

CONSTITUTION AND BYLAWS
of the
MSU ADMINISTRATIVE—PROFESSIONAL ASSOCIATION / MEA / NEA

CONSTITUTION

ARTICLE 1: Name

The name of this organization shall be the **Michigan State University Administrative--Professional Association/MEA/NEA**, an affiliated unit of the Michigan and National Education Associations, and shall hereinafter be referred to as the "Association."

ARTICLE II: Objectives

The objectives of the Association shall be:

1. to represent all nonsupervisory administrative and nonsupervisory professional employees in all conditions of their employment with the University;
2. to promote the professional advancement of its members;
3. to provide a democratic process by which these can be accomplished;
4. to pursue a policy of nondiscrimination on the basis of race, creed, color, sex, age, religion, political persuasion, sexual orientation, national origin or handicap.
5. to pursue a policy of affirmative action.

ARTICLE III: Membership

Section 1. All employees of Michigan State University who are classified as nonsupervisory administrative or professional may, upon payment of dues as provided in the bylaws, become members of the Association, and will hereinafter be referred to as "members" or "membership." Nonsupervisory administrative or professional employees who elect to pay a service fee in lieu of dues are not members of APA/ MEA/ NEA.

Section 2. Members of the Association shall also be members of the Michigan Education Association and the National Education Association.

Section 3. Only members of the Association shall be permitted to participate actively in the affairs of the Association, including but not limited to: holding office, attending and voting at meetings, ratifying contracts, participating on Association committees and voting on Association matters. Each member shall have one vote on each matter submitted to a vote of members.

Section 4. No Association member shall be censured, suspended or expelled without a hearing, and no person eligible for Association membership shall be denied membership without a hearing. The hearing shall be conducted by the Executive Board. An appeal of the Executive Board's decision may be made to the MEA Board of Reference.

Section 5. An Association member shall be suspended from membership privileges for nonpayment of dues until a hearing is conducted.

Section 6. Persons eligible for Association membership on leaves of absence without pay or on layoff may maintain full membership rights by direct continuous payment of Association dues.

Section 7. Each Association member shall be provided a copy of this Constitution and Bylaws.

ARTICLE IV: Officers and Executive Board

Section 1. The Executive Board shall be the governing body of the Association except when meetings of the membership are in session. All matters affecting the policies, aims and means of accomplishing the purposes of the Association not specifically provided for in the Constitution or Bylaws or by action of the membership shall be decided by the Executive Board.

Section 2. The Executive Board shall consist of thirteen (13) Association members elected at-large from the membership. The terms of the board members shall be three years. One-third of the Board shall be elected each year. All representation shall be in compliance with the constitutions and bylaws of the National Education Association and the Michigan Education Association. Terms of office begin in May.

Section 3. Election of Executive Board members and MEA and NEA Representative Assembly delegates shall be by a secret ballot of the membership by March 31.

Section 4. The Executive Board shall, in May of each year, elect a chairperson, a vice chairperson, a treasurer and a secretary, from its members. The term of office for each position shall be one year.

Section 5. In case of vacancy in the position of chairperson, the vice chairperson shall assume the chair until the Executive Board elects a new chairperson. Vacancy of any other officer position shall be filled by Board election. For an Executive Board vacancy, the chairperson, with concurrence from the Executive Board, shall appoint a successor. Each person so appointed shall hold the office until a successor is elected at the next regular election.

Section 6. The appropriate number (currently one delegate for each 150 members or major fraction thereof) of MEA and NEA Representative Assembly / Region Council delegates and alternates shall be elected at-large from the membership by a secret ballot of the membership by March 31. Delegates shall serve a three-year term beginning September 1. One-third of the delegates shall be elected each year. The Association Chairperson shall serve as the first MEA and NEA Representative Assembly delegate. At least one additional Representative Assembly delegate must be an Executive Board member.

ARTICLE V: Direct Legislation

Section 1. Initiative and Referendum. The rights of popular initiative and referendum shall rest with the membership. Upon receipt by the chairperson of a petition signed by fifteen percent (15%) or more of the active membership of the Association, the Board shall announce a secret ballot, which will be conducted within sixty (60) calendar days of receipt of a valid petition for deciding the action proposed in the petition. A majority of the valid votes cast shall be required for its adoption, which shall take effect thirty (30) days later.

Section 2. Recall. The right to recall elected Board members or Representative Assembly delegates of the Association, for just cause, shall rest with the membership. Upon receipt by the chairperson of a petition signed by fifteen percent (15%) or more of the active membership of the Association, the Board shall announce a secret ballot, which will be conducted within sixty (60) calendar days of receipt of a valid petition. A majority of the valid votes shall be required to effect the recall, which shall take immediate effect. .

Section 3. A minimum of one-quarter page in a regularly scheduled Association newsletter shall be made available to any member or group of members seeking signatures for a petition related to Association business.

ARTICLE VI: Membership and Fiscal Years

The membership and fiscal years shall be September 1 through August 31.

ARTICLE VII: Amendments

Amendments to the Constitution may be introduced by the membership by a petition signed by fifteen percent (15%) or more of the active membership and submitted to the chairperson, by the Executive Board, or by a majority vote of members present at a general membership meeting. Upon introduction, the Board shall announce a secret ballot, which shall be conducted within sixty (60) calendar days of receipt of the proposed amendment. A copy of the proposed amendment, together with an explanation from the Executive Board of the implications of the amendment(s) and the recommendations of the Executive Board, shall be sent to each member at least fifteen (15) calendar days prior to voting.

A two-thirds affirmative vote of the valid votes cast is required to adopt the proposed amendment, which shall become effective immediately upon adoption, unless otherwise provided in the amendment. Proposed affiliation or disaffiliation with any labor organization shall be accomplished in accordance with the above amendment procedures and applicable state and federal laws and regulations.

BYLAWS

ARTICLE I: Rules

Robert's Rules of Order, latest edition, shall be the authority on all questions of procedure not specifically stated in the Constitution and Bylaws.

ARTICLE II: Meetings

Section 1. A general membership meeting of the Association shall be conducted in the fall of each year. The specific date, time and location shall be designated by the Executive Board and communicated to the membership at least thirty (30) calendar days prior to the meeting.

Special meetings of the general membership may be called by the Executive Board, and notice of the time, date, location and purpose shall be communicated to the membership with as much advance notice as is reasonably possible.

Special meetings of the general membership shall be called upon the receipt by the chairperson of a petition signed by fifteen percent (15%) or more of the membership. The Board shall announce the meeting date, which will be conducted within sixty (60) calendar days of receipt of a valid petition. The time, date, location and purpose shall be communicated to the membership at least fourteen (14) calendar days prior to the meeting.

Business at special meetings shall be limited to addressing the purpose for which the special meeting was called.

A quorum at general membership meetings shall be ten (10) percent of the membership.

Section 2. The Executive Board shall meet at least once each month from September through May, and no less than ten times per year. At its first meeting in May of each year, the Board shall adopt a meeting schedule including time, date and location and shall communicate this information to the membership. Special meetings of the Board shall be held at the request of the chairperson or a majority of the Board. The time, date, location and purpose of special meetings will be communicated to the membership with as much advance notice as is reasonably possible. A quorum at Executive Board meetings shall be a majority (seven Board members) of the Board.

Section 3. *Except for executive sessions, and meetings of the Contract Maintenance/Grievance Committee* all meetings of the general membership, the Executive Board and all committees are open to Association members.

Section 4. An executive session may be convened by majority vote of the Board for matters related to bargaining strategy, legal matters, and to preserve a member's right to privacy.

Section 5. For the purpose of determining members entitled to notice of any meeting of members or an adjournment thereof, for elections and other voting, or for the purpose of any other action in which members can participate, the record date for such determination of members shall be thirty (30) calendar days before the date of the meeting, the mailing of ballots or any other action.

Section 6. Attendance of a person at a meeting of members constitutes a waiver of notice of the meeting, except when the member attends the meeting for the express purpose of objecting, at the beginning of the meeting, to the transaction of any business because the meeting is not lawfully called or convened.

ARTICLE III: Duties of Officers and Delegates

Section 1. Chairperson. The chairperson will preside at all membership and Board meetings, will preserve order during deliberations, will execute all policies of the Association, will be the official spokesperson for the Association, may authorize other members or agents to speak on behalf of the Association, will appoint members and chairpersons of committees with concurrence of the Executive Board, will be the executive officer of the Association and will perform all other functions attributed to this office. The chairperson shall submit a report of his/her official actions and other relevant information to each meeting of the Association and the Executive Board.

Section 2. Vice chairperson . The vice chairperson will preside in the chairperson's absence and perform duties as assigned by the chairperson.

Section 3. Secretary. The secretary will keep accurate minutes of all meetings of the Association and the Executive Board, will make minutes available for membership inspection, will maintain official files in a place and location designated by the Board and will assist the chairperson with Association correspondence.

Section 4. Treasurer. The treasurer will deposit funds of the Association and disburse them according to decisions of the Executive Board, keep accurate accounts of receipts and expenditures, report to each meeting of the Association and Executive Board, prepare annual financial statements for the membership and assist in drafting the annual budget. The treasurer shall prepare and submit required IRS reports. The treasurer shall be bonded and the Association shall provide for an annual audit of the books. The treasurer shall maintain official files and records in a place and location designated by the Board.

Section 5. Representative Assembly Delegates. Delegates to the MEA and NEA Representative Assemblies will attend the assemblies and other appropriate meetings, will keep the Association informed of actions by these bodies and will report on relevant issues. If a vacancy in the position of Representative Assembly delegate(s) occurs, the delegates(s) shall be replaced by the duly elected alternate(s). Delegates to the representative assembly may be recalled for just cause.

Section 6. Executive Board members. Board members will attend meetings of the Executive Board and fulfill their responsibilities as enumerated in the Constitution and Bylaw

ARTICLE IV: Powers and Responsibilities of the Executive Board

Section 1. Upon the Executive Board shall rest the duties, responsibilities and authority for conduct of the Association in all matters, except as provided in the Constitution and Bylaws.

Section 2. The Board may at any time refer matters to the general membership for consideration.

Section 3. The Board is authorized to hire counsel, agents and employees as necessary to assist in the mission of the Association, enter into contracts and borrow money.

Section 4. The Board may appoint such agents and representatives of the Association with such powers and to perform such acts or duties on behalf of the Association as the Board or membership may see fit, so far as may be consistent with the Constitution and Bylaws, to the extent authorized or permitted by law.

Section 5. Any Board member may resign from their position by submitting a written resignation to the Association chairperson.

Section 6. Any Board member who fails or neglects to attend three consecutive, regularly scheduled Board meetings, without being excused by the chairperson for good cause, may be removed from the Board. Said removal shall be confirmed by a secret ballot vote of the Board following a hearing conducted by the board.

ARTICLE V: Area Representatives (ARs)

Section 1. Area representatives shall be selected equitably on the basis of the population and geographic distribution of bargaining unit members. ARs will be appointed by the Association Chairperson with the concurrence of the Executive Board following the annual Association elections and will serve a minimum of a one-year term beginning on in May.

Section 2. The Executive Board will initially establish the areas of representation and will review same annually and make necessary modifications to ensure adequate and equitable representation and to accommodate growth or decline in bargaining unit membership.

Section 3. ARs serve on the Contract Maintenance/Grievance Committee. ARs may distribute Association materials, establish a phone tree or other method of quick communication, maintain liaison with the Association chairperson and Executive Board, assist with potential grievances and other work related problems, and attend Association training programs and other Association meetings.

Section 4. The Executive Board shall schedule meetings with and training for the ARs.

ARTICLE VI: Nominations and Elections

Section 1. The chairperson, with concurrence of the Executive Board, shall appoint a Nominations and Elections Committee, which shall establish election procedures that guarantee that all elections shall provide for open nominations by active members in good standing, secret ballot, voting procedures and preservation of ballots for at least one (1) year. The committee shall be appointed in January and serve one year.

Section 2. Every active member in good standing shall have the opportunity to vote. All elections shall take place following the one member/one vote principle.

Section 3. Elections shall be conducted by March 31 of each year.

Section 4. The Executive Board shall certify the elections committee report and publish results of the election. Official reports of elections must be filed with MEA within ten (10) days after the election.

ARTICLE VII: Contract Negotiations and Ratification

Section 1. *The Association Negotiations Team* shall have full authority to negotiate on behalf of all personnel included in the Association bargaining unit.

Section 2. Negotiations Committee. The Negotiations Committee shall be appointed by the chairperson with the concurrence of the Executive Board.

The Committee shall consist of the negotiations team, chairperson, vice chairperson, grievance officer and other interested members. The MEA Uniserv Director or other MEA representative(s) will serve as ex officio members of the Committee. Appointment of a new Negotiations Committee shall take place no less than nine months prior to the expiration date of the collective bargaining agreement or the beginning date of a reopener. The Negotiations Committee shall: survey the membership, conduct open hearings, assist the Negotiations Team in determining proposal priorities, assist in research, assist in communications, provide crisis assistance when necessary and perform other negotiations-related duties at the direction of the Negotiations Team or the Executive Board.

Section 3. Negotiations Team. The Negotiations Team, including a chief spokesperson and a chairperson (may be the same person), will be appointed by the chairperson from the members of the Negotiations Committee with the concurrence of the Executive Board. The team will consist of seven members and two alternates plus the MEA Uniserv Director or other MEA representative.

Any member of the team incapacitated, truant or derelict in team responsibilities may be recalled by a majority vote of the Executive Board. The Executive Board must first meet with the team and the affected team member. The team shall serve on the Negotiations Committee and shall have the responsibility for representing the bargaining unit in negotiations with representatives of the Employer and presenting a tentative agreement to the membership.

Section 4. Ratification. Any collective bargaining agreement, or extension thereof, proposed to be entered into by the Association upon recommendation of the Negotiations Team or the Executive Board, shall be subject to a ratification vote of the Association membership. Secret Ballots, along with a summary of the proposed agreement or amendments thereto, shall be mailed to the membership. Ballot due dates shall be no less than fourteen (14) calendar days and no more than twenty-one (21) calendar days from the date of mailing. Ratification shall be by majority vote of the valid ballots cast.

The Executive Board may enter into interpretive Letters of Understanding and implement any proposed agreement on an interim basis until a ratification vote is conducted.

ARTICLE VIII: Finance Committee

Section 1. The Finance Committee shall be appointed by the chairperson with the concurrence of the Executive Board.

Section 2. The committee shall consist of no less than four (4) members and a chairperson. The chairperson shall automatically be the treasurer. No more than one-half of the remaining members of the committee shall be from the Executive Board. The appointments shall be made at the June Executive Board meeting and terms of office shall be one year.

Section 3. The Finance Committee shall be responsible for reviewing the financial operation of the Association, recommending investments and annually recommending a budget to the Executive Board. The Committee shall make, or cause to be made, an annual audit and shall report results of same to the membership.

ARTICLE IX: Committees

Section 1. Standing Committees. Except as otherwise stated, the Standing Committees listed shall be appointed annually by the Association Chairperson with the concurrence of the Executive Board. Committee chairpersons shall report to the Executive Board upon request and shall sit as ex officio members of the Executive Board. Each committee chairperson may recruit additional members to carry out the committee's charge. Any member of the Association shall be eligible to serve as a member of any standing committee. The names of those recruited will be submitted to the Executive Board for the record. The committee chairperson has the ultimate responsibility for seeing that the committee's charge is carried out, although specific tasks may be delegated to others.

A. Communications/Public Relations Committee. The Communications Committee shall publish the APA's newsletter no less than every other month and provide other communications to the Association membership as directed by the Executive Board.

B. Contract Maintenance/Grievance Committee. The Grievance Committee shall represent or advise members on matters liable for grievance or arbitration. The Grievance Committee chairperson is the chief grievance officer of the Association. The committee shall consist of the committee chair, the ARs, and the Association Chair. The Uniserv Director shall serve on the committee as an ex officio member. The Committee shall have the authority to approve grievances for arbitration. Grievances not approved for arbitration may be appealed to the Executive Board by the grievant. The chairperson of this committee shall hold ultimate responsibility for seeing that these charges are carried out.

C. Membership Committee. The Membership committee will maintain an active membership list of the Association. The committee shall annually compare a total list of bargaining unit members against a list of both Association members and fee payers to ensure that all bargaining unit members are paying for services rendered in conformance with the agency shop clause of the collective bargaining agreement. This review shall take place in September of each year, and the results shall be submitted in writing to the Executive Board.

D. Legislative Committee. The Legislative Committee will serve as a liaison between the Board and MEA PAC.

Section 2. The Executive Board may form ad hoc committees as the need arises. In such instances, the committee shall be charged with a specific task to complete within a specified period of time.

ARTICLE X: Dues

Section 1. The Executive Board shall assess Association dues sufficient to pay state and national dues assessed and fund budgeted Association expenses.

Section 2. Dues shall be paid monthly if by payroll deduction or annually, in advance, if by cash payment.

ARTICLE XI: Amendments

Amendments to these bylaws may be introduced by the membership by petition signed by fifteen percent (15%) or more of the active membership and submitted to the chairperson, by the Executive Board or by a majority vote of members present at a general membership meeting. Upon introduction, the Board shall announce a secret ballot, which shall be conducted within sixty (60) calendar days of receipt of the proposed amendment. A copy of the proposed amendment, together with the recommendations of the Executive Board, shall be sent to each member at least fifteen (15) calendar days prior to voting. A majority vote of the valid votes cast is required to adopt the proposed amendment, which shall become effective immediately upon adoption, unless otherwise provided in the amendment.

Adopted 05/2004