



Professional
Staff
Association

at

Rhode
Island
College

**Constitution and
By-Laws** of the
Professional Staff
Association at Rhode
Island College.

AFL/CIO — Local
3302

2002

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Constitution and Bylaws of the Professional Staff Association at Rhode Island College (PSA@RIC)

AFT/AFL-CIO, Local #3302

Article I — Name and Authority

The name of this unit shall be the Professional Staff Association at Rhode Island College, AFT/AFL-CIO, Local #3302. The unit is granted authority under Rhode Island General Law 28-7-14, "Exclusive Representation of Employees."

Article II — Purpose

The purpose of this organization shall be to provide through collective bargaining for the general welfare of its membership and to assure equitable representation in all matters which affect the members of the Association relative to their employment at Rhode Island College.

Article III — Membership

Section 1

Those eligible for membership in this Association shall comprise all employees in full-time non-classified positions, excluding faculty or those positions which are considered "top level supervisory personnel" or confidential. See Section 3 for definition of active membership.

Section 2

Persons eligible for membership as described in Article III, Section 1 will be required to pay membership dues or agency fees, to be collected each pay period through payroll deduction. The Executive Board will recommend any change in the rate of local dues and fees to the general membership. Such change must be voted upon by the membership and approved by a majority of those voting. This vote will take place via mail ballot.

Section 3

Persons eligible under Article III, Section 1 may establish active membership in the Association by signing a membership card which entitles them to the right to vote and to hold office.

Section 4

Persons eligible for membership as described in Article III, Section 1 and who have qualified as described in Article III, Section 3 and who are on a leave of absence with pay, without pay, study leave, sabbatical leave, or on the recall list shall continue to enjoy their right to vote in all the elections of this organization. Members who do not pay membership dues or agency fees shall not be allowed to vote or hold office.

Section 5

Increases in the national and state dues shall be automatically passed through to the membership of the local unit.

Section 6

Members who are paying agency fees shall be apprised of their right to appeal for a portion of the annual membership dues and/or agency fees (for union expenses not directly related to contractual matters and union administration). The amount of the refund shall be determined by the Treasurer in consultation with the Executive Board.

Article IV — Officers and Executive Board

Section 1 **Officers**

- A. Officers of the Association shall consist of a President, a Vice President, a Treasurer, and a Secretary.
- B. The term of office for all officers shall be for two years. All officers shall be eligible for re-election.
- C. Officers shall be elected by mail ballot during October of each odd-numbered year. Election results will be announced at the annual meeting. New officers will assume office on November 1 of the election year (See Article VIII for election procedures).

Section 2 **Divisional Representatives**

- A. Professional divisions of the College eligible for representation in the Professional Staff Association will coincide with the definition of divisions as determined by the College Administration at the start of the academic year.
- B. The term of office for Divisional Representatives shall be for one year. All representatives shall be eligible for re-election. Divisional Representatives shall be elected by mail ballot in October of each year and shall take office on November 1.
- C. Divisional Representatives shall be elected by mail ballot in October of each year and shall take office on November 1. (See Article VII for election procedures.)
- D. The number of Divisional Representatives shall be eleven. Each Division shall have at least one representative. The remaining number of seats will be apportioned according to the number of members in each division. (See Appendix C).
- E. The Divisional Representatives shall each be elected by the members within each respective division. No more than two representatives may be elected from any one department. Determination as to what constitutes a department shall be the prerogative of the Executive Board.
- F. The allocation of Divisional Representatives shall be reviewed and adjusted annually in accordance with Appendix C by the Executive Board before the annual election.

Section 3 **Members at Large**

- A. The general interests of the membership shall be represented by two Members-at-Large.
- B. The term of office for a Member-at-Large shall be for one year. Members-at-Large shall not be elected for two consecutive terms. (See Article VIII for election procedures)
- C. Members-at-Large shall be elected by mail ballot in October of each year and shall take office on November 1.
- D. The Members-at-Large shall be elected by the voting membership of all divisions of the Professional Staff Association according to procedures described in Article VIII, Section 1.A. No more than one Member-at-Large may be elected from any one division.

Section 4 **Executive Board**

The Executive Board shall consist of the Officers of the Association, the Divisional Representatives, and Members-at Large. A majority of the Executive Board (more than 50%) shall constitute a quorum. The President shall serve as Chairperson of the Executive Board.

Section 5 **Executive Board Authority and Duties**

The Executive Board is empowered to conduct all business of the Association between general membership meetings. The Executive Board adopts an annual budget as prepared in consultation with the Treasurer and the Finance Committee.

Article V — Duties of the Officers, Divisional Representatives, and Members-at-Large

The **Executive Board** shall carry out the policies of the Association in the spirit *and* purpose of this instrument.

Section 1 **President**

The **President** serves as the chief executive officer of the Association, empowered to act as necessary in the best interests of the Association between meetings of the general membership and/or Executive Board. The President shall officiate at all regular and special meetings, shall serve as Chairperson of the Executive Board, and shall carry out the policies of the Association. The President shall report at least annually on the business of the Executive Board to the full membership. The President or his/her designee shall request notification of and represent the Association at all college committee meetings dealing with matters concerning the membership of this Association. The President shall serve as a delegate to National and State AFT Conventions.

Section 2
Vice President

The **Vice President** shall serve as ex-officio member of all committees except the Compensation Committee, shall assume the duties of the President during the absence of the President, and shall assume the office of President in the case of a vacancy in that position. The Vice President shall annually appoint and oversee the duties of the Newsletter Editor. The Newsletter Editor shall be responsible for gathering union-related information and publishing a newsletter at least four times per year.

Section 3
Treasurer

The **Treasurer** shall collect all money due the Association, shall upon authorization of the President pay all legitimate bills, and shall maintain the records of the Association regarding financial matters. The Treasurer shall be a member ex-officio of the Finance Committee. By the September Executive Board meeting of each year, the Treasurer in consultation with the Finance Committee shall prepare and present to the Executive Board a proposed annual budget for the subsequent year. The Treasurer shall oversee the agency fee appeal process and notify non-active members of their right to appeal (**See Article III Section 6**).

It shall be the responsibility of the Treasurer to distribute and collect membership cards (**See Article III, Section 3**) for all new PSA employees and to keep a current and updated list of all members on file.

Section 4
Secretary

The **Secretary** shall keep records of all minutes and agenda of the Association and transactions at annual, special, and Executive Board meetings, and shall distribute to all members of the Association the agenda for all annual, special, and Executive Board meetings prior to the meeting (**see Article VI**) .

Section 5
Divisional Representatives

The **Divisional Representatives** shall be resources for the members in their divisions and keep their members informed of all matters relevant to their welfare, as well as solicit concerns within the Association's purview. The Divisional Representative may also be the first source of information for members who think they may have a grievance.

Section 6
Members-at-Large

The **Members-at-Large** shall serve as resources to the full membership on matters relating to policies and activities of the Association.

Article VI — Meetings

Section 1

Executive Board Meetings

The Executive Board shall meet at least every other month during the academic year and at other times as deemed necessary by the President.

Section 2

Annual Meetings

There shall be an annual meeting of the Association in October with written notice by mail to the entire membership at least two weeks prior to the meeting.

Section 3

Special Meetings.

Special meetings may be called by the President or upon petition by ten or more persons eligible to participate in the affairs of the Association. All members will be notified by mail of all special meetings.

Section 4

Quorum

- A. A quorum for annual and special meetings shall consist of 25% of the active membership of the Association, including an officer.
- B. A majority of the Executive Board (more than 50%) shall constitute a quorum.

Article VII — Recall From Office

Any Executive Board Member (Officer, Divisional Representative, or Member-at-Large) may be recalled from office according to the following procedures.

- A. **Recall of an Executive Board Member.** Recall of an Executive Board member may occur as a result of the abuse of privileges or negligence in performance of duties as set forth in the duties described for that office (**See Article V**), and according to the purpose of the organization (**Article II**). A petition containing at least five signatures from among members eligible to participate in any election for that office must be filed with the President of the Association. In the case where the petition is for recall of the President, the petition must be filed with the Vice President.
- B. A hearing by the entire Executive Board shall be set within ten calendar days of receipt of petition for recall, and a recommendation will then be made to the membership. Within ten working days after the hearing a special meeting of the membership concerned will be called to vote upon the recommendation of the Executive Board (**See Article VIII for procedure**).
- C. In the case of a recall of an Officer or of a Member-at-Large, the vote shall be open to the entire active membership (**See Article VIII for procedure**).
- D. In the case of a recall of a Divisional Representative, the vote shall be open only to the appropriate division (**See Article VIII for procedure**).

Article VIII - Elections

Section 1

Standard Election Procedures

- A. The Elections Committee shall solicit nominations for Officers, Divisional Representatives, Members-at-Large and the Compensation Committee. The Elections Committee will prepare and circulate a current list of all PSA employees by division when nominations are sought. A description of the responsibilities associated with each office will also be circulated.
- B. Nominations will be open on the first Tuesday in September (see **Appendix A , Calendar**). Nominations will close at 4:30 p.m. on the third Monday of September. The Elections Committee shall prepare and circulate to the members of the Association, by the first Monday in October, a mail ballot complete with a final list of candidates. Mail ballots must be received by the Elections Committee by close of business day, one week prior to the annual meeting. Election results will be announced at the annual meeting.
- C. Votes shall be tallied by the Elections Committee and recorded in the permanent files of the Association. No candidate for office shall be involved in the distribution or tally of ballots, though all candidates have the right to request final totals and demand a recount in writing to the chair of the Elections Committee within 48 hours of the announced results.
- D. No candidate may run for more than two offices. No candidate, if elected, may hold more than one office. The resulting vacancy shall be filled by a new election. PSA members receiving a stipend (see **Appendix D - Stipends**) may not serve on the Compensation Committee (an elected committee). For procedure on filling a vacancy, see **Article VI, Section 2**.
- E. In the case of a tie for any office a recount shall be made. If the tie remains, a new election between the people tied will be held.
- F. In the event of a new election the Elections Committee shall prepare and distribute mail ballots to all those eligible to vote within two weeks of the close of the first election. Ballots must be returned within one week of their distribution. Notification of the results shall be sent to the membership
- G. In the event of a recall of a member of the Executive Board (**See Article –VII**). Voting shall take place by paper ballot at the special meeting. The number of votes needed to recall shall be equal to two-thirds of the members voting **and** not less than the number of votes which elected that person. If the individual ran unopposed, then this will be construed as 2/3's of those voting at the initial election.

Section 2

Vacancies

- A. A vacancy shall be defined as any Officer, Divisional Representative or Member-at-Large who leaves the College's employee or PSA Executive Board through termination or resignation and shall further include any Officer, Divisional Representative or Member-at-Large whose status changes to less than full time or to a non-PSA position at Rhode Island College for a period of more than one month.
- B. In the case of extended leave (absence without pay, sick without pay, sick with pay, study, sabbatical, or temporary reassignment to a non-PSA position within the College), the President together with a majority of the Executive Board shall decide whether or not to declare the position vacant.
- C. A vacancy shall also include the termination or resignation of a member of the Compensation

Committee during that committee's assignment.

- D. Vacancies shall be filled according to the following procedures:
1. **President.** In the absence of the President, the Vice President shall assume the duties of the President. Should the position of President become vacant, the Vice President will assume the office of President until an election may be held.
 2. **Officers.** Except in the case of the President, vacancies in officer positions shall be filled as follows:
 - a.) If more than three months of the term remain to be served, a special election by mail ballot will be held.
 - b.) If three months or less of the term remain, the President may appoint an interim officer to serve until the next regular election.
 3. **Divisional Representatives.** Vacancies shall be filled as follows:
 - a.) If more than three months remain in the term, a special election by mail ballot shall be held within the division.
 - b.) If three months or less remain in the term, the position may remain vacant until the next general election, or the President may appoint a temporary representative from within the division to serve until the next election.
 4. **Members-at-Large.** Vacancies shall be filled as follows:
 - a.) If more than three months remain in the term, a special election by mail ballot shall be held.
 - b.) If three months or less remain in the term, the position may remain vacant until the next general election, or the President may appoint a temporary representative to serve until the next election.
 5. **Compensation Committee.** In the event of the termination or resignation of a member(s) of the Compensation Committee during the assignment, the Elections Committee shall solicit nominations only if the total number of committee members falls below the required 5 members.

Article – IX Voting

- A. Voting at regular and special meetings will be in accordance with Roberts Rules of Order. Absentee and proxy voting will not be permitted.
- B. Voting may be accomplished by a mail ballot when authorized by the Executive Board. When a mail vote has been authorized by the Executive Board the Elections Committee will obtain a list of names and voting addresses of all qualified members. A printed ballot containing instructions for marking and return by a referred date will be sent to or picked up by qualified members. Members who pick up their ballots will sign for them. All ballots must be returned by the date and time specified by the Elections Committee. The Elections Committee will notify the membership of the results.

Article X – Compensation (See Appendix D for Stipends)

- A. Officers (President, Vice President, Treasurer and Secretary) as well as Grievance Chair shall be compensated for their duties with annual stipends. In the case where there is no grievance chair, the person who assumes the position is compensated at a prorated amount based on length of service performed. If the person is an officer, compensation will be in addition to the amount received for that office.
- B. The Newsletter Editor shall be compensated at a rate per issue.
- C. A Compensation Committee shall be elected in even-numbered years to conduct a review of all stipends.
- D. Stipends shall be paid quarterly in 4 equal payments at the end of each quarter served, or shall be prorated based on the amount of time served during the quarter.

Article XI – Committees (See Appendix B for Committee Composition)

The Committee Chair shall conduct the business of the committee according to Article XI of the By-Laws. The Committee Chair shall call meetings, set the agenda for meetings, be responsible for keeping records of all meetings of the committee, and to update the handbook for committees when necessary. The Committee Chair shall make a written report to the Executive Board upon completion of any committee work, or upon request of the Executive Board.

Section 1

Standing Committees

- A. The following standing committees shall be appointed each year after the annual election of divisional representatives and members-at-large. The President will appoint the members of the committees and name the chair of each committee with the approval of the Executive Board. Each committee will be as representative of the membership as possible.
 - Elections Committee (three to five members)
 - Grievance Committee (three to five members)
 - Finance Committee (three to five members)
 - Audit Committee (three to five members)

B. No more than two voting members of the above committees may also be members of the Executive Board; the remaining members shall be chosen from the membership. Ex-officio members are not included in the number of committee members required but are allowed full rights on that committee.

C. Upon request of the Executive Board, each Standing Committee shall make a written report to the Executive Board.

D. Responsibilities of Standing Committees:

1. **Elections:** See Article VIII.

2. **Grievance:** The Grievance Chair shall provide each prospective grievant with counsel as to the viability of the complaint and with the necessary form upon which to file a grievance as needed. The Chair will then guide the grievant through the grievance procedure as specified in the contract.

3. **Finance:** The Finance Committee shall review the current financial status of the unit and shall make recommendations to the Executive Board regarding dues, service fees, and other financial matters. The Finance Committee shall assist the Treasurer in preparation of the annual budget.

4. **Audit Committee.** The Audit Committee will review the finances of the Association in accordance with the AFT Constitution. The review will be made available to the general membership and presented at the annual meeting. A report will be provided to the AFT National Office every two years. The report shall include a Balance Sheet and the Statement of Revenue and Expenditures and must be signed by at least three committee members. The Treasurer may not serve on the Audit Committee but shall work closely with the committee to provide documents and answer questions.

Section 2

Special Committees

A. The following Special Committees shall be established as needed by the President with the approval of the Executive Board and shall be as representative of the membership as possible.

- Negotiating (five to seven members)
- Bylaws (three to five members)
- Political Action (three to five members)

B. No more than three appointed members of the above committees may also be members of the Executive Board. At least one member of each committee shall not be a member of the Executive Board. Ex-officio members are not included in the number of committee members required but are allowed full rights on that committee.

C. The chairperson of each committee shall be chosen by the President with the approval of the Executive Board.

D. Upon request of the Executive Board, each Special Committee shall make a written report to the Executive Board.

E. Other Special Committees may be appointed by the President as necessary.

F. **Responsibilities of the Special Committees:**

1. **Negotiating:** The Negotiating Committee shall review the current contract, solicit members' views for changes in the new contract, and participate in active negotiations culminating in a new contract.
2. **Bylaws:** The Bylaws Committee shall review the current Bylaws, solicit members' views regarding possible modifications in the Bylaws, and submit recommendations for changes to the Executive Board.
3. **Political Action:** The Political Action Committee shall make the general membership aware of current and/or pending legislation affecting the Professional Staff Association at Rhode Island College, shall act to initiate the lobbying efforts deemed appropriate by the Executive Board, and shall foster participation by the membership in both lobbying and fund raising activities.

Section 3 **Elected Committee**

- A. The **Compensation Committee** (five to seven members) shall be elected every even-numbered year according to the procedures outlined in Article VIII — Elections.
- B. The **Compensation Committee** will make every effort to survey the general membership regarding attitudes on current compensation, will consult with the Executive Board and the Finance Committee for their input, and will have the authority to set base stipends for officers. The Compensation Committee shall deliver its decision to the President not later than March 1 following its election. The President shall call a meeting of the Executive Board within ten days. The decision of the Compensation Committee is final, unless the Executive Board, by a two-thirds vote, decides to refer the question to the membership for vote at a special meeting. Executive Board action must be referred to the membership by April 15.
- C. Current officers may not be elected to serve on the Compensation Committee. The Chair of the Finance Committee shall serve as an ex-officio member of the Compensation Committee. If the chair of the Finance Committee is also the Treasurer, then the Finance Committee shall select a representative.

Article XII — Convention Delegates

The Professional Staff Association at Rhode Island College shall send at least one delegate to national conventions of the AFT. The President shall serve as one delegate. If more than one is sent, other delegates must be elected by the general membership. The total number of delegates sent will be determined by AFT guidelines, contingent upon available funding.

Additionally, PSA may also send delegates to other national, state, and local conventions, conferences and meetings, contingent upon available funding. If it is decided that the PSA should be represented at a meeting, the President shall have the first option to attend as the PSA delegate. If the President does not elect to attend, the President may delegate the Vice-President to attend in his or her place. If neither the President nor Vice-President elect to attend, another delegate may be chosen from the general membership. Members who wish to apply to attend such meetings shall send a notice to the Secretary. The delegate will then be selected by the Executive Board. The delegate(s), upon returning from the meeting, shall make a report to the membership highlighting the content of the meeting.

Article XIII — Amendments

These Bylaws may be amended by a majority of the members voting at a regular or special meeting or by mail ballot. If the vote is to occur at a meeting, the proposed amendment(s) are to be submitted to the Secretary at least three weeks in advance of the meeting and to be circulated to all members at least two weeks in advance of the meeting.

If the vote is to be taken by mail ballot, the proposed changes must be submitted to the Secretary four weeks prior to the date ballots are due and be circulated to the membership three weeks prior to the date ballots are due.

Article XIV — Rules of Order

Meetings of this Association shall be governed in accordance with the most recent edition of Roberts Rules of Order.

Appendix A – Calendar

November 1	Executive Board assumes office
December 15	Appointment of committees as necessary
February 1	Deadline for notification to non-active members paying agency fees of their right to appeal
February 1- March 1	Period for appeals for a refund for non-active members paying agency fees
March 1	When in session, Compensation Committee to deliver report to Executive Board
March 31	First quarter payment to officers and grievance chair
April 1	Deadline for Audit Committee to submit report to the Executive Board
April 15	Deadline for Executive Board action on report of Compensation Committee to be referred to the membership
June 30	Second quarter payment to officers and grievance chair
September (first Tuesday)	Nominations open for officers, divisional representatives and members-at-large
September (third Monday)	Nominations close for officers, divisional representatives and members-at-large close
September 30	Third quarter payment to officers and grievance chair
October (first Monday)	Mail ballots with final list of candidates circulated to membership
October (one week prior to Annual Meeting)	Mail ballots received by Elections Committee by close of business day
October (second Friday)	Notification made to membership of Annual Meeting
October (last week)	Annual Membership Meeting
December 31 ...	Final quarter payment to officers and grievance chair

Appendix B - Committee Composition

Refer to Article XI for description and responsibilities of all committees.

Standing Committees

- 1) **Elections Committee**
 - a) **3 to 5 members** (no more than **2** from Executive Board)
 - b) **Vice President Ex-Officio** member in addition to the 3-5 members above
- 2) **Grievance Committee**
 - a) **3 to 5 members** (no more than **2** from Executive Board)
 - b) **Chair** of Grievance Committee is compensated
 - c) **Vice President Ex-Officio** member in addition to the 3-5 members above
- 3) **Audit Committee**
 - a) **3 to 5 members** (no more than **2** from Executive Board)
 - b) **Vice President Ex-Officio** member in addition to the 3-5 members above
 - c) **Treasurer** will not be on Audit Committee but must work with the committee to provide documents and answer related questions.
- 4) **Finance Committee**
 - a) **3 to 5 members** (no more than **2** from Executive Board)
 - b) **Treasurer Ex-Officio** member in addition to the 3-5 members above
 - c) **Vice President Ex-Officio** member in addition to the 3-5 members above

Special Committees

- 1) **Negotiating Committee**
 - a) **5 to 7 members** (no more than **3** from Executive Board; at least **one** member shall **not** be a member of the Executive Board)
 - b) **Vice President Ex-Officio** member in addition to the 5-7 members above
- 2) **Bylaws Committee**
 - a) **3 to 5 members** (no more than **3** from Executive Board; at least **one** member shall **not** be a member of the Executive Board)
 - b) **Vice President Ex-Officio** member in addition to the 3-5 members above
 - c) **Secretary Ex-Officio** member in addition to the 3-5 members above
- 3) **Political Action Committee**
 - a) **3 to 5 members** (no more than **3** from Executive Board; at least **one** member shall **not** be a member of the Executive Board)
 - b) **Vice President Ex-Officio** member in addition to the 3-5 members above.

Elected Committee

- 1) **Compensation Committee**
 - a) **5 to 7 members** (current officers or members in paid positions may **not** be a member of the Compensation Committee)
 - b) There are no ex-officio members of the Compensation Committee.

Appendix C —
Divisional Representative Allocations

Division	# Seats
Academic Affairs	3
Administration and Finance	4
Student Affairs	3
Development and College Relations	1

Appendix D – Stipends

The base stipends beginning in 2001 are:

President	\$1,800.00
Vice President	\$1,200.00
Treasurer	\$1,100.00
Secretary	\$1,000.00
Grievance Chair	\$1,000.00
Newsletter Editor	\$100.00 per issue