

CONSTITUTION
of the
C. W. POST COLLEGIAL FEDERATION
Local 3517, A. F. T.

ARTICLE I -- Name and Affiliations

The name of this organization is the C. W. Post Collegial Federation, Local 3517 of the American Federation of Teachers (AFL-CIO).

A. This Local shall maintain affiliation with and whenever possible send delegates to the following organizations:

- (1) The American Federation of Teachers
- (2) The New York State United Teachers
- (3) The Long Island Central Labor Council
- (4) The New York State Labor Council

B. Delegates to affiliated organizations must be members in good standing of this Local.

C. All delegates shall make written reports to the Executive Board on meetings attended.

ARTICLE II -- Objectives

The C. W. Post Collegial Federation is committed to the strengthening of C. W. Post Center as a home of higher learning in the service of the community. Excellence in teaching and scholarship require that the experience and wisdom of the faculty be respected in the governing of the institution, and that secure and rewarding conditions for the exercise of the profession be ensured. Among the specific objectives implied by the foregoing, we recognize the following:

- (1) Secure enjoyment of full academic freedom by faculty and students in the pursuit of knowledge, the acquiring of skills, and the personal discovery of values.
- (2) Collective bargaining to determine salaries, conditions of employment, and procedures

which ensure, for the faculty, the effective exercise of its traditional rights and responsibilities.

(3) Compensation and salary increases which will attract a faculty of high professional quality and personal commitment.

(4) Peer judgment based on specified, objective criteria as the basis of recruitment, promotion, and tenure for faculty members.

(5) Defense of aggrieved faculty members against violations of academic rights and due process, or arbitrary, inequitable, or discriminatory treatment, by Personnel Committees, Chairpersons, and Administrative Officers.

(6) Procedures explicitly mandating participation and consultation by faculty, to strengthen the faculty contribution to policy-making within the Center and within Long Island University.

(7) Encouragement of support for legislation favorable to the advancement of higher education and increased accessibility to higher education for all members of our society.

ARTICLE III -- Membership

A. Membership is open to all employees of the C. W. Post Center of Long Island University who belong to the NLRB-certified Unit for which the Local bargains, or who are specifically judged to be eligible for membership by vote of the Executive Board. The following are specifically included:

(1) Full-time classroom and library faculty, including Chairpersons, but excluding Deans and others holding full-time administrative appointments in Long Island University;

(2) Psychological Counselors;

(3) Research Associates.

B. Application forms shall be sent to eligible new employees by the Treasurer, and shall be available at all times in the Federation office.

C. An eligible individual becomes a member of the Federation when the Treasurer receives the individual's application and the first payment of dues (or check-off authorization). To be a member in good standing, an individual may not be more than two months in arrears in the payment of dues. To participate in balloting or to exercise other privileges of membership, a member must be in good standing.

D. Emeritus membership will be awarded upon request to former dues-paying members who

have retired upon reaching retirement age. No dues will be collected from emeritus members who will have the right to attend membership meetings and to participate, but not to vote.

ARTICLE IV -- Membership Meetings

A. The membership of the Federation is the body with ultimate policy-making authority in the Federation.

B. Four regularly-scheduled Membership Meetings will be held each year: in September, November, February and April. The dates of these meetings shall be published in the first week of the academic year. Additional or emergency meetings shall be convened by the President at the direction of the Executive Board, or when called for by any twenty members acting by petition submitted to the Secretary.

C. Ten days before each Membership Meeting, the Secretary shall mail to each member a notice of the meeting and an agenda, with a brief descriptive summary of each important issue to be discussed.

D. Membership Meetings shall be chaired by the Vice President. The current edition of Roberts' Rules of Order will govern the conduct of meetings. Fifteen percent of the membership will constitute a quorum; but the Chair shall presume that a quorum is present until some member in attendance calls for a count of those attending.

E. At each Membership Meeting, minutes of the preceding meetings of the Executive Board shall be distributed, and the Secretary shall make a report in which attention is called to actions taken by the Executive Board during that period which have significant impact upon the policies of the Federation. Resolutions from the floor to revise or reorient such policies are in order in response to the Secretary's report.

F. In conformity with Roberts' Rules (1970 edition, pg. 355), mail ballots are permitted only where expressly authorized by this Constitution or the By-Laws of the Federation.

ARTICLE V -- Officers

A. The Federation will have four elected Officers: President, Vice President, Secretary, Treasurer. Officers will be elected in even numbered years; the term of officers is two years, beginning January 1. The normal election of Officers may be postponed up to five months (but not longer) if such action is made advisable by the current state of contract negotiations. Such action may be taken only by two-thirds vote in a Membership Meeting whose agenda, distributed in advance, announces that such a course of action will be proposed.

B. The election procedure for Officers will be as follows. The notice of the regular November Membership Meeting (in even numbered years) shall announce the forthcoming expiration of the Officer's terms, and call for nominations. Nominations may be made in writing

to the Secretary before that meeting, or in person at that meeting. To become a candidate, the nominee must accept nomination at the meeting, either in person or by written proxy. All candidates (or, in their absence, their nominator) shall be invited to address the membership after nominations for the office are closed. The election shall be held by mail ballot (a single ballot sheet for all four Officers), distributed one week after the nomination meeting, with a two-week return deadline. Officers-elect shall serve as understudies to the outgoing Officers until January 1.

C. Each Officer is directly responsible to the Membership for the faithful and conscientious execution of the duties of his office. Duties of the Officers are as follows:

1. The President is the chief executive officer, and as such will oversee and direct the daily affairs of the Union, subject to the provisions of this Constitution, the resolutions adopted in Membership Meetings, and decisions of the Executive Board. This Officer is the Union's chief public spokesman, and is primarily responsible for developing and implementing its relations with affiliated and parent organizations. The President presides in Executive Board meetings and establishes their agenda (assisted by the Secretary). While serving as President, an individual shall not be eligible to serve on the Promotion and Tenure Board.

2. The Vice President will assist the President in the execution of daily responsibilities, and assume those responsibilities in the President's absence. The Vice President has primary responsibility for promoting communication with the membership and overseeing internal liaison. The Vice President presides at Membership Meetings and establishes their agenda (assisted by the Secretary).

3. The Secretary will prepare minutes of Executive Board and Membership meetings; prepare and distribute agendas; ensure timely implementation of the procedures set forth in this Constitution and By-Laws; conduct official correspondence; maintain orderly records; and assist the President in preparing reports and other documents.

4. The duties of the Treasurer shall be:

a. To receive, record, and deposit (in the name of the Federation) all monies from dues and other sources, and to pay all authorized bills. The payment of bills greater than \$100 shall require specific prior approval by vote of the Executive Board.

b. To keep the membership roll, to issue receipts and delinquent notices, and to forward all per-capita dues and current membership lists to NYSUT.

c. To report to the Executive Board at each regular meeting on the financial state of the Union, noting particularly any departures from the announced projections.

d. To present, at the September Membership Meeting, a detailed budget projection for the coming year, for the approval of the membership.

e. To present annually to the membership a certified audit of the Union's finances for the

preceding fiscal year.

D. The four officers will be subject to recall. This procedure will be initiated by a petition signed by at least 20% of the membership. The petition will be presented and discussed at a membership meeting. A mail ballot will then be distributed, and the issue decided by majority vote of those voting.

E. A vacant office will be filled by special election in conformity with the procedure specified in Section B of this Article, beginning at the next scheduled Membership Meeting (instead of the November meeting). A vacancy in the Presidency shall be filled immediately by succession (in the order: Vice President, Secretary, Treasurer) on an interim basis, *vz.* until the Section B procedure can be implemented. A vacancy in another Office may be filled on an interim basis by vote of the Executive Board.

F. Grievance Officer: The Executive Board shall appoint a grievance officer. The position will be compensated with a stipend of \$3000.00 per year. The position can remain unoccupied if there is no faculty member with the required knowledge or expertise.

Article VI -- Executive Board

A. The Executive Board has the authority to formulate and to implement policies and to carry on the routine business of the Federation. All actions of the Executive Board are subject to review and modification by majority vote in subsequent Membership Meetings.

B. The Executive Board shall consist of the four Officers (President, Vice President, Secretary, Treasurer) elected at large, and approximately 21 Delegates elected proportionately from the various constituencies specified in the current By-Laws. The Executive Board shall also include, serving *ex officio* without voting privilege (unless such individuals are already Board Members), the Chairperson of the C. W. Post Faculty Council and the President of the C. W. Post Chapter of the A.A.U.P., provided such individuals are members in good standing of the Collegial Federation.

C. The election procedure for Delegates to the Executive Board shall be as follows. The notice of the regular February Membership Meeting will announce the forthcoming expiration of Delegates' terms and call for nominations. Each nominee must be a member of the specific constituency which he or she is nominated to represent. Nominations may be made in writing to the Secretary before the meeting, or in person at the meeting. It is the responsibility of the nominators to ascertain that their nominees are willing to have their names placed in nomination. Following the meeting, all nominees shall be informed of the complete list of nominees; if any wish to withdraw, they must do so within 48 hours of notification. The Secretary shall then distribute ballots to the eligible voters, with a two-week return deadline. Members of the Federation in good standing are eligible to vote, but only for Delegates who represent the specific constituency to which they belong.

D. The term of office for Delegates is two years, beginning March 15 (for February elections). Individuals are eligible for re-election. Terms will be staggered so that roughly one-half of the Delegates will be elected each year. If a vacancy should occur, a special election shall be held in conformity with the procedure of Section C, beginning at the next scheduled Membership Meeting (rather than the February meeting). If an individual who is serving as a Delegate is elected as an Officer, the term of office as a Delegate ends when the term as elected Officer begins.

E. The Executive Board will hold regular meetings once a month; dates shall be scheduled for each semester at the last meeting of the previous semester. Additional meetings may be convened at the discretion of the President or upon petition by four members of the Board; in either case, written notice setting forth the need for the meeting shall be provided. At least three days notice of such a meeting will be provided. The quorum for meetings of the Executive Board shall be 50% of the voting members. Roberts' Rules shall govern with respect to Executive Sessions; minutes from an Executive Session shall not be available to the membership at large.

F. If any Delegates on the Executive Board are absent from three consecutive regular meetings, or from a total of four regular meetings during the academic year, their membership on the Board shall be deemed to have lapsed, and a special election shall be held to fill their place. If the Executive Board judges that special circumstances have justified the Delegate's absences, it may recommend to the constituency that the Delegate be re-elected. Delegates are eligible for re-election in any case.

ARTICLE VII -- Grievance Committee

The purpose of the Grievance procedures is to enforce the contract. Implementation is the responsibility of the President. The President is the spokesman and signatory for the Union in all grievance and arbitration matters. The President shall be assisted in the processing of grievances by a Grievance Committee, whose membership shall be determined by the Executive Board. Grievance Committee members shall be selected for their knowledge and skills as related to the types of grievance currently being processed, and shall be trained in the acquisition of such skills. They need not be members of the Executive Board. Their function is to assist grievants in their use of the grievance machinery, to gather evidence in the case, and to prepare required documents and testimony under the guidance of the President.

Any proposed resolution of a grievance which has policy implications not previously considered by the Executive Board shall be brought to the Board for discussion prior to settlement.

ARTICLE VIII -- Dues, Assessments and Stipends

Dues and Officer Stipends are established by the Executive Board, subject to ratification by majority vote of the membership voting in a mail referendum. In unusual circumstances, the Executive Board may propose a special assessment to raise funds for a specified purpose, subject

to ratification by majority vote of the membership voting in a mail referendum.

ARTICLE IX -- Contract Negotiations

The negotiating team will be appointed by the Executive Board. The team has the responsibility of formulating and revising contract demands in whatever degree of confidentiality it deems appropriate. Before formulating the initial demands, the team shall thoroughly canvass the opinions of Unit members, via questionnaires and meetings of the various constituencies. A contract will be ratified by a majority vote of members in good standing actually voting, by secret ballot, at a location where copies of the proposed contract are available for examination.

ARTICLE X -- By-Laws

By-Laws of the Federation, defining procedures for the orderly accomplishment of the business of the Federation under this Constitution, shall be promulgated and adopted together with this Constitution. New By-Laws and amendments to existing By-Laws may be proposed, in the form of a written petition, by any ten members of the Federation. Proposed By-Laws should be sent to the Secretary, who will place the proposal on the agenda of the next Membership Meeting. The text shall be included with the agenda mailing to the membership. The text is open to amendment by majority vote in that meeting. Adoption of a new or amended By-Law shall be by two-thirds vote of those in attendance at the Membership Meeting which considers it.

ARTICLE XI -- Amendments

Amendments to this Constitution may be proposed, in the form of a written petition, by any ten members of the Federation. Proposed constitutional amendments should be sent to the Secretary, who shall place the proposal on the agenda of the next Membership Meeting. The full text shall be included with the agenda mailing to the membership. The text is open to amendment by majority vote in that meeting. If the proposed constitutional amendment is endorsed by majority vote, it becomes a Pending Constitutional Amendment. Final adoption of a Pending Constitutional Amendment shall require a two-third vote in the next following Membership Meeting. No amendments to the text of the Pending Constitutional Amendment are permitted in the Membership Meeting which moves adoption.

ARTICLE XII -- Adoption

This Constitution (1982 Revision) will be adopted by the procedure described in Article XIII of the Constitution of the C. W. Post Collegial Federation, 1976 Revision. Following adoption, this Constitution shall supersede the previous Constitution (1976 Revision) of the Federation.

CONSTITUTION -- ARTICLE XII -- prior to "self-destruct"

This Constitution (1982 Revision) will be adopted by the procedure described in Article XIII of the Constitution of the C. W. Post Collegial Federation, 1976 Revision. Following adoption, this Constitution shall supersede the previous Constitution (1976 Revision) of the Federation. Following final adoption of this Constitution in Fall 1982, the President shall immediately initiate a special election procedure for Officers by distributing, by mail, a call for nominations (and for volunteers to serve as a Committee of Tellers), with a ten-day return deadline. A mail ballot shall then be prepared and distributed with a ten-day return deadline. The newly elected Officers shall then promptly convene a Membership Meeting to implement a special election procedure for Delegates to the Executive Board which shall conform with Article VI Section C except that it shall (if feasible) be held in November or December rather than in February. Members serving terms on the Executive Board as of September 1982 shall remain in office, and the Board shall continue functioning, until the new election procedures for Delegates have been completed. Delegates shall be elected from all the constituencies specified in the new By-Laws. The staggering of Delegate terms shall be phased in by distributing initial one-year and regular two-year terms among the various constituencies. The newly elected Officers, deciding by consensus, shall determine an equitable scheme for that distribution of terms. Following implementation of these "phase-in" provisions, the last eight sentences of this Article shall be expunged, leaving only the first two sentences.

BY-LAWS

(1982/1990 Revisions)

By-Law #1 Apportionment of Delegates to the Executive Board

[NOTE: Superseded by By-Law Amendment #1 approved January 28, 2016. (See below.)]

Delegates to the Executive Board are elected from the following constituencies: (1) Probationary Faculty: one Delegate; (2) C. E. Faculty: one Delegate; (3) At Large (elected by and representing the membership of the Union as a whole): two Delegates; (4) Academic Divisions, defined as for Faculty Council representation: Divisions with less than 30 unit members, one Delegate; Divisions with 30 to 59 unit members, two Delegates; Divisions with 60 or more unit members, three Delegates. The apportionment of Delegates is accordingly as follows:

Probationary Faculty	1
C. E. Faculty	1
At Large	2
Graduate Library School	1
School of Accountancy	1
School of Business	1
Library Division	2
School of Health and Public Service	2
Social Science Division (College)	2
School of the Arts	2
Humanities Division (College)	2
School of Education	3
Science Division (College)	<u>3</u>
TOTAL	23

BY-LAW #2: Balloting Procedure

A. After receiving nominations in a membership meeting, the Chair shall appoint a committee of Tellers for the election: at least three, and including as many additional members as wish to volunteer. The committee shall elect its Chairperson, and shall fix the time and place to count ballots. The Secretary shall include this information on the ballot. Any member who so desires is welcome to observe the ballot counting.

B. Ballot instructions shall direct voters to seal the completed ballot in an unmarked small (3½ X 6) envelope. The small envelope is to be enclosed in a standard (4 X 9) envelope, on the outside of which voters are to sign and print their name, and indicate the constituency from which they are voting (if relevant in the election).

C. Ballots shall be mailed to a Post Office box, rented by the Federation for use exclusively in elections. The ballots are to be collected by the Tellers on the day they are to be counted.

D. The ballots are handled as follows. First the signature on each outer envelope is checked against the list of qualified voters, and the voter is checked off on that list as having voted. Then the envelopes, still sealed, are sorted by constituency of the voter (if relevant in the election). Then, for each constituency, the tally is made as follows:

1. The outer envelopes are opened; the inner envelopes (still unopened) are extracted, and the outer envelopes are set aside.
2. The inner (unmarked) envelopes are mixed, then opened; the ballots are extracted and pooled; the small envelopes are discarded.
3. The ballots are unfolded and tallied.

E. The tellers shall write, on any disqualified ballot, the reason for the disqualification. If the Tellers are not in agreement on whether a ballot should be disqualified, the issue shall be reported to the Executive Board for resolution. Meanwhile, the contested Ballot shall not be tallied, and the election results shall be provisional pending the decision of the Executive Board. Outer envelopes, ballots, and tally sheets shall be stored by the Federation for two years, and will be available for inspection by any interested Unit member.

BY-LAW #3: Mail Ballots

A. The following issues are decided by mail ballot, as described in the Constitution: election of Officers and Delegates, recall of Officers; revision of dues, stipends and assessments.

B. By majority vote, a Membership Meeting may refer an issue before it to the membership at large for decision by mail ballot (in preference to deciding it by vote in the meeting).

C. A motion to reconsider a decision reached by majority vote in a Membership Meeting shall be submitted to the membership at large in a mail referendum if such action is supported by one-third of the members present and voting. The motion to reconsider shall be adopted only if supported by two-thirds of those voting in the mail referendum.

D. In the event a Membership Meeting shall fail to achieve a quorum, the Executive Board may authorize the deciding of announced agenda items for that meeting by mail ballot.

BY-LAW #4: Delegates to Affiliated Organizations

All delegates and alternates to conventions and meetings of the parent organizations and other affiliates of the Federation shall be nominated and elected by majority vote in Membership Meetings of the Federation. The President shall certify the election, forward needed credentials, and make sure that required deadlines (e.g. in forwarding per-capita dues) have been met.

BY-LAW #5: Availability of Constitution and By-Laws

Three copies of this Constitution with By-Laws, and all future amendments, shall be submitted to the National Office of the American Federation of Teachers.

Copies of this Constitution and By-Laws shall be sent to every member of the Federation upon initial adoption (1982). Copies shall be sent thereafter to each new member of the Federation, to each newly elected member of the Executive Board, and to any member who requests a copy.

BY-LAW #6: Recording of Votes in Executive Board Meetings

The Secretary of the Federation shall record the names of those voting for and against all resolutions in the Executive Board. This record of the vote will be included in the Executive Board minutes which are distributed in Membership Meetings (see Art. IV, Sect. E). This provision shall not apply in the case of resolutions which have been decided by a secret ballot, when a motion to hold a secret ballot has been adopted by a (recorded) majority vote of the Executive Board.

BY-LAW AMENDMENT #1: Apportionment of Delegates to the Executive Board

(Approved by the General Membership, January 28, 2016.)

Delegates to the Executive Board are elected from the following constituencies: (1) Probationary Faculty: two Delegates; (2) Non-Tenure Track Faculty: one Delegate; (3) At Large (elected by and representing the membership of the Union as a whole): four Delegates; (4) Academic Divisions, defined as for Faculty Council representation: Divisions with less than 30 unit members, one Delegate; Divisions with 30 to 59 unit members, two Delegates; Divisions with 60 or more unit members, three Delegates. The apportionment of Delegates is accordingly as follows:

Probationary Faculty	2
Non-Tenure Track Faculty	1
At-Large	4
College of Education, Information, and Technology	2
College of Liberal Arts and Sciences: Humanities	1
College of Liberal Arts and Sciences: Sciences	2
College of Liberal Arts and Sciences: Social Sciences	1
College of Management	2
Library	1
School of Health Professions and Nursing	2
School of Visual and Performing Arts	2
TOTAL	<hr/> 20 Representatives