

# **AFMSU Constitution and Bylaws**

## **Organizational Structure Overview:**

The Associated Faculty of Montana State University Bozeman (AFMSU) operates according to its Constitution and Bylaws.

The constitution can only be amended by a 2/3rds vote of those at member assembly. The bylaws can be amended by a majority vote at a member assembly.

The governing bodies of AFMSU are the:

1. Member assembly
2. Executive committee
3. Representative assembly

The membership has the final say on union issues and shall participate regularly in election of officers, approval of union business, approval of contracts and activities related to bargaining, and the review of union matters.

The executive committee, consisting of elected officers, carries out the policies and actions of the union in accordance with the decisions of the membership and the representative assembly. The executive committee is expected to propose policies and actions to the membership and to create committees and appoint members as needed to ensure broad representation and balance.

The representative assembly, comprised of respective officers and departmental representatives, is responsible for building union membership, communicating and soliciting opinions from all faculty and working on union rules and policies.

Standing committees of are expected to include (but are not limited to) a bargaining committee, a grievance committee, an organizing committee, and a nominations and elections committee.

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# **CONSTITUTION**

## **Article 1. Name, Affiliation, and Purpose**

### **A. Name**

The name of this faculty union shall be the Associated Faculty of Montana State University Bozeman (AFMSU).

### **B. Affiliation**

AFMSU shall be affiliated with MEA-MFT, National Education Association (NEA) and American Federation of Teachers (AFT).

### **C. Compliance**

If any provision of this constitution, in part or in whole, is found to be in violation of federal or state law; MEA-MFT, NEA or AFT governing documents; it shall be null and void.

### **D. Purpose**

AFMSU shall represent and advocate for all Non-Tenure Track (NTT) faculty employed by Montana State University Bozeman organized for collective bargaining purposes.

The union shall:

- a) Represent members in contract negotiations, contract maintenance and other employer/employee relations and issues.
- b) Promote and protect the welfare and interest of members.
- c) Promote professional attitudes and ethical conduct among members.
- d) Encourage members to exercise their rights and privileges as citizens and leaders in local community, state, and national civic affairs.
- e) Participate in MEA-MFT, NEA and AFT policy making and governance.
- f) Hold property and funds for the attainment of union purposes.

### **E. Affirmative Action**

Pursuant to federal and state law, MEA-MFT, NEA and AFT governing documents, AFMSU shall attempt to provide minority and gender balance in governance and programs.

## **Article 2. Membership**

### **A. Categories**

Membership shall be open to NTT Montana State University faculty who are members of the recognized bargaining unit and who pay membership dues to AFMSU, MEA-MFT, NEA and AFT.

### **B. Membership Year**

The membership year shall be September 1 through August 31.

### **C. Continuing Membership**

Membership shall be continuous from year to year unless revoked in writing by the member to the MEA-MFT president during the annual termination period August 1 through September 30. Or until a member retires, transfers away from a bargaining unit position or becomes deceased.

### **D. Unified Membership**

Membership shall be unified – AFMSU, MEA-MFT, and NEA and AFT.

## **E. Governance Rights**

Members shall have full governance rights including

1. The right to be nominated and run for AFMSU office.
2. The right to vote in elections as outlined in this constitution.
3. The right to vote in any contract ratification.
4. The opportunity to be nominated, appointed, elected, or confirmed for committees or representative assembly.

## **F. Membership Rights**

Members only shall participate in governance affairs of the union including running for and holding union office and voting in contract ratifications.

## **Article 3. Dues**

### **A. Local Dues**

1. Local dues shall be set annually by a majority vote at the spring member assembly, open to all members in good standing.
2. Any member assembly may require special assessments.
3. Changes
  - a) Proposed changes in dues shall be presented in writing to the president at least 30 calendar days before the spring meeting of the member assembly.
  - b) The president shall notify members of proposed changes in dues at least 15 calendar days before the spring meeting of the member assembly.

### **B. MEA-MFT, NEA and AFT Dues**

AFMSU shall collect and transmit state and national affiliate dues to MEA-MFT.

### **C. Fiscal Year**

The fiscal year shall be September 1 - August 31.

## **Article 4. Officers**

### **A. Number**

There shall be four officers: president, vice president, secretary, and treasurer.

### **B. Nomination, Election, and Terms of Office**

A nominations and election committee of three members not seeking office shall be formed at least 60 days before an election. The committee shall oversee nominations and elections in accordance with the bylaws. Members shall be nominated at the spring member assembly in odd numbered years.

1. Officers shall serve two-year terms beginning May 1 and ending April 30.
2. There shall be no limit on the number of terms.
3. Contested races shall be conducted by secret ballot. Candidates in uncontested races may be elected by acclamation at the member assembly
6. All members may nominate and vote for president, vice president, secretary and treasurer.
7. An officer may be relieved of his/her title and duties for failing to perform the duties of their jobs as defined in the bylaws.
  - a) Any member may submit a petition signed by no fewer than 30 percent of AFMSU members to the executive committee to recall an elected officer.

- b) The other members of the executive committee shall notify the officer being petitioned for recall at least 15 days before a meeting of the representative assembly, where s/he shall have the opportunity to address the representative assembly before the assembly votes on the petition.
- c) If recalled the officer may appeal pursuant to Article 9 of this constitution.

## **Article 5. Executive committee**

### **A. Composition**

Elected officers shall constitute the executive committee. A quorum shall be three officers present.

### **B. Duties**

The executive committee shall

1. Carry out the general administrative and executive functions of AFMSU.
2. Perform specific duties provided in the bylaws.
3. Create and dissolve committees as needed. Such committees are responsible to the president.
4. Fill officer vacancies as follows: if the office of president becomes vacant the vice president shall assume those duties; if any other office becomes vacant, and six months or more remain in the term, the office shall be filled by a special election; and if less than six months remain in the term the office shall be filled by appointment of the executive committee.

### **C. Votes**

Officers shall have one vote each.

### **D. Meetings**

1. The executive committee shall be chaired by the president.
2. The executive committee shall meet as needed, but no less than 6 times each academic year.

## **Article 6. Representative Assembly**

### **A. Composition**

There shall be a representative assembly comprised of the president and vice president, as well as representatives from department. These shall include each option in the College of Business (Accounting, Finance, Management, and Marketing), each school in the College of Arts and Architecture (Architecture, Art, Film & Photography, and Music), and each campus branch of the College of Nursing (Billings, Bozeman, Great Falls, and Missoula).

Department Representatives shall be nominated and elected by members in that department to serve in the representative assembly. Departments with more than 15 union members may elect an additional representative. Membership shall be counted at the spring member assembly for the purpose of determining additional representatives for the following academic year.

### **B. Duties**

The representative assembly shall

1. Facilitate communication between all members and the executive committee and other standing committees.
2. Perform the specific duties provided in the bylaws.

3. Create and dissolve committees as needed. Such committees are responsible to the president.

### **C. Votes**

Officers and representatives shall have one vote each.

### **D. Meetings**

1. The representative assembly shall be chaired by the president.
2. The representative assembly shall meet as needed, but no fewer than two times each academic year.

## **Article 7. Member Assembly**

### **A. Composition**

The member assembly shall be composed of officers and members.

### **B. Duties**

The member assembly shall

1. Amend this constitution.
2. Serve as the final authority in governance matters.
3. Adopt policies, positions, and programs consistent with this constitution.
4. Nominate and elect officers.
5. Annually adopt a budget and dues to support the budget.
6. Create and dissolve committees. Such committees are responsible to the president.
7. Hear and resolve member and local disputes.

### **C. Vote**

Members shall have one vote each.

### **D. Meetings**

1. The member assembly shall be chaired by the president.
2. The member assembly shall meet twice annually – fall and spring.
3. The executive committee may convene a special member assembly.

## **Article 8. Committees**

### **A. Creation**

The president, executive committee, representative assembly or member assembly may create committees to advise on policies, positions, and programs.

### **B. Accountability**

Committees are directly accountable to, and supervised by, the president.

## **Article 9. Dispute Resolution**

### **A. Executive committee**

Should a dispute arise over the interpretation of this constitution, an officer election, or other matter of interest to AFMSU, a member may seek resolution at the next meeting of the executive committee.

### **B. Representative Assembly**

If not satisfied at the executive committee meeting, the member may seek resolution at the next meeting of the representative assembly.

### **C. Member Assembly**

If not satisfied at the representative assembly meeting, the member may seek resolution at the next meeting of the member assembly.

### **D.MEA-MFT**

If not satisfied at the member assembly, the member may seek resolution from MEA-MFT.

## **Article 10. Parliamentary Procedure**

### **A. Self-Governance**

The executive committee and member assembly shall adopt rules of procedure consistent with this constitution and MEA-MFT, NEA and AFT governing documents.

### **B. Roberts' Rules of Order**

In the absence of adopted rules of procedure, Roberts' Rules of Order, latest edition, shall govern meetings.

## **Article 11. Amendments**

- A. The member assembly may amend this constitution by a 2/3rds vote of members voting.
- B. Any member or the executive committee may propose amendments in writing.
- C. Proposed amendments shall be presented in writing to the president at least 30 calendar days before the next member assembly.
- D. The president shall notify members of proposed amendments at least 15 calendar days before the next member assembly.
- E. Amendments shall become effective immediately unless otherwise provided.

## **Article 12. Official Communication**

When members are to be notified, (1) postings on the AFMSU website, (2) emails sent by AFMSU listserv, or (3) mailings to home or office addresses shall all be acceptable official methods of communication.

# Bylaws

## Article 1. Constitution .

These Bylaws are subordinate to the Constitution of Associated Faculty of Montana State University (AFMSU).

## Article 2. Dues

Members shall pay local and affiliate dues.

## Article 3. Meetings.

### A. Executive Committee Meetings

1. There shall be at least six executive committee meetings during the academic terms. The president shall call all meetings with at least seven days written notice or by a majority vote of the executive committee. Electronic written notice is an acceptable form of this communication.
2. The president shall preside at all meetings of the executive committee.
2. Regular executive committee meetings shall be open to all members who may address the executive committee upon recognition by the president. The executive committee reserves the right to hold closed meetings for issues concerning personnel, grievances, and bargaining.
3. The president shall announce all open executive committee meetings at least seven days in advance of each meeting.
4. The executive committee may, by a majority vote, hold unannounced meetings to deal with emergencies. Such meetings shall be limited in their decisions to dealing with the emergency (e.g., explosion, flood, university closure).

### B. Representative Assembly Meetings

1. The representative assembly shall meet at least twice an academic year. The president may request additional meetings of the representative assembly.

### C. Member Assembly Meetings

1. The member assembly shall meet at least once a semester. The agenda in the spring semester shall include adoption of the local budget and dues. The agenda in the spring semester, during odd numbered years, shall include nomination and election of officers. Other agenda items may include a) amendments to the constitution or bylaws, b) discussion of collective bargaining and contract maintenance issues and c) other business necessary to protect and promote union interests.
2. The president may call special meetings of the membership.
3. Announcement of the regular semester member assembly shall be at least 30 days before the meeting.

## Article 4. Duties of Officers

### A. President Duties

The president shall

1. Serve as the official representative of and spokesperson for the union.
2. Chair the executive committee, representative assembly, and member assembly meetings and perform such duties as are customarily associated with the office.
3. Prepare agendas for the executive committee, representative assembly, and member assembly meetings.
4. Nominate bargaining committee members to the representative assembly for confirmation. Making nominations the president shall endeavor to assure broad representation and balance.
5. Serve as ex-officio, non-voting member of all committees.

6. Convene regular meetings of the executive committee, representative assembly, and member assembly. Call special meetings as necessary.
7. Create and dissolve committees; appoint liaisons and spokespersons as necessary; responsible to the president.
8. Serve as a delegate to the member assembly and MEA-MFT representative assembly.
9. Direct and supervise compliance with MEA-MFT and NEA and AFT standards of affiliation.
10. Pursuant to the MEA-MFT constitution, serve as chair of the AFMSU/MEA-MFT district council and director on the MEA-MFT board of directors.
11. Coordinate with department representatives to promote membership.
12. Sign checks, along with the treasurer.

### **B. Vice President Duties**

The vice president shall

1. Assist the president as needed.
2. Assume the duties of the president in case of a vacancy as stipulated by the constitution.
3. Serve as ex-officio, non-voting member of all committees.
4. Serve on the executive committee and representative assembly.
5. Serve as delegate to the member assembly and MEA-MFT representative assembly.
6. Coordinate with department representatives to promote membership.
7. Perform other duties as assigned by the president.

### **C. Secretary Duties**

The secretary shall

1. Write and maintain copies of minutes of all meetings of the executive committee, representative assembly and member assembly. Distribute copies of executive committee minutes to officers; representative assembly minutes to the department representatives and member assembly meetings to members within thirty days.
2. Notify the members as to the time and place of meetings of the executive committee, representative assembly, and member assembly within the time limits set forth in the constitution and bylaws.
3. Maintain official files of correspondence, reports, and other union documents, including this constitution and bylaws.
4. Serve as a delegate to the member assembly and MEA-MFT representative assembly.
5. Coordinate with department representatives to promote membership.
6. Perform other duties as assigned by the resident.

### **D. Treasurer Duties**

The treasurer shall

1. Oversee the collection, transmittal, and disbursement of dues; deposit all monies in a bank in the name of AFMSU.
2. Hold AFMSU funds and disburse them upon the submission of vouchers and authorization of the executive committee.
3. Sign checks, along with the president, as the other authorized signer.
4. Maintain membership records.
5. Remit MEA-MFT and NEA and AFT dues to MEA-MFT.
6. Keep an accurate account of receipts and disbursements.
7. Prepare financial reports for the executive committee and member assembly.
8. Assist the executive committee in drafting an annual budget and dues to support the budget.
9. Advise the executive committee on all matters pertaining to compliance with MEA-MFT and NEA/AFT standards of affiliation.
10. File necessary reports with state and federal agencies.

11. Serve as a delegate to the member assembly and MEA-MFT representative assembly.
12. Coordinate with department representatives to promote membership.
13. Perform other duties as assigned by the president.

#### **Article 5. Duties of the Executive committee.**

1. Promote the goal of building membership.
2. Implement actions of the member assembly and representative assembly.
3. Make recommendations to the member assembly and representative.
4. Recommend dues and budget to the member assembly.
5. Authorize disbursement of union funds.
5. Adopt policies, positions, and programs consistent with this constitution and actions of the member assembly.
8. Periodically engage an independent audit or audit review of financial affairs no less than once every two years.
9. Elect successors to complete vacancies in offices as stipulated by the constitution.
10. Establish rules and procedures for the election of department representatives.
11. Hear and attempt to resolve member disputes.
12. Confirm committees and committee members recommended by the president.

#### **Article 6. Duties of the Representative Assembly**

1. The president shall chair the representative assembly.
2. Organize and oversee the enrollment of union members including conducting new member orientation, meeting with potential members, providing information about AFMSU, collecting membership forms, and conducting leadership development campaigns.
3. Communicate and solicit opinions from members
4. Communicate information from committees to department members.
5. Advise and assist the executive committee, representative assembly, and member assembly on union issues.
6. Make recommendations to the executive committee and member assembly.
7. Confirm committee appointments to assure broad representation and balance.
8. Provide input and support to bargaining committee and other committees as needed.

#### **Article 7. Elections**

1. The president, with the approval by the executive committee shall appoint a nominations and elections committee comprised of three members not running for office to organize the process for nominations and elections.
2. Elections are held at the spring member meeting during odd-numbered years.
2. The nominations and elections committee shall begin accepting nominations up to 30 days prior to the election. In addition, nominations from the floor shall be called for and received at the member assembly meeting. Each nominee must be a member in good standing and give his/her consent to appear on the ballot. Nominations shall be closed at the member assembly.

#### **Article 8. Committees**

1. Both standing and ad hoc committees are authorized by the bylaws. The president, executive committee, representative assembly or member assembly may establish ad hoc committees.
2. Standing committees may include but shall not be limited to:
  - a) Bargaining committee
  - b) Grievance committee
  - c) Nominations and elections committee

d) Organizing committee

3. Minutes of the proceedings of each committee shall be filed with the secretary. The secretary shall provide copies of the minutes of all committees to the committee chairpersons for the ensuing year.

4. All committees shall report to the membership as directed by the president.

#### **Article 9. Ratification of Agreements**

1. The president shall be authorized to sign a legal, binding, yearly or multi-year agreement with the board of regents only after completion of the following procedure at a general membership meeting:

a) A report and recommendation by the bargaining committee,

b) A report and recommendation by the executive committee,

c) A written digest, and full copy on request, of the proposed agreement or changes, provided to all members in advance of the ratification meeting,

d) A discussion by the membership, and

e) Affirmative vote by secret ballot by a majority of those members voting within the voting deadline.

2. A 72 hour written notice of the ratification meeting is required. The committee shall work to inform members one week in advance if possible.

3. Ratification of interim agreements, such as a memorandum of understanding, shall occur at an executive committee meeting.

#### **Article 10. Amendments**

1. The member assembly may amend these bylaws by a majority vote of members voting.

2. Proposals to amend these bylaws may be made by the executive committee, or by petition of ten percent of the membership.

3. Proposed amendments shall be presented in writing to the president at least 30 days before the next member assembly.

4. The president shall notify members of proposed amendments at least 15 days before the next member assembly.

5. Amendments shall become effective immediately unless otherwise provided.