



A Union of Professionals

AFT MODEL CONSTITUTION

For Small Locals

ARTICLE I NAME

Name This organization shall be known as Local Name, Local #, State Federation Name, AFT, AFL-CIO.

ARTICLE II OBJECTIVES

The purpose of this organization shall be:

Bargaining rights **Section 1.** To secure full trade union rights, including the rights to exclusive recognition and collective bargaining, for all employees who are eligible for membership.

Member welfare **Section 2.** To advance the economic, social, and political well-being of the membership.

Professional standards **Section 3.** To promote the improvement of standards in the employment situation of the membership.

Mutual assistance **Section 4.** To encourage mutual understanding and cooperation among the membership.

Public good **Section 5.** To promote the interests of citizens who are served by the membership.

Quality **Section 6.** To promote the effectiveness and quality of the institutions in which our members work.

Democracy and Trade Unionism **Section 7.** To promote democracy, equality, and trade unionism in the society at large.

ARTICLE III MEMBERSHIP

List classifications of employees eligible for membership. **Section 1.** All employees of (Name of Employer) (Unit definition) who are not supervisors or managers are eligible for membership in this organization.

Anti-discrimination **Section 2.** 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, sex, sexual orientation, disability, social, political, or economic status, or national origin.

This method affords due process to any member facing discipline.

Section 3. Discipline of members.

- a. A member may be disciplined by the organization for actions contrary to this Constitution or to the interests of the union or its membership. Such action may only be initiated by the bringing of written and signed charges to the Executive Board by two or more members of the local; these charges must include a specific and detailed accounting, including any documentation, of the allegations against the member.
- b. Upon the receipt of such charges, the Executive Board shall cause a preliminary investigation to be conducted in order to determine whether the charges against the member have merit. In addition, at this time, the Executive Board shall give a copy of the charges to the accused member.
- c. Following the preliminary investigation, the Executive Board shall vote on the question of whether a disciplinary hearing should be held. If a majority of the Executive Board votes to hold a hearing, the member shall be given at least ten (10) days written notice of the hearing.
- d. At a disciplinary hearing, the accused member shall have the right to be represented by a person of his or her choice, and shall have the right to question the charges and present evidence and witnesses to support their defense. At the conclusion of the hearing, a two-thirds (2/3) vote of the Executive Board shall be required for discipline. If a member of the Executive Board has brought the charges against the member, that Board member shall recuse him/herself from the vote.
- e. A disciplined member may appeal the decision of the Executive Board to the membership by requesting a vote at the next regular meeting. A simple majority of the members voting shall be sufficient to overrule the decision of the Executive Board to discipline.

Loss of good standing through non-payment of dues.

Section 4. A member in good standing is defined as a member who is current in payment of dues to the organization. A member who is more than 30 days delinquent in dues payment shall be considered to be a member in bad standing, and shall be promptly notified of such status. A member shall be removed from membership in this organization, with notice, following three months of dues nonpayment, unless a plan to pay back dues is made and approved by both the Executive Board and the member.

Associate membership

Section 5. Associate members:

- a. shall be subject to the approval of the Executive Board;
- b. shall not be entitled to vote, hold office, or serve on committees;
- c. shall be persons not eligible for full membership in any other AFT local affiliate.

Retiree membership **Section 6.** The Executive Board shall establish guidelines for retiree membership, dues, and participation in the local in the form of a retiree chapter, in accordance with AFT guidelines.

**ARTICLE IV
ELECTION OF OFFICERS**

AFT Constitutional Mandate: compliance with LMRDA standards for local elections. **Section 1.** Elections shall be conducted in accordance with the AFT Constitution and the standards set out by the Labor-Management Reporting and Disclosure Act (LMRDA).

Officer elections are held every two years. Name the month when elections should be held. **Section 2.** Officers shall be elected in _____ (month) of odd years. Terms of office shall be two years. The organization will elect the following officers:

- a. President
- b. Vice President
- c. Secretary
- d. Treasurer

Eligibility for office **Section 3.** To be eligible for office a person must be a member in good standing of the organization for a period of six months prior to the date of the election.

The Elections Committee has important oversight responsibilities for all elections of union officers, runoffs, recall petitions and amendments to the union's constitution. **Section 4.** The Elections Committee shall conduct all general and special elections and referenda of the organization.

- a. The Elections Committee shall consist of three members in good standing appointed by the President with the approval of the Executive Board. The Elections Committee shall elect its chair.
- b. Any member of the Elections Committee nominated for or seeking office must vacate their position and be replaced by a member nominated by the president and approved by the Executive Board.

Nominations **Section 5.** Sixty (60) days prior to the date of the election, the Elections Committee shall notify all members of the opening of nominations for officers, the offices to be filled and of the date of the election by first class U.S. Mail to the members' last known home address.

Alternative nomination procedure that local may adopt **Section 6.** The nomination of candidates for office shall be conducted as follows:

- a. To be nominated a candidate must submit to the Elections Committee a petition containing the signatures of ten (10) percent of the membership, or twenty-five (25) members, whichever is less. Said petitions must be submitted no later than thirty (30) days following the notice of the opening of nominations.
- b. **(OPTIONAL)** Nominations may also be made from the floor at the membership meeting in (month).

c. Members nominated to run for office must affirmatively accept their nomination.

d. The Election Committee shall determine whether the nominations were timely and if the nominees are eligible for office.

Mandatory legal requirement: Election Notice must be mailed to all members by first class U.S. mail, at least 15 days before the election date

Section 7. At least fifteen (15) days prior to the election, the Election Committee shall notify all members of the election date and the candidates for offices. (NOTE: provided the local has already provided notice by first class U.S. Mail, as required in Section 4, this reminder about the election could be distributed by other means such as, member mailboxes, union bulletin boards, electronic newsletter, email and/or the local's website).

Voting procedure

Section 8. The Elections Committee shall conduct an election for officers at the (month) Membership Meeting. The vote shall be by secret ballot. The majority of the ballots cast shall determine the outcome of the election.

Run-off elections

Section 9. 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.

Election challenges

Section 10. Challenges and objections to the election must be submitted in writing, with a statement of supporting reasons that includes specific facts as well as any documentation, to the Elections Committee within five (5) days of the count. The Elections Committee shall issue its written opinion regarding the objections no later than ten (10) days after receipt of such objections.

Mandatory legal requirement: preservation of election records

Section 11. The election results will be published and distributed to the membership within thirty (30) days of the count. All elections materials, including the ballots, will be kept in a secure location for one (1) year.

Filling vacancies on the Executive Board

Section 12. Successful candidates shall assume office within thirty (30) days of the conclusion of the election. [Alternatively, depending on the schedule of membership meetings, the constitution could specify that candidates assume office at the next regularly held membership meeting.]

Recall elections

Section 13. With the exception of the President, or in case of a recall, the Executive Board will have the power to fill vacancies in its membership until the next general election of officers.

Section 14. A petition signed by forty-five percent (45%) of the membership, and alleging constitutional violations, fiduciary breaches or acts clearly 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 Elections Committee shall supervise the recall election.

**ARTICLE V
DUTIES OF OFFICERS**

**Duties of the
President**

Section 1. The President shall:

- a. be the presiding officer at all meetings of the membership and the Executive Board;
- b. be an ex-officio member of all standing committees except the Elections 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;
- f. supervise all employees of the organization;
- g. be one of the responsible financial officers of the organization and shall be authorized to co-sign financial instruments and make regular and usual disbursements of funds;
- h. represent the organization before bodies of the employer, executive and legislative officials;
- i. represent the organization before the public, community organizations, and the news media;
- j. be, by office, a delegate to the Central Labor Council, and the state AFL-CIO body;
- k. be, by office, a delegate to the convention of the American Federation of Teachers and meetings or conventions of its affiliated bodies;
- l. make an annual report to the organization's membership; and
- m. be able to delegate the responsibilities of the office except where otherwise specified by the Constitution.

**Duties of the
Vice President**

Section 2. The Vice President shall:

- a. assume the duties of the President in the event of the absence, illness, or death of the President;
- b. oversee the work of and receive regular reports from the Organizing and Leadership Development Committees;
- c. perform other duties as delegated by the President or assigned by the Executive Board; and
- d. co-sign financial instruments in the absence of the President or Treasurer.

Duties of the Secretary

Merging the offices of the Secretary and Treasurer may be appropriate for smaller locals or for locals where release time allows for one person to perform both duties.

Duties of the Treasurer

Section 3. The Secretary shall:

- a. maintain the non-financial files and records of the organization;
- b. be the custodian of the seal and charter of the organization;
- c. record and keep accurate minutes of meetings of the membership and the Executive Board;
- d. assist the President in handling the correspondence of the organization;
- e. oversee the work of, and receive and certify the reports of, the Elections Committee;
- f. perform other duties as delegated by the President, or assigned by the Executive Board;
- g. perform duties of the office as required by the Labor-Management Reporting and Disclosure Act; and
- h. where appropriate, a local may merge the offices and duties of the Secretary and Treasurer.

Section 4. The Treasurer shall:

- a. receive, record and deposit all dues monies and other income in the name of the organization;
- b. maintain accurate membership records;
- c. issue membership cards and notices of delinquency;
- d. be one of the responsible financial officers of the organization and be authorized to co-sign financial instruments and make regular and usual disbursements of funds;
- e. maintain all financial records of the organization;
- f. arrange for an independent audit of the finances of the organization annually and make same available to the Executive Board and membership;
- g. transmit per-capita payments on a regular basis to the Secretary-Treasurer of the American Federation of Teachers and similar officers of all other bodies with which the organization is affiliated;
- h. oversee the work of and receive reports from the Finance Committee;
- i. perform other duties as delegated by the President or assigned by the Executive Board;
- j. perform duties of the office as required by the Labor-Management Reporting and Disclosure Act, and the guidelines developed by the AFT; and
- k. where appropriate a local may merge the offices and duties of the Secretary and Treasurer.

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 monthly, or at the call of the President, or at the call of two (2) or more of its 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.

Staffing

Section 3. The Executive Board shall employ all professional, technical, clerical and support staff of the organization.

Compensation and benefits of officers

Section 4. The Executive Board shall establish the salary, benefits and expense guidelines of any general officer who is employed by the organization.

Executive Board financial authority

Section 5. The Executive Board shall be empowered to make contracts and incur liabilities including the purchase of services, equipment and real property, to borrow money, to secure such obligations by mortgage or other instrument, 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, complain and defend on behalf of the membership.

Executive Board and committees

Section 6. The Executive Board shall approve the chairperson and membership of all standing and special committees of the organization, except the Elections Committee, and receive regular reports from such committees.

Annual report

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

Unexcused absences

Section 8. The Executive Board shall issue regular reports, including an annual report, to the membership.

Section 9. Three unexcused absences from an Executive Board meeting within a year, counted from the date of assumption of office, shall be grounds for an Executive Board member's suspension and/or replacement.

**ARTICLE VII
COMMITTEES**

**Standing
Committees**

Section 1. The standing committees of the organization shall be:

- a. Elections
- b. Grievance
- c. Legislation
- d. Organizing
- e. Political Education
- f. Professional Development
- g. Publications
- h. Social

Not every committee is needed by every local. Pick the committees that are appropriate for your local, based on your focus, resources and level of member participation.

Section 2. The Executive Board, either on its own initiative, or at the direction of the Membership Meeting, may establish special committees.

Special committees

Section 3. The President, with the approval of the Executive Board, shall appoint all committee chairs and committee members.

Section 4. Each committee shall present its annual program of action to the Executive Board and the Membership Meeting.

Elections committee

Section 5. The Elections Committee shall conduct and supervise all elections of the organization.

Grievance committee

Section 6. The Grievance Committee shall work with the officers in the resolution of contractual and non-contractual disputes in the workplace; shall maintain records of grievances and their disposition; and shall be responsible for the processing of grievances and disputes beyond the immediate work location. The grievant may appeal these last decisions to the Executive Board. The Executive Board shall develop and adopt a policy that governs how it shall approach grievances not referred to arbitration, as well as other litigation and/or administrative appeals. The Grievance Committee shall follow this policy.

Legislation committee

Section 7. The Legislation Committee shall be responsible for monitoring government actions that may affect the membership and develop appropriate responses to such action in cooperation with affiliated organizations.

Organizing committee

Section 8. The Organizing Committee shall develop programs and activities that shall cause all eligible persons to join and participate in the organization.

Committee on Political Education (COPE)

Section 9. The Committee on Political Education shall secure voluntary contributions to support the political work of the organization; screen and recommend endorsement of candidates for local, state and federal office to the Executive Board; educate members on the issues of importance to the organization, its membership and clients; and develop programs to promote voter registration and to support the election of candidates who support the interests of the organization, its membership and the people they serve.

Professional Development Committee

Section 10. The Professional Development Committee shall identify the professional and work-related educational and training needs of the membership and develop programs and activities that meet said needs, taking into consideration the resources of the state and national affiliates.

Publications Committee

Section 11. The Publications Committee shall design, produce and distribute a regular communication to the membership; a regular bulletin for officers and committee chairs; and other material for the organization as necessary.

Social Committee

Section 12. The Social Committee shall conduct activities that promote the social well-being of the membership, are attractive to potential members and promote community among organized labor and in the society at large.

ARTICLE VIII MEMBERSHIP MEETINGS

Powers of the Membership Meeting

Section 1. The legislative power of the organization shall be vested in the Membership Meeting. Unless otherwise stipulated in the Constitution, action items and elections shall require a simple majority of votes cast in the Membership Meeting. The Membership Meeting shall approve the annual budget; shall receive and approve committee reports, including the required annual financial report or audit; and shall develop and vote on resolutions to guide the policy of the organization.

Meeting times and locations

Section 2. The Membership Meeting shall meet quarterly at a predetermined time and place, or more or less often as approved by the majority vote of assembled members in the regularly constituted Membership Meeting.

Quorum

Section 3. Quorum for the Membership Meeting shall be ten percent (10%) of total membership of the organization.

Special meetings

Section 4. 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 fifteen percent (15%) of the members in good standing. The notice of the special meeting and the agenda shall be circulated to all members at least seven (7) days in advance of the meeting. Items not included on the agenda for the special meeting will not be addressed. All special meetings shall be adequately advertised and conducted according to the provisions of this Constitution.

ARTICLE IX REVENUES

**AFT Constitutional
Mandate: Dues
provision must
include "pass
through" language**

Section 1. The dues of this organization shall be ____ % of salary, plus the prevailing per capita amounts for the AFT, State Federation, and AFL-CIO local and state affiliates, and insurance premiums. Whenever the dues of a required affiliate increases, the dues of the local shall automatically and simultaneously increase by the same amount.

Special assessments

Section 2. Special assessments 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.

Agency fee provision

Section 3. The local union will be responsible for collecting agency fee and shall adopt procedures consistent with local, state and federal law and Article VIII, Sections 1 (a) – (d) of the AFT By-Laws. (This section should only be added in jurisdictions in which agency fee is available by statute or has been negotiated with the employer.)

ARTICLE X AFFILIATIONS

**Mandatory
affiliations and
election of delegates
to the AFT and State
Federation
conventions**

This organization shall maintain affiliation with the following organizations:

a. The American Federation of Teachers, AFL-CIO. Whenever possible, _____ (organization name) will send delegates to the AFT's convention. The delegates will be elected by procedures consistent with Article IV of this Constitution.

b. The appropriate state federation of the American Federation of Teachers, AFL-CIO. Whenever possible, the union will send delegates to the state federation's convention. Delegates will be elected by procedures consistent with Article IV of this Constitution.

AFL-CIO (State)

c. The state American Federation of Labor-Congress of Industrial Organizations.

AFL-CIO (CLC)

d. The appropriate Central Labor Council(s) of the American Federation of Labor-Congress of Industrial Organizations.

**ARTICLE XI
RULES OF ORDER**

Rules of procedure

Robert's Rules of Order, Newly Revised shall govern this organization and all of its subordinate bodies in all matters not expressly covered by this Constitution or the By-Laws of this organization.

**ARTICLE XII
AMENDMENT**

Procedures for amending the constitution

Section 1. Thirty percent (30%) of the membership may present, by petition, a proposed amendment to this Constitution to the Secretary, who shall notify the membership of the proposed amendment no later than thirty (30) days prior to the next Membership Meeting. Alternatively, a majority of the Executive Board may vote to present a proposed amendment to the members at the next Membership Meeting. A copy of the proposed amendment, along with an explanation of said amendment, shall be distributed to all members a reasonable time prior to the Membership Meeting at which the amendment will be introduced and discussed.

Section 2. A quorum for any meeting at which constitutional amendments are to be considered and adopted shall consist of forty (40) percent of the membership of the organization.

Section 3. The membership shall vote on all amendments to the Constitution.

a. Following the membership meeting at which the proposed amendment was introduced, the Election Committee will hold a (secret ballot) vote on the amendment at the next Membership Meeting.

b. In the alternative, following the membership meeting at which the proposed amendment was introduced, a special membership meeting for the purpose of voting on the proposed amendment may be called by the Executive Board. The special meeting shall be conducted in accordance with the terms of Article VIII, Section 4.

c. The Elections Committee will tally the results. Two-thirds (2/3) of the membership present at the meeting shall be required for passage of the amendment.

**ARTICLE XIII
AVAILABILITY OF CONSTITUTION**

**Copy of
Constitution to
AFT**

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

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

**Available to all
members**

Section 3. The Secretary shall make available upon request a copy to any member of the organization.

Date

This constitution was adopted by the membership on _____, 20____;
(date)
(and last amended on _____, 20____).
(date)

(local name) Signed: _____
(president)

(SEAL)

Attest: _____
(secretary)