

# **Constitution and Bylaws for Spring Lake Park Teachers United (SLPTU)**

## **Constitution Provisions**

### **Preamble**

We, the members of the Spring Lake Park Teachers United, believing that the active participation of supervisory and non--supervisory licensed educational personnel, in the development of educational policy is essential for sound education in a democratic society, have joined together, as herein defined in this Constitution, for the purpose of exerting a collective and positive influence on education in Independent School District 16.

### **Article I**

#### **Name**

This organization shall be known as the Spring Lake Park Teachers United, Local No. 1355 of Education Minnesota.

#### **Purpose**

The purpose of this organization will be to:

Section: 1. Improve the professional status of its members.

Section: 2. Gain recognition of the basic importance of the teacher in the learning process.

Section: 3. Effect favorable legislation for the improvement of the school conditions and community problems relating to the schools.

Section: 4. Promote the highest type of professional practice, encouraging participation by all teachers in unified action and professional code of ethics.

Section: 5. Support and strengthen local, state, and national education associations through the participation and understanding of the program and needs.

Section: 6. To Remain the sole bargaining agent for teachers in the Spring Lake Park School District and to obtain for them the rights in which they are entitled.

### **Article II**

#### **Affiliations**

Section: 1. The SLPTU is affiliated with, and individuals will be members of, Education Minnesota (EM), the American Federation of Teachers (AFT), the National Education Association (NEA), and the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) in accordance with the provisions of the Constitutions and Bylaws of these bodies. If the Constitution and Bylaws of this organization conflict or violate those of the parent organizations, those provisions of the parent organizations supersede those contained herein.

## **Article III**

### **Membership**

Section: 1. All licensed employees that are part of the bargaining unit are eligible for membership.

Section: 2. No discrimination shall ever be shown toward individual members or applicants who are eligible for membership.

## **Article IV**

### **Officers**

Section: 1. The following officers shall be elected biennially by this Local:

- President
- Vice President
- Treasurer
- Secretary
- Member Rights Advocate
- Building Representatives

Section: 2. Membership in good standing for at least one year is required to hold office. No one shall hold office who is not an active member.

## **Article V**

### **Election of Officers**

Section: 1. Each member must receive at least fifteen (15) business days notice of the procedures and deadlines to file as a candidate for the election, the date, time, and place of the election.

Section: 2. All members must have a fair and equal opportunity to participate in the election without unreasonable impediments. Ballots shall be prepared and made available to each member in good standing, at designated polling places, within 15 days following the nomination meeting. In cases where three candidates seek an office and none receive a majority, there shall be a run-off between the top two vote getters.

Section: 3. Voting must be done by secret ballot and elections will be held for at least two (2) days. Elections may be run through electronic digital voting in lieu of paper ballots.

Section: 4. In a contested election, candidates will be allowed to station observers at the polling places. If electronic digital voting is utilized, then candidates may request a printout of vote totals.

Section: 5. Representatives of the competing candidates will be allowed to observe, but not participate in, the counting of ballots. If electronic digital voting is utilized, the candidates may not be involved in the gathering of ballots and ballot totaling.

Section: 6. Candidates may elect to have an observer present and the time of ballot counting. Election observers will be notified of the date, time, and location where ballots will be counted and then be allowed to observe, provided a written authorization from the candidate has been submitted to the Election Chair.

- Section: 7. All used ballots along with any election material will be stored for one year. If electronic digital voting is utilized, a final printout of vote tallies will be generated by the Election Chair, certified by the Election Committee, and maintained by the Union Secretary for one year.
- Section: 8. No union funds will be used to support any candidate. However, the union will accede to reasonable requests regarding the distribution of campaign material.
- Section: 9. Vacancies in any office shall be filled by the Executive Board through a special election or appointment.
- Section: 10. The length of office will be from July 1 to June 30 for a term of two years.
- Section: 11. Election Committee and Election Chair will be appointed by President and Executive Council. In the event the Election Chair runs for office, the President and Executive Council will appoint an interim Election Chair.
- Section: 12. All ballots shall be submitted to Election Chair by the building election supervisor. The Election Committee shall convene to count the ballots within one business day of the completion of voting. Once voting is completed, the results will be reported to membership, via the Election Chair through the President. Ballots shall be deemed eligible or ineligible and tallied by Election Chair and Election Committee. In the case of electronic digital voting, the final tally can be reported to the President via e-mail with a final paper copy submitted to the Secretary for recording.
- Section: 13. Members running for a challenged office shall not handle ballots, count ballots, facilitate voting, or be part of the Election Committee.
- Section: 14. The order of the names on the ballot shall be done by a random draw conducted by the Elections Committee.
- Section: 15. If the Election Chair has questions, Education MN field staff will provide feedback and support.

## **Article VI**

### **The Executive Board**

- Section: 1. The Executive Board of this Local shall consist of the elected officers.
- Section: 2. The Executive Board shall administer the policy of this Local as set by membership at regular meetings. It shall have the power to act for the good of the Local in emergency situations where the policy cannot be set by the membership.
- Section: 3. The chairperson of the Executive Board shall be the President of the Local.
- Section: 4. The time and place of the Executive Board meeting shall be set by the Executive Board and announced at the previous membership meeting.
- Section: 5. The Executive Board shall make contracts and incur liabilities which may be appropriate to enable it to accomplish any or all of its purposes; to borrow money for Union purposes at such rates of interest and terms and conditions as they may determine; to issue notes, bonds and other obligations; and to secure any of its obligations by mortgage, pledge or deed of trust of all or any of its property and income.
- Section: 6. If necessary, The Executive Board shall establish a surplus for emergency use and to invest funds to establish and maintain fiscal responsibility.
- Section: 7. The Executive Board shall report its activities at each regular membership meeting.

Section: 8. The Executive Board shall decide if a grievance shall be taken to arbitration.

## **Article VII**

### **Amending Procedure**

Section: 1. The Constitution may be amended by a two--thirds (2/3) majority vote of the membership present at a general membership meeting.

Section: 2. Proposed amendments must be submitted to the Executive Board in writing and signed by at least 20 of their proponents. Amendments must be submitted prior to the last 60 calendar days of the school year.

Section: 3. The proposed amendments shall be made available to each SLPTU member at least two weeks before the general membership meeting at which they will be voted on.

Section: 4. Amendments shall be acted on at a general membership meeting as called by the Executive Board.

## **Article VIII**

### **Parliamentary Authority**

Section: 1. Rules of Order: The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern in all cases to which that are applicable, and in which they are not inconsistent with the Constitution, Bylaws, and/or any Special Rules of Order that SLPTU may adopt.

## **Article IX**

### **Availability of Constitution**

Section: 1. Three copies of this Constitution and all amended copies shall be submitted to Education Minnesota and the area field office.

Section: 2. Copies shall be made available to other affiliated organizations upon request.

Section: 3. Copies shall be available for any members of this Local upon request to the Secretary or posted as digital copies on the Local's web page.

## **Article X**

### **Member Discipline**

Section: 1. Disciplinary action, in the form of censure, suspension, or permanent expulsion from the union, shall not be taken against any member without due cause. Cause shall relate to conduct prejudicial to the purposes of the Local which may include any one or more of the following:

- Failure to remain a member in good standing with Education Minnesota, National Education Association, and American Federation of Teachers.
- Substantial violation of the Code of Ethics of the Board of Teaching or other licensing agency.
- Violation of a local policy in crisis situations affecting the entire school district.

- Other good and sufficient cause whereby the conduct of the member would be prejudicial to the purposes of the Local.

Section: 2. Such action shall be initiated by a complaint of a majority of the officers of the Local, with written notice to the member against whom the proposed action is to be taken stating the reasons thereof. Such notice shall also include the statement that the member has ten (10) calendar days in which to request a hearing before the Local Executive Committee, or a special Local Discipline Committee, at which the member is entitled to a representative of his/her choice to answer the charges and examine those making them.

Section: 3. The hearing shall be private or public at the choice of the member who is to be disciplined. The decision, by a simple majority, shall be communicated, in writing, to the member, accompanied by a memorandum of finding of fact, within (10) days of the close of the hearing. A tie vote shall indicate no action shall be taken.

Section: 4. Any member censured, suspended, or expelled under these provisions shall have the right of appeal to the full membership or Education Minnesota Representative Assembly, if applicable, within ten (10) days of receipt of the decision. The appeal hearing shall be presided over by the Local president who shall grant a procedure which includes witnesses and right of cross-examination. A quorum shall be present. The decision shall be made by secret ballot with a simple majority of the membership present and voting. In case of a tie, with the president voting, no action shall be taken.

Section: 5. Action to expel or suspend shall be communicated to Education Minnesota.

Section: 6. A member who is expelled or suspended from membership in the Local shall have the right of appeal to the Education Minnesota Governing Board in accordance with such policies and procedures as the Board may adopt.

Section: 7. Appeal to the American Federation of Teachers and National Education Association shall be governed by the policies and procedures adopted by the AFT and NEA.

Section: 8. Lawsuits. No member shall initiate a civil action suit or proceeding in any court against the Local or any of its officers, members, or employees on account of any discipline unless such person has exhausted the remedies of hearing and appeal as provided in this Constitution.

## **Bylaws**

### **Article I**

#### **Duties of the Standing Committees**

Section: 1. The Membership Committee shall plan and execute a dynamic program to insure growth and vitality of the Local. It shall present a written report to the Executive Board.

Section: 2. The Negotiating Committee shall be comprised of eight (8) members: three (3) elementary representatives, three (3) secondary representatives, one (1) Early Childhood Family Education / Adult Basic Education (ECFE/ABE) representative, and the current Local president. The president is a standing member of the Negotiating Committee and the other members are elected by the groups they

represent. The Negotiation Committee shall seek salary and other contract proposals from the membership. Then it shall condense these proposals of the membership and negotiate these proposals with the employer. Finally, the condensed proposal shall be approved by the members.

Section: 3. The Publicity and the Public Relations Committee shall prepare and distribute a (monthly or quarterly) newsletter. The editor of the newsletter shall be chairperson of the committee. Every effort shall be made by this committee to make use of other sources of publicity, i.e. newspapers, radio, television, etc.

Section: 4. The Member Rights Committee shall act on all grievances and recommend to the Executive Board that a grievance shall go to arbitration.

Section: 5. The Social Committee shall arrange such programs and entertainment and perform such duties as the Local may direct.

Section: 6. The Elections Committee shall oversee Local elections. The Elections Committee shall oversee the election of state and national delegates when viewed as necessary by the Executive Council.

Section 7: The Meet and Confer Committee shall meet a minimum of three times per year with the Superintendent and/or the Superintendent's designee. The issues to be addressed by the Meet and Confer Committee shall be determined by the Committee and the President using information gathered from membership, Building Representatives, and Members Rights Representatives.

## **Article II**

### **Meetings**

Section: 1. The time and place of meetings shall be fixed by the Executive Board.

Section: 2. There shall be at least one meeting per month during the school year.

Section: 3. A quorum shall consist of the members present.

## **Article III**

### **Finance**

Section: 1. Local dues shall be fixed by majority vote of members present at any regular meeting provided that notice of the contemplated dues increase has been announced at a previous meeting.

Section: 2. State and National dues shall be assessed in accordance with the changing membership cost of Education Minnesota, American Federation of Teachers, and the National Education Association.

Section: 3. A budget for the upcoming year shall be prepared and presented to the Executive Board on the first meeting of the year.

Section: 4. Additional finances may be obtained by various fundraising activities.

Section: 5. No net earnings shall inure to the benefit of any member, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes as herein above stated.

## **Article IV**

### **Contract Ratification**

Section: 1. Upon recommendation of the Executive Board, a ratification vote on the contract shall be conducted.

Section: 2. Prior to the vote, informational meetings shall be held to describe the negotiated agreement and to present recommendations of the negotiations committee to the bargaining unit.

Section: 3. The vote may be conducted by a secret ballot within the school buildings, or by secret ballot at a general meeting of all members of the bargaining unit. Members who are unable to attend may vote by absentee ballot. In lieu of a paper ballot, the Executive Board can determine to use electronic voting. Each member must submit valid e-mail address to be used to receive a ballot. The member will receive a secure link to submit the ballot.

Section: 4. If during a strike, a tentative agreement is reached, a ratification vote shall be held at a general meeting of all the members of the bargaining unit.

Section: 5. If during a strike, a tentative agreement is reached, the Executive Board may ask members of the bargaining unit to resume work with a ratification vote to take place once the proposed contract has been presented.

Section: 6. Ratification of a contract requires a simple majority of those voting.

## **Article V**

### **Strike Authorization**

Section: 1. In the event a contract agreement cannot be reached between the SLPTU and the School District, the Executive Board may authorize a strike vote.

Section: 2. Such a vote shall take place at a special meeting of the bargaining unit.

Section: 3. The vote is to be taken by secret ballot and must pass by 2/3 of the membership.

Section: 4. The Executive Board shall decide on the details of the balloting. Absentee ballots may be distributed. The Executive Board may decide to use electronic voting.

Section: 5. The Executive Board, in consultation with the Negotiations Team, shall decide when to send notice to the District, and the date of the filing of the intent to strike with the Bureau of Mediation Services. The strike date shall also be set by the Executive Board and announced by the President.

## **Article VI**

### **Amending Procedure**

Section: 1. Bylaws may be adopted, amended, or repealed at any regular or special meeting by a two-thirds vote of those present and voting.

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