

# Constitution of The American Association of University Professors Collective Bargaining Congress<sup>1</sup>

## Article I—Name

The name of this organization shall be the American Association of University Professors Collective Bargaining Congress (“AAUP-CBC”).

## Article II—Purpose

The AAUP-CBC is composed of those chapters of the American Association of University Professors (“AAUP”) that are engaged in collective bargaining, and is chartered by the AAUP. It promotes organizing and collective bargaining among tenured, tenure-track and contingent faculty, academic professionals, and graduate students, in an effort to achieve the AAUP’s longstanding objectives: establishing and strengthening institutions of faculty governance; providing fair procedures for resolving grievances; better securing the academic and economic status of faculty and other professionals in the academic community; and promoting free inquiry and advancing the standards and practices that guarantee the quality of American higher education. It is the belief of the AAUP-CBC that in defending these interests and in safeguarding the historic mission of the American university, academic collective bargaining advances the public interest by providing a training ground for an informed and engaged citizenry. In keeping with the AAUP’s foundational commitment to faculty self-governance, the AAUP-CBC is dedicated to promoting a distinctive model of member-based, democratic, academic unionism.

## Article III—Membership

A. Status as a member unit of the AAUP-CBC shall be open to:

1. Each AAUP chapter or group of AAUP chapters, that, in its own right or as part of an AAUP-approved merger or joint affiliation, has been recognized or certified as bargaining agent at its institution.

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<sup>1</sup> Adopted on June 12, 2008 and amended on January 11, 2014, and on June 16, 2016.

2. Any certified collective bargaining agent that has an affiliation agreement or approved dues arrangement with the AAUP, provided such agreement is current and in full force.

3. Any AAUP chapter or group of AAUP chapters that the Executive Committee of the AAUP-CBC has deemed to act as a collective bargaining agent.

B. At institutions where there is more than one bargaining unit represented by an AAUP chapter or AAUP-CBC-affiliated certified bargaining agent, each separate bargaining unit shall be deemed eligible to become a member unit, even if (a) the bargaining unit contains more than one AAUP chapter, or encompasses more than one campus, and even if (b) the certifications for different bargaining units are held by a single AAUP chapter, Council of Chapters, or AAUP-CBC-affiliated certified bargaining agent.

C. An AAUP chapter or group of chapters that is attempting to become a faculty collective bargaining agent shall be allowed to send representatives to AAUP-CBC meetings. Such a chapter or group of chapters may be designated a provisional member unit by action of the Executive Committee of the AAUP-CBC. Provisional member units shall have neither a dues obligation nor the right to vote.

D. Membership in good standing with the AAUP-CBC shall require that member units remit the dues established by the AAUP-CBC and that their members' dues are paid to the AAUP.

E. Voting rights shall be limited to member units in good standing with the AAUP-CBC and shall be exercised in accordance with the formula specified elsewhere in this Constitution.

F. Failure to maintain membership in good standing shall result in loss of rights to participate in AAUP-CBC affairs, including the right of voice and vote at AAUP-CBC meetings, until such time as good standing is restored. Failure to restore good standing by paying an outstanding dues arrearage within ninety days of being notified of the arrearage by the AAUP-CBC Secretary may, at the discretion of the Executive Committee of the AAUP-CBC, result in revocation of the chapter's status as an AAUP-CBC member unit. A chapter whose status as a member unit has been revoked may be reinstated only upon payment of all dues that are outstanding at the time of reinstatement, unless the AAUP and the AAUP-CBC Executive Committee waive the payment of dues to their respective organizations.

G. Individual member units shall act in accordance with the principles, policies, and procedures of the AAUP-CBC and the AAUP, and shall not issue statements in the name of the AAUP-CBC or the AAUP.

#### **Article IV—Officers**

A. The officers of the AAUP-CBC shall be a Chairperson, Vice-Chairperson, Secretary, and Treasurer. The Chairperson shall preside at meetings of the AAUP-CBC and the AAUP-CBC Executive Committee and shall have such other duties as are set forth in this Constitution or are normally associated with the office. The Vice-Chairperson shall assist the Chairperson in the conduct of the affairs of the AAUP-CBC, performing such duties as the Chairperson may assign to him or her. The Secretary shall be responsible for maintaining the records of the AAUP-CBC. The Treasurer shall oversee the receipt of all moneys and their deposit in the name of the AAUP-CBC. With the authorization of the Executive Committee, the Treasurer shall oversee the investment of any funds not needed for current disbursements. The Treasurer shall oversee payment of all bills approved in accordance with procedures determined by the Executive Committee, and shall make a report annually at the AAUP-CBC membership meeting and such other reports as the Executive Committee may direct.

B. Officers shall receive no salary, but they shall be reimbursed for reasonable expenses incurred in connection with the performance of their duties. This provision shall not prevent the AAUP-CBC from compensating officers' institutions for release time from teaching or other assigned duties attributable to the officers' participation in AAUP-CBC matters.

C. Officers shall be elected for two-year terms and may serve no more than two full consecutive terms in a given office. Terms of office shall end after the last session of the AAUP-CBC meeting at which elections for those offices are conducted.

D. Any officer may be recalled by a two-thirds vote of the official member unit delegates present and voting at an officially called meeting of the AAUP-CBC.

E. In the event of a vacancy in the office of Chairperson, the Vice-Chairperson shall assume the office until the next regularly scheduled election. In the event of a vacancy in any other office, the Executive Committee shall elect a replacement from its membership to serve until the next regularly scheduled election.

F. Officers shall have the right to vote at all meetings of the AAUP-CBC on all matters except that only those elected as delegates by secret ballot by their respective chapters or serving as delegates by virtue of the office to which they were elected by secret ballot may vote on election of officers and proposed increases in dues.

G. Those officers who are entrusted with funds of the AAUP-CBC or other AAUP-CBC property shall be bonded to provide protection against loss.

## **Article V—Committees and Nominations**

### **A. Executive Committee**

1. There shall be an Executive Committee of the AAUP-CBC which shall be empowered to act on behalf of the AAUP-CBC between meetings and to enlist the aid of AAUP-CBC members (either individuals or member units) to carry out the work of the AAUP-CBC. The Executive Committee shall consist of the officers of AAUP-CBC, the immediate past Chair, and six at-large members elected for two-year terms from AAUP-CBC member units in accordance with this Constitution.

2. An at-large member of the Executive Committee may be recalled by a two-thirds vote of the official member-unit delegates present and voting at an officially called meeting of the members of the AAUP-CBC. In the event of an at-large vacancy, the vacancy shall not be filled until the next regularly scheduled election.

3. Meetings of the Executive Committee shall be held in connection with the Annual Meeting of the AAUP and at other times, upon not less than two weeks' notice of the date, time, and place of the meeting to the Executive Committee by phone, letter, or electronic communication. The Executive Committee may also transact business by phone, letter, or electronic communication, except to the extent that doing so would conflict with a legal requirement for a secret ballot.

4. Except as otherwise provided in this Constitution or in rules adopted pursuant to it, meetings of the Executive Committee shall be conducted in accordance with the current edition of *Robert's Rules of Order*.

### **B. Nominating Committee and Nominations**

1. The Chairperson shall appoint a nominating committee on or before February 1. The nominating committee shall consist of two members of the AAUP-CBC Executive Committee and three individuals from member units not represented on the Executive Committee. The nominating committee, recognizing that the AAUP-CBC is an organization of chapters as member units and not composed of individuals as members, shall make every effort to present to the membership nominees who reflect the diversity of the various units and their members.

2. On or before February 15, the Secretary shall convene the nominating committee. The nominating committee shall select its own chair. The nominating committee shall contact each of the member units in order to solicit nominations for the positions to be filled. The nominating committee shall deliberate and confirm the eligibility of candidates from among the submitted names. There shall be at least one candidate for each open position. No member of the nominating committee may be a nominee or candidate for election to a position on the AAUP-

CBC Executive Committee in the year the individual is serving on the nominating committee. On or before May 15, the nominating committee shall distribute the list of candidates to the member units.

3. Each nomination shall be in writing and shall include a signed consent from the nominee. The nomination shall clearly state the name of the individual being nominated and the member unit of which the nominee is a member. Advance written nominations must be received by the chairperson of the nominating committee by April 30.

4. Nominations may also be received at the regular meeting at which the election is held. The nomination must be in writing and must include the nominee's name, the member unit of which the nominee is a member, and a signed consent from the nominee. The nomination must be received by the AAUP-CBC Secretary no later than one hour after the start of the meeting. The nomination must then be made and seconded by delegates from the floor.

5. The Secretary shall prepare the official ballot. This ballot shall include the candidates for the officers and at-large positions.

C. Other temporary or permanent committees may be established by the Executive Committee. Newly created permanent committees shall require consent of the AAUP-CBC at the next AAUP-CBC meeting. The membership and responsibilities of any additional committee shall be determined by the Executive Committee unless otherwise specified by action of the AAUP-CBC.

## **Article VI—Elections**

A. The Chairperson, Vice-Chairperson, and three of the at-large members of the Executive Committee shall be elected at the regular meeting of the AAUP-CBC in odd-numbered years. The Secretary, Treasurer, and the remaining three at-large members of the Executive Committee shall be elected at the regular meeting of the AAUP-CBC in even-numbered years.

B. Elections shall be by secret ballot only. Official chapter delegates of member units in good standing shall be entitled to vote; to be a member unit in good standing for purposes of voting in an election, AAUP-CBC dues must have been paid no later than ten business days prior to the regular meeting at which the election is held. The Chairperson shall appoint three tellers to count the ballots. The date and time of the distribution of ballots shall be announced prior to the day on which the count is to occur. Voting shall be conducted and election ballots shall be counted at a secure location and, once the counting has begun, no additional ballots shall be accepted. Election shall be by plurality vote. In case of a tied vote in the election of officers or Executive Committee members, there shall be a run-off election. At the conclusion of the election ballots

shall be sealed and secured in the AAUP office for twelve months, along with all other records pertaining to the election.

#### **Article VII—Membership Meetings**

A. The major business of the AAUP-CBC shall be conducted at its regular meetings. This shall include any elections of officers, establishment of a budget, setting dues for member units, and consideration of policy recommendations to the Executive Committee. An agenda of business shall be distributed to member units by the Executive Committee at least thirty days in advance of a regular meeting. There shall be one regular meeting of the AAUP-CBC annually.

B. Special meetings may be called by two-thirds vote of the Executive Committee. In addition, a special meeting shall be called by the Chairperson within sixty days of receipt of a petition for such a meeting from twenty percent (20%) of member units in good standing.

C. Each member unit in good standing shall be entitled to one voting delegate for each two hundred-fifty (250) (or fraction thereof) bargaining unit members from whom dues or agency fees have been received and for whom AAUP-CBC dues are paid, up to a maximum of ten votes. The total number of voting cards for each member unit will be given to the president of the unit unless the president of the unit has designated another person who is a voting delegate from that unit to receive the unit's voting cards. It is the responsibility of the president of the unit or his/her designee to verify the number of voting cards upon receipt.

D. Delegates shall be active members of the AAUP elected by secret ballot vote of their respective member units or serving as delegates by virtue of the office to which they were elected by secret ballot. The maximum delegate votes for any member unit shall be ten.

E. The Chairperson shall appoint a parliamentarian for each meeting. Unless otherwise specified by this Constitution, meetings shall be conducted in accordance with the current edition of *Robert's Rules of Order*.

#### **Article VIII—Policies Remain in Force**

Policies previously adopted by the Collective Bargaining Congress of the AAUP and in force at the time of the creation of this AAUP-CBC shall remain in effect until amended, revised, or modified by the Executive Committee or the membership of the AAUP-CBC pursuant to this Constitution.

**Article IX—Relationships with the AAUP and Other Organizations**

A. The AAUP-CBC shall act in accordance with the principles, policies, and procedures of the AAUP and shall not issue statements in the name of the AAUP.

B. If the AAUP-CBC disaffiliates or disengages from or otherwise repudiates the AAUP, the AAUP-CBC shall forever release all rights to the name “AAUP” or “American Association of University Professors.”

**Article X—Amendments**

This Constitution may be amended at an AAUP-CBC meeting by a two-thirds vote of those present and voting. An amendment may be voted on only if it has been proposed by the Executive Committee or by two or more member units and has been distributed to all member units at least thirty days prior to the vote.