

**CONSTITUTION OF THE COUNCIL OF NEW JERSEY STATE COLLEGE LOCALS,
AFT/AFL-CIO**

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PREAMBLE

The Council of New Jersey State College Locals is a federation of members of the American Federation of Teachers (AFT) Locals at the nine State Colleges & Universities of the executive branch of the New Jersey State Government. The Council constitution was originally ratified by a minimum vote of three fourths of the then existing New Jersey State College Locals in 1974.

The Council recognizes that quality public higher education is achieved when those employees who provide and support it are afforded equitable compensation and benefits, personal and professional support, job dignity, and protections and that such conditions are best achieved through the formation and maintenance of their Unions.

ARTICLE ONE – NAME OF ORGANIZATION

Section 1. This organization shall be known as the Council of New Jersey State College Locals (Council).

ARTICLE TWO – COUNCIL PURPOSE AND OBJECTIVES

Section 1. The purpose of this organization is to support and advance the faculty, professional staff, librarians, and other employees at institutions of higher education in New Jersey through Union values.

Section 2. The Council shall advance the following goals:

- a) To negotiate and administer the terms and conditions of employment and to otherwise represent all faculty, professional staff, librarians, non-tenure track teaching professionals, and other employees represented by the Council at the State Colleges &

Universities of New Jersey of the executive branch of the New Jersey State Government;

- b) To protect the rights and privileges of all faculty, professional staff, librarians, non-tenure track teaching professionals, and other employees represented by the Council by securing the conditions essential for the best professional practices;
- c) To work toward the overall collective good of our members through vigorous representation. This shall be achieved through negotiation and enforcement of contracts and agreements as well as political action;
- d) To support the efforts of Council's affiliated Locals to negotiate conditions and benefits not present in the system-wide State-Union Agreement;
- e) To improve the quality of and access to public higher education available at the State Colleges & Universities of New Jersey;
- f) To support and cooperate with organized labor in promoting the larger goals of the labor movement;
- g) To support legislation necessary to attain the Council's goals;
- h) To defend members against intimidation, interference, or discrimination based upon race, ethnicity, gender, age, sexual orientation, gender identity, gender expression, disability, national origin, and/or religion.

ARTICLE THREE – COUNCIL MEMBERSHIP

Section 1. This organization shall consist of the following AFT Locals at the State Colleges & Universities of New Jersey:

Local 1796 - William Paterson University

Local 1839 - New Jersey City University

Local 1904 - Montclair State University (full/part time unit)

Local 2187 - Kean University (full/part/time unit)

Local 2274 - Ramapo College

Local 2275 - Richard Stockton College

Local 2364 - College of New Jersey

Local 2373 - Rowan University

Local 4277 - Thomas Edison College

Local 6024 - Kean University (adjunct unit)

Local 6025 - Montclair State University (adjunct unit)

Section 2. AFT Locals from other New Jersey accredited public institutions of higher education may also be admitted to Council membership by Constitutional amendment.

ARTICLE FOUR – COUNCIL OFFICERS AND REPRESENTATIVES

The officers and constituent representatives of the Council of New Jersey State College Locals shall be as follows:

Section 1. The Council shall have the following elected officers: a President, an Executive Vice-President, a Vice-President, a Treasurer, and a Secretary.

Section 2. The Council shall have the following elected constituent representatives, with voting privileges in the Executive Committee: Adjunct Faculty, Librarian, Non-Tenure Track Teaching Professional, and Professional Staff. The Council shall also have an elected Legislative representative, with voting privileges.

Section 3. Each officer and representative shall be chosen from among the delegates to the Council Delegate Assembly. Each officer or representative shall be elected by a majority vote of the delegates in a secret mail ballot conducted in odd- numbered years during the spring semester.

Section 4. The term of office of each elected officer and representative shall be two years. Each officer and representative shall begin their her/his term of office on July 1 after her/his election and shall serve until the 30th day of June after the next election unless he/she resigns, has become incapacitated, or has been recalled. If an officer or representative has ceased to be a delegate to the Council, he/she has the right to finish out her/his term of office.

Section 5. The President shall be the chief executive officer of the Council and shall preside over all meetings of the Council. The President (or her/his designee) shall be an ex-officio member of all committees, except the Audit Committee, and shall lead the Negotiations Committees. The President shall sign all official papers and documents, and represent the Council when necessary.

The Council President, with the concurrence of the Council Executive Committee, may establish ad hoc committees and appoint temporary committee chairs.

The President or her/his designee shall be the Council's delegate to the AFT National Convention.

- Section 6. The Executive Vice-President shall chair the Grievance Committee and be a member of the Negotiations Committees. He/she shall assist the President in assigned executive functions and perform the duties of the President in the absence of that officer, and shall perform other duties when requested by the President.
- Section 7. The Vice-President shall be a member of the Negotiations Committees and assist the President and the Executive Vice-President in the development of the Council's agenda, assist the President and the Executive Vice-President in carrying out the Council's agenda, and assist the President and the Executive Vice-President when requested.
- Section 8. The Secretary shall be responsible for keeping the minutes of the Executive Committee and Council Delegate Assembly meetings.
- Section 9. The duties of the Treasurer shall be the following:
- (a) to receive, record, and deposit in the name of the Council all monies from dues and other sources;
 - (b) to maintain the membership roll, issue receipts, and delinquent notices;
 - (c) to be chairperson of the Budget Committee;
 - (d) to keep accurate records available at all times for the Council, the Audit Committee, and the Council's independent auditor;
 - (e) to pay all bills authorized by the adopted budget, retaining vouchers or invoices for each expenditure. (Expenses not authorized in the Budget must be presented to the Council Executive Committee for authorization and reported to the Council Delegate Assembly);
 - (f) to make a report at each regular meeting to the Council Delegate Assembly regarding the Council's income, expenses, and cash balance;
 - (g) to submit a written financial statement, including a statement of assets, liabilities, income, and expenses, to the Council Delegate Assembly by the 15th day of the fifth month after the end of the Council's fiscal year;
 - (h) to submit recommended changes of the Council's investments to the Council Executive Committee for review and approval and the subsequent notification to the Council Delegate Assembly.
- Section 10. The Adjunct Faculty Representative must be an adjunct faculty member in good standing at the time of her/his election. The Adjunct Faculty Representative is responsible for presenting adjunct faculty concerns to the Council's Executive Committee and Council Delegate Assembly.

- Section 11. The Legislative Representative is responsible for presenting legislative concerns to the Council's Executive Committee and Council Delegate Assembly.
- Section 12. The Librarian Representative must be employed as a librarian at the time of her/his election. The Librarian Representative is responsible for presenting librarian concerns to the Council's Executive Committee and Council Delegate Assembly
- Section 13. The Non-Tenure Track Teaching Professional Representative must be employed as a Non-Tenure Track Teaching Professional at the time of her/his election. The Non-Tenure Track Teaching Professional Representative is responsible for presenting non-tenure track teaching professional concerns to the Council's Executive Committee and Council Delegate Assembly.
- Section 14. The Professional Staff Representative must be employed as a professional staff at the time of her/his election. The Professional Staff Representative is responsible for presenting professional staff concerns to the Council's Executive Committee and Council Delegate Assembly.
- Section 15. It shall be the duty of the officers and representatives to carry out the policies and agenda of the Council.
- Section 16. The responsibilities of the officers and representatives are further delineated in the Council's Bylaws.

ARTICLE FIVE – COUNCIL EXECUTIVE COMMITTEE

- Section 1. The Council Executive Committee shall consist of all elected Council officers, Council representatives, and the presidents of the affiliated Locals.
- Section 2. The Council Executive Committee shall advise and assist the President in the execution of Council policies, including legal matters. The Council Executive Committee's duties include, but are not limited to, the following:
- (a) exercise overall executive and administrative responsibilities for the policy and operation of the Council;
 - (b) recommend policies and resolutions for action by the Council Delegate Assembly;
 - (c) implement and execute the established policies and resolutions of the Council;
 - (d) authorize special Council expenditures, which must be reported to the Council Delegate Assembly at its next meeting;

- (e) recommend to the Council Delegate Assembly the names of members to serve on standing and ad hoc committees of the Council to facilitate the Council in carrying out its assigned powers and responsibilities;
- (f) approve all proposed changes to the Council investment portfolio and present this information to the Council Delegate Assembly for review.

Section 3. The Executive Committee shall meet regularly during the period from September to June. Either the President or the majority of members of the Executive Committee may call special Executive Committee meetings, as necessary.

Section 4. A quorum of the Executive Committee shall consist of a simple majority of its members. The decisions of the Executive Committee shall be determined by a majority vote. However, any local president shall have the right to call for delegate strength vote. The local president or president's designee shall cast that vote.

Section 5. If a Local is more than three months in arrears in per capita dues to the Council or to the national AFT, that Local shall be considered in bad standing with the Council. Such Local shall be without vote in Council Executive Committee affairs. The provisions of this article may, however, be waived at any meeting by a majority vote of Council Executive Committee members from Locals in good standing.

Section 6. The President of the Council shall chair the Executive Committee and may cast a vote to break a tie.

ARTICLE SIX – COUNCIL DELEGATE ASSEMBLY

Section 1. Each affiliated Local shall be entitled to send one delegate to the Council Delegate Assembly meetings. Locals with more than fifty (50) members shall be entitled to send an extra delegate for each fifty (50) additional members, or major fraction thereof, on which the per capita dues had been paid.

Section 2. The final decision-making body of the organization is the Council Delegate Assembly. The decisions of the Council Delegate Assembly shall be determined by a majority vote of delegates present, unless a Local calls for a delegate-strength vote. The Council Delegate Assembly duties include, but are not limited to, the following:

- (a) approval of budget;
- (b) approval of membership of standing and ad-hoc committees;
- (c) approval of committee reports;
- (d) review of and recommendations for Council investments.

Section 3. The Council Delegate Assembly shall render final judgment on any challenge to a Council Grievance Committee decision that denies a case moving forward to arbitration.

- Section 4. The Council shall conduct two regularly scheduled Council Delegate Assembly meetings per semester. Special meetings may be called when necessary. Adequate Written notice of all regular and special meetings shall be sent to all delegates, including the date, time, and place of the meeting.
- Section 5. The President, acting on his/her own, may call special Council Delegate Assembly meetings. The President shall also call a special meeting of the Council Delegate Assembly if such a meeting is requested by a majority of delegates of three affiliated Locals.
- Section 6. Each affiliated Local shall send official notification of its Council Delegate Assembly delegates to the Council office. The list shall be available to any Local upon request.
- Section 7. A quorum for the Council Delegate Assembly shall consist of at least 30 percent of the delegates representing at least 51 percent of the affiliated Locals in good standing.
- Section 8. Locals that are more than three months in arrears in per capita dues to the Council or to the national AFT shall be considered in bad standing with the Council. Such Locals shall be without vote in Council Delegate Assembly affairs. The provisions of this article may, however, be waived at any meeting by a majority vote of Council Delegate Assembly delegates from Locals in good standing.
- Section 9. All meetings shall be conducted according to the latest, revised edition of *Robert's Rules of Order*, unless otherwise specified in this document. The President, with Executive Committee approval, may appoint a parliamentarian to advise the presiding officer as to rules of procedure.
- Section 10. Any delegate of the Council Delegate Assembly may be disciplined in accordance with *Robert's Rules of Order*.

ARTICLE SEVEN – COUNCIL STANDING COMMITTEES

- Section 1. The Council's standing committees shall include, but are not limited to, the following:
- (a) Audit Committee
 - (b) Adjunct Faculty Committee
 - (c) Adjunct Negotiations Committee
 - (d) Budget Committee
 - (e) Elections Committee
 - (f) Full-Time/Part-Time Negotiations Committee

- (g) Grievance Committee
- (h) Legislative Committee
- (i) Librarian Committee
- (j) Non-Tenure Track Teaching Professional Committee
- (k) Professional Staff Committee
- (l) Legal Committee

Section 2. The process for selection of committee chairs, and the composition of and duties of each committee, are outlined in the Council Bylaws.

ARTICLE EIGHT – COUNCIL FINANCES

Section 1. Special Dues Assessment

In the event of a fiscal emergency, the Council Delegate Assembly may levy a dues assessment on the Council-affiliated Locals. Such action shall be taken only by the following procedure:

- (a) The proposed dues assessment must be approved by a vote of the majority of delegates at a regular Council Delegate Assembly meeting. Any Local may request that the vote be conducted via delegate strength of each affiliated Local, and no such request shall be denied.
- (b) The proposed dues assessment must also be approved by a similar vote, taken at a second regular Council Delegate Assembly meeting, for which at least ten days written notice has been given to all Council delegates.
- (c) The notice shall state time and place of the Council Delegate Assembly meeting and the specific dues assessment proposal. If the proposal fails, it cannot be reintroduced until the next regular Council Delegate Assembly meeting.

Section 2. Expenditure of Funds

All expenditure of funds shall be within the limitations of the approved budget. In exceptional circumstances, expenditures not provided for in the budget shall be approved in advance by the Council Executive Committee and reported to the full Council Delegate Assembly as a special expenditure at its next meeting.

ARTICLE NINE – COUNCIL ELECTIONS

Nomination Process

- Section 1. The Elections Committee shall oversee the elections of all Council officers and representatives. Each Council-affiliated Local has the right to appoint a member to the Elections Committee.
- Section 2. The Elections Committee shall meet before the last Council Delegate Assembly meeting of the fall semester of the academic year in which elections are scheduled to be held. The committee shall elect a committee chairperson at this meeting. At this fall Council Delegate Assembly meeting, the chairperson shall distribute to the delegates a list of the various Executive Committee positions open for nomination and the duties of each office.
- Section 3. Each candidate for Council Executive Committee office must be a delegate of the Council Delegate Assembly at the time of nomination. Any delegate of the Assembly may nominate a fellow delegate for any office for which the candidate is qualified. Alternatively, a candidate may self-nominate for a position for which he/she is qualified.
- Section 4. The Elections Committee will accept nominations for office before the first Council Delegate Assembly meeting of the spring semester in which elections are scheduled to be held. The chairperson of the committee shall acknowledge in writing receipt of each nomination in a timely manner. The Elections Committee chairperson shall confirm in writing a candidate's willingness to serve in a given office. If there is no nomination for a given position before this meeting, the Elections Committee will take nominations from the floor during its report at the first Council Delegate Assembly meeting of the spring semester.
- Section 5. If a candidate is nominated for more than one position, he/she may accept nomination for only one position for which he/she is qualified. All qualified candidates for office shall appear on the election ballot.
- Section 6. After the list of all candidates for each office is confirmed by the Elections Committee, the committee chairperson shall notify all Council Delegate Assembly members of the list of candidates for each elected office and a timetable for the election process.

Elections Process

- Section 1. After the nominations process closes, the Elections Committee shall meet with the candidates and distribute in writing the legal rights and obligations for candidates of labor union leadership positions under United States and New Jersey law.

- Section 2. The Council shall use the American Arbitration Association or other neutral party to carry out the election via the US Postal Service.
- Section 3. The candidate who receives the majority of votes cast in the election for a given position shall be declared the winner for that position.
- Section 4. For any office, if no candidate receives a majority of votes cast on the first ballot, a run-off election shall be held between the two candidates with the highest vote. The American Arbitration Association or other neutral party shall conduct any run-off election via the US Postal Service.
- Section 5. If an officer or representative of the Council Executive Committee elected by the Council Delegate Assembly ceases to be a delegate to the Council Delegate Assembly, he/she shall have the right to serve out his/her term.

Vacant Office

- Section 1. If an officer or representative elected by the Council Delegate Assembly resigns or is recalled, a procedure similar to the election process described above shall be followed to elect a replacement. Replacements during the second year of office, however, shall be made by nomination and election at a Council Delegate Assembly meeting.

ARTICLE TEN – REMOVAL FROM OFFICE

- Section 1. Recall proceedings for an elected officer(s) or representative(s) of the Council Executive Committee may be instituted by a majority vote at a Council Delegate Assembly meeting.
- Section 2. Written notice of such proposed action shall be sent to every Council Delegate Assembly member at least 10 days prior to the Council Delegate Assembly meeting at which the recall vote is to be held. Such notice shall include the time and place of the meeting.
- Section 3. The highest-ranking officer of the Council Executive Committee who is not under consideration for recall shall preside over the recall proceedings.
- Section 4. At the Council Delegate Assembly meeting at which recall action is to be voted on, the Council officer(s) or representative(s) in question shall be given a full and fair opportunity to offer his or her defense.
- Section 5. A two-thirds vote of the delegates to the Council Delegate Assembly present and voting may recall the officer or representative.

ARTICLE ELEVEN – UNION MEMBERSHIP AND PARTICIPATION IN UNION AFFAIRS

Definition of Bargaining Units

- Section 1. The Full Time/Part Time bargaining unit consists of Full Time/Part Time Faculty, Librarians, Non-Tenure Track Teaching Professionals, and Professional Staff, as defined in the unit's State- Union Agreement. The Adjunct Faculty bargaining unit consists of Adjunct Faculty as defined in the unit's State-Union Agreement.

Definition of Union Member

- Section 1. A Union member shall be defined as a bargaining unit member paying 100 percent dues to his/her respective Local.

Council and Committee Membership

- Section 1. Only union members of Council Locals in good standing are eligible to serve as delegates to the Council Delegate Assembly or serve as members of any other Council Committee.

Strike Authorization Vote

- Section 1. Only union members of a given Council bargaining unit may cast a ballot in a strike authorization vote.

Contract Ratification Process

- Section 1. State-Union Agreements shall be subject to ratification by a secret ballot of union members of their respective Council bargaining units.
- Section 2. Part-Time and Adjunct Faculty members working at more than one institution within the bargaining unit shall be entitled to cast only one vote in their respective bargaining unit.
- Section 3. In the event that members of the Negotiations Committee representing 25 percent of delegate strength for their respective bargaining unit (i.e., 25 percent of the delegate strength of the Full-Time/Part-Time unit or 25 percent of the Adjunct unit, respectively) have an opinion that dissents from that of the majority of Negotiations Committee, those members shall have the right to prepare a minority report and have it included as part of the ratification materials used in the voting process. The minority report must be completed within seven business days after the contract summary is available in written form.

Section 4. Prior to a ratification vote, any Local has the right to circulate to its members an opinion that differs from that of the majority of the Negotiations Committee.

Section 5. Each Local president shall be given a separate report of the ratification vote count for his/her Local.

ARTICLE TWELVE – AVAILABILITY OF CONSTITUTION

Copies of this constitution shall be available to all members of affiliated Locals on the Council website. The secretary of the Council shall have a copy of the constitution on hand at all Council Executive Committee and Council Delegate Assembly meetings.

ARTICLE THIRTEEN – AMENDMENT TO COUNCIL CONSTITUTION & BYLAWS

Section 1. This constitution may be amended by the following procedure:

- a) approval of the proposed amendment at a first reading by a majority of the delegates present at a regularly scheduled Council Delegate Assembly meeting and
- b) subsequent approval of the proposed amendment at a second reading by a two-thirds vote of the delegates present at the next regular Council Delegate Assembly meeting. The text of the proposed amendment shall be provided to all Council delegates at least ten days prior to the second meeting.
- c) Any substantive change to a proposed amendment, as defined by a majority vote of the Delegate Assembly, would reinitiate the amendment process.

Section 2. The Council Delegate Assembly may approve or amend bylaws by the following procedure:

- a) approval of the proposed amendment at a first reading by a majority of the delegates present at a regularly scheduled Council Delegate Assembly meeting and
- b) subsequent approval of the proposed amendment at a second reading by a majority vote of the delegates present at the next regular Council Delegate Assembly meeting. The text of the proposed amendment shall be provided, in writing, to all Council delegates at least ten (10) days prior to the Council Delegate Assembly meeting at which the vote takes place.
- c) Any substantive change to a proposed amendment, as defined by a majority vote, would reinitiate the amendment process.