

Cuesta College Federation of Teachers

Bylaws

(as re-written March 20, 2009 and approved by the members April 3, 2009)

Section 1. The Membership

1.1. Meetings of the Membership

- a. Membership meetings shall occur at least once each semester at a predetermined time and place. Meetings can occur more often, as approved by a simple majority vote of the assembled members in a membership meeting, by petition of ten percent (10%) of the membership, or by a majority vote of the Council of Representatives or of the Executive Board. All such meetings shall be adequately advertised and properly conducted according to the provisions of these Bylaws.
- b. The agenda for the membership meetings shall be set by the President after consultation with the Executive Board. At least one meeting annually shall include agenda items to receive committee reports; discuss the budget, financial reviews, audits, and other financial matters; and develop and vote on resolutions to guide the policies and activities of the organization.
- c. The quorum for a membership meeting shall be thirty-three percent (33%) of the total membership of the organization.
- d. *Robert's Rules of Order, Newly Revised* (or most recent edition) shall be used to conduct all membership meetings, unless modified or replaced by another method of conducting meetings by a simple majority vote of the members attending the meeting.
- e. Voting at membership meetings shall be by acclamation, unless otherwise designated in these Bylaws or unless requested by at least five percent (5%) of the members attending the meeting for a counting of the yeas and nays.
- f. All members must vote yea or nay on all motions in question, unless a member has a substantial lack of knowledge of the question or a direct conflict of interest, in which case s/he shall abstain from voting on the question.
- g. Membership meeting minutes shall record the approval or disapproval for each vote and the counting of yeas and nays of each vote in which a count was taken. Membership meeting minutes shall be approved by a simple majority of the Executive Board.

Section 2. The Executive Board

2.1 Duties of the Executive Board

- a. All Executive Board members are ex-officio, non-voting members of the Council of Representatives and shall attend all Council of Representatives and membership meetings.

2.2. Duties of the President

- a. The President shall:
 1. be the presiding officer at all meetings of the membership and the Executive Board;
 2. be an ex-officio member of all standing committees except the Elections Committee;
 3. be the principal executive officer of the organization;
 4. receive, report and respond to correspondence of the organization;
 5. supervise all employees of the organization;
 6. be one of the responsible financial officers of the organization and shall be authorized to co-sign financial instruments and make regular and usual deposits and disbursements of funds;
 7. arrange for an annual independent financial review or audit of the finances of the organization and an annual or bi-annual agency fee audit and make same available to the Executive Board, the membership, and to the American Federation of Teachers;
 8. nominate to the Executive Board for approval the Grievance Committee chairperson and members, the Negotiation Team chairperson and members, the Negotiation Committee chairperson, representatives to joint CCFT/District committees, and other committee chairpersons not under the authority of other CCFT bodies;
 9. procure regular reports from all committee chairpersons and CCFT representatives on district committees and submit such reports to the Executive Board and Council of Representatives;
 10. represent the organization before bodies of the employer, executive, and legislative officials, including the Cuesta College Academic Senate and Board of Trustees;
 11. represent the organization before the public, community organizations, and the news media;
 12. attend all Executive Board, Council of Representatives, and membership meetings;
 13. deliver semi-annual reports of the organization's major goals and activities to the organization's membership;
 14. be able to delegate the duties of the office; and
 15. assume other duties as assigned by the Executive Board.

2.3. Duties of the Vice-President

- a. The Vice-President shall:
 1. assume the duties of the President in the event of the absence, illness, or death of the President;
 2. oversee the work of maintaining and increasing the membership;
 3. perform other duties as delegated by the President or assigned by the Executive Board;
 4. co-sign financial instruments in the absence of the President or Treasurer; and
 5. attend all Executive Board, Council of Representatives, and membership meetings.

2.4. Duties of the Secretary

- a. The Secretary shall:
 1. maintain the non-financial files and records of the organization, including the CCFT Constitution and Bylaws;
 2. be the custodian of the seal and charter of the organization;
 3. record, publish, and keep accurate minutes of meetings of the Executive Board, the Council of Representatives, and the membership;
 4. publish and keep CCFT committee reports;
 5. assist the President in handling the correspondence of the organization;
 6. oversee the work of and receive and certify the reports of the Elections Committee;

7. oversee the work of the Catastrophic Leave Bank Committee;
8. perform duties of the office as required by the Labor-Management Reporting and Disclosure Act (LMRDA) and similar federal and state regulations; and
9. perform other duties, as delegated by the President or assigned by the Executive Board.

2.5. Duties of the Treasurer

- a. The Treasurer shall:
 1. receive, record, and deposit all dues monies and other income in the name of the organization, including COPE funds;
 2. maintain accurate membership records;
 3. prepare annually an itemized budget for presentation to the Executive Board, the Council of Representatives, and the membership;
 4. 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, including COPE funds;
 5. maintain accurate financial records of the organization, including the COPE treasury;
 6. work with the Cuesta College Payroll Office and Human Resources Office staff to ensure the accuracy of payroll deductions of union dues and fees and faculty lists;
 7. prepare materials for an annual financial review or audit of the organization's finances and an annual or bi-annual agency fee audit;
 8. transmit per-capita dues payments on a regular basis to the Secretary-Treasurer of the American Federation of Teachers, the California Federation of Teachers, the California Labor Federation, the Tri-Counties Central Labor Council, and similar officers of all other bodies with which the organization is affiliated;
 9. attend all Executive Board, Council of Representatives, and membership meetings;
 10. make regular financial and budgetary reports to the Executive Board, Council of Representatives, and membership of the organization;
 11. perform duties of the office as required by the federal Labor-Management Reporting and Disclosure Act, the California Fair Political Practices Commission (and similar) regulations, and the guidelines developed by the AFT; and
 12. perform other duties as delegated by the President or assigned by the Executive Board;

2.6 Meetings of the Executive Board

- a. The Executive Board shall meet at least monthly during the academic year, or at the call of the President or at the call of three (3) or more of its members, for the purpose of initiating, overseeing, and/or revising the business and program of the organization and to conduct other business of the organization that is within its authority.
- b. The President, after consultation with the Executive Board, shall determine the agenda for all Executive Board and membership meetings. The agenda will be distributed to the members of the Executive Board at least 72 hours before meetings. All agenda items will contain sufficient information so that members of the Board may informally discuss the items before the meeting. Reports of committees shall be duplicated for Board members.
- c. A quorum for the Executive Board shall be more than one-half (1/2) of its total membership.

- d. *Robert's Rules of Order, Newly Revised* (or most recent edition) shall be used to conduct all meetings, unless modified or replaced by another method of conducting meetings by a two-thirds (2/3) majority vote of the Executive Board members voting.
- e. All Executive Board members must vote yea or nay on all motions in question, unless an Executive Board member has a substantial lack of knowledge of the question or has a direct conflict of interest, in which case s/he shall abstain from voting on the question. Abstentions shall not be counted as votes but shall be recorded in the minutes with the reason(s) for the abstention.
- f. A list of the names of the Executive Board members and their yea and nay votes and abstentions shall be included in the minutes of each meeting.
- g. Executive Board meeting minutes shall be approved by a simple majority of the Executive Board members attending the meeting at which the draft minutes are proposed.
- h. Any Executive Board member who is absent for more than three (3) consecutive meetings shall be subject to a vote by the Executive Board for removal from his/her position. A simple majority vote shall be sufficient for such removal.

Section 3. The Council of Representatives

3.1. Division Representatives

- a. Divisions represented on the Council of Representatives shall include, but shall not be limited to, the following:
 - Academic Support/DSPS
 - Biological Sciences
 - Business Education
 - Counseling/Health Center
 - Engineering and Technology
 - English
 - English as a Second Language
 - Fine Arts
 - Health Center
 - Human Development
 - Languages and Communication
 - Library Services
 - Mathematics
 - North County Campus (one representative)
 - Nursing/Allied Health
 - Performing Arts
 - Physical Education and Athletics
 - Physical Sciences
 - Social Sciences
 - Student Life and Leadership
 - Workforce Development (including Cooperative Work Experience).

3.2 Adding Divisions to the Council of Representatives

- a. Additional divisions shall automatically be included on the Council of Representatives as they are created by the district, as long as they include faculty members who are in the CCFT bargaining unit.

3.3 Meetings of the Council of Representatives

- a. The Council of Representatives shall meet at least twice each semester. Additional meetings may be called by at least twenty percent (20%) of the Council members, by at least one (1) of the Council co-chairpersons, by a majority vote of the Executive Board, or by a signed petition of at least ten percent (10%) of the membership.
- b. The Council of Representatives co-chairpersons, after consultation with the President, shall determine the agenda for all Council of Representatives meetings. Such agenda and supporting documentation for the meeting shall be distributed to the Council of Representatives and Executive Board members at least 72 hours before the meeting.
- c. A quorum for the Council of Representatives shall be more than one-half (1/2) of its total membership.
- d. *Robert's Rules of Order, Newly Revised (or most recent edition)* shall be used to conduct all meetings, unless modified or replaced by another method of conducting meetings by a two-thirds (2/3) majority vote of the Council of Representatives members voting.
- e. All Council members must vote yea or nay on all motions in question, unless a Council member has a substantial lack of knowledge of the question or a direct conflict of interest, in which case s/he shall abstain from voting on the question. Abstentions shall not be counted as votes but shall be recorded in the minutes with the reason(s) for the abstention.
- f. Council of Representatives meeting minutes shall record the number of yeas and nays for each vote. Council of Representatives meeting minutes shall be approved by a simple majority of the Council of Representatives attending the meeting at which the draft minutes are proposed.
- g. Council representatives may send to the Council a CCFT member in good standing from their division in their place; proxy rights shall be assigned by written verification by the Council member. Proxy votes shall be allowed at Council of Representatives meetings.
- h. Any CCFT member may attend meetings of the Council but as observers only. In the event that a confidential issue arises during the meeting, visitors shall be asked to leave for the duration of the confidential discussion unless the visitor(s) is the subject of the discussion.

3.4 Reapportionment of the Council

- a. Reapportionment of the Council shall occur before each election of Council of Representative members election under the authority of the CCFT Secretary.

Section 4. Committees

4.1. Committee Members

- a. Except for the Grievance Committee and the Negotiation Team, upon approval of committee chairpersonship, committee chairs within thirty (30) days shall select committee members and present their names to the Executive Board.

4.2 Committee Goals, Activities, and Budget

- a. Within thirty (30) days of formation or by September 15 (whichever comes earlier), each committee chairperson shall present its committee's goals, program of action, and an income/expense budget for the current or upcoming academic year to the Executive Board. The income/expense budget shall be subject to the Executive Board for approval.

4.3. Purposes of the Standing and District Committees

- a. The Benefits (Health) Committee shall be a negotiating body of CCFT, with direction and decisions subject to Executive Board approval, to determine the health, vision, and dental insurance plans, fringe amounts, and premium amounts.
- b. The Calendar Committee shall be a negotiating body of CCFT, with direction and decisions subject to Executive Board approval, to determine the academic calendar of the district.
- c. The Catastrophic Leave Bank Oversight Committee shall manage the CCFT Catastrophic Leave Bank (subject to the decisions of the Executive Board), including receiving documentation from faculty members requesting leave bank credits and recommending to the Executive Board a decision regarding such requests,
- d. The Committee on Political Education (COPE) 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 its clients; develop programs to promote voter registration; and develop programs to support the election of candidates who support the interests of the membership.
- e. The Communications Committee shall work jointly with the Vice President and standing committee chairpersons to assist them in achieving their goals by communicating with the membership, including being responsible for publishing newsletters at least twice each semester which report on the major goals and activities of the committees and the union.
- f. The Elections Committee shall conduct and supervise all elections of the organization, except those specifically delegated to the Council of Representatives or the Executive Board.
- g. The Financial Review Committee shall review the financial records of CCFT and COPE, in accordance with procedures recommended by the American Federation of Teachers for such review, every year that the Executive Board does not contract out this task to a Certified Public Accountant or other qualified professional. Executive Board members shall not be members of this committee.

- h. The Grievance Committee shall educate the membership concerning contractual and legal rights, work with the membership and the Executive Board in the resolution of contractual and non-contractual disputes in the workplace, maintain records of grievances and their disposition, be responsible for the processing of grievances and disputes beyond the immediate work location, and assist the Executive Board in making decisions regarding disputes to be taken to arbitration or civil remedy.
- i. The Negotiations Committee shall conduct research, surveys, hearings, and other activities that assist the organization in its collective bargaining, or similar, programs. The Negotiations Committee shall inform the Negotiation Team and the Executive Board of its findings.
- j. The Negotiation Team shall bargain and negotiate directly with the District.
- k. The Part-Time Faculty Committee, in conjunction with the Vice President, shall be responsible for member recruitment of temporary (non-tenured and non-tenure track) faculty members, for surveying and reporting the interests of the temporary faculty, and for conducting regular meetings of the temporary faculty.
- l. The Peace and Justice Committee shall sponsor events and activities that educate the membership on and provide opportunities to advocate for labor rights, peace, human rights, and other social justice issues.

Section 5. Internal Complaints

5.1 Internal Complaint Procedures

- a. An internal complaint is a formal, written allegation by a CCFT member that the member has been adversely affected by arbitrary, capricious, or invidious action of the CCFT.
- b. The Grievance Committee shall not add members or otherwise change its membership from the time a complaint is first brought to the attention of the Grievance Officer or a member of the Executive Board until the final resolution of the internal complaint while meeting to discuss the complaint. The Grievance Committee shall be allowed to change its membership while meeting to discuss issues other than the internal complaint.
- c. Within 30 days of the time a member knew or reasonably should have known of an event giving rise to the internal complaint, the member shall discuss the alleged violation with the Grievance officer, unless the complaint is against the Grievance Committee or a member of the Grievance Committee, in which case the alleged violation will be discussed with the President of the CCFT.
- d. If a satisfactory resolution is not reached within 20 days of the step above, the member shall present, within 10 days thereafter, a written complaint to the Grievance Officer (or CCFT President, per Section 5c above.) setting forth in detail all the particulars pertaining to the dispute. The complaint must specify the constitutional provision(s) or the bylaw(s) that allegedly has been violated.
- e. The written complaint shall be filed with the Grievance Officer (or CCFT President, per Section 5c above) who shall transmit it to the Grievance Committee (or to the Executive Board, if the complaint went to the President). Within 30 days of receiving the complaint the committee (or Executive Board) will communicate its decision to the member and the CCFT

President. The committee (or Executive Board) will meet with any or all the members involved in the complaint at his/her or their request.

- f. The Executive Board is empowered to approve, disapprove, or modify the decision of the Grievance Committee. The Executive Board will issue its decision within 15 days of its receipt of the Grievance Committee's decision.
- g. The decision of the Executive Board may be appealed to the Council of Representatives. The appellant shall file the written complaint to a chair of the Council of Representatives within 15 days of being notified of the Executive Board's decision and before 7 days of its next regularly-scheduled meeting. The Council of Representatives shall choose to hear the complaint at its next regularly-scheduled meeting or at a special meeting. The meeting to hear the complaint shall include a full hearing of the complaint, with all parties allowed to speak to the issues of the complaint.
- h. The Council of Representatives is empowered to approve, disapprove, or modify the decision of the Executive Board. Only for compelling and clear reasons given in writing will the Council of Representatives disapprove or modify the decision of the Executive Board. The Council of Representatives will issue its decision within 7 days of its meeting at which it heard the complaint. The decision of the Council of Representatives is final.

Section 6. Amendment of the Bylaws

6.1 Amendments of the Bylaws

- a. A majority of the Executive Board or of the Council of Representatives may propose amendments to these Bylaws. A proposal to amend the Bylaws may be made upon petition to the Executive Board signed by 10% of the membership or by a majority vote at a membership meeting where there is a quorum. A simple majority of voting members, either at a membership meeting or by ballot, shall be necessary to approve such an amendment.