

# UNIVERSITY STAFF ASSOCIATION CONSTITUTION

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## **ARTICLE I. NAME**

The name of this organization shall be the University Staff Association, hereinafter referred to as the "Union".

## **ARTICLE II - PURPOSE**

The purpose of this Union shall be to promote the general welfare of its members, to protect and advance the interests of its members, to advance the employment status and circumstances of its members and to gain recognition of the basic importance of the classified staff in the functioning of the University. Nothing in this Constitution shall be construed to prevent the Union from pursuing objectives which are consistent with the stated purposes of the Union.

## **ARTICLE III - MEMBERSHIP ELIGIBILITY, RIGHTS AND DUTIES**

### **Section A – Eligibility**

All employees in the Unit as defined by MLRC Case No. SCR-2115, as amended by CAS 3080 and CAS 3081, shall be eligible for membership in the Union. For the purposes of this Constitution, the Unit shall be understood to consist of: All full-time and regular part-time administrative, clerical and technical employees of the University of Massachusetts at Amherst; excluding regular part-time employees who are expected to work less than 50 percent (50%) of the hours in a work year of a full-time employee in the same title; managerial and confidential employees within the meaning of M.G.L. Chapter 150E; students; employees paid on an hourly basis; supervisory employees and all other employees.

1. No person otherwise eligible for membership in the Union shall be denied membership because of race, gender, color, creed, national origin, sexual orientation, age, marital status, disability, economic status, veteran status, political affiliation/beliefs, or membership/non-membership in any group or organization.
2. Members of the Union shall be members of the Massachusetts Teachers Association and the National Education Association.
3. Members who do not fulfill conditions for membership in good standing shall revert to non-member status.
4. Employees new to the bargaining unit shall arrange payment of Union dues within sixty (60) days of entry into the unit.
5. The only classifications of membership recognized by this Union are active membership, honorary membership and retired membership.
6. An honorary membership may be conferred by a two-thirds (2/3) vote of the Executive Committee or by a two-thirds (2/3) vote of the membership. A list of honorary members shall be posted in the Union office.
7. Retired Membership is available to those employees who were members of the Union at the time of retirement, upon payment of \$10 annual dues. Retired members may also become Retired Members of the Massachusetts Teachers Association and the National Education Association, upon payment of membership dues to each respective organization. Retired members may join the Retired Members Committee. Retired members may also enjoy other privileges or benefits as determined by the Executive Committee.

## **Section B - Membership in good standing**

Members in good standing, hereinafter called “member”, shall:

1. Act in and observe the best interest of the Union in accordance with Article II of the Constitution.
2. Be current in terms of the authorized payment plan by which he/she the member has opted to pay dues, except that a member paying through the authorized payroll deduction plan who is off payroll shall retain status as a member so long as the member remits any amount due within thirty (30) days following a request to do so by the Union.
3. Arrange by October 15 for full payment of Union dues for the current fiscal year.
4. People who choose not to pay dues shall not be considered members in good standing.

## **Section C – Rights**

Every member of the Union in good standing shall have equal rights and privileges within the Union, including, but not limited to:

1. The right to attend Union membership meetings and participate in the leadership of the Union.
2. The right to vote in all elections and on all business at membership meetings.
3. The right to serve on Union committees.
4. The right to be a candidate for both elective and for appointive Union office, subject to the nomination procedure and membership requirements for each post, as specified in this Constitution.
5. The right to make recommendations and proposals or to criticize the activities of Union officers or committees.
6. The right to present charges to the Judiciary against any member, steward, officer, board, or committee and if so charged, receive a fair and open hearing on any charge in accordance with the provisions of this Constitution.

## **Section D – Duties**

Every member has the duty to strengthen and defend the Union and advance the aims of the membership, all members are encouraged to attend membership meetings, vote, and otherwise participate in the activities of the Union.

## **ARTICLE IV – DUES - PAYERS**

1. Members of the University Staff Association pay dues to the local (University Staff Association), the state affiliate (Massachusetts Teachers Association), and the national affiliate (National Education Association).
2. The dues rate of the Massachusetts Teachers Association and the National Education Association are determined by those organizations’ established procedures.
3. Adjustment of the University Staff Association dues rate shall be the exclusive right of the membership.
4. The procedure to adjust the local dues rate shall be that within 45 days after the Annual Meeting, the Executive Committee may call a special Membership Meeting to discuss and vote on a proposed dues increase and any other important issues. If two-thirds (2/3) of the members attending the meeting vote in favor of a change in dues, it will take effect immediately.

## **ARTICLE V – DUES NON-PAYERS**

1. Persons covered by the Union’s Collective Bargaining Agreement (“bargaining unit members”) who refuse to pay membership dues shall, by reason of not being members in good standing, not be eligible to vote in any election or balloting by the Union (except for contract ratification), shall not be entitled to hold office, and shall not be eligible for appointment to any Union committee or serve as a Union representative to any external committee.
2. All bargaining unit members are covered by the Union’s Collective Bargaining Agreement and are entitled to fair and equal representation by the Union in all matters covered by the Union’s Collective Bargaining Agreement.
3. Bargaining unit members who refuse to pay dues are not entitled to participate in MTA or NEA governance activities and voting or USA, MTA, and NEA trainings, socials, and other activities. They are also not entitled to MTA or NEA liability coverage and many of MTA’s Legal Services, including unemployment assistance, statutory wage and hour representation, and non-contractual employment discrimination help; retirement consultations; NEA Term Life Insurance and other MTA/NEA member benefits and discounts, including disability insurance offered through MTA.

## **ARTICLE VI - EXECUTIVE COMMITTEE, GENERAL BOARD**

### **Section A – Elected Members of the Executive Committee and General Board**

Executive Committee shall consist of four officers:

- President
- Vice-President
- Treasurer
- Grievance Officer

General Board shall consist of:

- Executive Committee Officers (all)
- Recording Secretary
- Chief Steward
- Health and Safety Coordinator
- Membership Coordinator
- Classification Specialist
- Communications/Public Relations Coordinator
- Political Action/Social Justice Coordinator
- Special Projects Coordinator

The General Board shall be the governing authority of the Union. The Executive Committee and General Board members shall be members in good standing. All matters affecting policies, aims and means of accomplishing the purposes of the Union not specifically provided for in the Constitution or by action of the membership shall be decided by the General Board using any legal method.

Any USA Member, who is not currently a member of the Executive or General Board, and who is elected to a board position with the Massachusetts Teachers Association or the National Education Association, shall also serve on the USA General Board as a voting member. Any current Board member who is elected to a board position with the Massachusetts Teachers

Association or the National Education Association, shall serve on the General Board with both titles, but only have a single vote.

**Section B - The Executive Committee shall be bonded.**

**Section C - The Executive Committee shall with consent from General Board:**

1. Be responsible for the management of the Union and shall carry out the policies of the Union as directed by the membership and in accordance with the University Staff Association Constitution.
2. Adopt an annual budget for the operation of the Union, based on a fiscal year of July 1 through June 30.
3. Recommend a proposed dues rate for action by the Annual Meeting in April.
4. Have the power to employ staff for the operation of the Union office and adopt personnel policies for said staff.
5. Establish special or ad hoc committees and task forces guided by a specific charge.
6. Have the authority to declare a vacancy on the Executive Committee or General Board if two-thirds (2/3) of the Executive Committee determines there is a vacancy due to the following reasons:
  - a. Resignation
  - b. Incapacitation, which shall be defined as the inability of the Executive or General Board member to perform the responsibilities of their position on a consistent basis for the duration of their term,
  - c. Loss of status as a member in good standing, or
  - d. Three unexcused absences of a member from Executive/General Board meetings.
  - e. Gross negligence as determined by the Judiciary (Article VIII, C)

**Section D - The President shall:**

1. Be the executive officer and official spokesperson for the Union.
2. Be the official liaison between the Union and the University; however, the President may designate another officer to act on their behalf in specific instances.
3. Be the chief liaison between the Union and MTA and NEA affiliates, or assign an officer to act on their behalf.
4. Preside over meetings of the Executive Committee, General Board and of the general membership.
5. With the advice and consent of the Executive Committee, make recommendations for appointments to University committees, boards, and contract committees, and appoint members to or fill vacancies of the below as determined per Article VI, Section C 6:
  - a. Elections Board
  - b. Judiciary
  - c. Standing, Special and Ad hoc Committees and task forces
  - d. Stewards
  - e. Trustee to Health and Welfare Board
  - f. Co-Chair of the Steward's Council, if needed
  - g. General Board positions
6. Determine, with the concurrence of the Executive Committee, the regular meetings dates, and times of the Executive Committee and General Board, so long as such meetings are held no less than once a month.

7. Be the official liaison between the Executive and General Boards and the Union's employee(s).
8. Keep the Executive and General Boards informed of all-important matters pertaining to the MTA and NEA.
9. Be a member, ex officio, of all committees.
10. Be a member of the Negotiations Committee and the Bargaining Team
11. Be familiar with MTA's resources and materials for financial and membership management for local officers, including financial training.

**Section E - The Vice-President shall:**

1. Act as the executive officer of the Union in the absence of the President.
2. Become President if the presidency becomes vacant between the regular biennial election of officers.
3. Represent the Union as executive officer when requested to do so by the President.
4. Be responsible for answering correspondence of a general nature from members.
5. Be a member, ex-officio, of all committees.
6. Have signatory power when such is delegated to them by the President.
7. Shall assist the President by carrying out tasks delegated to them by the President.
8. Be a member of the Negotiating Committee and the Bargaining Team.
9. Act as Constitution Committee Chair
10. Be familiar with MTA's resources and materials for financial and membership management for local officers, including financial training.

**Section F - The Treasurer shall:**

1. Serve as Chair of the Finance Committee.
2. Hold the funds of the Union and disburse them in accordance with the approved budget.
3. Determine the depositories for all incoming funds with recommendations from the Finance Committee.
4. Prepare financial statements for the annual meeting.
5. Bill all cash paying unit members for annual dues, undertake collection of unpaid dues, and collect authorization for payroll deduction forms from new bargaining unit members and submit to Payroll Department in a timely manner.
6. Keep accurate accounts of receipts, disbursements, and withdrawals.
7. Countersign, with either the President or Vice President, all disbursements, and withdrawals.
8. Report to the Executive Committee on a monthly basis the financial condition of the Union with recommendations for changes to the approved budget.
9. Take the appropriate action to ensure the delegate entitlements to the MTA Annual meeting and the NEA Representative Assembly are in order.
10. Be responsible for initiating an annual audit of the Union's financial records for the preceding fiscal year within sixty (60) days of the end of the fiscal year.
11. Work with Membership Coordinator in reconciling dues collected with membership roster.
12. Be familiar with MTA's resources and materials for financial and membership management for local officers, including financial training.

**Section G - The Grievance Officer shall:**

1. Coordinate contract administration with the stewards, especially regarding grievances and arbitrations.

2. File Grievances and Labor Management disputes with appropriate parties.
3. Report at every regular Executive and General Board meetings the status, disposition, and nature of grievances, arbitrations, and other matters.
4. Be a member of the Negotiations Committee and the Bargaining Team.
5. Serve as chairperson of the Grievance Committee. The Grievance Officer shall be the official liaison between the Executive and General Board and the Grievance Committee (see Article X, section G.8.) and shall be responsible for reporting on the actions of the grievance Committee monthly.

**Section H - The Membership Coordinator shall:**

1. Keep accurate records of the membership of the Union.
2. Submit to the MTA, when required, the names and addresses of all members on an official enrollment form furnished by MTA. Submit to the MTA, when required, the names and addresses of all members and all those electing to pay agency service fee in lieu of membership dues on an official enrollment form furnished by MTA.
3. Submit to MTA any members' change of status monthly (including but not limited to full or part-time status, leave of absences, termination/deletion, additions, transfers, retirements, layoff).
4. Report regularly to the Executive and General Boards, and MTA, changes regarding membership status as outlined in above in #3.
5. Propose districts of approximately equal size to the Executive and General Board.
6. Provide research on the fundamental data concerning membership affairs.
7. Keep a membership data base or other system for tracking dues deductions, deletions, additions, terminations, transfer, and dues collected.
8. Work with Treasurer in reconciling dues collected and membership roster.
9. Be familiar with MTA's resources and materials for financial and membership management for local officers, including financial training.
10. Serve as Chair of the Membership Committee and be a member of the Finance Committee.
11. Perform duties when required under Articles XI and XIII of this Constitution.

**Section I - The Recording Secretary shall:**

1. Keep accurate and timely minutes of all meetings of the General Board and of the general membership, to be approved at the subsequent meeting.
2. With the assistance of the Union's employee(s), maintain general office files and assist the President with Union correspondence when requested.
3. Be responsible for keeping attendance reports of General Board meetings and for reporting such attendance to the Executive Committee on a quarterly basis.
4. Determine if a quorum is present at all Union meetings.
5. Acting as Parliamentarian, advise the President, or presiding officer, at General Board and general membership meetings regarding procedure and order.
6. Be responsible for keeping an accurate record of all Union motions and policies adopted, rescinded or amended by the Executive and General Boards.

**Section J – The Chief Steward shall:**

1. Assist Grievance Officer with grievance filing and tracking grievances.
2. Coordinate contract administration with the stewards, especially about grievances and arbitration.
3. Serve on Grievance Committee.

4. Serve as Chair of the Steward's Council.
5. Prepare RFIs or grievances as appropriate for bypassing unit members.

**Section K - Health and Safety Coordinator shall:**

1. Prepare quarterly flier for members on issues pertaining to health and safety.
2. Act as Chair of Health and Safety Committee
3. Be the liaison between Environmental Health and Safety Officer and USA members
4. Serve on University Health Council
5. Serve on Health and Safety coalitions at the campus level and system wide.

**Section L – Classification Specialist shall:**

1. Guide members through the reclassification/reallocation process up to and including appeals.
2. Chair of Reclassification Committee (See Article X).
3. Track reclassifications and position descriptions and report regularly to the Executive and General Boards, especially with regard to potential grievances and problems.
4. Monitor, track and report to the Executive and General Board position descriptions that require action.

**Section M – Communications/Public Relations Coordinator shall:**

1. Be responsible for coordination of the USA Voice, listserv administration, and general communications to the membership.
2. Act as Chair of Communications Committee
3. Attend meetings of campus coalitions and report to the Executive and General Boards the status of ongoing actions, communications, campaigns, and other related activities.

**Section N – Political Action/Social Justice Coordinator shall:**

1. Be responsible for promoting activities regarding diversity, classism, racism and gender equity. Coordinate with MTA/PAL to arrange quarterly meetings with area legislators.
2. Keep the General Board apprised of new legislation, administrative and state rule making and policy formation.
3. Act as Chair of the Political Action and Social Justice Committee
4. Stay informed on legislative topics that affect USA members.
5. Work with USA President and Communications Coordinator to report issues to USA members.

**Section O - Coordinator of Special Projects shall:**

1. Assist all committees with special projects and report to the Executive Committee.
2. Coordinate and plan social events for USA members and the Executive and General Board.
3. In coordination with the Membership Coordinator arrange annual benefits fair.

**Section P. Terms of Office**

1. The Executive Committee and General Board shall be elected to a two-year term in the regular biennial election.
2. Regular elections of the Executive Committee and General Board shall be held in odd-numbered years. The nomination/election process to begin February 1 and end no later than March 30 of the same year.

3. Terms of regularly elected officers (Executive Committee) and general board members shall run from July 1 through June 30. Each outgoing officer shall work with officers-elect April 1 through June 30 to ensure the transfer of all relevant information.
4. Terms of officers and board members elected in a special election or appointed by the Executive Committee to fill vacancies on the Executive Committee or General Board shall commence at the next regularly scheduled General Board meeting and shall extend only for the duration of the unexpired term.

## **ARTICLE VII – Stewards, Stewards Council Chair, Chief Steward**

### **Section A – The Chief Steward shall:**

1. Assist Grievance Officer with grievance filing and tracking grievances.
2. Coordinate contract administration with the stewards, especially about grievances and arbitration.
3. Serve on Grievance Committee.
4. Monitor new hires and prepare RFIs or grievances as appropriate.
5. Act as Steward’s Council Chair
6. Be responsible for designating district assignments to stewards or changing assignments within reason.

### **Section B – Steward’s Council Chair and/or Co-Chair**

1. Responsible for scheduling and facilitating steward council meetings.
2. Set up trainings for stewards in consultation with President and MTA Uni-serv representative as needed.
3. Report monthly to the Executive Board.
4. Advise stewards with grievances, and act as a steward when necessary.

### **Section C – Stewards**

1. Members in good standing shall be elected as stewards in regular biennial elections to a two-year term in even-numbered years and shall take office, upon certification of the election results by the Elections Board, at the first regularly scheduled General Board meeting in April.
2. Vacancies may be filled by appointment at the recommendation of the Chief Steward and simple majority vote by the Executive Board.

### **Section D – Stewards Duties**

Stewards represent their district in numerous ways, including, but not limited to, representing members for grievances, serving on the Stewards Council, and providing information to and receiving feedback and inquiries from individual members.

Stewards shall:

- a. Attend regular meetings of the Stewards Council, the general membership, and any other regularly scheduled stewards’ meetings.
- b. Three unexcused absences by a steward from Stewards Council meetings shall be grounds for a recommendation of dismissal to be made by the Steward’s Council Chair to the Executive Board.
- c. Be responsible for introducing themselves to all members in their district and for distributing information and Union communications to members in their district.
- d. Become knowledgeable with the Union’s collective bargaining agreement and

Constitution to be able to adequately represent and educate bargaining unit members regarding their rights and duties.

- e. Act as liaison between the membership and the elected leadership via the Stewards Council and/or the Executive Board.
- f. Have the option of designating district contacts with the approval of the Stewards Council and notification to the Executive Board. District contacts may aid and assist the Steward except with the grievance procedure.

## **Section E - The Steward's Council**

The Stewards Council shall be a forum for:

1. Steward's training
2. General discussion of problems raised by members or stewards.
3. Development of resolutions to problems brought to the attention of the Council by members and stewards.
4. The formation of policy recommendations by stewards for consideration by the Executive Board.
5. Ensuring the continued education of stewards about the Union's collective bargaining agreement, this Constitution, and the purposes of the Union.
6. All stewards shall be members of the Stewards Council.
7. Designated district contacts may attend and participate in discussion at the Steward's Council but may not vote on any matter before the council.
8. Determining if a co-chair is needed and submit request to the President.

## **ARTICLE VIII – JUDICIARY**

### **Section A – Members**

The Judiciary shall be composed of five (5) members in good standing. The term of office shall be for three years. Members may be reappointed in April. The appointments shall be made by the President and approved by two-thirds (2/3) of the full Executive Committee no sooner than thirty (30) days after the Annual Meeting. The Judiciary shall elect one of its members to serve as chair.

### **Section B - Function**

The Judiciary shall function separately and independently of any Union board, council, or committee. No member of the Executive Committee, Stewards Council or Election Board may serve on the Judiciary. The Judiciary Board shall submit policy changes to the Executive Committee for approval.

### **Section C. Procedures**

1. Any member or the Executive Committee may allege violations of the Constitution or Union policies by any member. Any member may allege gross negligence by any elected officer of the union for their failure to carry out their prescribed constitutional duties after being presented with two written warnings approved by a majority vote of the Executive Committee or Steward's Council in the case of a steward. Such allegation shall be made in writing to the Judiciary within six months of the time that the complainant knew of, or should have known of the alleged violation.
2. The Judiciary shall determine and pronounce after inquiry and deliberation whether any policy or act of any Union board, council, committee, or member is in accord with the Constitution of this Union. All decisions made by the Judiciary shall be committed to writing.

3. A fair and impartial hearing shall be convened within thirty (30) working days of the Judiciary's receipt of the complaint unless both parties mutually agree to extend the deadline. The Judiciary shall reach a verdict within thirty (30) days of the conclusion of the hearing.
4. A member may be subject to a penalty if the member commits an act found to conflict with this Constitution. The Judiciary, upon reaching such a verdict, shall declare in writing its findings and the appropriate penalty, and deliver said findings to the Executive Committee, and via certified letter, to the complainant (if any), and the respondent (if any), within ten (10) working days of reaching its verdict. Said penalty may include, but is not limited to, a written reprimand or loss of membership in good standing, but in no case shall a member be subject to a pecuniary fine.
5. A negative finding and/or penalty may be appealed within ten (10) working days of the receipt by the respondent of the certified judiciary verdict (see Article XI, section E,1.). Such an appeal shall take the form of a referendum directly to the membership who will be asked to vote for either upholding or overturning the verdict/penalty. Upon receipt by the Executive Committee of a written appeal from the respondent, the Executive Committee shall notify the Elections Board of the appeal, and the Elections Board shall conduct a referendum within sixty (60) calendar days. The complainant and defendant shall both present their cases in writing, which will be provided to the membership along with the written Judiciary decision and the announcement of the referendum election. The membership will be asked to either uphold or overturn the Judiciary decision as written. An appellant must be given the opportunity to present their case to the membership in a Union publication prior to the referendum election. If a member exercises the right of appeal, a stay of penalty shall take effect automatically and continue until the appeal process has been completed. If the finding and/or penalty is upheld by the membership, said penalty shall take effect upon declaration of the referendum vote by the Elections Board.
6. Any act or penalty of any Union board, council or committee declared unconstitutional shall be rendered null and void.
7. Upon written request, the Judiciary shall issue an advisory opinion regarding any matter submitted to it by any member, committee, council, or board of this Union.
8. Decisions shall be by majority vote. A minority opinion may also be submitted with the majority decision.
9. A Board member shall be disqualified from any case when there exists a conflict of interest.
10. Each Judiciary hearing will be conducted by a three-person panel selected from the Judiciary membership on a rotating basis

## **ARTICLE IX – ELECTIONS**

### **Section A. Board Composition**

The Elections Board shall be comprised of five members appointed by the Executive Committee to serve a two-year term. Members may be reappointed.

**Section B.** The Elections Board shall function separately and independently of any Union board, council, or committee. No member of or candidate for the Executive Committee, Judiciary or Steward may serve on the Elections Board.

### **Section C.** The Elections Board shall:

1. Elect one of its members to serve as chair.

2. Ensure that all nominations and elections are conducted to provide the fullest possible participation by the members and enable members to choose freely the leadership of the Union; therefore, the Board shall:
  - a. Issue a call for nominations in a Union publication at least ten (10) calendar days prior to the nomination deadline.
  - b. Open nominations at a general membership meeting whenever possible.
  - c. Ensure that the nomination period is open for not fewer than seven (7) calendar days.
  - d. Use electronic voting processes/services whenever possible.
  - e. Establish and maintain nomination and election policies and procedures.
  - f. Be responsible for verifying said nominees are members in good standing.
  - g. Ensure that no member is a nominee for more than one office in any local election.
  - h. Ensure that no nominee for an Executive or General Board's position holds that position on either Board at the time of election, except during the regular general election of officers and members at large.
  - i. Publish the names of and information about each candidate for elective office prior to the balloting period. Candidates for the Executive and General Boards shall be given the opportunity to speak at a meeting of the general membership.
  - j. Conduct secret balloting on all matters provided for in this Constitution (i.e., election of officers and members at large, stewards, special elections to fill vacancies, recalls, referenda, initiative petitions, annual dues rate changes and constitutional amendments). The Elections Board shall determine the nature of the balloting.
  - k. Ensure that absentee ballots are available at the USA Office for all contract ratification elections and that all off-campus eligible members receive mail ballots.
  - l. Conduct ratification balloting in accordance with the provisions of Chapter 150E of the Massachusetts General Laws
  - m. Conduct all elections to begin February 1 and end no later than March 30 of the same year where not otherwise specified or voted upon by the membership.
  - n. Conduct run-off elections if necessary.
  - o. Be responsible for conducting special elections.
  - p. Ensure that the balloting period is no less than seven (7) calendar days for on-line elections, and 10 calendar days for in-person or mail election.
  - q. Ensure that the nomination and balloting period is no longer than twenty (20) calendar days for electronic balloting and in-person elections and 40 days for mail elections.
  - r. Tally ballots within two working days after the balloting deadline, ensure the security of the ballots and preserve ballots for the term of the office filled.
  - s. Prepare a written report certifying the election results and the vote totals and forward it to the Executive Committee and Public Relations Committee which shall publish said report for distribution to the membership no later than ten (10) calendar days following the counting of the ballots and certification of the election.
  - t. Conduct elections for delegates to the MTA Annual Meeting and the NEA Representative Assembly in accordance with their requirements.
  - u. Not certify as elected any candidate who receives fewer than two (2) votes in any internal election.
  - v. Ensure that voting procedures adhere to majority rulings except as provided for in Articles XI and XIII.
  - w. Publish proposed initiative petitions, referenda and constitutional amendments for distribution to the membership at least 20 (twenty) calendar days prior to the balloting period.

## **ARTICLE X. COMMITTEES**

### **Section A.**

There shall be standing committees having the specific functions outlined below. They shall have a minimum of three (3) members selected to represent different groups in the Union and shall be appointed by the President with the advice and consent of the Executive Committee to terms extending for the duration of the Executive Committee current term. Members may be reappointed.

### **Section B.**

Committee members shall elect a chair from its members, unless the President, with the advice and consent of the Executive Committee, appoints one. This section does not apply to those committees whose chairs are specified in the Constitution. The USA President and Vice President shall serve as ex officio members of all standing committees.

### **Section C.**

Each standing committee shall meet as needed, but preferably on a regular basis and at least once every six months. Special meetings may be called by the chairperson. No non-unit employee or other non-member may attend standing committee meetings without the approval of the Executive Committee. The members of a committee which fails to adhere to this requirement may be suspended from the committee.

### **Section D.**

Each committee shall choose a secretary, whose position may rotate among members, to record the activities of the committee. The chairperson shall be responsible for filing a committee report after each committee meeting. The chairperson shall prepare an annual written report to be published as part of the Annual Report to the Membership.

### **Section E.**

The President shall forward to the Chancellor, with the advice and consent of the Executive Committee, the names of members to represent the Union on University committees/councils and statewide committees. The President, with the advice and approval of the Executive Committee, shall forward to the appropriate Administrative authority, the names of members to represent the Union on contract committees.

### **Section F.**

In addition to standing committees, members shall be recommended by the Executive Committee to represent the Union on non-University committees.

### **Section G. Standing committees**

1. Negotiations Committee
2. Communications/Public Relations Committee
3. Political Action/ Social Justice Committee
4. Health and Safety Committee
5. Finance Committee
6. Grievance Committee
7. Classification Committee
8. Retired Members Committee

1. The Negotiations Committee shall solicit feedback from the membership regarding issues and concerns related to the USA Contract, and to discuss proposed changes to be presented to the Administration during contract bargaining. It shall choose several of its members to serve on the Bargaining Team. The team shall negotiate with the employer on hours, wages and working conditions for all employees in the bargaining unit and shall prepare proposals, subject to approval and amendment by the Executive Committee, to be placed before the employer. The President, Vice President and Grievance Officer shall be members of the Negotiations Committee and Bargaining Team ex officio. Negotiations in progress shall be reported to the Executive Committee on a regular basis. The Bargaining Team shall prepare and submit its reports and recommendations to the membership at a ratification meeting upon reaching a tentative agreement on all matters under negotiation. Procedures for ratification shall be in accordance with the provisions of Chapter 150E of the Massachusetts General Laws.
2. The Communications/Public Relations Committee shall develop public understanding of the purposes and the programs of the Union, the value of public education and the role of the employee. It shall inform members of the policies, programs, services and accomplishments of the Union. It shall develop procedures by which the Union can work cooperatively with faculty, students, alumni and social organizations through all available channels of communication. With the approval of the President and notification given to the Executive Committee, the Public Relations Committee is responsible for releasing information regarding the Union to the media. This shall not detract from the President's responsibilities as chief spokesperson for the Union. The Public Relations Committee is responsible for publishing Union communications. The Public Relations Committee shall make all efforts to notify the membership of board and committee vacancies and other opportunities to serve in the MTA and NEA.
3. The Political Action/Social Justice Committee shall plan, develop, and promote activities as appropriate to further the civil and human rights of employees and other members of the University community and actively work to promote diversity, while addressing issues relating to classism, racism, and gender equity. It shall have a broad concern for state and national legislation and for the University and state administrative rule making and policy formation affecting the interests of the Union. The committee shall also develop and/or coordinate proposals for the continued education of Union members, including proposals related to the Career Ladder and Workplace Education Programs. The Committee shall encourage members to exercise their civil and political rights and shall keep them informed of new legislation, administrative and state rule making and policy formation. Finally, the committee shall work to establish effective cooperative relationships among employees and community organizations. The Committee shall also develop and promote activities as appropriate to further the civil and human rights of employees and other members of the University community, address issues relating to classism, promote diversity, and establish effective cooperative relationships among employees and community organizations. The Political Action/Social Justice Coordinator shall chair this committee.
4. The Health and Safety Committee shall be concerned with all matters affecting the worksite environments of the members. Furthermore, it shall take appropriate measures to ensure that the interests of all members and employees are served and protected in a responsive manner.

5. The Finance Committee, which shall be chaired by the Treasurer, shall prepare an annual budget for approval by the Executive Committee, retain an auditor and affix the compensation of said auditor, make recommendations pertaining to the long-term investments of funds and assist the Treasurer in preparing financial statements.
6. The Grievance Committee shall organize and expedite all grievances from first step through arbitration. It shall develop and refine the grievance process. The Grievance Committee shall consist of the Grievance Officer, the Chief Steward and Steward Council Co-chair (if appointed).
7. The Classification Committee shall assist members with upgrades up to and including appeals to the Civil Service Commission and work with the President and Vice President on matters pertaining to job classifications. Committee members will assist the Classification Specialist to monitor and track all campus vacancies.
8. The Retired Members Committee shall make recommendations regarding the interests of the Union's retired members and retired bargaining unit employees. The Retired Members Committee and its members may consult with other committees.

**Section H.**

The Executive Committee may organize from the membership of the Union special committees, ad-hoc committees and task forces for special activities and specific tasks. Committees shall be guided by a specific charge. They may be designated as continuing committees or have an established sunset date.

**ARTICLE XI. RECALL OF ELECTED OFFICIAL AND INITIATIVE PETITION/ REFERENDUM /JUDICIAL APPEAL**

**Section A.**

Any elected Union official may be subject to a recall election of one-fifth (1/5) of the membership in their district in the case of a steward or if one-fifth (1/5) of the total membership, in the case of any other elected official, submits consistently worded petitions to the Membership Coordinator for the purpose of recalling an official.

**Section B.**

1. The Membership Coordinator shall certify that the number of members' signatures on said petitions satisfy the Constitutional requirement. The Treasurer shall then notify in writing the Executive Committee, the affected official and the Elections Board. The Elections Board shall conduct a recall election in a timely manner.
2. If a petition is submitted to recall the Membership Coordinator, the Recording Secretary shall assume the responsibility for receiving and certifying said petition.

**Section C.**

An official shall be deemed recalled if two-thirds (2/3) of the ballots cast favor removal.

**Section D. Initiative Petition/Referendum**

1. Any member of the Union may submit an initiative petition or referendum.
2. Upon submission of consistently worded petitions by at least ten percent (10%) of the total membership, the Membership Coordinator shall review said petition for the required number of members' signatures and report the receipt of said petition to the Election Board.
3. The Election Board shall conduct an Initiative Petition or Referendum election within thirty (30) working days of receipt of the aforesaid notification.
4. If the Membership Coordinator is unable to discharge their duty as directed under this article, the Recording Secretary shall assume said duties.
5. An Initiative Petition or Referendum shall be deemed adopted if a majority of those members voting cast ballots in its favor.

## **ARTICLE XII. MEETINGS**

### **Section A. Executive Committee/General Board Meetings**

1. The Executive Committee and General Board shall meet at least once a month, which shall not include joint meetings with the Stewards Council, as described in subsection 4.
2. Special Meetings:
  - a. Any three members of the Executive/General Board may request special meetings.
  - b. Special meetings of the Executive/General Board shall be called when the nature of business is of sufficient urgency that postponement of such business will have a substantial impact on the members, or the timely action of the Executive/General Board is required prior to the next regularly scheduled Executive/General Board meeting. Any request for a special meeting shall be presented to the President who shall schedule such meetings at the earliest opportunity for the majority of the Executive/General Board to be present.
3. A majority of the total membership shall be a quorum of the Executive Committee.
4. There shall be at least two joint Executive Committee /General Board and Stewards' Council meetings held per year. These meetings will be co-chaired by the USA President and the Steward Council Chair.

### **Section B. General Membership Meetings**

1. There shall be at least four (4) general membership meetings per year, the dates to be determined by the Executive Committee. The April membership meeting shall be the Annual Meeting, at which time the annual budget shall be presented. The President shall prepare the tentative agenda for each meeting. The agenda for the Annual Meeting shall be published five (5) working days prior to the date of the meeting.
2. A quorum for any membership meeting shall be twenty-five (25) members.
3. All Union officials shall, whenever possible, attend general membership meetings.
4. Special meetings of the membership may be held at the call of the President, by a majority vote of the Executive Committee or upon written request to the Executive Committee from five per cent (5%) of the membership. Items of business to come before a special membership meeting must be stated in the request and circulated to the membership and business shall be limited to those items.

## **Section C. Conduct of Business**

The Executive Committee, General Board and membership meetings shall be conducted according to the latest version of Roberts Rules of Order, revised with the following exceptions: Such meetings shall be conducted by the President or designee who shall be allowed to

1. Bring up items for discussion,
2. Speak for and against motions, and vote.
3. The Executive Committee and General Board shall extend the privilege of absentee voting to Board members in exceptional circumstances.

## **ARTICLE XIII. AMENDMENTS TO THE CONSTITUTION**

### **Section A.**

The Constitution of this Union may be amended by addition, deletion, or substitution.

### **Section B.**

The process of amendment may be accomplished by one of two procedures:

#### 1. By Initiative Petition:

- a. One-fifth (1/5) of the total membership may submit consistently worded petitions which specify the section(s) to be deleted and/or contains the detailed addition(s) and/or substitution(s). Said petition(s) shall be submitted to the Membership Coordinator.
- b. The Membership Coordinator shall review said petition(s) for the required number of members' signatures within ten (10) days.
- c. When the Membership Coordinator certifies that the signatures on said petition(s) satisfy the constitutional requirement, the Membership Coordinator shall notify the Executive Committee and the Elections Board in writing. The Elections Board shall conduct an election for the purpose of amending the Constitution within thirty (30) days of receiving the aforesaid notification. The Constitution shall be amended if three-fifths (3/5) of the ballots cast favor the proposed change.
- d. If the Membership Coordinator is unable to discharge their duties as set forth in Article 13 of this Constitution, the Recording Secretary shall assume responsibility for carrying out said duties.

#### 2. By recommendation of the Executive Committee:

- a. The Executive Committee, whenever two-thirds (2/3) of its members deem it necessary, shall propose amendments to this Constitution.
- b. The proposed amendment(s) shall be submitted in writing to the Elections Board.
- c. The Elections Board shall conduct an election for the purpose of amending the Constitution within thirty (30) days of receiving the proposed amendment(s).
- d. The Constitution shall be amended if three-fifths (3/5) of the ballots cast favor the proposed change.

### **Section C.**

In the event of an emergency, the Executive committee shall call a meeting of the entire Board to temporarily amend the Constitution. The Board must be given the reason for the situation, and two-thirds of the full Board must vote for the temporary amendment. The Board shall inform the membership of any temporary amendments to the Constitution following the passage of any such amendment. No such amendment may be made on a permanent basis nor shall any amendment last longer than ninety (90) days unless the relevant sections of the Constitution are subsequently amended by the membership using one of the procedures outlined in sections A and B of this article. Any emergency amendment is to be communicated to the membership within 24 hours of passing.

### **ARTICLE XIV. ADOPTION OF THE CONSTITUTION**

This Constitution shall be adopted if two-thirds (2/3) of the ballots cast are in its favor and shall take effect immediately.

### **ARTICLE XV. STIPENDS FOR OFFICERS OF ASSOCIATION**

USA Officers (Vice President, Grievance Officer, Treasurer) and the Membership Coordinator will be reimbursed monthly up to \$45.00 for personal internet and phone costs until such time as they resign or are finished with their term.