UAUO CONSTITUTION AND BYLAWS

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Constitution
of
United Academics of the University of Oregon
Local 3209, AFT/AAUP, AFL-CIO

PREAMBLE

The university is a community of scholars dedicated to the highest standards of academic inquiry, learning, and service. Recognizing that knowledge is the fundamental wealth of civilization, the university strives to enrich the public that sustains it.

We the faculty — tenure track and non-tenure track, adjuncts and officers of research and instruction— are hereby united to strengthen the quality of education and research at the University of Oregon. We have the power in our union to shape the future of higher education, raising our collective voice for the preservation of public education and the role of faculty in governing our University.

For purposes deemed wise and good, our goal is to fairly and equally represent faculty in all matters pertaining to employment and professional relations, pursuant to Oregon State Law, and our own sense of professional responsibility.

In order to best address the needs of the students, the faculty and the administration of the University of Oregon, it is essential that faculty members be informed and involved in all aspects of University matters. In order to promote increased faculty participation and to give voice to faculty in the planning, policy-making, and decision-making processes of the institution, we herein establish ourselves as the United Academics of the University of Oregon.

ARTICLE I
NAME

This union shall be known as United Academics of the University of Oregon, Local 3209, AAUP/AFT, AFL-CIO.

ARTICLE II
OBJECTIVES

The purpose of this union shall be:

Section 1. To promote the interests of higher education and research, to advance the standards and welfare of the profession, and to serve as the collective bargaining agent for the eligible faculty of the University of Oregon.

Section 2. To encourage mutual understanding and cooperation among the membership.

Section 3. To promote the interests of citizens who are served by the membership.

Section 4. To preserve affordable public education for students.

Section 5. To advocate publicly for the value of higher education, including passage and retention of appropriate laws, to improve the climate for students and higher education employees and support the delivery of quality education.

Section 6. To promote democracy, equality, and labor rights in the society at large.

ARTICLE III
MEMBERSHIP

Section 1. All classifications of employees listed in the certification issued by the Employment Relations Board of the State of Oregon in Case No. CC-002-12 are eligible for membership in this union.

Section 2. No person shall be denied membership, nor shall this union ever discriminate against individual members or applicants for membership on the basis of political beliefs; individual or group identity characteristics, such as race, color, religion, national or ethnic origin, age, sex, sexual orientation, gender identity or expression; marital or civil union status; or disability.

Section 3. A member in good standing is defined as a bargaining unit member who has been actively employed by the university in a bargaining unit position at any time during the last twelve months, has signed a union membership card, and was current in payment of dues to the union while they were employed.

a. Members in good standing have voting rights as described in the relevant section(s) below. The term "member" is used throughout this document to mean a member in good standing.
b. A member who is or was more than 30 days delinquent in dues payment while they were employed shall be considered to be a member in bad standing, and shall be promptly notified of such status. A member shall be removed from full membership in this union, with notice, following three months of dues nonpayment during a period in which they were employed, unless a plan to pay back dues is made and approved by both the Executive Council and the member.
c. A fair share member is not a member in good standing because he or she has not signed a membership card and has not paid full dues. Fair-share bargaining unit members do not have union voting rights.

Section 4. The Executive Council shall establish guidelines for retiree membership, dues, and participation in the local in the form of a retiree chapter, in accordance with AFT and AAUP guidelines.

ARTICLE IV
ELECTION OF OFFICERS, COMMITTEE CHAIRS, REPRESENTATIVES, AND CONVENTION DELEGATES

Section 1. Elections shall be conducted in accordance with the AFT and AAUP Constitutions and the standards set forth by the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA).

Section 2. Officers, committee chairs, and representatives shall be elected in May of odd years. Terms of office shall be two years. Convention delegates will be elected according to standards of AFT National, AAUP, and this Constitution.

Section 3. Elections for members of the Representative Assembly shall take place in a manner determined by the Elections Committee under that committee's supervision as set forth in Article VIII of this Constitution and further detailed in the bylaws.

Section 4. The union will elect the following officers:

a. President
b. Executive Vice President
c. Secretary
d. Treasurer
e. Vice President for Tenure Track Faculty Affairs.
f. Vice President for Non-Tenure Track Instructional Faculty Affairs.
g. Vice President for Non-Tenure Track Research Faculty Affairs.

Section 5. The union will elect the following committee chairs:

a. Chair of the Diversity and Equity Committee
b. Chair of the Grievance and Contract Administration Committee
c. Chair of the Organizing, Membership, and Communications Committee
d. Chair of the State and Higher Education Issues Committee

Section 6. Eligibility for Office

a. To be eligible for office, or to be a delegate, a person must be a member in good standing of the union and either;
    a. have been in the active employ of the university in a bargaining unit position for at least two quarters in the previous 24 months prior to the election; or
    b. be an officer serving on release time.
b. To be eligible for office as a Vice President, a person must meet employment qualifications for office under this Article within the constituency area for which he or she is seeking office as Vice President.

Section 7. The Elections Committee shall conduct all general and special elections and referenda of the union.

a. For all elections conducted before the inaugural Representative Assembly is in place, the Elections Committee shall be convened and consist of five members selected by the Organizing Committee.
b. Subsequently, the Elections Committee shall consist of five members in good standing selected by the Representative Assembly at its first meeting of the year.

c. Any member of the Elections Committee nominated for or seeking office must vacate their position and be replaced by a member nominated by the President and approved by the Executive Council.

Section 8. Nominations

a. Sixty (60) days prior to the date of the election, the Elections Committee shall notify all members of the opening of nominations for officers, committee chairs, and convention delegates, the offices to be filled and of the date of the election by first class U.S. Mail to the members' last known home address. In addition to the notice by U.S. Mail, the union may provide notice via electronic means. However, such electronic notice may not be substituted for the U.S. Mail notice.

b. To be nominated for all offices other than Vice President, a candidate or nominating member must submit to the Elections Committee a petition containing the signatures of ten (10) members. Said petitions must be submitted no later than thirty (30) days following the notice of the opening of nominations.

c. To be nominated as a candidate for the office of Vice President, a candidate or nominating member must submit to the Elections Committee a petition containing the signatures of ten (10) members from the employment classification for the vice-presidential office the candidate is seeking. Said petitions must be submitted no later than thirty (30) days following the notice of the opening of nominations.

d. Members nominated to run for office must affirmatively accept their nomination no later than twenty-four (24) hours following the close of nominations in order to be placed on the ballot.

e. The Elections Committee shall determine whether the nominations were timely and if the nominees are eligible for office.

Section 9. At least twenty (20) days prior to the election, the Elections Committee shall notify all members of the election date and the candidates for office.

Section 10. The Elections Committee shall prepare and send ballots by U.S. Mail to all members in good standing, 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.

Section 11. Candidates for the office of Vice President shall be elected by the membership from the constituency area in which they serve. No member may cast a vote for a vice presidential candidate from another constituency area.

Section 12. Ballots

a. All elections will be conducted using a conventional preference vote system when there are two or fewer candidates. Elections will be conducted using an “Approval Voting” system when there are more than two candidates. Under this system, all members will have the opportunity to vote for all candidates they

approve of (one or more), and the candidate with the most votes (the most approval) will win. The ballots shall be tabulated by the Elections Committee.

b. In the event of a tie, the Elections Committee shall prepare and send ballots by first-class U.S. Mail to the last known home address of all members who were eligible to vote in the initial election, in such manner as to ensure the secrecy of the ballot. The period between the mailing and return date for the ballot shall be no less than twenty (20) calendar days.

Section 13. The election results will be published and distributed to the membership within fifteen (15) days of the count. All elections materials, including the ballots, will be kept in a secure location for one (1) year.

Section 14. 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 release of results. The Elections Committee shall issue its written opinion regarding the objections no later than ten (10) days after receipt of such objections.

Section 15. Successful candidates shall assume office within thirty (30) days of the conclusion of the election.

Section 16. With the exception of the President, or in case of a recall, the Executive Council will have the power to fill vacancies in its membership or the Representative Assembly until the next general election.

Section 17. A physical petition signed by forty-five percent (30%) of the membership, and alleging constitutional violations, fiduciary breaches or acts clearly detrimental to the union, shall be sufficient to require the Executive Council to vote on whether to conduct a recall election of the officer identified in the petition. The officer subject to recall and any Executive Council member signing the petition shall not vote nor be present during the vote on the question of a recall election. If a majority of the Executive Council approves a recall election, the Elections Committee shall supervise all aspects of the recall process.

Section 18. All officers, committee chairs, and representatives shall be eligible to complete their term of office even if they do not hold an appointment at the university for the entire duration of their term.

Section 19. This section shall apply to the first two elections held following the ratification of this Constitution. The call for nominations for all offices shall be held within 120 days following ratification of this Constitution. Officers, committee chairs, and representatives shall serve until the election to be scheduled in May of 2015. Beginning with the election in 2015, the schedule of elections set forth in section 2 of this Article shall remain in effect.

ARTICLE V
DUTIES OF OFFICERS

Section 1. The President shall:

a. assume executive responsibility for all UA activities and shall represent the union before the public or appropriate bodies;
b. carry out the policies and decisions of the Executive Council;
c. act as chairperson of all Executive Council Meetings, all meetings of the Representatives Assembly, and all other UA membership meetings;
d. be a non-voting *ex-officio* member of all committees;
e. be the official spokesperson for UA, and shall sign all necessary papers and documents;
f. be authorized to sign checks and payments of the union and shall monitor and approve with the Treasurer financial matters;
g. represent the union and participate in external union activity whenever possible;
h. be the chief/ranking delegate to the AFT's convention, the AAUP's annual meeting, the AAUP Collective Bargaining Congress business meeting, the Oregon Conference of AAUP, and the state convention of AFT-Oregon whenever possible;
i. work on building the union among all members of the bargaining unit;
j. oversee monthly updates for the membership and make a report to the membership at least once each year summarizing the accomplishments of the UA and outlining plans for the next year;
k. with the advice and consent of the Executive Council, appoint Executive Council members in the case of a vacancy according to the terms of Article IV, Section 16 of this Constitution; and
m. be able to delegate the responsibilities of the office except where otherwise specified by the Constitution.

Section 2. The Executive Vice President shall:

a. assume the duties of the President in the event of the absence, illness, or death of the President;
b. be responsible for the coordination of activities for collective bargaining and shall serve, *ex-officio*, and chair the meetings of the Collective Bargaining Committee;
c. serve *ex-officio* on any other standing or ad-hoc committees concerned with contract negotiations, such as committees on salaries, workloads, and other matters subject to contract negotiation;
d. co-sign financial instruments in the absence of the President or Treasurer; and
e. perform other duties as delegated by the President or assigned by the Executive Council.

Section 3. The Secretary shall:

a. maintain the non-financial files and records of the union;
b. be the custodian of the seal and charter of the union;
c. shall record and keep accurate minutes of meetings of the membership, the Executive Council and the Representative Assembly;

d. assist the President in handling the correspondence of the union;
e. prepare the agenda for meetings with the advice of the Executive Council and Representatives Assembly;
f. perform duties of the office as required by the LMRDA; and
g. perform other duties as delegated by the President, or assigned by the Executive Council.

Section 4. The Treasurer shall:

a. receive record and deposit all dues monies and other income in the name of the union;
b. maintain accurate membership records;
c. issue membership cards and notices of delinquency;
d. be one of the responsible financial officers of the union and be authorized to co-sign financial instruments and make regular and usual disbursements of funds;
e. maintain all financial records of the union;
f. arrange for an independent audit of the finances of the union annually and make same available to the Executive Council, Representative Assembly and membership;
g. transmit per-capita payments on a regular basis to the Secretary-Treasurer of the American Federation of Teachers, Secretary-Treasurer of the AAUP, and similar officers of all other bodies with which the union is affiliated;
h. oversee the work of and receive reports from the Finance Committee;
i. perform duties of the office as required by the LMRDA and the guidelines developed by the AFT and AAUP;
j. perform other duties as delegated by the President or assigned by the Executive Council.

Section 5. Each Vice President shall serve their own constituency area and the general interest of the union as follows:

a. The Vice President for Tenure Track Faculty Affairs shall:
   (i) represent all tenure track faculty who are members of the union; and
   (ii) perform other duties as delegated by the President or assigned by the Executive Council.

b. The Vice President for Non-Tenure Track Instructional Faculty Affairs shall:
   (i) represent all non-tenure track faculty whose primary terms of employment are instruction-oriented and who are members of the union; and
   (ii) perform other duties as delegated by the President or assigned by the Executive Council.

c. The Vice President for Non-Tenure Track Research Faculty Affairs shall:
   (i) represent all officers of research and non-tenure track research faculty whose primary terms of employment are research-oriented and who are also members of the union; and

(ii) perform other duties as delegated by the President or assigned by the Executive Council.

Section 6. All officers shall serve as members of the Executive Council.

ARTICLE VI
EXECUTIVE COUNCIL

Section 1. The Executive Council shall meet at least monthly, or at the call of the President, or at the call of four (4) or more of its members, or at the call of the Representative Assembly, for the purpose of initiating, overseeing or revising the program of the union and to conduct other business of the union that is within its authority. All members of the Executive Council must be notified of the date, time, and location of each Executive Council meeting. A quorum for the Executive Council shall be one-half of its members.

Section 2. The Executive Council shall consist of the officers and the chairpersons of the Diversity and Equity Committee; the Grievance and Contract Administration Committee; the Organizing, Membership, and Communications Committee; and the State and Higher Education Issues Committee.

Section 3. The Executive Council shall prepare and present for approval to the Representative Assembly an annual budget in the month prior to the beginning of the fiscal year, which shall be established by the Executive Council.

Section 4. The Executive Council shall employ all professional, technical, clerical and support staff of the union.

Section 5. The Executive Council shall establish the salary, benefits and expense guidelines of any general officer who is employed by the union.

Section 6. 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 7. The Executive Council shall approve the membership of all standing and special committees of the union, except the Elections Committee, and receive regular reports from such committees.

Section 8. The Executive Council shall be responsible for adherence to and enforcement of the Constitution and By-Laws of the union.

Section 9. The Executive Council shall issue regular reports, including an annual report, to the Representative Assembly and the membership.

Section 10. Four unexcused absences from an Executive Council meeting within a year, counted from the date of assumption of office, shall be grounds for an Executive Council member's suspension and/or replacement. Pursuant to Article IV, Section 16, the Executive Council shall have the authority to appoint a member to take the seat of an Executive Council member who was suspended or replaced under the terms of this Section. If the seat of a Vice President becomes vacant due to unexcused absence, he or she must be replaced by a member from the same constituency.

Section 11. The Chair of the Diversity and Equity Committee shall:

a. be primarily responsible for issues related to age, ethnicity, gender, physical abilities/qualities, race, sexual orientation, educational background, geographic origin, income, marital status, military experience, parental status and religious beliefs;
b. work to implement affirmative action goals, and pursue equal opportunity, fairness and equal treatment at the University; and
d. perform other duties as delegated by the President or assigned by the Executive Council.

Section 12. The Chair of the Grievance and Contract Administration committee shall:

a. be responsible for pursuing the resolution of faculty grievances;
b. be acquainted with current grievance procedures and with the implementation of the current contract;
c. assist and advise persons in the bargaining unit from the initiation of a grievance to its eventual resolution;
d. with the support and advice of the Grievance and Contract Administration Committee, advise the Executive Council on all matters pertaining to the grievance procedure and on all grievance cases as well as any problems regarding the implementation of the current contract;
e. with the advice of the Grievance and Contract Administration Committee, appoint Assistant Grievance Officers as necessary;
f. work with the Faculty Senate's ombudsperson and grievance committee when appropriate; and
g. perform other duties as delegated by the President or assigned by the Executive Council.

Section 13. The Chair of the Organizing, Membership, and Communications Committee shall:

a. be responsible for membership benefits, services and development programs aimed at membership growth and expansion;
b. be responsible for communications programs of the local including regular and periodic publications to members;
c. be responsible for communicating news of the union to the community, including public relations activities;
d. be responsible for coordinating membership service and benefit programs of the union; and

e. perform other duties as delegated by the President or assigned by the Executive Council.

Section 14. The Chair of the State and Higher Education Affairs Committee shall:

a. be responsible for working with the Executive Council and the State and Higher Education Issues Committee to monitor higher education issues in state and federal government;
b. research viewpoints of the membership on such issues;
c. be responsible for political education of the membership in legislative and governmental election matters and assist the Executive Council in initiating and coordinating lobbying activities; and
d. perform other duties as delegated by the President or assigned by the Executive Council.

ARTICLE VII
COMMITTEES

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

a. Collective Bargaining;
b. Finance Committee;
c. Diversity and Equity Committee;
d. Grievance and Contract Administration Committee;
e. Organizing, Membership and Communications Committee;
f. State and Higher Education Issues Committee;
g. Elections Committee;
h. Constitution and Bylaws Committee.

Section 2. The Executive Council, either on its own initiative, or at the direction of the Representative Assembly, may establish special committees.

Section 3. Upon appointment by the President and approval by the Executive Council, committee chairs shall have thirty (30) days to select committee members and present their names to the Executive Council for approval.

Section 4. Within 30 days of formation, each committee shall present its annual program of action to the Executive Council and the Membership Meeting.

Section 5. The Collective Bargaining Committee (CBC) shall be chaired by the Executive Vice President, and shall include the members of the Negotiating Team, the Vice Presidents for Tenure Track, NTT Instructional, and NTT Research, and any other members of the Executive Council, Representatives Assembly or UA membership approved by the Executive Council. The CBC shall be responsible for compiling and presenting the concerns of the membership, and for formulating initial proposals for consideration and approval by the Executive Council. The CBC shall be charged with forming any necessary ad hoc working groups or advisory committees as needed. The CBC shall submit a

bargaining platform to the Representatives Assembly, for ratification by a majority of those voting.

Section 6. The Finance Committee shall be responsible for drawing up and recommending the proposed budget; shall review expenditures and the activities of the Treasurer on a regular basis, and shall report to the President, the Executive Council and the Representatives Assembly.

Section 7. The duties of the Diversity and Equity Committee will be to coordinate with the Grievance/Contract Administration Committee and University Offices, Centers and Institutes to advance and promote diversity at the University of Oregon and within the union. Committee members will develop specific strategies for outreach to other faculty unions; for public communications in the community; for internal communications; co-sponsor trainings with the Membership and Communications Committee to elevate values of inclusion and equity across the union.

Section 8. The duties of the Grievance and Contract Administration Committee will be to assist the chair of the committee in the resolution of faculty grievances, to study labor law and grievance procedures as they pertain to the needs and interests of the union, and to oversee the implementation and administration of the contract between the union and the University of Oregon.

Section 9. The duties of the Organizing, Membership, and Communications Committee will include actively maintaining and recruiting members and working with the Executive Council to prepare newsletters and press releases, and create and maintain appropriate electronic communication services. A roster of Representatives shall be available to this committee to assist in collaboration and support.

Section 10. The duties of the State and Higher Education Issues Committee will be to monitor higher education issues in state and federal government; research viewpoints of the membership on such issues; and assist the Executive Council in initiating and coordinating lobbying activities.

Section 11. The Elections Committee will conduct and supervise all elections of the union. Members of the Elections Committee may not run for or hold elected office in the union.

Section 12. The duties of the Constitution and Bylaws Committee shall be to review proposed amendments to the Constitution and Bylaws to assure their conformity with requirements of affiliates or applicable labor laws. The committee may initiate proposed amendments. Its review of proposed amendments will be reported to the Executive Council.

ARTICLE VIII
REPRESENTATIVE ASSEMBLY

Section 1. The legislative power of the union shall be vested in the Representative Assembly

Section 2. The Representative Assembly shall consist of no more than fifty Representatives. Each Representative will represent a roughly proportional number of members, with

representation distributed on the basis of both employment classification and between academic work units. Determination of the precise number of Representative seats shall be made pursuant to the rules set forth in the Bylaws.

Section 3. All members of the Representative Assembly shall be eligible to complete their term of office even if they do not hold an appointment at the University for the entire duration of their elected position.

Section 4. The employment classifications represented shall be:

a. Tenured and tenure track faculty
b. Non-tenure track instructional faculty
c. Non-tenure track research faculty

Section 5. The academic work units represented shall reflect the current structure of the University, such as:

a. The School of Architecture and Allied Arts
b. The College of Education
c. The Lundquist College of Business
d. The School of Music and Dance
e. The School of Journalism and Communication
f. The College of Arts and Science – Humanities Division
g. The College of Arts and Sciences – Social Sciences Division
h. The College of Arts and Sciences – Natural Sciences Division
i. Library
j. Research Institutes
k. Physical Education / Recreation
l. At-large representatives to reflect all other employment situations outside of designated work units or employees whose classification/work unit situation does not have enough UA members to justify a specific delegate position.

Section 6. Representatives shall serve for two years. Any vacancies that occur will be filled by the Executive Council until the next general election.

Section 7. Elections Committee shall:

a. notify all members as to the number of Representative seats allotted to each employment classification within each academic unit (See Bylaws). Nominating information shall be circulated prior to elections in odd years to the members of each academic work unit for either self-nomination or for nomination of another member. Eligibility for voting for, and serving as, a Representative, and for nominating candidates for Representative positions is limited to members in good standing. All nominations need to be received no later than thirty (30) days following the opening of nominations. Nominees must indicate to the chair of the Elections Committee a willingness to serve no later than twenty-four (24) hours following the close of nominations in order to be placed on the ballot;

b. prepare and distribute ballots to all members in good standing and conduct elections so as to ensure the secrecy of the ballot;
c. count the valid ballots to determine the outcome of the election;
d. settle challenges and objections according to the procedures outlined in Article IV, Section 14;
e. direct successful candidates to assume office immediately upon conclusion of the election; and
f. conduct recall elections according to the terms of Article IV, Section 17 of this Constitution; and

Section 8. The Representative Assembly shall meet quarterly for the purpose of establishing the policies of the union; to receive and review the reports of the President, Executive Council and Committees; review and approve the budget submitted by the Executive Council, taking appropriate action as specified in the Constitution; and initiate and take other such actions as the body deems necessary. A majority of its members shall be a quorum for the Representative Assembly.

Section 9. The Representative Assembly may be called into Special Session at the discretion of the Executive Council or upon the presentation of a valid petition of twenty-five (25) percent of the Representatives to the Secretary of this union.

Section 10. The President shall be the presiding officer of the Representative Assembly but may vote only in the event of a tie.

ARTICLE IX
DUTIES OF REPRESENTATIVES

Section 1. Representatives shall:

a. attend all regular and special meetings of the Representative Assembly and all meetings of the general membership;
b. hold regular meetings of the membership at the worksite, or other appropriate place, for the purpose of making reports, discussing work place and organizational concerns, receiving instruction from the membership, and other activities as may be required;
c. recruit eligible persons to membership;
d. process grievances and resolve disputes at the worksite, or other appropriate location; and
e. consult regularly with the employer's management personnel at the worksite regarding matters of interest to the union membership; and
f. serve as departmental stewards.

ARTICLE X
MEMBERSHIP MEETINGS

Section 1. The union will hold two regular membership meetings each year, one in the Fall and one in the Spring. The Executive Council will provide seven days' notice of membership meetings and will endeavor to hold meetings at a time when few classes are meeting. In

extraordinary circumstances, the Executive Council with the approval of at least six of its voting members, may suspend the seven days' notice requirement.

Section 2. A quorum for transacting business at a membership meeting shall be 25% of the membership.

Section 3. Special meetings of the membership may be called by:

a. the Representative Assembly, or
b. a petition of twenty percent (20%) of the members. The petition must state the reason for the meeting. Such a meeting must be called within two weeks after the Executive Council receives a valid petition. The Executive Council will provide no less than seven days' notice of such a meeting with all agenda items listed on the notice.

ARTICLE XI
REVENUES

Section 1. Initial dues of this union shall be recommended by the Finance Committee and ratified by the members in good standing concurrent with contract ratification (as specified in the Bylaws).

Section 2. Any changes to the dues rate shall be recommended by the Representative Assembly. The membership of the union shall have the opportunity to ratify a dues change recommended by the Representative Assembly at the membership meeting that follows the recommendation by the Representative Assembly. The membership meeting is not required to vote on the issue of a dues change. If it chooses not to, the recommendation of the Representative Assembly shall take effect. Should it choose to do so, the vote shall be limited to the question of approval or disapproval of the action of the Representative Assembly with no amendments permitted. If the membership meeting chooses not to adopt a dues increase, dues shall be set at the level that existed prior to the Representative Assembly's action. Under no circumstances may the membership meeting vote to terminate or modify the dues pass-through set forth in Section 3 of this Article.

Section 3. The dues assessed shall include the amount discussed in Section 1 of this Article and shall include at least the prevailing per capita amounts for the AAUP, AAUP-Oregon, AFT, AFT-Oregon, AFL-CIO local and state affiliates, and insurance premiums. Whenever the dues of a required affiliate increases, the dues of the local shall automatically and simultaneously increase by the same amount.

Section 4. Special assessments for specific purposes may be levied by the Executive Council provided that the actions required for a referendum have not been initiated within thirty (30) days of the decision of the Executive Council.

Section 5. The union shall adopt procedures consistent with local, state and federal law and Article VIII, Sections 1 (a) – (d) of the AFT By-Laws, as regards fair share dues collection.

Section 6. The union is authorized to receive contributions from any donor (grants, donations, contributions, and other funding activities) provided that the Executive Council determines that the conditions or purposes of any contribution are not inconsistent with this Constitution or the general purposes of the union.

ARTICLE XII
AFFILIATIONS

This union shall maintain affiliation with the following organizations:

Section 1. The American Federation of Teachers (AFT). Whenever possible, the union will send delegates to the AFT's convention.

Section 2. The American Association of University Professors (AAUP). Whenever possible, the union will send delegates to the AAUP's national meetings.

Section 3. AFT-Oregon. Whenever possible, the union will send delegates to the AFT-Oregon convention.

Section 4. AAUP Oregon. Whenever possible, the union will send delegates to the AAUP Oregon annual meeting.

Section 5. The Oregon AFL-CIO. Whenever possible, the union will send delegates to the Oregon AFL-CIO convention.

Section6. The Lane County Central Labor Council. Whenever possible, the union will send delegates to the Lane County Central Labor Council.

Section7. Other central labor councils in locations where the university has a campus and the union has significant membership as determined by the Executive Council.

Section 8. All convention delegates shall make written reports to the Executive Council on meetings attended. Every reasonable effort shall be made by the union to pay the legitimate expenses of delegates to meetings and conventions of affiliated organizations. The union to the best of its ability shall be active in the affairs of affiliated organizations.

ARTICLE XIII
RULES OF ORDER

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

ARTICLE XIV
SANCTIONS AND DUE PROCESS PROTECTIONS AND PROVISIONS

Section 1. Every member has the right to due process when faced with accusations of having caused harm to the interests of the union or its membership; likewise every member

has the right to initiate proceedings against other members who are perceived to have caused egregious material or constitutional harm to the interests of the union or its membership. Under no circumstances shall this article be utilized to infringe upon the free speech rights of the membership.

Section 2. In the rare and unusual circumstance in which a member is accused of having taken egregious action that materially harms the union or its members, or that is contrary to this Constitution or the interests of this union or its membership, the union has the right to protect its interests, and the accused member has a right to full due process. This article sets forth that due process.

a. A member may be sanctioned by the union for actions contrary to this Constitution or to the interests of the union or its membership. Such action may only be initiated by the bringing of written and signed charges to the Executive Council by two or more members of the local; these charges must include a specific and detailed accounting, including any documentation, of the allegations against the member. Any sanctions imposed as a result of this process shall conform to Oregon law.

b. Upon the receipt of such charges, the Executive Council shall cause a preliminary investigation to be conducted in order to determine whether the charges against the member have merit. In addition, at this time, the Executive Council shall give a copy of the charges to the accused member.

c. Following the preliminary investigation, the Executive Council shall vote on the question of whether a hearing should be held. If a majority of the Executive Council votes to hold a hearing, the member shall be given at least ten (10) days written notice of the hearing.

d. At a hearing, the accused member shall have the right to be represented by a person of their choice, and shall have the right to question the charges and present evidence and witnesses to support their defense. At the conclusion of the hearing, a two-thirds (2/3) vote of the Executive Council shall be required for sanctions. If a member of the Executive Council has brought the charges against the member, that Council member shall recuse him/herself from the vote.

e. A sanctioned member may appeal the decision of the Executive Council to the membership by requesting a vote at the next regular meeting. A simple majority of the members voting shall be sufficient to overrule the decision of the Executive Council to impose a sanction.

ARTICLE XV
AMENDMENT

Section 1. Twenty percent (20%) of the membership, or Representatives of 20% thereof, may present, by petition, a proposed amendment to this Constitution to the Secretary, who shall notify the Representatives of the proposed amendment no later than thirty (30) days prior to the next meeting of the Representative Assembly. Alternatively, a majority of the Executive Council may vote to present a proposed amendment to the Representatives at the next meeting of the Representative Assembly. A copy of the proposed amendment, along with an explanation of said amendment, shall be

distributed to all Representatives, at least one week prior to the Representative Assembly meeting at which the amendment will be introduced and discussed.

Section 2. The Representative Assembly shall vote on amendments to the Constitution initiated via the method set forth in section 1 of this article.

a. Following the meeting of the Representative Assembly at which the proposed amendment was introduced, a vote shall be held on the amendment at the next meeting of the Representative Assembly.

b. In the alternative, following the meeting of the Representative Assembly at which the proposed amendment was introduced, a special Representative Assembly meeting for the purpose of voting on the proposed amendment may be called by the Executive Council. The special meeting shall be conducted in accordance with the terms of Article VIII, Section 9.

c. Two-thirds (2/3) of the entire membership of the Representative Assembly shall be required for passage of the amendment.

Section 3. Amendment By Direct Vote of the Membership

a. If 50% of the membership shall sign a petition to amend the Constitution, the Elections Committee shall conduct a vote by mail ballot on the proposed amendment. Two-thirds (2/3) of the total membership must vote to approve of such amendment in order for it to be enacted.

Section 4. The initial adoption of this Constitution shall be accomplished via a vote of the members. A majority of the ballots cast shall be required for adoption.

ARTICLE XVI
AVAILABILITY OF THE CONSTITUTION

Section 1. A digital copy of this Constitution and all subsequent amendments shall be submitted by electronic means to the office of the Secretary-Treasurer of the American Federation of Teachers.

Section 2. One copy shall be sent to the similar officer of each organization with which this union is affiliated.

Section 3. The Secretary shall make available upon request a copy to any member of the union.

This Constitution was adopted by the membership on June 14, 2013;

(and last amended on _____, 20____).
(date)

Bylaws
of
United Academics of the University of Oregon
Local 3209, AFT/AAUP, AFL-CIO

ARTICLE I
ELECTION OF REPRESENTATIVES

Section 1. The Elections Committee shall conduct elections for the Representative Assembly at the same time as elections for Officers.

Section 2. Prior to the call for nominations of Officers, Chairs, and Representatives, (usually in early March) of odd years, Elections Committee shall conduct a census of members in order to determine the proper apportionment of seats by academic work unit and employment classification in the Representative Assembly. Elections Committee shall proportionately allocate seats to each employment class of each academic work unit based on the numbers of actual members.

Section 3. At the time of the call for nominations, the Elections Committee shall notify all members in good standing as to the number of Representative seats allotted to each employment classification within each academic unit. Nominating information shall be circulated at this time to the members of each academic work unit for either self-nomination or for nomination of another member. Eligibility for voting for, and serving as, a Representative, and for nominating candidates for Representative positions is limited to members in good standing, as set forth in Article IV of the Constitution. Members in good standing may self-nominate or nominate candidates for seats in the Representative Assembly within their work unit. Nominees must confirm to the chair of the Elections Committee their willingness to serve. All nominations need to be received no later than thirty (30) days following the opening of nominations. The Elections Committee will prepare and distribute ballots to all members in good standing at the time of the election, as set forth in Article IV of the Constitution. Representatives shall take office immediately upon election.

Section 4. Each Representative shall be representing his/her academic work unit, reflecting the current structure of the University, such as:

a. The School of Architecture and Allied Arts
b. The College of Education
c. The Lundquist College of Business
d. The School of Music and Dance
e. The School of Journalism and Communication
f. The College of Arts and Science – Humanities Division
g. The College of Arts and Sciences – Social Sciences Division
h. The College of Arts and Sciences – Natural Sciences Division
i. Library
j. Research Institutes
k. Physical Education / Recreation

l. At-large Unit – composed of members pooled from all work units that have fewer than ten (10) members in any employment class.

Section 5. Based on membership at the time of the member census on odd years (usually winter term), the Elections Committee shall apportion the number of seats for each employment classification of each academic work unit using these criteria:

a. The Representative Assembly shall consist of no more than fifty (50) representatives.

b. Representatives will be elected from these three (3) employment classifications:
   1. Tenured and tenure track faculty
   2. Non-tenure track instructional faculty
   3. Non-tenure track research faculty

c. The first stage of apportionment requires that the Elections Committee assign one (1) seat for the first ten (10) members in a single employment classification per academic work unit. Each employment classification within an academic unit is eligible for one Representative if it meets the ten (10) member threshold for that employment classification by the time of the member census in winter term.

d. In this first stage of apportionment, a single academic work unit can have up to, but no more than, three (3) seats for the Representative Assembly (one seat per employment classification).

e. When a work unit has fewer than ten (10) members in a given employment classification, members of that unit will be pooled in the At-large work unit.

f. The pooled members of the At-large work unit will be eligible to nominate or self nominate for candidacy as a Representative provided the At-large work unit has at least ten (10) members in the respective employment classification.

g. No Representative shall represent fewer than 10 members.

h. After allotting one representative to each eligible employment classification within each unit including the pooled At-Large unit, the Elections Committee will then determine proportional assignment of the remaining possible Representative seats to the various employment classes of each academic work unit, based on their relative numbers of actual union members.

i. The overall number of Representative Assembly seats apportioned to each employment class in each work unit shall to the extent possible reflect the fraction of total union membership comprised by that employment classification of that work unit.

Section 6. Each Representative shall be elected by the members in good standing of his/her employment classification within his/her academic work unit.

a. All elections will be conducted using a conventional preference vote system when there are two or fewer candidates.

c. Elections will be conducted using an “Approval Voting” system when there are more than two candidates running to represent a particular employment class within a work unit. Under this system, all members will have the opportunity to vote for all candidates they approve of (one or more), and the candidate with the most votes (the most approval) will win. The ballots shall be tabulated by the Elections Committee. If more than one seat is available for a given employment classification within a work unit, then the Seats shall be assigned to

the candidate with the highest votes followed by the second highest vote count, and so on.

b. In the event of a tie, the Elections Committee shall prepare and send ballots by first-class U.S. Mail to the last known home address of all members who were eligible to vote in the initial election, in such manner as to ensure the secrecy of the ballot. The period between the mailing and return date for the ballot shall be no less than twenty (20) calendar days.

Section 7. Any vacancies that occur will be filled by the Executive Council until the next general election.

ARTICLE II
STEWARDS

Section 1. Each department/academic unit, as defined for purpose of representation in the Representative Assembly, may select at least one steward. Stewards serve in a voluntary capacity and have no direct role in governance of the union.

Section 2. Each steward shall be an active union member in good standing of the department/academic unit that he/she represents. Stewards may concurrently hold another office in the union except the offices of President, Secretary, or Treasurer. This restriction shall not apply to the office of Secretary or Treasurer during the first two years after the chartering of the union.

Section 3. Stewards will receive their official appointment from the Chair of the Organizing, Membership and Communications Committee and will serve for a term of one year, with no term limit.

Section 4. With the Vice-Presidents of Tenure Track Faculty, Non-tenure Track Instructional Faculty, and Non-tenure Track Research Faculty, the Officer of Membership and Communications may appoint more than one steward within a single academic unit, in which case those appointed will be responsible for coordinating their activities within the academic unit.

Section 5. Stewards may meet as a committee as needed, subject to the call of the Vice-Presidents of Tenure Track Faculty, Non-tenure Track Instructional Faculty, and Non-tenure Track Research Faculty. When possible, this meeting should occur immediately prior to a general membership meeting.

Section 6. The duties of the steward shall be:

a. To coordinate union activities within the academic unit; to communicate relevant decisions and activities of the Executive Council and Representative Assembly to union members and other employees in the bargaining unit within their academic unit as appropriate, including, but not limited to, notification of upcoming elections, meetings, and social events.

b. To act as advocates and advisors for union members within their department/academic unit regarding issues related to the union. Stewards are particularly charged with facilitating the resolution of any complaint that might result in a grievance, directing the member to the appropriate union resources and following up, as appropriate, to ensure that the issue has been resolved.

c. To regularly attend steward meetings convened by the Vice-Presidents of Tenure Track Faculty, Non-tenure Track Instructional Faculty, and Non-tenure Track Research Faculty Affairs or the Chair of the Organizing, Membership, and Communications Committee in order to coordinate the activities of all of the stewards.

d. To encourage UO employees within the bargaining unit to join the union and to enroll them should the employee so choose.

ARTICLE III
THE NEGOTIATING TEAM

Section 1. The year before a current contract expires, the Executive Council will appoint a Negotiating Team responsible for negotiating a contract with the representatives of the administration of the University of Oregon. The chair of this team shall be the President of the union.

Section 2. The Negotiating Team will consist of a Chief Negotiator and no less than two other members, with each of these selections ratified by a majority vote of the Executive Council.

ARTICLE IV
COLLECTIVE BARGAINING AND CONTRACT RATIFICATION

Section 1. The Collective Bargaining Committee, including the Negotiating Team will draft contract proposals. Such proposals shall be prepared in consultation with the Executive Council.

Section 2. The President may appoint special subcommittees to research and assist in drafting proposals.

Section 3. Early in the process, the Chief Negotiator and the President will hold a Collective Bargaining Caucus for the purpose of gathering and discussing members' ideas and concerns.

Section 4. The Executive Council is responsible for keeping the Representative Assembly informed during contract negotiations.

Section 5. A tentative agreement will be presented to the membership of the union for ratification.

Section 6. At least seven (7) days in advance, the Executive Council shall announce the date, place, and time of a meeting for ratification of a proposed contract, and circulate copies of the proposed contract. In unusual cases of crisis, the Executive Council may reduce the 7

day notification rule to not less than 48 hours. The meeting shall be at a time when few classes are held and copies of the proposed agreement will be made readily available.

Section 7. At the contract ratification meeting, any vote taken on the contract shall be by secret ballot. Only members of the union or any persons whose attendance is invited by the Executive Council, may attend this meeting and only members in good standing present at this meeting, shall have the right to vote. The standard quorum requirements for membership meetings shall not apply to the contract ratification meeting.

ARTICLE V
DUES

Section 1. The dues of the organization shall be posted and announced publically.

ARTICLE VI
AMENDMENT

Section 1. Twenty percent (20%) of the membership, or Representatives of 20% thereof, may present, by petition, a proposed amendment to these Bylaws to the Secretary, who shall notify the Representatives of the proposed amendment no later than thirty (30) days prior to the next meeting of the Representative Assembly. Alternatively, a majority of the Executive Council may vote to present a proposed amendment to the Representatives at the next meeting of the Representative Assembly. A copy of the proposed amendment, along with an explanation of said amendment, shall be distributed to all Representatives a reasonable time prior to the Representative Assembly meeting at which the amendment will be introduced and discussed.

Section 2. The Representative Assembly shall vote on all amendments to the Bylaws.

a. Following the meeting of the Representative Assembly at which the proposed amendment was introduced, a vote shall be held on the amendment at the next meeting of the Representative Assembly.
b. In the alternative, following the meeting of the Representative Assembly at which the proposed amendment was introduced, a special Representative Assembly meeting for the purpose of voting on the proposed amendment may be called by the Executive Council. The special meeting shall be conducted in accordance with the terms of Article VIII, Section 3.
c. Two-thirds (2/3) of the Representatives present shall be required for passage of the amendment.

Section 3. The initial adoption of these bylaws shall be accomplished via a vote of the members. A majority of the ballots cast shall be required for adoption.

ARTICLE VII
AVAILABILITY OF THE BYLAWS

Section 1. A digital copy of these Bylaws and all subsequent amendments shall be submitted by electronic means to the office of the Secretary-Treasurer of the American Federation of Teachers.

Section 2. One copy shall be sent to the similar officer of each organization with which this union is affiliated.

Section 3. The Secretary shall make available upon request a copy to any member of the union.

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