

AFT Local 2121 Constitution

Preamble

We, the members of the San Francisco Community College District Federation of Teachers, believing that the Community College District of San Francisco must become a strong, flexible institution serving the varying needs of a learning society through a wide range of academic transfer programs, occupational training, developmental work, and continuing adult education, have joined together, as herein defined in this Constitution, for the purpose of exerting a collective, constructive and positive influence on the development of Community College education in San Francisco.

Article I Name

This organization shall be known as the San Francisco Community College District Federation of Teachers, Local 2121, American Federation of Teachers, AFL-CIO.

Article II Objectives

1. To promote the welfare of students and the advancement of community college education in the public interest;
2. To promote the highest standards of professional services in education;
3. To obtain for faculty their rightful voice in shaping educational policy and in establishing the conditions under which they teachwork;
4. To promote the welfare of faculty by obtaining full and just compensation for professional services rendered;
5. To maintain for faculty the right to free collective bargaining as a necessary means for achieving the substantive aims and purposes of this organization.

Comment [alan1]: To include work of counselors and librarians.

Article III Membership

Section 1. Membership in this organization shall be open to all faculty of the San Francisco Community College District including department chairs and program supervisors but not administrators. This provision shall not be applicable to administrators who were in such positions prior to August, 1966, and who have maintained their membership in good standing in any AFT local since then, except that they may not serve in a policy-making position on the Executive Board.

Comment [alan2]: No longer relevant.

Section 2. Retired members who are were in good standing in Local 2121 at the time of retirement may retain membership in the organization by paying special retiree dues. -dues beginning the month following retirement. Payment of such dues entitles the retiree to remain be a member in good standing of AFT 2121. Such members may cancel their membership at any time. Retirees who choose not to continue membership shall be dropped from the membership rolls of Local 2121. Retired members who are reemployed by the District to work part-time are not eligible for special retiree dues during the period of reemployment.

Comment [alan3]: No substantive change. Language clarified and made less repetitive.

Section 3. Teachers and other educational workers not eligible for membership in this organization under Section I may apply for membership individually and may be accepted upon recommendation of the Executive Board, and approval at the next General Membership or Delegate Assembly meeting.

Section 4. Eligibility for membership may be extended to the ~~teaching~~ employees of educational agencies other than the Community College District or to other employees of the District, in instances where there exists a community of interest or function or an administrative interrelationship, upon recommendation of the Executive Board, and approval at the next General Membership or Delegate Assembly meeting.

~~**Section 5.** Associate membership in Local 2121 will be open to employees of the San Francisco Community College District who are eligible under Article III and who are also members in good standing of another AFT/CFT affiliated local. These members shall not receive insurance benefits through Local 2121, nor shall they be included in per capita payments. Otherwise, Associate Members shall have the same privileges as other members of Local 2121.~~

Comment [alan4]: No longer relevant

~~**(new) Section 65.** No person shall be denied membership or otherwise discriminated against by Local 2121 on the basis of race, color, ancestry, national origin, ethnic group identification, religion, age, gender identity or expression, marital status, domestic partner status, sexual orientation, disability or AIDS/HIV status, medical conditions, status as a Vietnam Era military veteran, or citizenship, social, political or economic status.~~

Comment [alan5]: Added more encompassing language.

Article IV Delegate Assembly

Comment [alan6]: Sections in Article IV were reorganized for clarity. No substantive change.

~~**Section 1.** There shall be a Delegate Assembly consisting of all precinct representatives and all members of the Executive Board. The Delegate Assembly shall meet on a regular basis, and at least four times a semester. Except under emergency circumstances, the schedule, and minutes, of meetings shall be sent out to all union members, and except under emergency circumstances, announcements and agendas of meetings shall be sent out to all union members. The schedule of Delegate Assemblies for the coming year will be set by the Executive Board. If ten delegates or 20 Union members petition the Executive Board, a special meeting will be held. The membership shall be informed of special meetings.~~

~~**Section 2.** Election of Regular elections for precinct representatives shall be by secret ballot and must take place at least once every two years. Each precinct shall elect its representative. Any appeal of the election process will be heard by the Executive Board. Any precinct representative vacancy shall be filled by a member from said precinct, and who has been nominated by the President and approved by the Delegate Assembly. Election of delegates shall be by secret ballot.~~

Comment [alan7]: Large departments/workgroups may be divided into multiple precincts.

~~**Section 43.** The Executive Board shall have authority to draw up or modify precinct membership, with consideration to The precincts shall be drawn so that there is a reasonably close equivalence in size of precincts, according to Union membership, and a logical distinction in size, schedules, disciplines, departments, and/or locations. Any revision of the apportionment must be approved by majority vote of the Delegate Assembly. ~~Faculty reassigned to non-instructional duties or on other special assignments may raise precinct assignment preference with the Executive Board. participate as if retaining all rights to their last assignment. Certain released-time assignments may be identified by the Delegate Assembly as having a community of interest and faculty with those assignments may be placed in the same~~~~

Comment [alan8]: Language clarified and broadened.

~~precinct. The faculty who hold these positions shall be placed in these precincts for the duration of their assignments. Section 2~~The reapportionment process may include an increase or decrease in the number of precincts and may be initiated by a majority vote of the Executive Board or of the Delegate Assembly, or by petition of five delegates or 20 Union members. ~~Any revision of the apportionment must be approved by majority vote of the Delegate Assembly. Regular elections for precinct representatives must take place at least once every two years. Any appeal of the election process will be heard by the Executive Board. Any precinct representative vacancy shall be filled by a member from said precinct nominated by the president and approved by the Delegate Assembly.~~

~~Section 3. There shall be a Delegate Assembly consisting of all precinct representatives and all members of the Executive Board. The Delegate Assembly shall meet on a regular basis, and at least four times a semester. Minutes of meetings shall be sent out to all union members, and except under emergency circumstances, announcements and agendas of meetings shall be sent out to all union members. The schedule of Delegate Assembly meetings for the coming year will be set by the Executive Board and distributed to the Union membership by the second week of September of each academic year. If ten delegates or 20 Union members petition the Executive Board, a special meeting will be held. The membership shall be informed of special meetings.~~

Section 4. The Delegate Assembly shall set policy for the Union between meetings of the membership. Any decisions of the Delegate Assembly shall be subject to change by the General Membership. During collective bargaining, the Delegate Assembly shall approve the Union’s initial contract proposal; vote on such resolutions as deemed appropriate by the Executive Board; and once a tentative agreement has been reached, make a recommendation on ratification.

Section 5. The President of the Union shall preside over meetings of the Delegate Assembly. In ~~his/her~~the absence of the President, the ~~Executive~~Vice-President shall preside. Any replacements on the ~~Executive Board~~ Delegate Assembly shall be nominated by the President, recommended by the Executive Board, and confirmed by the Delegate Assembly.

Comment [alan9]: We do not live in a gender binary world... nor was the original language clear.
Comment [alan10]: Correction

Section 6. Any precinct representative may be recalled by a majority vote of those voting in a precinct. The manner of voting shall be in accordance with the By-Laws after receipt by the Executive Board of a recall petition signed by at least one-third of the members in good standing in a precinct.

Article V General Membership Meetings

Comment [ch11]: Formerly Article VII

Meetings of the membership shall be held at least once a semester. In election years, the spring meeting must be held in the month of March. Additional membership meetings will be held if 25 Union members petition the Executive Board.

Article VI Executive Board

Section 1. The Executive Board shall consist of the following members: President, Vice-President, Secretary and Treasurer, the four general officers; the Labor Council Delegate-Secretary; and six or more (~~or seven, or eight Representatives-at-Large~~ in accord with Article VI. Section ~~32~~. ~~Representatives at-Large~~; no more than three of whom may be from any one department. All positions on the Executive Board shall be elected at large by the membership at the time of the general election. Every Representative-at-Large will be expected to chair a committee as defined in the By-Laws. Department chairpersons or program supervisors in the supervisory bargaining unit shall not serve as general officers or members of the Executive Board.

Comment [alan12]: Added specific language and updated reference.

Section 2. The Executive Board shall conduct the business of the Union between meetings of the general membership or the delegates and shall make recommendations regarding policy to the membership and the Delegate Assembly. During the summer recess, the Executive Board shall act for the membership and the Delegate Assembly.

Article VII General Officers and Delegates

Comment [ch13]: Formerly Article V.

Section 1. General Officers

- a. The general officers of this organization shall be a President, Vice-President, Secretary and Treasurer. To be eligible to run for the offices, the candidates must have been members in good standing for at least the year prior to their nomination.
- b. All officers shall perform the customary duties and exercise the usual powers of such offices subject to direction of the Executive Board, unless otherwise specified in the Constitution or the By-Laws.
- c. When the President is absent, the Vice-President shall preside over meetings. In the event of the resignation or incapacity of the President to fulfill the duties of the office, the Vice-President shall assume such duties until the next election. If the Vice-President declines to serve or is ineligible to serve under the provisions of this Constitution, a special meeting of the Delegate Assembly shall be called to elect a member in good standing to serve as interim President until such time as an election by the General Membership can be held (either regular or special). Vacancies in any office other than President shall be filled by a member nominated by the President, recommended by the Executive Board, and confirmed by the Delegate Assembly.

Section 2. Representatives-at-Large on Executive Board

Comment [alan14]: Switched order of Sections 2 & 3 and updated reference.

- a. Six Representatives-at-Large to the Executive Board (See Article VI Section 1) shall be elected by the General Membership in the general election. Vacancies for Representatives-at-Large shall be filled by a member nominated by the President and approved by the Delegate Assembly.
- b. If no part-timer is elected as a Representative-at-Large, the part-timer receiving the most votes shall be seated on the Executive Board as an additional Representative-at-Large.

Section 3 Representatives to San Francisco Labor Council

Delegates, whose number is determined by the San Francisco Labor Council, shall be elected at large by vote of the membership, concurrently with the election of general officers. The candidate receiving the

most votes shall also serve as secretary of the delegation and as a member of the Executive Board. The President shall be chairperson ex-officio of the delegation. The Executive Director (a paid employee of the Union) shall serve as an ex-officio member of the delegation.

Section 4. All officers, Representatives-at-Large and Labor Council Delegates shall be elected biennially for a term of two years, commencing June 1. Time and method of the elections shall be stated in the By-Laws. ~~A President~~s of AFT Local 2121, ~~AFT~~, shall not succeed ~~him/herself~~**themselves** in office more than once, but will be eligible to run for President after a break of at least one term of office.

Comment [alan15]: We do not live in a gender binary world.

Section 5. In a recall election, any officer or other member of the Executive Board may be recalled by two-thirds of those voting. The manner of voting shall be in accordance with the By-Laws, after receipt by the Executive Board of a recall petition signed by at least one-third of the members in good standing.

Section 6. Officers with release time shall not be considered paid employee of the Union. Salaried officers shall not be considered paid employees. **Officers working during the summer and other breaks may be paid with Union funds for extra work, on approval of the Executive Board.**

Comment [alan16]: To permit compensation of officers doing Union work during breaks.

Article VIII Affiliation

Section 1. This Union shall maintain affiliations with and, whenever possible, shall send delegates to the following organizations:

- a. The American Federation of Teachers. All delegates and alternates to the national convention of the AFT shall be elected in ~~the regular election of officers~~**same manner and at the same time as Labor Council delegates.**
- b. California Federation of Teachers.
 1. Delegates shall be elected at least one month before the State Convention in accordance with CFT policy.
 2. A part-timer shall be appointed by the President with the approval of the Executive Board to represent the Local at meetings of the CFT Part-timers Committee and participate in the Local's Part-timer Committee.
 3. The President shall nominate representatives to serve on the other various statewide CFT committees.
 4. The President, ~~and/or~~ the Vice-President shall represent AFT 2121 at the CFT Community College Council.
- c. San Francisco Labor Council. Delegates shall be elected in the regular election of officers.
- d. California Labor Federation, AFL-CIO. Delegates shall be elected at least one month before the convention at a regular membership meeting.

Comment [alan17]: Clarified language.

Comment [alan18]: Corrected omission.

Section 2. Delegates to affiliated organizations shall meet the same requirements as officers of the Union. They must be members in good standing for the year prior to the election.

Article IX Amendments

Section 1. All amendments to this Constitution must be ratified by two-thirds of those voting in a mail-by secret ballot. Constitutional amendments may be proposed at a General Membership Meeting or at a Delegate Assembly at which the proposed amendments shall be a special order of business. The amendments must have been submitted in writing to the Secretary in time to permit a copy to be forwarded to each Union member at least two weeks before the meeting at which the amendment is to be proposed. Majority approval of those voting at the General Membership Meeting or the Delegate Assembly will be required before the proposed amendments can be considered for ratification by mail secret ballot.

Section 2. Mail Secret ballots on constitutional amendments shall be conducted only at the time of an election for general officers, except in the event that two-thirds of those voting in a General Membership meeting or a Delegate Assembly declare an emergency. Constitutional amendments may also be proposed for ratification by petition as provided for in Article X, but unless the General Membership or the Delegate Assembly declares an emergency, the vote to ratify must take place with the vote for general officers.

Article X Referendum

Proposed actions, including amendments to the Constitution and By-Laws, may be submitted to a referendum vote by order of a General Membership Meeting or a Delegate Assembly, or by a petition signed by not fewer than seventy-five members in good standing, except that in no case shall a referendum be held, the beginning or termination date of which falls between May 30th and September 1.

Article XI Adoption

Section 1. This Constitution as amended shall become effective upon ratification by the membership.

Section 2. A copy of this Constitution and all future amendments shall be submitted to the National Office of the American Federation of Teachers.

Article XII Mail Ballot Resolutions

Section 1. This article shall apply only to resolutions concerning local, statewide, national, and international issues which do not directly involve U.S. labor unions or labor issues, or which do not directly involve educational issues, or which do not directly relate to Article II of this constitution.

Section 2. All resolutions fitting the above definition must be approved by 60% of those voting in a mail ballot. Such resolutions must have been submitted to the Secretary in time to permit a copy to be forwarded to each member with the announcement of the General Membership Meeting or the Delegate Assembly at which the resolution will be considered. In order for the mail ballot on the resolution to take place, a majority of those voting at the General Membership Meeting or the Delegate Assembly must vote in favor of sending the proposed resolution to the membership.

Comment [alan19]: Change from "mail" to "secret" allows for the possibility of online elections. However no current electronic programs exists that meets union/legal election requirements.

Section 3. The vote on the resolution shall consist of two possibilities: “yes” or “no.” To pass, the resolution must receive “yes” votes from at least 60% of those voting ~~in the mail~~ by secret ballot. ~~Mail~~ Ballots on such resolutions shall be conducted only at the time of an election for general officers, except in the event that two-thirds of those voting in a General Membership Meeting declare an emergency. In the case of a declared emergency, as stated above, a ~~mail~~ secret ballot shall be conducted as quickly as possible within the next month. Should an emergency be declared for one resolution, all others waiting to be voted upon shall be sent out as well.

Revised March 2014