

CONSTITUTION OF AFT MICHIGAN

I. NAME

This organization shall be known as AFT Michigan.

II. PURPOSE

1. To encourage and promote democratic educative practices so that students can realize their fullest potential physically, mentally, socially and spiritually;
2. To raise professional standards, and to secure for all educational and other workers conditions conducive to the performance of their best services;
3. To assist in the organization of new locals;
4. To provide continuous service to locals and assistance in improving their organization;
5. To bring locals of the American Federation of Teachers in Michigan into relationships of mutual assistance and cooperation with each other and with organized labor;
6. To fight all forms of racism and discrimination in education;

III. MEMBERSHIP

1. This organization shall consist of locals in Michigan chartered by the American Federation of Teachers who subscribe to its objectives and assist in the maintenance of AFT Michigan.
2. An honorary membership may be granted by the Administrative Board or a Convention to a person who has rendered outstanding service to the organization and is not otherwise eligible for membership.
3. A person may be admitted to at large membership with such rights of membership prescribed by the provisions of the Constitution of the American Federation of Teachers, AFL-CIO.
4. A person who has retired from employment in public education may be admitted to membership in an affiliated organization of retired members.

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5. There shall be no discrimination in this organization or its affiliates towards individual members or applicants for membership because of race, creed, sex, sexual orientation, gender identity and expression, social, political or economic status, or national origin.

IV. GOVERNANCE

A. Officers

1. The officers of AFT Michigan shall be
 - a. President;
 - b. Secretary-Treasurer;
 - c. Twenty Vice-Presidents.
2. Officers shall serve terms of two years.
3. The President and Secretary-Treasurer shall run as, and be elected in, tandem.
4. Terms shall commence on the first day of July immediately following the convention at which the officers are elected and shall conclude on June 30th two years following.

B. Vice Presidents

1. One Vice-President shall be a faculty member employed by an institution of higher education.
2. One Vice-President shall be a member or representative of paraprofessionals from a local which is a bargaining agent for paraprofessionals.
3. One Vice-President shall be from a local outside the tri-county area of Oakland, Macomb, and Wayne Counties, exclusive of higher education, paraprofessionals, and graduate employees.
4. One Vice-President shall be a member of the chartered retiree chapter of the Detroit Federation of Teachers.
5. One Vice-President shall be a member or representative of graduate employees from a local which is a bargaining agent for graduate employees.

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6. The Detroit Federation of Teachers shall be accorded a number of vice presidents based on its per capita payments as weighted for convention. The President, Secretary-Treasurer, Vice-President for Higher Education, Vice-President for Paraprofessionals and Vice-President for Graduate Employees shall not be counted for the purposes of determining this representation.
7. In addition , the Vice-President(s) of the American Federation of Teachers from the State of Michigan shall be member(s) of the Administrative Board.

C. **Administrative Board**

1. Membership: The executive officers shall carry out the policies of AFT Michigan and shall constitute the Administrative Board of this organization.
2. Vacancies:
 - a. Should the President resign, die, or be otherwise permanently unable to perform his or her duties, the Secretary-Treasurer shall become president and shall serve the remainder of the President's term. The Administrative Board shall fill the position of Secretary-Treasurer from among the membership of locals affiliated with AFT Michigan. The person appointed shall serve the remainder of the Secretary-Treasurer's term.
 - b. Should the Secretary-Treasurer resign, die, or be otherwise permanently unable to perform his or her duties the Administrative Board shall fill the position of Secretary-Treasurer from among the membership of locals affiliated with AFT Michigan. The person appointed shall serve the remainder of the Secretary-Treasurer's term.
 - c. Should a Vice-President resign, die, or be otherwise permanently unable to perform his or her duties, the Administrative Board shall fill the position from among the membership of locals affiliated with the AFT Michigan. The person appointed shall serve the remainder of the Vice-President's term.
3. General:
 - a. The Administrative Board shall carry on the business of this organization between conventions.
 - b. The Administrative Board meetings will be held bi-monthly.

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- c. The President shall, with the and consent of the Administrative Board, make all appointments to committees and representative positions in other organizations except in instances where time will not permit.
- d. Any local may designate a member of the local who may attend any meeting of the Administrative Board with right to voice but without vote. Notices, agendas, and minutes of regularly scheduled Administrative Board meetings shall be sent to members of the Administrative Board and all presidents of affiliated locals at least five (5) days in advance of such meetings.
- e. An officer who fails to attend two (2) regular meetings of the Administrative Board without reasonable excuse, or fails to attend four (4) regular meetings with or without a reasonable excuse during any one year within the term of office, forfeits the office.
- f. The Administrative Board shall have complete control over the employment and discharge of personnel. This power is not subject to review or approval of the Convention.
- g. The Administrative Board shall approve dispersal of all funds.
- h. The Administrative Board shall continuously direct its efforts to further the legislative and organizational program of AFT Michigan.

D. **Duties of Officers**

- 1. The President shall:
 - a. Preside at all meetings of the organization and act as Executive Officer thereof.
 - b. Set the dates for regular and special meetings of the Administrative Board.
 - c. Appoint chairpersons and members of standing and special committees with the advice and consent of the Administrative Board, replace with the advice and consent of the Administrative Board, committee chairpersons or committee members for good cause.
 - d. Appoint persons to represent AFT Michigan on governmental boards and commissions and affiliate bodies with advice and consent of Administrative Board.
 - e. Be ex-officio member of all AFT Michigan committees.
 - f. Represent or appoint representatives as delegates to affiliate labor bodies.

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- g. Assure provision of an independent audit at the close of each fiscal year.
 - h. Perform such other duties as may be necessary for the good of the organization.
2. The Secretary-Treasurer shall:
- a. Serve as the number two officer of the State Federation, second to the President.
 - b. Supervise employees and act as a labor relations representative in negotiations with the employees.
 - c. Coordinate programs as defined by the President to be in the best interest of the organization.
 - d. Act as liaison with other labor organizations.
 - e. Represent the President as needed, and perform such duties as may be necessary for the good of the organization.
3. Vice Presidents: Each Vice-President will be responsible for the effective operations of a standing committee as determined by the post-convention Administrative Board meeting.

V. AFFILIATED LOCAL UNIONS

A copy of the current Constitution of each local shall be on file in the office of AFT Michigan.

VI. DUES

1. Per capita tax shall be expressed in the constitution.
2. Notwithstanding the foregoing, Dues for members-at-large and other classifications of Article 3 shall be determined annually by the Administrative Board and shall be made payable to AFT Michigan.
3. Effective September 1, 2003, a per capita tax of twelve dollars and thirty cents (\$12.30) per member per month shall be paid by each local, and effective September 1, 2004, a per capita tax of twelve dollars and eighty cents (\$12.80) per member per month shall be paid by each local. Twenty cents (\$0.20) shall be dedicated for

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retirement improvement and thirty-five cents (\$0.35) for the building and equipment fund.

4. A local representing PreK-12 school employees may pay one-half of the full per capita for any member or fee payer whose compensation is at least \$12,000 but is less than compensation paid teachers at the initial B.A. step of the teachers' salary scale applicable in that district.
5. A local representing other than PreK-12 school employees may pay one-half of the full capita for any member or fee payer whose compensation is \$12,000 or more but who is paid less than the average of the initial B.A. step of the teachers' salary scales contained in PreK-12 collective bargaining agreements negotiated by locals affiliated with AFT Michigan.
6. A local may pay one-quarter of the "full per capita" for those members or fee payers whose compensation is less than \$12,000.
7. Affiliated local unions which collect a service fee from a non member shall pay to AFT Michigan the chargeable portion of the AFT Michigan per capita tax.
8. The Administrative Board shall determine the amount of per capita tax to be charged to members at large.
9. Whenever a new or existing local forms a relationship with the Michigan Education Association whereby the local is merged to form or has formed a "united" bargaining agent, the following conditions shall be met:
 - a. The unit for membership purposes shall be split into two equal parts for per capita payments.
 - b. All members of the "united" local shall be members of both AFT Michigan and Michigan Education Association.
 - c. The "united" local shall pay per capita for all members of the local to the Michigan State AFL-CIO and local labor council.
 - d. United locals failing to comply with the above shall be considered in bad standing as per the timetable for other locals.

10. Non-Payment

- a. A local's right to service, assistance, representation at AFT Michigan meetings, and/or participation in AFT Michigan sponsored conferences or events is dependent upon the local's good standing.

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- b. Good standing, unless specified otherwise, shall mean that the per capita tax, dues, or service fees are paid and are not more than three (3) months in arrears.

VII. THE CONVENTION

1. A convention will be held in 2006 and every other year thereafter.
2. The Convention shall open its business meeting no later than the third Friday of May. The convention shall continue until all business is completed, but the sessions shall not continue beyond 2:00 p.m. of the following Sunday, unless such motion to extend the session beyond 2:00 p.m. on Sunday, or to continue the convention on another specific day is approved by two-thirds of those delegates present and voting and who represent a quorum. Vote on such a motion shall be by roll call taken prior to the recess on Saturday, evening. Locals shall be notified at least sixty (60) days before the date of a convention.
3. Delegates and Votes
 - a. Registration of delegates shall begin at least one (1) hour before the time set for the opening of the business session.
 - b. Delegates will be certified upon presentation of proper credentials, signed by President and Secretary of their local; provided that dues from the local are received by the Secretary-Treasurer postmarked no later than twenty (20) days prior to the convention except for locals chartered less than four (4) months prior to the convention.
 - c. The basis of representation to a convention shall be two (2) delegates for the first twenty-five (25) members or less of each affiliated local in good standing and one (1) additional delegate for each additional unit of twenty-five (25) members or major fraction thereof.
 - d. For the purpose of this Article, membership shall mean the average number on which the per capita tax has been paid in full for the first twelve (12) months of the fifteen (15) month period immediately preceding the month in which the convention meets.
 - e. Additionally, each chartered organization of retired members shall be entitled to one elected delegate to the convention.
 - f. No local in bad standing at the time of the convention shall be entitled to representation.

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10. Resolutions:

All resolutions shall bear the name of the introducing local (signed by an officer) or delegate (signed and including name or number of local) and shall be received in the AFT Michigan office in printed form and in duplicate at least twenty-one (21) days prior to the opening of the convention. Convention committees may introduce resolutions. A convention committee may introduce resolutions at any time.

11. Special conventions shall be called by the Administrative Board, by the President, or by written requests of one or more locals representing at least fifteen percent (15%) of the members, with at least two (2) weeks notice to all locals.

VIII. ELECTIONS

1. The election and nominations procedure of this Article and By-Laws are to insure equal opportunity for nomination and assurance of election of a racially integrated Administrative Board.
2. The ballot for Vice-President candidates shall be separated based on the requirements of article IV.
3. The Administrative Board may adopt rules for the conduct of contested elections.
4. Nominations of Officers:
 - a. Nominations may be made in writing addressed to the Nominations and Elections Committee and received in AFT Michigan office eight (8) days before the opening of the convention or by the Nominations and Elections Committee at its first meeting
 - b. Nominations may be made orally to the committee at any of its meetings prior to the close of nominations on the floor of the convention.
 - c. Any candidate for Vice-President must be nominated by a member of his or her own local.
 - d. Nominations shall be accompanied by statements signed by the candidate to the effect that the member is in good standing and, if elected, the candidate will accept the duties of the office.

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- e. Nominations may be made from the floor by any delegate immediately following report of the Nominations and Elections Committee.
5. Balloting shall take place by secret ballot.
 6. The delegates present shall vote the full voting strength of the local. Votes of the local shall be distributed as evenly as possible among its delegates but votes shall not be fractioned.
 7. The Nominations and Elections Committee:
 - a. shall prepare ballots and conduct the election after nominations have been closed.
 - b. The committee may present a motion that uncontested candidate(s) be declared elected. If this motion is approved by a two-thirds vote, the candidate(s) will be elected and the section(s) may be omitted on the voting machines (or paper ballots).
 8. Election Recounts:
 - a. A request for a recount of the election must be submitted in writing not later than three (3) days (excluding Sunday) after the election report is presented or received by the convention.
 - b. A deposit of fifty (\$50.00) dollars (payable to AFT Michigan) must accompany the written request for a recount. In the event that recount changes the result(s) of the election, the total amount of the deposit shall be returned to the person requesting the recount.
 - c. The request shall specify the section of the ballot to be recounted. The recount shall be conducted on all the candidates in the section.
 - d. All candidates in the section shall be notified of the request for recount and the time and place where the recount will be conducted.
 - e. The recount shall be conducted by someone impartial, outside the AFT Michigan organization, recommended by the President and approved by the Administrative Board.
 9. The report of the Election Committee must be presented to the Convention. In the event of a demand for a quorum call and the absence of a quorum, the report of the Election Committee shall be presented before the convention is adjourned. In the absence of a request for a recount, the report of the Election Committee shall be

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official, and the candidates declared elected shall take office pursuant to the Constitution. In the event of a recount, those officers not affected by the recount shall take office pursuant to the Constitution, or immediately upon certification, if later than July 1.

10. Election of Delegate(s) and alternate delegate(s) to the American Federation of Teachers and the Michigan State AFL-CIO Conventions.
 - a. The ballot for President of AFT Michigan shall also carry the designation of Delegate to the American Federation of Teachers and the Michigan State AFL-CIO. The President of AFT Michigan shall serve as delegate to the American Federation of Teachers and Michigan State AFL-CIO, chairperson of the Michigan Caucus of delegates, if any, and chairperson of the Steering Committee, if any, for the Michigan Caucus.
 - b. Other delegate(s) or alternate delegate(s) to the American Federation of Teacher Convention and the Michigan State AFL-CIO Convention shall be nominated and elected according to the provisions of this Article. In the event of inability of AFT Michigan President to serve as AFT Michigan delegate, the alternate delegate shall be selected in the order of votes cast for the nominees for (delegate and) alternate delegate and shall perform the responsibilities of AFT Michigan President as delegate.

IX. STANDING COMMITTEES

1. Legislative Committee: To work with state and national legislative representatives in formulating the policies of AFT Michigan and to see that locals are informed of what is going on legislatively and that they play their roles in promoting these measures.
2. Committee on Political Education: To set up a file of AFT Michigan members by precincts; encourage members to run for precinct delegates and other political offices; work closely with Central Labor Body C.O.P.E. Committees; give aid to locals in school board elections; make recommendations to Administrative Board on endorsement of political candidates and issues; and implement the decisions of the Administrative Board.
3. Organizing Committee: To work with the President and the Vice-Presidents, as well as the national area representatives, to increase local membership and to organize new locals.
4. Human Relations Committee: To organize programs for the promotion of better human relations in the name of AFT Michigan, and to make recommendations for legislation in this area; to promote public understanding of the status of union

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- workers in the field of education; to seek better intergroup relationships by cooperating with other organizations active in this field, and by offering assistance to locals and to their Boards of Education, whenever requested, in matters pertaining to this sphere of interest; to help with teacher and student exchange programs, whenever possible, and in any other activities that will foster meaningful cultural interchange or the promotion of better human relations among people.
5. Editorial Board: To supervise the publication of the *Forum*, so that its ideas conform with AFT Michigan policy and thinking; to see that the paper is published regularly and issued to locals; whenever possible to see that current issues which need local action are published in time for such action to be taken.
 6. Academic Freedom and Civil Liberties Committee: To dedicate itself to the protection of academic freedom and civil liberties for AFT Michigan members.
 7. Higher Education Committee: To advise the Administrative Board on matters pertaining to junior and community colleges and higher education and to devise and implement programs in higher education, especially in organization and legislation, in coordination with the total program of AFT Michigan and the union movement in Michigan.
 8. PSRP Committee: To advise the Administrative Board on matters pertaining to Paraprofessionals and School Related Personnel; to develop recommendations for locals to include in negotiations; to recommend initiation of or positions on pertinent legislation; to plan and develop programs and conferences for coordinating and incorporating their concerns into the union movement in Michigan.
 9. ISD/Special Education Committee: To advise the Administrative Board on matters pertaining to Intermediate School Districts and on matters pertaining to special education in coordination with the total program of AFT Michigan and the union movement in Michigan.
 10. Pre K-12 Teacher Committee: To advise the Administrative Board on matters pertaining to Pre K-12 teachers in coordination with the total program of AFT Michigan and the union movement in Michigan.

X. REFERENDA

1. Proposed actions, including amendments to the Constitution and actions of the Convention, shall be submitted to a referendum vote by order of the Convention or of the Administrative Board or by request of twenty percent (20%) or more of the locals representing not less than ten percent (10%) of AFT Michigan membership then in good standing, or by petition signed by not less than ten percent (10%) of the members except that the Administrative Board shall not order a convention action to

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be submitted to referendum; provided, however, that in no case shall a referendum be held whose termination date shall be between June 15th and September 15th.

2. Upon receipt of an order or request for referendum, it shall be the duty of the Secretary-Treasurer to submit the question to be voted on to the locals within two (2) weeks of its receipt by the Secretary-Treasurer. Following this there shall be a period of at least one (1) month during which the Administrative Board shall see that the proponents and opponents shall be given opportunity to present the issues through the regular channels of the union, and at the end of the period of time the Secretary-Treasurer shall send to the individual members in good standing of all locals in good standing and members-at-large in good standing, ballots upon which the members shall cast their vote.
3. It shall be the duty of the AFT Michigan Administrative Board to submit the question to be voted on with a summary of the pros and cons to all members in good standing of their respective locals in good standing and all members-at-large in good standing, with the official ballots. The information sent with the ballots shall clearly indicate:
 - a. The designated address or postal box to which ballots must be sent.
 - b. The date and time by which ballots must be received to be counted, which shall be not less than thirty (30) days after the ballots are mailed to members.
 - c. The official date of good standing, which shall be the last day of the month preceding the date on which ballots are mailed.
 - d. Instructions or procedures required for casting a valid ballot, and
 - e. Instructions or procedures
 - i. to assure eligibility and validity of ballots returned,
 - ii. to assure the secrecy of the ballots, and
 - iii. to assure the opportunity for challenging ballots to proponents and opponents and/or locals.
4. The Administrative Board shall have the responsibility for maintaining the secrecy and integrity of the ballots. The Administrative Board shall appoint a committee or engage an independent agency to conduct the balloting and to count the votes.
5. Only ballots of members in good standing with their local, which is in good standing, and members-at-large in good standing on the official date of good standing for the referendum and received at the designated address or postal box by the date and time required shall be counted. The votes of a local shall not exceed in number the number of members for which per capita tax was last paid by the respective local for

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a month on or before the official date of good standing. Should the number of ballots cast by any local exceed the number to which that local is entitled, then the ayes and nays shall be reduced proportionately to come within the required number.

6. The Administrative Board shall have the power to adopt such further rules and regulations governing referenda, as it shall deem necessary.

XI. PARLIAMENTARY AUTHORITY

Rules contained in Robert's Rules of Order (Revised) shall govern this Federation in all cases to which they are applicable and in which they are not inconsistent with rules regularly adopted by the Federation.

XII. DEFENSE PROCEDURE

1. AFT Michigan may furnish assistance and legal counsel to any local or member in good standing as outlined in Sections 2 and 3, provided that each local strictly adheres to Section 2 of this Article. Failure by any local to follow this procedure shall cause the offending local to assume full legal costs.
2. All requests for aid shall be submitted in writing to the President by action of the officers, membership or member of the local involved. Where time will not permit a written request, the President may consider an oral request, but such request must be subsequently confirmed in writing. The President shall submit all requests to the Administrative Board. In the event time is of the essence, the President shall have the authority to provide temporary legal counsel prior to presentation to the Administrative Board.
3. The use of legal counsel shall not be extended for the writing, processing and/or arbitration of grievances except in cases which the President considers extraordinary. The decision of the President regarding the use of legal counsel may be appealed to the Administrative Board.
4. The local shall have on file a written request for aid from the aggrieved member.

XIII. AMENDMENTS

1. This Constitution may be amended by any Convention by a majority of the votes cast.
2. Proposed amendments shall be submitted by any local or by the Administrative Board to the Secretary-Treasurer at least forty (40) days before the date set for any convention. The Secretary-Treasurer shall communicate such amendments to

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all of the locals in good standing thirty (30) days before such convention. This shall not preclude the right of locals to propose amendments at the convention which may be adopted at a later convention.

3. Proposed amendments may be amended on the floor of the convention provided that the proposed amendment to the amendment is germane to the original proposal.

