

Article 1
Name

This organization shall be known as American Federation of Teachers, Local #1360, AFT, AFL -CIO

Article II
Objectives

The purpose of this organization shall be:

Section 1. To secure full union rights, including the rights to exclusive recognition and collective bargaining, for all employees of the Kentucky Community and Technical College System.

Section 2. To support and promote the effectiveness and quality of education in the Kentucky Community and Technical College System.

Section 3. To maintain full political freedom for community and technical college employees, including the right to full participation in the political process, without the threat of political harassment or abuse.

Section 4. To promote the improvement of standards in the employment situation of the membership.

Article III
Membership

Section 1. Classes of Membership.

There shall be the following classes of membership of AFT 1360

a. **Full Membership:** (1) Membership shall be open to all Kentucky Community and Technical College faculty and staff who do not hold executive administrative powers. This requirement shall not exclude anyone on temporary leave from regular duties such as division chairs (Deans of Departments) coordinators or faculty or staff on temporary special assignment or leave. The membership committee shall be empowered to decide on a case-by-case basis any union applicant whose status is unclear.

b. **Associate Membership:** Associate membership is limited to those dues paying, non-voting individuals: (1) who are on authorized leave of absence or sabbatical from employment who elect not to be active members, (2) who were separated from employment and who were members of AFT 1360 while employed and who are recommended by the AFT 1360 Executive Board for membership, (3) who were laid-off from employment and were members of AFT 1360 while employed and elect not to be active members, (4) who are concerned with the interest and welfare of public employees and abide with AFT 1360 rules.

c. **Retired Membership:** Retired membership shall be open to any person who has retired from active employment and who was a member of AFT 1360.

Section 2. The Executive Board shall have the authority to approve or deny any member application based upon title/position/duties, such as positions in high-level administration.

Section 3. No person shall be denied membership, nor shall this organization ever discriminate against individual members or applicants for membership on the basis of race, creed, gender, sexual orientation, disability, social, political, or economic status, or national origin.

Section 4. A member in good standing is defined as a member who is current with payment of dues to the organization.

Section 5. The Executive Board shall establish guidelines for retiree membership, dues, and participation in the local.

Article IV

Election of Officers

Section 1. Election shall be conducted in accordance with the AFT Constitution and standards set out by the Labor-Management Reporting and Disclosure Act (LMRDA).

Section 2. Officers shall be elected in even numbered years. Terms of office shall be every 4 (four) years. The organization shall elect the following officers:

a President

b Vice President

c Secretary-Treasurer

d (optional) Legislative/ Political Liaison

Section 3. To be eligible for office, a person must be in good standing with AFT 1360 for six months prior to the election.

Section 4. The Election Committee shall conduct all general and special elections.

a. The Election Committee (appointed by the Executive Board) shall consist of three AFT 1360 members in good standing. The Election Committee shall elect its own chair. If an Election Committee cannot be formed, the election will be overseen by the Executive Director.

b. Any member of the Election Committee nominated for or seeking office must vacate their position and be replaced by a member nominated by the Executive Board.

Section 5. Fourteen days prior to the date of the election, the Election Committee shall notify all members of the call for nominations for officers, the offices to be filled, and the date of the election.

Section 6. The nominations of candidates for office shall be conducted as follows:

- a. Candidates can self-nominate or be nominated by any 1360 member in good standing.
- b. Members nominated to run for office must affirmatively accept their nomination.
- c. The Election Committee shall determine whether the nominations were timely and if the nominees are eligible for office.

Section 7. The Election will be held no later than fourteen (14) days after the close of nominations. The majority of the ballots won by any one candidate for any one office shall determine the winner.

Section 8. In the absence of a majority, the Elections Committee shall conduct a run-off election between the two candidates who have received the most votes for the office in question.

Section 9. The election results will be published and distributed to the membership within fifteen (15) days of the count.

Section 10. Successful candidates shall assume office no later than thirty (30) days after the date of the election.

Section 11. With the exception of the President, in case of a recall, death or resignation of an officer, the Executive Board will have the power to fill vacancies in its membership. If the President dies or resigns, the Vice President automatically becomes the President. The Executive Board has the power to appoint a replacement for the Vice President until the next general election.

Section 12. A petition signed by forty-five percent (45%) of the membership, and alleging constitutional violations, fiduciary breaches or acts detrimental to the union, shall be sufficient to require the Executive Board to vote on whether to conduct a recall election of the officer identified in the petition. The officer subject to recall and

any Executive Board member signing the petition shall not vote on the question of a recall election. If a majority of the Executive Board approves a recall election, the Election Committee shall supervise the recall election.

Article V

Duties of Officers

Section 1. The President shall:

- a. Be the presiding officer at all meetings of the membership and the Executive Board.
- b. Be ex-officio of all standing committees except the Election Committee.
- c. Appoint, with the approval of the Executive Board, the chairs of all standing and special committees except the Elections Committee.
- d. Be the principal executive officer of the organization.
- e. Receive, report and respond to correspondence of the organization where appropriate.
- f. Represent the organization before bodies of the employer, executive and legislative officials.
- g. Be able to delegate responsibilities of the office except where otherwise specified by the Constitution.

Section 2. The Vice President shall:

- a. Perform such duties as delegated by the President or assigned by the Executive Board.

Section 3. The Secretary-Treasurer shall:

- a. Maintain the financial and non-financial files of the organization.
- b. Record and keep accurate minutes of the membership and Executive Board.
- c. Ensure that all dues, monies and other income are received, recorded and deposited in the name of the organization.
- d. Be one of the responsible financial officers of the organization and be authorized to sign financial instruments and make regular and usual disbursement of funds.
- e. Ensure that per-capita payments are transmitted on a regular basis to the American Federation of Teachers, located in Washington DC, and to similar officers of all other bodies which the organization is affiliated.
- f. Perform duties of the office as required by the Labor Management Reporting and Disclosure Act and the guidelines developed by AFT.

Section 4. The Legislative/Political Liaison.

- a. Inform the Executive Board of any Kentucky or federal legislation that would affect employees of KCTCS
- b. Recommend to the COPE possible political candidates who merit the financial support of AFT KY 1360.

Section 5. All officers elected by the general membership of the organization shall serve as members of the Executive Board.

Article VI
Executive Board

Section 1. The Executive Board shall meet bi-annually, or at the call of the President, or at the call of eight (8) or more members, for the purpose of initiating, overseeing or

revising the program of the organization and to conduct other business of the organization that is within its authority. A quorum for the Executive Board shall be one-half of its members.

Section 2. The Executive Board shall determine the agenda for all Membership Meetings.

Section 3. The Executive Board can employ professional, technical, clerical and support staff. The Executive Board can employ an Executive Director for day-to-day management and leadership of the organization.

Section 4. The Executive Board shall establish the salary, benefits and expense guidelines of any personnel who are employed by the organization. This includes the Executive Director.

Section 5. The Executive Board shall be empowered to make contracts, incur liabilities, and to otherwise engage in financial transactions to the extent permitted by applicable law or statute. The Executive Board shall have the power to sue, advocate and defend on behalf of the membership.

Section 6. The Executive Board shall approve the chairperson and membership of all standing and special committees of the organization with the exception of the Election Committee. All committees are expected to submit timely reports to the Executive Board.

Section 7. The Executive Board shall be responsible for adherence to and enforcement of the Constitution and By-Laws of the organization.

Section 8. In the event of the absence, death or illness of the President, the Vice President assumes the President's duties.

Article VII

Executive Director

Section 1. The Executive Director may be charged by the Executive Board with the following duties.

- a. Receive, report and respond to correspondence.
- b. Represent the organization before the bodies of the employer, executive and legislative officials.
- c. Maintain non-financial files and records of the organization.
- d. Correspond with union members concerning membership, union events, union concerns, legislative updates, union endeavors and goals, and general union business.
- e. Plan state-wide union events such as training, information endeavors and goals, and general union business.
- f. Act as primary union steward for all faculty and staff in the KCTCS System. Primary union steward is the first contact steward. Other stewards may be hired and / or appointed by the Executive Board.
- g. Confer with the union lawyer concerning any legal action.
- h. Confer with and gain majority written approval from the Executive Board prior to any legal action.
- i. Make recommendations to the Executive Board and the PAC committee concerning political contributions.
- j. Perform other duties as directed by the Executive Board.

Article VIII Committees

Section 1. The Executive Board may establish standing and special committees.

Section 2. The President, with the approval of the Executive Board, shall appoint all committee chairs and committee members to all committees with one exception. The Election committee can be appointed by the Executive Board but the committee elects its own chair.

Section 3. The Elections Committee shall conduct and supervise elections of the organization.

Article IX Meetings

Section 1. The legislative power of the organization shall be vested in the Membership.

Section 2. The Membership can be invited to meet annually at a time and place determined by the Executive Board. Virtual meetings are acceptable. At this meeting, committee reports and policy proposals will be presented.

Section 3. Special meetings may be called by the President (or acting President) by a majority of the Executive Board or by petition to the Executive Board of 15% of the members in good standing. The notice of all meetings, special or annual shall be sent to all members at least fifteen (15) days prior to the meeting. Agendas for all meetings must be sent at least fifteen (15) days prior to the meeting.

Article X Revenues

Section 1. The dues for the organization shall be determined by the Executive Board and shall include the prevailing per capita amounts for AFT, any State Federation and AFL-CIO local and state affiliates, and insurance premiums if applicable.

Section 2. Special assessment for specific purposes may be levied by the Executive Board provided that the actions required for a referendum have not been initiated within thirty (30) days of the decision of the Executive Board.

Article XI
Affiliations

Section 1. This organization shall maintain affiliation with The American Federation of Teachers and AFL-CIO.

Section 2. Whenever possible, the Union will send delegates to the American Federation of Teacher Conventions and AFL-CIO Conventions.

Article XII
Rules of Order

Robert's Rules of Order, newly revised edition, shall govern this organization and all of its subordinate bodies in all matters not expressly covered by this Constitution.

Article XIII
Amendment

Section 1. Any member in good standing may submit an amendment to the Executive Board. Amendments may be proposed to the voting members of the Executive Board. An amendment that is supported by a 2/3 majority of the Executive Board shall be sent for ratification by the Membership.

Section 2. Amendments shall be ratified by a 2/3 majority of the votes cast by the Membership.

Article XIV
Provisions of Legal Services

Section 1. AFT Local 1360 may, in its sole discretion, provide legal services to members who are engaged in employment disputes with KCTCS. A member who requests legal services at the Union's expense must have been in good standing for at least 6 months.

Section 2. The Executive Board will evaluate each application for legal services and make a decision regarding the provision of legal services based on the following factors:

- a. The nature of the dispute. The Union will not provide legal services for claims for workers compensation or unemployment compensation, criminal conduct, or other circumstances unrelated to the workplace, claims made by one member against another or general legal research. Disputes which involve, but are not limited to, immediate threats to job security, enforcement of tenure rights, demotion, and violations of academic freedom will be considered as the Union's duty to review and support.
- b. The anticipated cost of legal services given the Union's current resources.
- c. The merits of the claim.

Section 3. If the Union approves provision of legal services, the Union is solely responsible for selection of the attorney and/or law firm providing such services. The Union will be billed directly by counsel and will maintain communications with counsel regarding the progression of the matter.

Section 4. Legal services may be withdrawn if the applicant does not maintain Union membership, does not cooperate with counsel or threatens counsel, does not provide updated contact information as necessary. Legal services will be withdrawn if the applicant rejects the Union selected attorney and /or law firm.

Section 5. Legal services will not be provided to any member who has voluntarily resigned from KCTCS.

Article XV

Availability of Constitution

Section 1. Three copies of this Constitution and all subsequent amendments to this Constitution shall be sent to the office of the Secretary-Treasurer of the American Federation of Teachers.

Section 2. One copy shall be sent to the similar office of each organization with which this organization is affiliated.

Section 3. The Secretary-Treasurer shall make available upon request a copy to any member of the organization. The Executive Board may choose to post a copy of this Constitution on the AFT 1360 website.