

# **CONSTITUTION AND BYLAWS**

**OF THE**

**CENTRAL MICHIGAN UNIVERSITY  
FACULTY ASSOCIATION/MEA/NEA**

**WITH ALL REVISIONS AS OF**

**March 19, 2008**

# CONSTITUTION

## Central Michigan University Faculty Association

### Article I Name

The business of this organization shall be conducted under the title of the "Central Michigan University Faculty Association (CMUFA) MEA-NEA," a local-affiliated unit of the Michigan and National Education Associations. The Association shall be a non-profit corporation organized in accordance with the laws of Michigan.

### Article II Purpose

The purpose of this organization shall be: to represent the professional concerns of its members; to improve education and advance the interests of education and of educators; and to assist in interpreting the role and function of higher education in the state and in the community.

### Article III Membership\*

- Section 1. Active and voting membership in the organization shall consist of those persons who are members of the MAHE and MEA-NEA and who are defined as members of the bargaining unit by the most recently signed contract and who pay dues and assessments as provided in the By-laws.
- Section 2. Affiliate membership shall be available without vote for other professional staff members employed by Central Michigan University who are also members of the MAHE and MEA-NEA.
- Section 3. The organization may bestow honorary memberships upon persons as may merit such an award.
- Section 4. No member shall be censured, suspended or expelled without a due process hearing. The hearing shall be conducted by the CMUFA Board of Directors. An appeal may be made to the MEA Board of Reference.
- Section 5. An individual's membership shall begin on the enrollment date listed on the signed membership application submitted to and accepted by the CMUFA.

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\*Please note that this article refers to the dues-paying members of the Faculty Association. It does not exclude fee-payers of the bargaining unit from coverage by the contract, but excludes them from active participation in the Association.

**Article IV  
Officers**

- Section 1. The officers of the organization shall consist of a President, President-elect, Past-president, Secretary, Treasurer, Membership Officer and Grievance Officer.
- Section 2. Terms of office shall be for a one year period, effective from July 1 to the succeeding June 30 unless otherwise specified in the By-laws.
- Section 3. MEA Representative Assembly Delegates. The term of the office for the MEA Representative Assembly Delegates and alternate shall be one (1) year commencing on September 1. Election shall be held prior to June 1.
- Section 4. NEA Representative Assembly Delegates. The term of the office for the NEA representative Assembly delegates and alternate shall be one (1) year commencing on September 1. Election shall be held prior to April 1.

**Article V  
Board of Directors**

- Section 1. The normal business of the organization shall be conducted by the Board of Directors.
- Section 2. Membership: The Board of Directors shall consist of the President, President-elect, Past-president, Secretary, Treasurer, Membership Officer, Grievance Officer, Representative for Affirmative Action Concerns, MAHE/NEA Representatives, MEA/NEA Representatives, and Representatives elected from each college or from a unit composed of members who do not have college designation. Each college or unit shall be entitled to elect one Representative for each sixty (60) faculty members or a major fraction thereof, provided that in every case a college or unit shall be entitled to at least one Director. A person must be an active dues paying member of CMUFA to be eligible to serve on the Board of Directors.
- Section 3. Representation of Minority Persons 3-1G: The ethnic representation shall be in compliance with the Constitutions and By-laws of the NEA and the MEA. In event that the ethnic representation is less than required by the Constitutions and By-laws of the MEA and NEA, rules and procedures shall be established for an at-large election to ensure proportionate ethnic minority representation.
- Section 4. Meetings: Meetings of the Board of Directors shall be called by the President or upon request of one-third of the members of the Board
- Section 5: Specific Responsibilities: The Board of Directors shall be responsible for

- A. Periodic surveys of the membership to determine the membership's opinions with regard to contract issues and procedures and other matters of interest;
- B. Final selection of bargaining teams;
- C. Providing input to the bargaining team; and
- D. Approval or rejection of tentative contract proposals: Four (4) options exist: approval of a tentative contract with positive recommendation to the FA membership, submission of a tentative contract with neutral recommendation to the FA membership, submission of a tentative contract with negative recommendation to the FA membership, and rejection of a tentative contract. Notwithstanding, the bargaining team shall be given full authority to negotiate the contract using faculty survey data and input from the Board of Directors.

Section 6. Replacement: Any member of the Board of Directors who is absent from three consecutive regularly-scheduled meetings of the Board shall no longer be considered a member of the Board of Directors, and the position shall be declared vacant. Vacancies in office shall be filled according to procedures provided in the By-laws.

Section 7. Equal opportunity: The CMUFA subscribes to the policies of equal opportunity and affirmative action.

**Article VI  
Direct Legislation**

Initiative, Referendum, and Recall: The rights of popular initiative, referendum, and recall shall rest with the membership of the Association. Upon receipt of a petition signed by 15% of the membership of the Association, the Secretary shall announce a general election or ballot as indicated on the petition within 15 calendar days for the purposes presented in the petition. A majority of the total membership shall be required for its adoption, which shall take effect thirty days later. Delegates to the MEA Representative Assembly may be recalled only for just cause.

**Article VII  
Membership Year**

The membership year shall be from September 1 through August 31. The membership year shall be the basis for the calculation of dues and assessments.

## **Article VIII Amendments**

Amendments to this Constitution may be introduced by the Board of Directors or by petition of one-third of the membership presented to the Board of Directors. They will be publicized to the general membership at least thirty (30) days prior to the time they are to be acted upon. A majority vote of the membership, or two-thirds of those voting shall be required for the ratification of an amendment. Amendments shall become effective immediately upon ratification.

Revised: **3/19/08.**

# **B Y - L A W S**

## **Central Michigan University Faculty Association**

### **Article I Rules of Order**

The latest version of Robert's Rules of Order Newly Revised shall be the authority concerning all questions of procedure not specified in the Constitution and By-laws.

### **Article II Meetings**

Section 1. One general meeting of the membership shall be held each semester. Ten days notice of each general meeting shall be given to the membership. The first general meeting of the membership shall occur within 30 days of the beginning of the fall semester.

Section 2. Other special meetings of the membership may be called at the discretion of the Board of Directors following two (2) working days notice to the membership. The Board of Directors shall meet monthly during the academic year or in accordance with the calendar adopted by the Board of Directors. After establishment of a calendar, the membership shall be notified of the dates, times and location of meetings.

Except as specified in MEA Administrative policies, meetings shall be open to all members and members shall be permitted to address the meetings.

Section 3. A special meeting of the membership shall be called within ten (10) calendar days upon presentation of a signed petition to the Secretary of no less than one-third ( $\frac{1}{3}$ ) of the membership. The petition shall state the reason for the meeting and that shall be the only business before the membership.

Section 4. Any action of the Board of Directors may be rescinded by a majority of the voting membership or by two-thirds ( $\frac{2}{3}$ ) of those present at a general or special meeting.

Section 5. Ratification Meetings: When the Association is considering entering into a legal and binding Agreement with CMU, the President of the Association and the members of the bargaining team are authorized to sign such an Agreement on behalf of the membership upon completion of the following procedures.

A. A general meeting of the membership shall be called in accordance with Sections 1, 2, or 3 above. Only a proposed contract tentatively agreed to

by an officially impaneled bargaining team may be submitted to a membership for ratification vote.

- B. At that meeting, the agenda shall include the following:
1. A written digest of the proposed Agreement shall be presented;
  2. A report and recommendation by the bargaining team shall be presented;
  3. A report and recommendation by the Board of Directors shall be presented;
  4. A determination by the members in attendance, by the majority vote, of the method of ratification of the proposed Agreement. Only members in good standing may vote on ratification.

### **Article III Quorum**

A quorum at a general membership meeting shall consist of those who attend the meeting. The quorum for transacting business at a meeting of the Board of Directors shall be a majority of the members of the Board.

### **Article IV Duties of Officers and Representatives**

Section 1. The President shall preside at all meetings of the organization and shall perform such other functions required for the Association to operate on a daily basis. In addition, the President shall:

- A. Recommend to the Board of Directors the names of individuals to fill committee vacancies and prepare and update the roster of committee appointments including the term of such appointments;
- B. Prepare a letter of appointment for all appointees confirmed by the Board;
- C. Serve as an ex-officio member of all committees, with the exception of the Nominating Committee and the Election Committee.

Section 2. The President-elect shall act in the absence or disability of the President. The President-elect shall automatically become the President unless an absolute majority of the voting membership by secret ballot at a membership meeting vote otherwise. The President-elect shall also assume the following duties:

- A. Be responsible for the organization of the Faculty Association Department Representatives during periods of time when contract proposals are being prepared and/or negotiated or as otherwise specified by the Board;
- B. Serve as chairperson of the Departmental Representatives and report their activities to the Board;
- C. Recommend to the President the names of individuals to fill committee vacancies;
- D. Perform such other duties as may be requested by the President.

Section 3. The Past-president shall be responsible for:

- A. The organization and operation of the Nomination Committee as prescribed under Article VII of the By-laws;
- B. The organization and operation of the Election Committee;
- C. Other duties as assigned by the President.

Section 4. The Secretary shall be responsible for:

- A. Recording the minutes of the Board of Directors and membership meetings;
- B. Maintaining all records and files for the Association;
- C. Making minutes available for membership inspection;
- D. Assisting the President with Association correspondence.

Section 5. The Treasurer shall be responsible for:

- A. The collection of dues and assessments;
- B. Preparation of an annual budget;
- C. Payment of all bills;
- D. Preparing a written statement or chart showing the receipt and disbursement of funds by major categories which will be presented at one general membership meeting each year and made available to the entire membership;

- E. Making quarterly reports to the Board of Directors;
- F. Posting and retaining a record of all income and disbursements of the Association;
- G. Submission of financial records for an annual audit.

The Treasurer shall be bonded.

Section 6. The Membership Officer shall be responsible for:

- A. Enrolling new bargaining unit members in the CMUFA;
- B. Maintaining records of CMUFA membership;
- C. Coordinating the work of the membership correspondent, who shall be responsible for communications regarding membership with MEA/NEA.

Section 7. The chairperson of the Grievance Committee shall serve as the Grievance Officer. The Grievance Officer shall be responsible for:

- A. Coordinating the work of the Grievance Committee;
- B. Keeping the Board of Directors informed on the status of grievances;
- C. Responding to inquiries from bargaining unit members concerning application of the contract and possible violations or improper application of its provisions;
- D. The representation of the CMUFA in grievances and in other discussions with CMU about the interpretation of the contract.

Section 8. The Representative for Affirmative Action Concerns shall work on behalf of the Association to increase representation and participation of minorities at CMU and in the CMUFA. This representative shall serve as the CMUFA representative on affirmative action councils and committees and as the CMUFA affirmative action representative in MEA and NEA assemblies.

Section 9. The MAHE/NEA Representatives shall represent the Association at the following meetings and at other meetings deemed relevant by the Board of Directors:

- A. Michigan Association for Higher Education (MAHE) meetings;
- B. Michigan Education Association Representative Assemblies.
- C. National Education Association Representative Assemblies;

- D. National Education Association - National Council for Higher Education annual meetings.

Section 10. The MEA/NEA Representatives shall represent the Association at the following meetings, and at other meetings deemed relevant by the Board of Directors:

- A. Michigan Education Association - Region 12 Coordinating Council meetings;
- B. Michigan Education Association - Region 12 meetings;
- C. Michigan Education Association - Representative Assemblies;
- D. National Education Association - Representative Assemblies;
- E. National Education Association - National Council for Higher Education annual Meetings.

Section 11. The college and unit Representatives shall serve as conduits for information to and from the Board of Directors and the membership of their respective units.

### **Article V Powers of Board of Directors**

Upon the Board of Directors shall rest the duties, responsibilities and final authority for conduct of the Association in all matters except as provided in the Constitution and By-laws; the Board may at any time refer matters to the general membership for consideration.

### **Article VI Committees**

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

- A. Grievance Committee - manages, on behalf of the Association and its membership, the implementation of grievance procedures;
- B. Bargaining Issues Committee - conducts continuous assessment of the contract, identifies issues of concern for future negotiations, provides continuity between past and future bargaining teams and manages negotiation preparations, including membership surveys;
- C. Communications Committee - assists the President in publication of the Courier and other activities to provide effective links between members, the Board, the University and the larger community;

- D. Audit Review Committee - conducts an annual internal review of the Association's financial records and assists the Treasurer in preparing for the annual audit and recommending an annual operating budget for the Association;
- E. Membership Service Committee - assists the Membership Officer in activities to guide and counsel members regarding contractual issues and otherwise responds to members' queries and concerns.

Section 2. The President shall appoint such ad hoc committees as the Board of Directors, the membership or the Constitution and By-laws direct.

Section 3. Nomination for service on a committee may be made by any member of the Board of Directors. Membership and Chairpersons of the above named committees and of ad hoc committees shall be approved by the Board of Directors.

**Article VII  
Nominations and Elections**

Section 1. Nominations

- A. The President of the Association shall appoint, in February of each year, a Nominating Committee of at least six persons representing different colleges and other units containing Association members plus the Past-president of the Association.
- B. Every active member in good standing is eligible to nominate or be nominated for an open position.
- C. The Nominating Committee shall prepare, with the consent of the nominees, a slate of candidates for the office of President-elect, Secretary, Treasurer, Membership Officer, Representative for Affirmative Action Concerns, College/Unit Representatives, MAHE/NEA Representatives and MEA/NEA Representatives that will become vacant at the end of the year. If at all possible the slate shall contain at least two names for each position. The slate shall be presented to the Board of Directors who may accept it or add to it. The slate shall then be presented to the membership at a general meeting held no later than April 15th, at which time additional nominations may be made from the floor, with consent of the nominees. In the event there is only one candidate for an office after open nominations, the candidate shall be declared elected by acclamation. The full election slate shall be announced at that meeting and be made public thereafter.

## Section 2. Elections

- A. After the general membership meeting has received the full slate of nominations, the membership, by majority vote at that meeting, shall set an election date at least one week from the date of the meeting, but no later than the last day of the semester.
- B. The President shall appoint an Election Committee of at least two members, none of whom may be a candidate for any position in the election, to prepare ballots and conduct the election.
- C. The election shall be by secret ballot in the manner and on the day or days set for the election in accordance with Section 1. The election committee shall certify the results of the election to the President, President-elect, Secretary, Treasurer and Membership Officer. The President shall publish the results. Official reports of elections must be filed with MEA within thirty (30) days after the election. Official reports to identify elected representative assembly delegates shall be filed with MEA within ten (10) days after the election.
- D. The President-elect, Secretary, Treasurer, Membership Officer, Representative for Affirmative Action Concerns, MAHE/NEA Representatives and MEA/NEA Representatives shall be elected by secret ballot by a plurality of all votes cast in a duly called election. College and unit representatives shall be elected by a plurality of the votes cast by members of their constituencies in a duly called election. See the exception for acclamation provided in Article VII, Section 1, paragraph C.
- E. Every active member in good standing shall have the opportunity to vote. All elections shall take place following the one member/one vote principle.
- F. Ballots shall be preserved for one (1) year and shall be kept in the custody of the President of the Association.
- G. The Election Committee shall follow operating procedures that are in compliance with the policies and procedures of the CMUFA, the MEA, the Labor Management and Disclosure Act, and any other applicable local, state and national laws.

## Section 3. Terms of Office

- A. The terms of office shall be as follows:
  1. The President-elect shall hold office for a period of one (1) year; shall succeed thereafter to the office of President and hold that

office for one (1) year; and shall serve thereafter as Past-president for a period of one (1) year.

2. The Secretary will hold office for a period of one (1) year.
3. The Treasurer, Membership Officer, and all other elected members of the Board of Directors shall hold office for a period of two (2) years
4. Standing committee appointments shall be for terms not to exceed three (3) years.

B. Terms shall begin on July 1 following the election.

Section 4. In the event of any vacancy except the MEA or NEA Representative Assembly Delegate positions, the Board of Directors shall, whenever possible, nominate at least two (2) persons for the unexpired term. The election shall be by secret mail ballot of the respective constituents. See the exception for acclamation provided in Article VII, Section 1, paragraph C. The results of the election will be certified by the Board of Directors at the Board meeting following the election, after which the elected person will immediately assume his or her position on the Board. In the event of a vacancy in a position for MEA or NEA Representative Assembly delegate, the duly elected alternate shall fill the vacant position.

A vacancy in the office of Past-president shall not require an election. The Board may appoint any previous President of the Association to this position or may leave the position unfilled.

Section 5. Absentee ballots: Absentee ballots shall be available as follows:

- A. For elections of officers (as specified in Section 2 above) provided that a request for an absentee ballot is received by the President of the Association at least three days prior to the date(s) of the election. Such ballots must be returned on or before the date(s) of the election.
- B. For ratification elections, provided that the membership meeting that establishes the method of ratification votes to permit absentee ballots and establishes the deadlines for requesting and returning the ballots.
- C. For any other election, unless the Board of Directors votes not to permit absentee ballots.

**Article VIII**  
**Dues, Fees, and Assessments**

Dues of the Association shall consist of the total amount of local, state, and national dues. Local dues and assessments shall be as determined by the Board of Directors, provided that any assessment shall require a majority concurrence of the membership. Bargaining unit members who do not join the Association and pay the required dues shall be responsible for paying a service fee to the Association as specified in the current contract.

**Article IX**  
**Amendment of By-laws**

Section 1. The By-laws shall be consistent with the Constitution.

Section 2. The Board of Directors may amend the By-laws according to the procedures given in Section 3 below. Amendments may include changes in the existing By-laws or additions to them.

Section 3. Procedures for amending the By-laws

- A. Amendments to the By-laws may be proposed by a member of the Board of Directors, a committee of the Association, or any group of five or more members of the Association.
- B. The text of the proposed change must be presented in writing to the President. It shall be placed on the agenda for the next Board meeting and distributed to all Board members with that meeting's agenda. A two-thirds ( $\frac{2}{3}$ ) majority of those present shall be required to approve the proposed amendment.
- C. Upon approval by the Board, a copy of the amendment will be distributed to all members of the Association and a vote scheduled for the next general membership meeting. Amendments to the By-laws shall take effect immediately after they have been approved by majority vote at a general membership meeting.

Revised: April 1973, March 1974; 5/5/75, 5/80; 4/8/81; 9/24/81 (Board action on 3/26/81), 4/7/83 (3/3/83), 5/4/83, 6/4/87 (2/12/87), 2/1/89 (10/6/88), Spring 1993, 4/8/97(10/8/96), 4/21/99 (10/1/98 and 3/4/99), 4/1/2003; update 7/14/04 (editorial, formatting); 3/21/07; **3/19/08**.