominees present at this meeting shall have their nomination withdrawn if they do not indicate acceptance of the nomination.
 - d. If a nominee is not present at the November Chapter meeting and has neither accepted nor declined nomination, the day after the meeting, the Executive Council shall contact the nominee by writing to the address of record the Chapter member has given the College. If the nominee fails to confirm acceptance of the nomination within seven days after the November Chapter meeting, the nomination is withdrawn.
 - e. In the event that a position has no accepted nominations after the November Chapter meeting, additional nominations may be submitted via email or in person to members of the Executive Council until the end of the day after the November Chapter meeting. Such nominations must be confirmed as above within one week or shall be withdrawn.
 - f. Members of the Executive Council shall be responsible for ensuring that the American Arbitration Association's election services receives no later than eight days after the November chapter meeting list of confirmed nominees and a list of addresses of record given by Chapter members to the College. This list shall be open for inspection to any Chapter member.
 - g. The American Arbitration Association's election services shall be instructed to conduct the elections at their earliest convenience after receiving the nominations and addresses of Chapter members, providing a period of three weeks for voting.

- h. Chapter members shall be offered a choice of internet, telephone, or mail-in ballots, with voting information being sent by first class mail by the American Arbitration Association to the mailing address of record that the Chapter member has given the College.
 - i. The vote counting procedures of the American Arbitration Association shall be utilized, and shall be open to any Chapter member, heeding to the observation procedures of the AAA. Results shall be announced in a timely fashion by the Executive Council via the Chapter's website.
 - j. Chapter members wishing to be contacted at an address other than the mailing address of record they have given the College must notify the Executive Council of a replacement address by the last day of October. This replacement address shall be used for all mailings referenced above. Overnight mail shall be used for chapter members having an address outside the U.S.A., and email shall be used for Chapter members having an email address as their replacement address.
 - k. In the event that any position is unfilled (due to no nominations), or becomes vacant during its term (due to death or resignation), a special election shall be held at the next regularly scheduled Chapter meeting, providing that an announcement can be made at least two weeks prior to the meeting via the Chapter's web site. Nominations and voting shall occur at this meeting, and shall be held utilizing secret ballot counted at the meeting by the Executive Council, not utilizing the above procedures for regular elections. Re-counts may be requested and supervised by any Chapter member present at the meeting provided it is done at the same meeting, and motions to re-count shall take precedence over any other motions made at the special election (including a motion to table the recount, or a motion to adjourn).
2. The President shall be eligible for election to a second term in office. Thereafter, one full term must elapse before he is again eligible for nomination or election to that office.

Article VIII --- Meetings and Quorum

- 1. Meetings shall be held at least four times during each academic year; two to be held during the Spring Semester. Additional meetings may be called upon application to the Executive Council of at least one fourth of the members of the Chapter, such meetings to be held within two weeks after presentation of the application. Special meetings may be called at the discretion of the Executive Council or at the request of the Negotiating Committee.
- 2. The Chapter shall conduct all meetings in accordance with "Robert's Rules of Order, Newly Revised"
- 3. A quorum at any official meeting of the Chapter shall consist of not fewer than 40 percent of the members in good standing of the Chapter.
- 4. Voting at meetings shall be conducted by a show of hands, except in the case of elections of officers or members of committees, at which time voting shall be done by secret ballot. Voting on strike authorization or other job actions and contract ratification shall also be by secret ballot. A plurality of members present and voting shall elect such officers or pass such measures.

Article IX --- Amendments

- 1. This Constitution may be amended by a two-thirds vote of a quorum of the Chapter.
- 2. Amendments may be initiated by the Executive Council or proposed by not fewer than five members in good standing. Such amendments shall be considered and voted upon at the meeting immediately succeeding their proposal, provided that copies of the proposed amendments have been distributed to all members in good standing of the Chapter at least one week prior to that meeting.

Constitution revised 2-19-14. Preamble added October 2008 to comply with NYSUT/AFT requirements.
