

# Constitution of the Non-Tenure Faculty Coalition (NTFC), Local #6546 University of Illinois at Urbana-Champaign\*

**Commented [SG1]:** A proposed set of stylistic and language changes to clarify NTFC's Constitution

## Article I

### Name

This organization shall be known as the Non-Tenure Faculty Coalition (AFT/IFT, AAUP) Local #6546, the union, or the local.

**Commented [SG2]:** Following the union's public name change (late summer 2015) from Campus Faculty Association, Local 6546 to the Non-Tenure Faculty Coalition (NTFC), Local #6546, the title and Article I of our Constitution were altered for clarity.

## Article II

### Objectives

1. Organizing: To ensure that all non-~~tenure-tenure~~-track faculty members become full participants in the ongoing mission of ~~UIUC~~the University of Illinois at Urbana-Champaign (UIUC) as a public research university in a democratic society.
2. Collective Bargaining: To secure and maintain full union rights, including the rights to exclusive recognition and collective bargaining, for all faculty members eligible for membership, and to negotiate a fair and equitable contract for all members.
3. Security: To advance the economic, social, and political ~~well-being~~well-being of the membership.
4. Interests of Higher Education: To advance the standards, ideals, and welfare of the profession.
5. Academic Freedom: To keep the principles of academic freedom, free speech, and free inquiry central to both our union and our university.
6. Solidarity and Collaboration: To collaborate with labor and social justice groups at the University and in the community to promote mutually relevant issues.

## Article III

### Membership

Section 1. All persons eligible for the membership who are members of the bargaining unit as defined in the collective bargaining agreement between the Union and the University.

Section 2. A member may be expelled from the organization upon the bringing of written and signed charges by two or more members, who shall present such charges and documentation to the Executive Council. A majority vote of the Executive Council shall cause an expulsion hearing to be held at which the accused member shall have the right to examine and question the charges and be represented by a

person of their choice. At the conclusion of the hearing, a ~~two-third~~two thirds vote of the Executive Council shall be required for expulsion. A person who has been expelled from the organization, may appeal the decision of the Executive Council to the General Membership by requesting a vote at their next meeting. A simple majority of the members voting shall be sufficient to overrule the decision of the Executive Council to expel.

## **Article IV**

### Organizational Structure

The organization shall be made up of:

#### Section 1. The Executive Council

- a) The Executive Council shall consist of elected officers, including President; Vice President; Secretary; Treasurer; Chief Steward; Bargaining Chair; Grievance Chair; and Communications Chair.
- b) ~~At-~~large members may be appointed by the President upon approval by the Council and will not have voting privileges.

Section 2. The ~~Steward's~~Stewards Council. The Stewards Council shall consist of stewards elected by the membership as outlined in Article IX and under the leadership of the Chief Steward as described in Article V: Section 8.

Section 3. General Membership. The general membership is the voting body of the organization. They shall elect officers of the Executive Council in general elections and representative ~~stewards~~Stewards in college-~~level~~ elections.

## **Article V**

### Duties of officers

#### Section 1. The President shall:

- a) be the presiding officer at all meetings of the Executive Council and of the General Membership;
- b) be the principal executive officer of the organization;
- c) receive reports and respond to correspondence for the organization;
- d) supervise all employees of the organization;
- 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) represent the organization before bodies of the employer, executive, and legislative officials;

- g) represent, in coordination with other EC members, the organization before the public, community organizations, and the news media; and
- h) be able to delegate the responsibilities of the office except where otherwise specified by the Constitution.

Section 2. The Vice President shall:

- a) assume the duties of the President in the event of the absence or illness of the President;
- b) oversee the work of and receive regular reports from the Stewards Council;
- c) shall be a standing member of the Stewards Council and all standing committees;
- d) perform other duties as delegated by the President or assigned by the Executive Council; and
- e) co-sign financial instruments in the absence of the President or Treasurer.

Section 3. The Secretary shall:

- a) maintain the non-financial files and records of the organization;
- b) maintain accurate records of membership, copies of membership cards, and report such rosters, along with changes to membership, to ~~the AFT/IFT and AAUP, IFT, and AFT;~~
- c) be the custodian of the seal and charter of the organization;
- d) record or delegate the recording of accurate minutes of meetings of the membership, the Executive Council, and the Steward's Council, which shall be kept in a secure place and be available for reference and dissemination;
- e) assist the President in handling the correspondence of the organization in coordination with the Communications Chair and Communications Committee;
- f) oversee the work of, and receive and certify the reports of, the Elections Committee;
- g) perform other duties as delegated by the President or assigned by the Executive Council; and
- h) perform duties of the office as required by the Labor-Management Reporting and Disclosure Act (LMRDA).

Section 4. The Treasurer shall:

- a) receive, record, and deposit all dues monies and other income in the name of the organization;
- b) maintain accurate membership records for the purpose of documenting dues collection and

payment;

- c) issue membership cards and notices of delinquency;
- d) 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;
- e) maintain all financial records of the organization;
- f) prepare a financial review in accordance with AFT~~7~~/IFT~~7~~ and AAUP rules and guidelines, ~~and~~ present review to Executive Council, or a committee appointed by the Executive Council, and present final review to membership at a general membership meeting and later transmit approved review to the ~~AFT/IFT and AAUP~~ ~~IFT-AFT-AAUP~~;
- g) transmit per-capita payments on a regular basis to the Secretary-Treasurer of the American Federation of Teachers and similar officers of all other bodies with which the organization is affiliated;
- h) oversee the work of and receive reports from the Finance Committee;
- i) perform other duties as delegated by the President or assigned by the Executive Council; and
- j) perform duties of the office as required by the Labor-Management Reporting and Disclosure Act (LMRDA) and by the guidelines developed by the AFT/IFT.

Section 5. Bargaining Committee Chair shall:

- a) coordinate the general operations of the Bargaining Committee;
- b) act as a member of the Negotiating Team during bargaining (but is not automatically appointed as Lead Negotiator); and
- c) inform the Executive Council of Bargaining Committee activities and submit committee reports to the Executive Council.

Section 6. Grievance Committee Chair shall:

- a) coordinate the general operations of the Grievance Committee;
- b) speak on behalf of the Grievance Committee and represent the union to the employer for the purposes of filing and resolving grievances; and
- c) inform the Executive Council of ongoing grievances and pending appeals of grievance procedures.

Section 7. Communications and Publications Committee Chair shall:

- a) coordinate the general operations of the Communications and Publications Committee;

- b) keep the Executive Council apprised of significant external and internal communication; and
- c) submit committee report(s) to the Executive Council.

Section 8. The Chief Steward shall:

- a) coordinate the general operations of the Stewards Council;
- b) bring proposals for referenda, amendments to the Constitution, and actions generated within the Council at the behest of or on behalf of the membership for consideration of the Executive Council; and
- c) submit committee report(s) to the Executive Council.

## Article VI

### Election of Officers

Section 1. Elections shall be conducted in accordance with the AFT/IFT~~7~~ and AAUP Constitutions and the standards set out by the Labor-Management Reporting and Disclosure Act (LMRDA).

Section 2. Except for the initial election, elections for officers shall be held in April of each year. The term of office for each officer shall be one year. The organization shall elect the following officers:

- a) President
- b) Vice President
- c) Secretary
- d) Treasurer
- e) Bargaining Committee Chair
- f) Grievance Committee Chair
- g) Communications and Publications Committee Chair

Section 3. Eligibility for Office. Except for the initial election, in order to be eligible for office, a person must be a member of the organization in good standing for a period of six (6) months prior to the date of the election. Officers shall not serve more than two (32) consecutive terms in the same office.

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Section 4. The Elections Committee shall conduct all elections and referenda of the organization.

- a) With the exception of the first election, the Elections Committee shall consist of three members in good standing selected by the Steward's Council.
- b) Any member of the Elections Committee nominated for or seeking office must vacate his or her position and be replaced by a member chosen by the Steward's Council.
- c) Members of the Elections Committee are prohibited from campaigning for any member during their time on the committee.

## Section 5. Nominations

- a) Except for the initial election, forty~~five~~ (45) days prior to the date of the election, the Elections Committee shall notify all members of the opening of nominations for officers, the offices to be filled, and the date and method of the election.
- b) Members may nominate any qualifying member, and may self~~nominate~~ for any elected position. Nominations 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 either in person or in writing no later than seven (7) days prior to the date of the election.
- d) Nominations can be made in writing or in person.
- e) The Elections Committee shall determine whether the nominations were timely and if the nominees are eligible for the offices they seek.
- f) Notice of call for nominations shall be provided to each member at least fifteen (~~7~~15) days prior to the start of nomination period. Notice of the opening of the nomination period and of the election itself may be included in one notification.

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Section 6. At least fifteen (15) days prior to the election, the Election Committee shall notify all members of the election date and the candidates for office. When possible and practicable, this announcement will be made at the start of the nomination period, forty~~five~~ (45) days prior to election.

## Section 7. Election Procedures

- a) If a mail ballot is used:

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 ten (10) 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.

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- b) If polls are used:

No later than ten (10) days following the close of nominations, the Elections Committee shall set up polling locations at reasonable times and reasonable places and allow all members in good standing for the preceding sixty (60) days to vote in such manner as to ensure the secrecy of the ballot. Such time and places shall be announced prior to nominations.

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- c) If electronic voting procedures are used:

With the assistance of the Elections Committee, the Election shall be conducted by a

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responsible third party provider that can guarantee the anonymity of voters. All members in good standing for the preceding sixty (60) days shall have no fewer than seven (7) days to submit their vote. The ~~third-third~~-party provider will report the results to the Election Committee.

Section 8. The ballots shall be tabulated by the Elections Committee, and a plurality of the ballots cast shall determine the outcome of the election, with the candidate in each category to receive the greatest number of votes elected.

Section 9. 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 five (5) days of the count. The Elections Committee shall issue its written opinion regarding the objections no later than ten (10) days after receipt of such objections.

Section 10. The election results will be published and distributed to the membership within thirty days of the count. All elections materials, including the ballots, will be kept in a secure location for one (1) year.

Section 11. Successful candidates shall assume office within thirty (30) days of the conclusion of the election. With the exception of the first election, officers elected to the Executive Council shall take office on or before May 15, upon certification of the results of the election. The term of office for all elected officers shall be one year.

Section 12. In the event that an officer position is not filled in general elections or an elected officer must step down from the position during the course of the term, the Executive Council with the approval of the Stewards Council may fill vacancies in its membership, with the exception of President, until the next general election of officers.

Section 13. A petition, signed by ~~thirty three percent (33%)~~ one third of the membership and alleging constitutional violations, fiduciary breaches or acts clearly detrimental the organization, shall be sufficient to require the Executive Council to vote on whether to conduct a recall election of the officer or officers identified in the petition. Neither those subject to recall nor any Executive Council member signing the petition shall vote on the question of a recall election. If a majority of the Executive Council approves a recall election, the Elections Committee shall supervise the recall election.

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## **Article VII**

### **Executive Council**

Section 1. The Executive Council shall meet no less than monthly during each semester and once during the months of June and July. It shall also meet at the call of the President, or at the call of two (2) of its members, or at the call of the Stewards Council. A quorum for the Executive Council will be five (5) members.

Section 2. The Executive Council shall be responsible for adherence to and enforcement of the Constitution and By-Laws of the organization. It shall also initiate, oversee, or revise the program of

the organization and conduct other business of the organization that is within its authority.

Section 3. The Executive Council shall employ all staff of the organization.

Section 4. The Executive Council shall prepare and present for approval to the general membership an annual budget in the month prior to the beginning of the fiscal year.

Section 5. The Executive Council shall make committee reports available to the Stewards Council and the general membership.

Section 6. The Executive Council shall issue an annual report to the Stewards Council and the general membership.

Section 7. The Executive Council shall propose initiatives to the Stewards Council for vote by the membership.

Section 8. The Executive Council shall 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 Council shall have the power to sue, complain, and defend on behalf of the membership.

Section 9. The Executive Council shall establish the expense guidelines of any officer of the organization.

## **Article VIII**

### **Committees**

Section 1. The standing committees of the organization shall be:

- a) Elections;
- b) Bargaining Research;
- c) Grievance;
- d) Communications and Publications;
- e) Solidarity Committee;
- f) Personnel; and
- g) Strike

Section 2. The Executive Council, either on its own initiative, or at the direction of the Stewards Council, may establish special committees. Ad hoc committees and caucuses may be appointed as the need arises, and the appointing body shall determine the powers and duties delegated to said committee.

Section 3. Upon election by the general membership (Grievance Chair, Bargaining Research Chair, Communications Chair) or appointment by the President (all other standing committees) and approval



by the Executive Council, committee chairs shall be responsible for running and coordinating general operations of each committee and communicating progress and activities to both the Executive Council and the Stewards Council.

Section 4. The Elections Committee shall conduct and supervise all elections of the organization. The Stewards Council shall appoint and convene, as and when necessary, an Election Committee to conduct elections and secret ballots. The Election Committee shall be responsible for publicizing elections, taking nominations, and overseeing voting and vote counting. Officers and candidates may not sit on the Election Committee in the case of Officer elections.

Section 5. Bargaining Research Committee. The purpose of the Bargaining Research Committee is to support the Negotiating Team by collecting data and information on contracts, identifying important issues for members, and drafting contract language.

- a) The Bargaining Research Committee consists of volunteer members.
- b) Negotiating Team (NT): The purpose of the negotiating team is to secure the most equitable contract possible for the bargaining unit through the bargaining process.
- c) The Executive Council will appoint and oversee the Negotiating Team whose members will be chosen from the Bargaining Research Committee.
- d) Bargaining Chair is an automatic member of the NT; however, roles within the NT such as Lead Negotiator are to be determined by the NT and overseen by the EC.

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#### Section 6. Grievance Committee

- a) The primary role of the GC is to assist members in enforcing the current contract.
- b) Grievance committee is empowered to file a grievance on behalf of the union and/or its ~~bargaining bargaining~~-unit member(s). Where state or federal law permits, bargaining unit members may file grievances on their own behalf; however, such grievance cannot be brought to arbitration. The GC has the authority to resolve all outstanding grievances.
- c) In addition to filing and managing current grievances, the GC shall maintain records of grievances and their disposition; and shall be responsible for the processing of grievances and disputes beyond the immediate work location.
- d) The Grievance Chair shall coordinate general operations of the Grievance Committee.
- e) The other members shall be members in good standing with the union.
- f) Appeals. In the event that the Grievance Committee chooses not to pursue a proposed grievance or alleged contract violation, any affected member may appeal this decision to the Executive Council.

- g) In the event that a grievance is denied by the administration at the highest level prior to arbitration, the grievance committee may make a recommendation to the Executive Council to move the grievance to arbitration. In the event that the GC does not recommend a grievance for arbitration, any affected member of said grievance may appeal this decision to the Executive Council. The ability to make appeals is subject to timelines specified in the grievance procedure in the collective bargaining agreement. Only the Executive Council has the authority to move any grievance to arbitration.
- h) Once a grievance has moved to the level of arbitration, the Grievance Committee under the leadership of the Grievance Chair shall have authority to settle or resolve the grievance.

#### Section 7. Communications and Publications Committee

- a) The Communications and Publications Committee shall design, produce, and distribute regular communication to the membership and other material for the organization as necessary. It shall also consult with the Executive Council concerning external messages. Members of the committee are to be appointed by the chair. The committee may include one (1) non-voting liaison from the historic Campus Faculty Association (~~non-local 6546~~) to be appointed by that organization.
- b) The Primary responsibility of the Communications Committee will be the instigation and maintenance of all external communications ~~(i.e., with the press and with the public at large)~~, and of internal communications and messaging within the union and between the union and general membership ~~(i.e., sending messages to the bargaining unit, and members)~~, and responding to or directing communications from membership to the appropriate individual, committee, or body within the union.

Section 8. The Solidarity Committee shall convene to collaborate on issues of mutual interest between non-tenure track bargaining unit members and non-~~bargaining bargaining~~-unit liaisons. The primary concern of the Solidarity Committee is to maintain a relationship of cooperation and communication between the union, other faculty and staff on the UIUC campus, and other labor and community organizations.

#### Section 9. Strike Committee

- a) The Strike Committee shall be appointed prior to the undertaking of any industrial action by the ~~CFA-NTFC local Local~~ #6546.
- b) The Strike Committee shall be appointed during the same motion approving the taking of said action and shall include the Executive Council. Members of the Strike Committee are subject to the same standards and method of recall as other elected officers of the union.
- c) Strike committees shall assume executive control of such aspects of union activity, including powers delegated by this constitution to the Executive Council and Stewards Council, as are deemed necessary for the successful operation of the action. Such powers may be enumerated in the motion appointing the committee, or may be delegated by a later

motion, or by a decision of the EC or SC as appropriate.

- d) Once appointed, membership must follow the directives of the Strike Committee during the operation of a strike.

#### Section 10. Personnel Committee

- a) The primary responsibility of the personnel committee is the hiring and firing of all union staff.
- b) The personnel committee will also be responsible for establishing the terms of employment for all union staff, including, but not limited to, wages and benefits.
- c) As the need arises the Executive Council shall convene the Personnel Committee. It shall consist of the President, Vice-President, Chief Steward, two members elected by the Stewards Council, and one member of current staff when applicable and when no conflict of interest exists.
- d) Decisions of hiring, firing, or terms of employment shall in no way discriminate on the basis of race, creed, color, national origin, citizenship, sex, gender, sexual orientation, religion, disability, marital/parental status, native language or dialect, international or local organization affiliation, or status as a veteran.
- e) In the event that ~~CFA-NTEC~~ staff form a union, the Personnel Committee will serve as the contract bargaining committee and will work with staff to negotiate and renew collective bargaining agreements.

### Article IX

#### Stewards Council

Section 1. The legislative power of the organization shall be vested in the Stewards Council, which shall consist of members of the organization elected within individual colleges as outlined in Article X.

Section 2. The Stewards Council shall meet at least two (2) times during both fall and spring academic semesters.

Section 3. The Stewards Council shall have authority to:

- a) establish the policies and procedures of the organization;
- b) develop and promote organizing and educational programs and materials for Stewards and membership;
- c) receive and review the reports of the President, Executive Council, and the Committees;
- d) review and approve the budget submitted by the Executive Council prior to vote by general membership;

- e) create subcommittees and caucuses as deemed necessary;
- f) elect Stewards Chair;
- g) write its own by-laws to govern its internal operations; and
- h) initiate and take other such actions as the body deems necessary.

Section 4. The Vice President shall be the presiding officer of the Stewards Council but may vote only in the event of a tie.

## **Article X**

### **Stewards**

Section 1. Each college represented in the bargaining unit shall be entitled to at least one (1) steward elected by the membership within that college. For those colleges with more than 10 members, members may, in addition, elect one additional steward for every ten (10) additional members within that college. All efforts will be made to ensure that the SC reflects the diversity of the membership and that all members are represented by the body.

- a) Any newly created colleges will be included as soon as possible by vote of the Executive Council.

Section 2. The election of Stewards shall take place at the College level. Each College~~s~~ shall select Stewards who will coordinate organizing within departments and colleges, participate in union-wide organizing and education, and act~~ing~~ as liaisons between membership and standing committees.

Section 3. The Stewards Council may issue guidelines on the distribution, selection, and duties of Stewards (such as the grouping of Colleges, appointment and removal procedures for stewards). Such guidelines will be subject to approval by the General Membership.

Section 4. Guidelines for the selection of Stewards proposed by the Stewards Council shall not infringe on any College's right to democratic control over the selection and removal, as well as the method of selection and removal, of that College's Stewards.

Section 5. Stewards shall:

- a) attend regular and special meetings of the Stewards Council and all meetings of the general membership;
- b) coordinate meetings of the membership in their College or Colleges for the purpose of discussing workplace and organizational concerns, receiving feedback and instruction from membership, and other activities as required;
- c) recruit eligible persons to membership; and
- d) process grievances, assist in the resolution of disputes, and refer members to Grievance

Committee when appropriate.

## **Article XI**

### Membership Meetings

Section 1. Regular membership meetings shall be held at least once during each of the fall and spring academic semesters.

Section 2. The Executive Council shall determine the time and place and give thirty (30) days notice of any general membership meeting.

Section 3. Special meetings of the membership may be called directly by the Stewards Council or by a petition of thirty percent (30%) of the membership.

## **Article XII**

### Dues and Revenues

Section 1. Following acceptance of the initial contract, dues structures will be proposed by the Treasurer and voted on by the General Membership in order to guarantee per-capita dues to affiliates and an effective union. Local dues of this organization shall be recommended by the Executive Council and ratified by the membership. These dues are in addition to any dues mandated by the AFT, IFT, AAUP, or other affiliated organizations.

Section 2. ~~Per~~ Per-capita dues are established at the IFT and AFT conventions. The Union will comply with the provisions of the ~~IFT~~ IFT and AFT Constitutions and By-Laws. The local union will be responsible for collecting agency fees and shall adopt procedures consistent with local, state, and federal law; IFT rules; and Article VIII, Sections 1 (a) - (d) of the AFT By-Laws.

## **Article XIII**

### Affiliations

This organization shall maintain affiliation with the following organizations:

- a) The American Federation of Teachers. Whenever possible, the Union will send delegates to AFT's convention.
- b) The Illinois Federation of Teachers. Whenever possible, the Union will send delegates to IFT's convention.
- c) The American Association of University Professors. Whenever possible, the Union will send delegates to ~~AFT's~~ AAUP's convention.
- d) The Illinois American Federation of Labor-Congress of Industrial Organizations. Whenever possible, the Union will send delegates to Illinois AFL-CIO's convention.
- e) The Champaign County American Federation of Labor-Congress of Industrial Organizations. Whenever possible, the Union will send delegates to Champaign County AFL-CIO's

convention.

- f) President and Vice President may serve as delegates for any of the above affiliations. Other delegates will be elected by the General Membership following rules and procedures of elections in Article VI. These elections can take place during regularly scheduled officer elections or at another time, as needed.

#### **Article XIV**

##### Rules of Order

*Robert's Rules of Order, Newly Revised* shall govern this organization and all of its subordinate bodies in all matters not expressly covered by this Constitution or the By-Laws of this organization.

#### **Article XV**

##### Amending Constitution

Section 1. Thirty percent (30%) of the membership or a consensus of the Stewards Council may present, by petition, a proposed amendment to this Constitution to the Secretary, who shall notify the Executive Council of the proposed amendment immediately at the next council meeting. Alternatively, a clear majority of the Executive Council may vote to present a proposed amendment to the General Membership. A copy of the proposed amendment, along with an explanation of said amendment, shall be distributed to all members at a reasonable time prior to the General Membership meeting at which the amendment will be introduced and discussed.

Section 2. A quorum for any meeting of the General Membership at which constitutional amendments are to be considered and adopted shall consist of a majority of the General Membership.

Section 3. The General Membership shall vote on all amendments to the Constitution.

- a) Following the meeting of the Executive Council meeting at which the proposed amendment was introduced, a special General Membership meeting for the purpose of voting on the proposed amendment shall be called by the Executive Council.
- b) The Elections Committee will tally the results. An affirmative vote of two-thirds (~~3/4~~) of the Membership present shall be required for passage of the amendment.

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\* Ratified in 2014, this constitution contains some discrepancies. These will be collated in an amendment which will be considered by the membership in 2016-17. Additionally, Local #6546 is in the process of changing its IELRB-certified name "Campus Faculty Association Local 6546" to "Non-Tenure Faculty Coalition, Local #6546" (NTFC Local #6546).