

# **Bylaws of the Faculty and Staff Federation**

Revised October 1, 2015

**Note:** Bylaws which have been superseded by the Contracts, the Constitution, or other bylaws are *not* included here.

## **I. Membership**

The Treasurer of the Local shall issue cards of membership to each dues paying member of the Federation, and he shall prepare a master list containing the name of each dues paying member. Further, each member shall receive said list, and this list shall be the basis for distribution of all Federation related material in future. (A.1)

Any member of the Federation who is no longer employed by the College solely because the administration has discharged him/her, and whose discharge is being contested as unlawful or in violation of the contract, an unfair labor practice, or grievance shall be eligible to continue his/her membership in the Federation as long as the unfair labor practice or grievance has not been finally decided. (A.2)

Members of the part-time/visiting lecturer bargaining unit shall be eligible to join the Faculty Federation only by signing a dues deduction card; no other form of payment shall be required or accepted. (A.3)

A member of the PT/VL bargaining unit shall be eligible for Federation membership so long as s/he retains a place on the part-time faculty seniority list. (A.4)

## **II. Dues and other fees, assessments and voluntary deductions and donations**

The Federation shall pay one-half per capita to National AFT for Classified Employees and Employees in Ranks I-IV. (A.5)

Members of the Federation who are covered by income protection or disability provisions of our contracts will not be required to pay dues during the period they are covered by these provisions. (A.6)

Each Federation member will pay dues of 1.15% of his/her base salary to the Federation's General Fund. (A.7)

Each Federation member will contribute 0.10% of his/her base salary to the Negotiations/ Strike Fund. (A.8)

Any of the three units is permitted to use this Negotiations/Strike Fund for negotiations and/or strike after 9/84. (A.9)

Strike Fund monies shall be disbursed as follows:

- (A) All Federation negotiation/strike expenses shall be provided for before other disbursements are made. (A.10)
- (B) In the event of a strike, money remaining in the Fund shall be used to guarantee continuation of medical fringe benefits for Federation members. (A.11)
- (C) In the event of a strike, money still remaining in the Fund shall be distributed to members who lose money, in proportion to their losses, provided that benefits will be paid only to those who honor the picket line for the entire length of the strike. (A.12)

### **III. General Membership Meetings**

*All bylaws about General Membership meetings were superseded by the Constitution, Articles VI and XIII.*

### **IV. Representative Council**

The minutes of the Representative Council meetings in future shall be reviewed by one or more officers of the Local prior to distribution to the Membership. (A.13)

Subject to clarification by Representative Council some form of reimbursement for expenses related to negotiations sessions be set by Representative Council to reimburse members of the Negotiations Team for meals, etc. (A.14)

To require the minutes of the meetings of the Representative Council in future to include the names of those attending and a tally of the votes by resolution. (A. 15)

If two departments want to combine for purposes of representation on Council they may do so. (A. 16)

The quorum for meetings of the Representative Council during the school day will be one-third and that the quorum for meetings of the Representative Council called at any other time be a majority. (A.17)

Decisions on arbitration are to be taken through Representative Council. (A.18)

That there shall be two representatives at large for the PT/VL Unit--the two Co-Chairs of the Bargaining Unit--on Representative Council. (A.19)

That conferences be publicized to members of the Representative Council; that the Executive Committee shall review who would like to go, make a recommendation on who will go, and inform Representative council; that the Executive Committee, at the beginning of the each year, shall review the number of conventions and assess the likely expenditures. (A.20)

## **V. Election of Officers and Referenda**

1. Each Spring semester the Representative Committee shall appoint an Elections Committee to consist of at least two members of the Federation. The Elections Committee is responsible for the publication of an elections timeline listing the dates by which Elections Departments are to be approved by the Representative Council, nominations and election statements are to be submitted to the Federation office, and the date of the election. The Elections Committee is responsible for preparing lists of voters, distributing nomination forms, and, in case of a question, deciding whether a ballot is valid.
2. Each Bargaining Unit is divided into Election Departments, whose membership is determined by the Representative Council based on a recommendation by the Elections Committee and in consultation with the members of the various departments. Federation members in good standing are eligible to nominate, run for office, and vote only in the Election Department to which they belong. Members may nominate themselves as Representative.
3. A candidate for General Officer or Bargaining Unit Co-Chair may not serve on the Elections Committee for that election.
4. There shall be separate ballots for the General Officers, Bargaining Unit Co-Chairs, Department Representatives, and referenda. Members in good standing from each election department shall cast one ballot.
5. All Federation members in good standing are eligible to nominate, run for office, and vote in the General Officer elections. In order to be placed on the ballot for General Officer, a member must collect the signatures of at least two members of the Federation.
6. Federation members in good standing are eligible to nominate, run for office, and vote only in the Bargaining Unit to which they belong.
7. A Federation member may not run for the position of Alternate Department Representative. Rather, alternates will be those members who receive votes for Department Representative, but who do not receive enough votes to be elected Department Representative.
8. In advance of Federation elections, the Federation will publish a special election issue of the Newsletter, in which candidates may include their statements. Candidates' statements must be no longer than 250 words. In the case of joint statements, the word limit is 250 times the number of candidates included in a statement.

9. Referenda and election of officers and representatives shall be held by secret ballot. The election ballot shall contain the name of the candidate(s) and the office for which they are running. Referendum ballots shall include the text of the proposal in full.
10. To be a candidate for General Officer position, eligible members must be nominated in writing by at least two members in good standing, and the nomination must be accepted in writing by the nominee.
11. No one may hold more than one elected position at the same time.
12. Four weeks before an election, a solicitation for membership shall be sent to non-union members of all bargaining units by the most efficient means.
13. Copies of the most recent bargaining unit lists, including name and Department, shall be made available by November 1 to any member who requests such lists.
14. On the Monday of the week before the beginning of elections, the final voter list shall be made available for review to the Elections Committee and any member in good standing.
15. If a member objects to his or her name not appearing on the voter list, that member may cast a challenged ballot.
16. A Federation member may represent only one Department in one Bargaining Unit. Therefore, a Federation member working in more than one Bargaining Unit and/or Department may accept a nomination to the Representative Council for only one Election Department in one Bargaining Unit in each election year.
17. Members may vote in only one Bargaining Unit, and in one Election Department. Members who work in more than one Bargaining Unit or Department may direct the Elections Committee to place them in their choice of Election Departments. In the absence of directions from such members, the Elections Committee shall place such members in Elections Departments within the Bargaining Units.
18. All nominations for the position of Chair and/or Campus Coordinator shall be made at the first Representative Council meeting of the spring semester and, if the number of nominations exceeds the number of positions, the balloting shall be postponed to the second Representative Council meeting of the spring semester.
19. If a special election is called to fill a vacancy of a Representative or Officer as provided in Article XII J of the Federation Constitution, and if there is only one candidate who has been nominated before the deadline of nominations has

passed and if the candidate has agreed to run, the Elections Committee shall declare the candidate to be elected.

## **SPECIAL ELECTIONS**

If a special election is called to fill a vacancy of a Representative or Officer as provided in Article XII J of the Federation Constitution, and if there is only one candidate who has been nominated before the deadline of nominations has passed and if the candidate has agreed to run, the Elections Committee shall declare the candidate to be elected. (A.65)

## **VI. Negotiations**

Drastic differences in the proposed contract resulting from negotiations must be discussed and approved by the General Membership. (A.41)

Subject to clarification by Representative Council some form of reimbursement for expenses related to Negotiations sessions be set by Representative Council to reimburse members of the Negotiations Team for meals, etc. (A.42)

The following process be adopted for ratification of the negotiated contract. The process of ratification shall consist of (1) a meeting called of the Membership at which time the agreement shall be submitted in writing to the members for their questions and study; (2) a second meeting at which the vote will be taken no sooner than 24 hours after the first meeting; (3) distribution of the printed agreement to the faculty not present at the first meeting shall be attempted. (A.43)

## **VII. Standing Committees**

Vacancies in Standing Committees:

1. The Secretary shall survey all eligible persons as to their preferences for assignments to Standing Committees, including the Institution Wide Committee (IWC). The Secretary shall then prepare and present to the Representative Council a listing, by Committees, of these persons desiring appointments, together with a slate proposed by the Executive Committee from among the volunteers. The list of volunteers will be used only for one year.
2. Four (4) delegates and four (4) alternates for each committee will be elected by the Representative Council. The Council will vote for four (4) appointees to each committee. The four (4) persons with the largest number of votes will be delegates to the committee and the second four (4) will be the alternates. If an individual is elected for membership on two (2) committees, he must choose the one upon which he wishes to serve. He will then be replaced by the Representative Council from among the remaining applicants in the order of their plurality.

3. *[Repealed]*.
4. After initial appointments have been made, a delegate vacancy on the IWC or a Standing Committee will be filled by an alternate elected by the remaining delegates on the committee. Alternate vacancies will be elected by the Representative Council from among those individuals indicating a preference for the committee.
5. A delegate to the IWC or a Standing Committee who misses two meetings in succession without notifying the Head Delegate of his absence or arranging for an official alternate to take his place will be considered to have resigned. The Head Delegate will notify the delegate of his status and fill the vacancy in the manner prescribed. Any delegate must resign if he can no longer fulfill his responsibilities on the committee. (A.45)
6. An appointee's status on a committee may be challenged by any member of the Federation. The challenger must appear before the Representative Council with the facts of the challenge. The person being challenged will also have the right to appear. If the Representative Council votes by a two-thirds (2/3) majority to unseat the challenged appointee, he shall be removed from the committee.
7. Federation appointees are ordinarily expected to use their own judgment in deciding on IWC or Standing Committee issues, but the Federation reserves the right to instruct them on specific issues. (A.46)
8. The Representative Council shall appoint one delegate as Head Delegate for each Standing Committee. His functions will include the following:
  - (A) To insure full faculty representation at all committee meetings;
  - (B) To serve as a committee liaison with the Executive Committee and with the Federation representatives on the IWC;
  - (C) To transmit the notices, minutes and working papers of the committee to the Executive Committee and to the committee's liaison on the IWC.
  - (D) To discuss on a regular basis the business of his committee with the committee's liaison on the IWC. (A.47)
  - (E) To convene and chair caucuses of the Federation appointees to the Committee. (A.48)
  - (F) To conduct elections to fill delegate vacancies on his committee and report the results to the Representative Council.
  - (G) To report to the Representative Council any alternate vacancies.
9. The Representative Council shall appoint one delegate to the IWC as Head Delegate. His functions shall include the following:
  - (A) To insure full faculty representation at all IWC meetings.
  - (B) To serve as the IWC liaison with the Federation officers, the Representative Council and the General Membership.
  - (C) To transmit the notices, minutes and working papers by the IWC to the Executive Committee.
  - (D) To report, on a regular basis, the activities of the committee to the Representative Council and to the General Membership.
  - (E) To convene and chair caucuses of the Federation appointees to the Committee. (A.49)

- (F) To conduct elections to fill delegate vacancies on the IWC and to report the results to the Representative Council.
- (G) To report any alternate vacancies to the Representative Council.
- 10. Each appointee to the IWC shall be assigned as liaison with a Standing Committee. (A.50) As such, his duties shall include:
  - (A) Keeping informed of the activities of the Standing Committee through notices, minutes, working papers of the committee sent him by the Head Delegate of the committee and through regular discussions with that Head Delegate.
  - (B) Periodically attending the Standing Committee's meetings and/or caucuses of the Federation appointees to the Standing Committees.
  - (C) Reporting on the activities of the Standing Committees to the IWC Head Delegate and to the caucuses of the IWC.
- 11. The Federation appointees to the IWC and to each Standing Committee shall have an operating caucus. All appointed delegates and alternates shall have the power to vote within the caucus. By majority vote, the caucus may decide to use the unit rule. (A.51)
- 12. Provisions to allow for input to Standing Committees and IWC. (A.52)
  - (A) Who would provide input:
    - (1) The two faculty bargaining units (e.g., for items being discussed by Curriculum Committee); or
    - (2) All three bargaining units (e.g., for items being discussed by Business Affairs Committee, Technology Coordinating Committee)
  - (B) Methods bargaining unit members may use to provide input to Standing Committee and IWC deliberations:
    - (1) When any two members of a Standing Committee believe that further discussion of a proposal before that body is warranted, or if any two members of the IWC believe that further discussion of a proposal before that body is warranted, the Head Delegate of IWC shall call a Special Issue meeting so that members of affected bargaining units may discuss that proposal.
    - (2) Those attending such a Special Issue meeting
      - (a) shall act as a sounding board for the Standing Committee/IWC delegates and alternates;
      - (b) may place an item on the Agenda of a Rep Council meeting, asking the Rep Council to vote on whether to direct the Federation's delegates/alternates on the issue in question (the Federation's Constitution provides, in VI. B. (4), ". . . any member in good standing of an organization of the Federation can, in advance of a meeting of that organization, and in time for such to be included on the written notice of the meeting, require that an item be included on the agenda . . ."); and
      - (c) may ask that the Co-Presidents call a General Membership meeting to vote on the issue, or the Bargaining Unit Co-Chairs, as appropriate (the Federation's Constitution provides, in XIII.2, "Meetings of a Bargaining Unit of the General

Membership shall be called by the Co-Presidents as required; or as the Co-Presidents deem necessary; or at the request of the Executive Committee or the Representative Council or appropriate Bargaining Unit Council or ten (10%) percent of the Bargaining Unit or the General Membership”).

In making recommendations to College and Federation committees as described in section V.1.B.(7) of the Federation Constitution, the Federation Co-Presidents shall seek to promote gender parity and racial diversity, as well as taking other criteria into consideration; and that the Federation urges the College administration to adopt similar policies in making its appointments to Standing Committees. (A.53)

### **VIII. Grievances**

A member is urged to tell his representative of any intent to file a grievance. With the approval of the grievant, the representative shall inform the executive officers of any grievance as soon as he is informed of such a grievance. It is desirable that when a grievance is reduced to writing, a copy be submitted to both department representative and executive officers of the Federation. In order to prepare for the possibility of going to step four, the department representative shall inform the executive officers when a grievance is going to step three. To consider the merit of sending a grievance to binding arbitration it is the responsibility of the executive committee to make a recommendation in writing to the representative council, to make every effort to have every representative attend a special meeting, and to invite the grievant to be present. At such a meeting the representative council shall constitute itself as a hearing committee, whose decision shall be final. After the grievant has stated his case, with such assistance as he may desire, the representative council shall deliberate among themselves and make their decision by roll call vote. A written report of their decision shall be disseminated to the membership. (A.54)

### **IX. Newsletter and other communications**

The *Newsletter* is the official publication of the Faculty and Staff Federation of Community College of Philadelphia (FSFCCP). The purpose of the *Newsletter* is to inform the membership of union news, important dates, and activities of the Federation. It will serve as a reporting and organizing tool rather than a vehicle for distributing opinion pieces written by union members. (A.55) The Federation’s Constitution provides as follows in Article VI. B. (3): The Executive Committee shall supervise and review all public statements which represent the official position of the Federation.

In any personal communication from a member of the Federation to the Federation at large, except when published in the Federation’s *Newsletter*, the Federation will pay duplicating costs, but the office manager is not to be asked to type or distribute the communication. (A.56)



The *Newsletter* shall provide a forum for candidates for office to make statements provided that all candidates are given the same opportunity, space, and issue of the publication to present their positions. No further union funds may be used to promote the candidacy of any individual. (A.57)

Endorsements may appear in the election issue of the *Newsletter* provided the endorsements are signed and all candidates have equal access to submitting endorsements. (A.58)

A separate publication shall be created as a vehicle for any Federation member to present opinion pieces on union matters. The views expressed are the sole responsibility of individual authors and do not necessarily reflect the views of the Federation or its officials. Individuals have sole responsibility for the content of their articles. (A.59)

(A.60)

1. Each edition of the *Newsletter* or of *Voices in the Union* shall print a disclaimer on page one stating that the views expressed in articles do not necessarily reflect those of the Faculty Federation or its officials.

2. Articles submitted to the *Newsletter* or to *Voices* shall be limited in length to a total of 6 pages, or 3 sheets, both sides.

**Guidelines distinguishing between content of Federation *Newsletter* and of *Voices in the Union***

(A.61)

1. Any officer of the Federation, or anyone charged with an official responsibility by the Federation about any matter of interest to the Federation, as determined by the Executive Committee, writes in the *Newsletter*. Examples include but are not limited to reports on grievances by those handling them and reports on union conferences and conventions.
2. An article on a matter of interest to the Federation, as determined by the Executive Committee, appears in the *Newsletter*. Examples include but are not limited to obituaries for deceased faculty and staff.
3. Responses to a *Newsletter* article will be published in *Voices in the Union*, along with the original *Newsletter* article which provoked the response. With the first response, the original article must be published in *Voices*, but with subsequent responses, publishing the original *Newsletter* article will be optional.
4. All other articles belong in *Voices in the Union*. All members may write in *Voices*; individual members are responsible for their opinions.
5. Overriding the above guidelines is the special Election issue of the *Newsletter*, which will appear shortly before the annual elections. For that issue all members will have the opportunity to write statements in support of their own candidacy or someone else's.

6. In the event that the editor of either publication thinks that an article submitted to the corresponding publication exposes the author, editor, or Federation to legal risks, the matter shall be resolved in the following manner. The editor shall first notify the author about the following sequence of steps that will end at some level with a resolution. The issue may be resolved at a meeting between the author and the editor. If not, the issue may be resolved at a second meeting among the author, editor and the Executive Committee. If still unresolved, the issue will be referred to the Representative Council, which can vote for or against inclusion. If it is agreed that the article will be published, it will be published in the issue immediately following the one to which the article was submitted, if practicable.
7. To determine if an article belongs in the *Newsletter*, the following two questions require a “Yes” answer:
  - a. Is the author of the article an officer of the Federation, or someone charged with an official responsibility by the Federation, or someone invited by the Federation?
  - b. Has the Executive Committee determined the subject matter of the article to be of interest to the Federation?

#### **X. Name of the organization (A.62)**

Change of name from The Faculty Federation of Community College of Philadelphia to The Faculty and Staff Federation of Community College of Philadelphia.

### **Bylaw on Faculty Council**

#### **XI. Faculty Council (A.63)**

A. The Mission of the Faculty Council shall be to provide a forum for faculty to discuss and make recommendations on issues related to effective teaching and learning and educational excellence.

B. The Faculty Council shall:

1. Elect Co-Chairs from among its Representatives who shall not also be General Officers of the Federation; Co-chairs shall serve two year terms. The terms of the co-chairs shall be staggered so that the co-chairs’ terms do not simultaneously end. This allows the Council to maintain one experienced co-chair at all times.
2. Establish committees of the Faculty Council and appoint members to such committees as needed.
3. Meet at least once during each month of the regular academic year on regularly established days and times, and additionally as needed. All members of the Federation bargaining units, and Department Heads, shall have the right to attend and speak at Faculty Council meetings. In addition, the Council may invite non-members to attend and speak at meetings for informational purposes. A

quorum for meetings of the Council shall be 30% its elected membership. By vote of the Council, electronic voting may be used, on a case by case basis, for approval of individual motions;

4. Review and act on reports from Faculty Council committees;

5. Make recommendations to the Standing Committees, the Representative Council, the bargaining units' Proposals Committees, and/or the General Membership.

6. Send copies of its recommendations and reports to the Executive Committee of the Faculty and Staff Federation for review concerning their impact on contractual issues and for possible referral to the appropriate bargaining unit or General Membership. The Federation's General Membership and bargaining units have final authority on all contractual matters.

### C. Faculty Council Representatives

#### 1. **Divisional Representatives** to the Faculty Council.

Each Division shall be entitled to elect five Faculty Council Representatives from among its members (including Department Heads), as long as at least one of the elected Representatives from that Division is from each of the faculty bargaining units.

- a) Current Academic Divisions (as of the 2009-10 academic year) are identified as the following: Educational Support Services (ESS), Division of Adult and Community Education (DACE); Business and Technology, Liberal Studies; Math, Science and Health Careers.
- b) For the purposes of electing Faculty Council divisional representatives only, Counselors shall be considered as part of ESS.
- c) Any newly-created Academic Division of the College in which faculty have their primary assignment shall be entitled to elect Representatives according to this provision.
- d) If the five faculty members with the highest number of votes in any division are from one bargaining unit, the faculty member with the highest number of votes from the other bargaining unit will be seated on the Council as the fifth member and the lowest vote-getter from the other unit will not be seated.

#### 2. **At-Large Representatives** to the Faculty Council.

In addition to divisional representatives to the Faculty Council, there shall be five at-large representatives elected from among the ranks of the combined FT Faculty Bargaining Unit and PT/VL Bargaining Unit. Candidates may run for election both in their division and at-large.

3. Faculty Council Representatives shall be elected in the Spring of each academic year for a one-year term, such term to begin on the following September 1. Elections will be carried out in accordance with the provisions of Article XII of the Federation's Constitution, except that

- (a) all members of each of the Faculty Bargaining Units and Department Heads shall be eligible to vote; and
- (b) electronic voting for Faculty Council Representative elections shall be permitted, providing the anonymity of voters is maintained; and
- (b) Article V. of the Bylaws notwithstanding,
  - (1) the 15 days' notice of the election of FCE Representatives,
  - (2) the 15 days' notice of the time, place and procedure to be used for FCE nominations and
  - (3) a FCE nominating form

may be sent electronically and by intramural mail instead of by U.S. Mail. If this procedure is used, both electronic and intramural means shall be employed. (A.64)

4. A Faculty Council Representative shall:

- a. Serve as a voting member of the Faculty Council, helping the Council to carry out its mission;
- b. Convey to the Council concerns and insights of his/her colleagues;
- c. Communicate with his/her Division, and with the faculty in general, all questions under consideration by the Faculty Council; and
- d. Make recommendations for the formation of committees, agenda items and other Council actions.

#### D. Co-Chairs of the Faculty Council

1. The Co-Chairs shall:

- a. Call meetings of the Faculty Council as required by Section XI.B.3; or upon the request of the Co-Presidents or the Executive Committee of the Faculty and Staff Federation; or upon presentation to the Co-Chairs of a petition of twenty (20%) per cent of the Council's membership;
- b. Set agendas in accordance with FCE recommendations and requests and preside at meetings of the Faculty Council;
- c. Be *ex officio* members of the Federation's Executive Committee; and
- d. Make a written and/or oral report at each Representative Council meeting on proposals being considered/addressed by the Faculty Council.

2. A Steering Committee (to be formed if needed) shall consist of the Co-Chairs, a representative from each of the committees of the Council and two at-large members. (A.67)

#### E. The Steering Committee of the Faculty Council

1. The Steering Committee of the Council shall set the agenda for Council meetings, and make recommendations to the Council about the formation of committees, and about other Council actions.

2. The Steering Committee shall consist of the Co-Chairs, a representative of each of the committees of the Council (to be elected by the Council at a regular meeting), and two at-large members (elected by the Council annually from among the Council Representatives).