

University of Massachusetts Boston

**PREAMBLE**

The Faculty Staff Union, Inc. (FSU) of the University of Massachusetts at Boston is formed for the benefit of the teaching faculty and librarians at the institution. It is committed to maintaining an atmosphere in which teaching, research and service to the public can be carried forward at high levels of excellence. The members of the FSU believe that these goals can be promoted and protected by contractual agreements reached through the collective bargaining process. Reaching those agreements and monitoring their operation is one of the chief duties of the Union leadership on the campus.

The contractual process likewise provides a forum for the resolution of differences concerning salary, working conditions, professional standards, the relationship between faculty/librarians and University administration, and such other matters as fall within its purview. The Faculty Staff Union, Inc. is also dedicated to safeguarding the integrity of academic freedom as expressed in the 1940 Statement of Principles of the American Association of University Professors. The Faculty Staff Union, Inc. believes that a university ought actively to seek a diversity of views and opinions and promote professional equity. To this end it supports the principle of Affirmative Action. The Faculty Staff Union, Inc. is created for these purposes and to engage in any other related activities that are consistent with the law.

**ARTICLE I: MEMBERSHIP**

Section 1: The Faculty Staff Union, Inc. shall consist of two Chapters, a Boston Campus Main Chapter and a Boston Campus Continuing Education Chapter. The members of each chapter will be drawn respectively from the Boston Campus Main Chapter bargaining unit [currently covered by a collective bargaining agreement dated July 1, 2001] and from the Boston Campus Continuing Education Chapter in any separate bargaining unit determined in future by the Labor Relations Commission or by employer recognition.

Section 2: Membership in the Faculty Staff Union, Inc. is open to any member of any bargaining unit (as defined in the applicable collective bargaining agreement) represented by the FSU through either chapter at the University of Massachusetts at Boston. To be a member in good standing, all dues and assessments must be paid in full. Only such members may vote in elections conducted by a chapter of the Union for the purposes of developing policy and/or electing officers.

Section 3: A member of either or both chapters of the Faculty Staff Union, Inc. must also be a member of the Massachusetts Teachers Association and the National Education

Association. He or she is entitled to all the benefits and services provided by these organizations.

Section 4: The Boston Campus Main Chapter of the Faculty Staff Union, Inc. is affiliated with the Massachusetts Society of Professors in a unit-wide local called MSP/FSU in accordance with the current bylaws of the Joint Coordinating Committee with representation from the Amherst and Boston campuses of the University.

## **ARTICLE II: OFFICE OF THE PRESIDENT, VICE PRESIDENT, TREASURER AND CLERK**

Section 1: There will be separate officers for each chapter, each of whom shall be a member of the respective chapter. Candidates for President and Vice President of each chapter shall be proposed by a nominating committee, selected from among members of the chapter who are neither elected officers nor members of the chapter's Executive Committee.

Section 2: The President and Vice President of each chapter shall be elected at large by the membership of the respective chapter of the Faculty Staff Union, Inc.. The election shall be by secret, mail-in ballot during the spring semester. To be elected to either of these offices, a candidate must receive a simple majority of the votes cast. In the event that no candidate receives such a majority, there shall be a run-off election between the two candidates for whom the largest number of votes were cast. The new officers will take office at the end of the spring semester.

Section 3: The President and Vice President of the chapters shall serve for a period of two years. In order to provide for continuity in leadership, the terms of the two principal officers will be staggered. Consequently, in the first election following the approval of these bylaws, the Vice President will be elected to a one-year term of office and may stand for re-election to a regular two-year term.

Section 4: The President of the chapter is responsible for presiding at meetings of the chapter's Executive Committee and for preparing the agenda for its monthly meetings. The President of the Boston Campus Main Chapter is also the Union's liaison to the campus administration and governance structure through the Faculty Council, whose meetings he or she attends. In alternate years, the President of the Main Chapter is also President of the Joint Coordinating Committee, which coordinates Union activities between the Amherst and Boston campuses.

Section 5: The duties of the President of each chapter also include (but are not limited to) maintaining liaison with representatives of the Massachusetts Teachers Association, attending conferences sponsored by the state organization, and maintaining channels of communication with members of the legislature. He or she must at all times be responsive to the needs of the membership of the bargaining unit. It is the responsibility

of the President of the Boston Campus Main Chapter to supervise the operation of the FSU office and its manager.

Section 6: Through a provision in the collective bargaining agreement, the President of the Boston Campus Main Chapter is entitled to a teaching load reduction of one course per semester. Should the President be a librarian, he or she is entitled, by the same contractual provision, to receive a workload reduction equal to one and one-half days per week. The President of the Boston Campus Main Chapter is also entitled to receive a stipend from Union funds during his or her term of office. The President of the Boston Campus Continuing Education Chapter shall receive a stipend if determined by that chapter's Executive Committee and payable from the chapter's budget.

Section 7: The President of each chapter is empowered to act on behalf of the membership in such chapter in all matters pertaining to the collective bargaining agreement. He or she will consult frequently with members of the chapter's Executive Committee and should discuss anticipated policy decisions at regular meetings of the committee.

Section 8: The Vice President of each chapter may be delegated by the President to perform any executive function. In the absence of the President, the Vice President is empowered to discharge the functions of the President for the chapter.

Section 9: The Clerk and Treasurer of each chapter will be elected by the Executive Committee from among its members.

### **ARTICLE III: EXECUTIVE COMMITTEE**

Section 1: "There will be a separate Executive Committee, having the powers of Directors, for each chapter. The Executive Committee, together with the President and the Vice President, of each chapter shall be responsible for directing the operation of the chapter and for implementing its policies.

Section 2: The Executive Committee of the Boston Campus Main Chapter shall consist of 13 members, and the Executive Committee of the Boston Campus Continuing Education Chapter shall consist of 8 members. The President and Vice President of each chapter are ex-officio members of the Committee. For the Boston Campus Main Chapter, the remaining 11 members also shall be elected by and from their respective constituencies. The constituencies to be represented according to their proportionate numbers within the bargaining unit are: tenured faculty, non-tenured tenure track faculty, non-tenure track faculty, and librarians. Each constituency in the bargaining unit shall have at least one representative. The President and the Vice President shall be counted in this proportional breakdown. For the Boston Campus Continuing Education Chapter, the remaining 6 members shall be elected from the members of the chapter.

Section 3: Candidates for President, Vice President and for membership on the Executive Committee of each chapter shall be proposed by a Nominating Committee, selected from members of the chapter who are not elected officers or members of the Executive Committee. All elections shall be conducted by secret ballot, and vacant seats on the Executive Committee shall be filled by those candidates receiving the highest number of votes.

Section 4: The term of office for members of the Executive Committee of both chapters shall be two years. Elections to fill vacant seats on the Committee shall be held annually during the course of the spring semester. New members take office at the end of the spring semester.

Section 5: Should a seat on the Executive Committee of either chapter become vacant through resignation, the Committee shall, at its sole discretion, either (1) choose a replacement from among those who were candidates in the previous election, or (2) allow the seat to remain empty until the next general election.

Section 6: Meetings of the Executive Committee of both chapters shall be open to all members of the chapter, and any member may address the Committee upon petition to the President of the chapter. In order to assure confidentiality, all discussions of matters pertaining to collective bargaining or grievances shall be conducted in executive session.

Section 7: A quorum for the purpose of conducting business shall consist of a simple majority of the Executive Committee of the chapter. A member of the Executive Committee who misses three meetings in the course of a semester may be removed by majority vote of the Executive Committee.

Section 8: The Executive Committee of each chapter shall have the power to employ a staff for the efficient management of the chapter, and shall pay for this staff from its own budget. It shall establish personnel policies for this staff.

Section 9: The Executive Committee of both chapters will meet jointly once each semester to discuss matters of mutual interest and concern.

#### **ARTICLE IV: RECALL OF ELECTED REPRESENTATIVES**

Section 1: "An elected officer or any member of the Executive Committee of either chapter maybe recalled for malfeasance before his or her term of office expires. A petition for a special election must be signed by at least ten (10) members of that chapter. Upon receipt of the petition, the Executive Committee of the chapter shall, within ten days, schedule a special election. A mail-in ballot will be distributed to the membership of the chapter along with an explanation, which must be provided by the petitioners, of why the individual should be removed from office. The person who is the object of the recall petition will be given equal space to reply to the petitioners' statement. A simple majority of those voting is required for removal.

Section 2: In the event that the recall petition succeeds, the Executive Committee of the chapter shall, at its sole discretion, either (1) choose a replacement from among those who were candidates in the previous election, or (2) allow the seat to remain empty until the next general election.

## **ARTICLE V: GENERAL ASSEMBLY**

Section 1: All members in good standing of the respective chapter may attend the General Assembly of the chapter and vote on all matters which come before that body. The General Assembly for each chapter has the power to establish policy, approve the chapter budget and levy dues and other assessments for the members of that chapter.

The budget for the Boston Campus Main Chapter shall be comprised of all monies paid to JCC, MSP/FSU by or that is otherwise attributable to individuals in the bargaining unit represented by JCC, MSP/FSU at the Boston campus as allocated to the Boston Campus Main Chapter by JCC, MSP/FSU, and all other monies as received by the chapter from other sources. The budget for the Boston Campus Continuing Education Chapter shall be comprised of all dues and agency fee monies attributable to individuals represented by FSU exclusively through its Boston Campus Continuing Education Chapter, and all other monies received by the chapter from other sources. The Boston Campus Continuing Education Chapter shall have the authority to determine the amount of any additional dues to be assessed by FSU upon members of the Boston Campus Continuing Education Chapter.

Each chapter shall have complete autonomy and control over its own budget, is required to pay all obligations of the chapter's operations from its own budget, and shall not incur debts or obligations in excess of the amount of its funds on hand. Neither chapter shall have the obligation to pay any debts or the right to incur any debts on behalf of the other chapter. All expenses related to the representation of FSU unit members in the respective bargaining unit for each chapter, including arbitration or related expenses, as well as the operating expenses of the chapter, shall be paid from the chapter's budget, and shall not be the financial obligation of the other chapter.

Section 2: An annual meeting of the members will take place on the first Monday in November. Additional meetings of the General Assembly of the chapter shall be called by the chapter's Executive Committee when there are matters which must be brought before the entire membership. Special sessions may be called by the President or by those members of the Executive Committee having the powers of the directors, or shall be called by the Clerk, or in case of death, absence, incapacity or refusal of the Clerk, by any other officer, upon written application of members representing at least ten percent of the smallest quorum of members required for a vote upon any matter at the annual meeting of the General Assembly. A minimum of five working days' notice must be given and a copy of the agenda circulated to all members of the chapter. Joint meetings of the General Assembly of both chapters may be called by agreement of the Executive Committee of both chapters.

Section 3: A quorum for the purposes of conducting business shall consist of 20 FSU members in good standing present and voting on announced agenda items.

## **ARTICLE VI: COMMITTEES**

Section 1: There will be a Grievance Committee for each chapter, which will be a standing committee of the chapter.

Section 2: The Grievance Committee of each chapter shall consist of a chairperson, who will be elected from among the membership of the Executive Committee of that chapter, and four other members of the chapter approved by that Executive Committee. Term of membership on the Grievance Committee shall be two years with option for reappointment.

Section 3: The chairperson of the Grievance Committee shall convene all meetings of the committee. Meetings must be held at least once a semester and more often as necessary. The chapter President should be kept informed of the filing of complaints and the progress of all grievances. The chairperson shall also report to the chapter's Executive Committee, within the limits of confidentiality, the activities of the Grievance Committee.

Section 4: The Grievance Committee of each chapter is empowered to file grievances on its own authority, though it must seek approval from the chapter's Executive Committee on major policy matters. The chairperson shall report to the chapter's Executive Committee (and in summary fashion to the chapter membership) on the filing and disposition of grievances.

Section 5: The Grievance Committee of the chapter may file policy grievances on behalf of the bargaining unit as a whole after receiving authorization to do so from the chapter's Executive Committee.

Section 6: The Grievance Committee of the Boston Campus Main Chapter may also, with the approval of the Executive Committee, recommend to the Joint Coordinating Committee (MSP/FSU) that individual grievances be pursued at higher levels external to the campus structures.

Section 7: There will be a Nominating Committee for each chapter, which will be a permanent committee of the chapter. It shall consist of three members of the chapter appointed by the Executive Committee. No member of the Executive Committee shall be eligible to serve on the Nominating Committee.

Section 8: The Nominating Committee of each chapter shall be responsible for soliciting nominations for all elective offices, paying due care to the allocations by constituency specified in the bylaws if applicable. The Committee shall then present the slate of

candidates for a vote by members of the chapter. This vote shall be conducted by secret ballot according to principles established by the Nominating Committee.

Section 9: As the need arises, the Nominating Committee of the chapter shall conduct elections for membership on the committee for each chapter, which will participate in bargaining the collective bargaining agreement with the University administration. This committee shall consist of five members, and membership on it shall be open to all members of the chapter. Term of membership on the Nominating Committee shall be two years with option for reappointment

## **ARTICLE VII: RATIFICATION AND AMENDMENT**

Section 1: The 1999-2000 Executive Committee shall submit these bylaws for ratification to the entire membership of the Faculty Staff Union, Inc. A simple majority of those voting in the affirmative suffices for passage of these bylaws and all its provisions. The bylaws shall take effect immediately, but the new organizational structure for the Boston Campus Continuing Education Chapter will become effective upon the certification of the Faculty Staff Union, Inc. by the Labor Relations Commission, or the voluntary recognition of FSU by the employer, as exclusive representative for purposes of collective bargaining of individuals employed in the Boston Campus Division of Continuing Education.

Section 2: Amendments to these bylaws may be presented to a Joint General Assembly at a properly called meeting upon recommendation of the Executive Committee of both chapters or upon presentation of a petition signed by ten (10) percent of the membership of both chapters. Ratification of amendments to the bylaws shall require the approval of two-thirds of those members present and voting at the Joint General Assembly. If a majority of either executive committee so chooses, ratification will take place by mail ballot to the entire membership and approval will then require a simple majority of those voting. This is the only procedure for amending these by-laws.

Section 3: Notice of proposed amendments shall be distributed to all members of both chapters at least 10 calendar days before the meeting of the Joint General Assembly. Unless otherwise provided for, all amendments shall become effective immediately upon ratification.

## **ARTICLE VIII: OTHER PROVISIONS**

Section 1: Meetings of the General Assembly and all committees of both chapters of the Faculty Staff Union, Inc. will be governed by the latest edition of Roberts Rules of Order.

Section 2: The fiscal year of the Faculty Staff Union, Inc. and its chapters will extend from July 1 to June 30.

Section 3: The Faculty Staff Union, Inc. and its chapters will transmit to the Massachusetts Teachers Association from membership dues that portion of the dues specified for the current year according to the timetable established by the MTA.

Section 4: The Faculty Staff Union, Inc. and its chapters subscribe to the NEA Standards for Local Affiliates (bylaw 8-7).

Section 5: All authorized delegates and alternates to the MTA Annual Meeting and to the NEA Representative Assembly shall be nominated and elected in accordance with the bylaws of those organizations.

Section 6: The principle of Affirmative Action shall be honored in all aspects of the Faculty Staff Union, Inc. organization and practice, and of its chapters.

*December, 1987; amended May, 2000 and May, 2005*