

***Constitution of the Pájaro Valley Federation of Teachers
LOCAL 1936 OF THE CFT, AFT, AFL-CIO***

ARTICLE I - NAME

This organization shall be known as the Pájaro Valley Federation of Teachers, Local 1936. It is referred to as "the Local" below.

ARTICLE II - AFFILIATION

The Local shall affiliate with the American Federation of Teachers, AFL-CIO; the California Federation of Teachers, AFL-CIO; the California Labor Federation; and the Monterey Bay Central Labor Council.

ARTICLE III - PURPOSE

The objectives of the Local shall be:

1. to be recognized as the exclusive bargaining agent for teachers in the process of collective bargaining,
2. to organize the teachers of the Pájaro Valley Unified School District,
3. to obtain for teachers all the rights and benefits to which they are entitled,
4. to promote high standards of the teaching profession,
5. to secure conditions essential to the best professional service, and
6. to promote such democratization of the schools and District as will enable them better to equip their students to take their places in the economic, social, and political life of the community.

ARTICLE IV - MEMBERSHIP

Membership in this organization shall be open to all non-administrative, certificated employees of the Pájaro Valley Unified School District. No qualifications for membership that limit membership to anyone on the basis of race, sex, age, creed, national origin, disability, marital status, sexual orientation or political belief or affiliation shall be established.

Members in good standing (dues are current) are entitled to: vote on any Union issue, ratify contracts, run for office, serve as delegates, act as site representatives, access Union liability insurance, access legal representation and other member benefits through the American Federation of Teachers or California Federation of Teachers. Non-member teachers are encouraged to apply to the Local in order to receive Union benefits and participate democratically in Union decision-making.

ARTICLE V – GOVERNANCE STRUCTURE

Section One: Site Representative Council (RC)

The RC shall consist of Site Representatives elected at individual sites or programs and Officers elected at large.

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The Site Representative Council (RC) shall establish PVFT policy to be administered by the Executive Council (EC), and shall adopt the PVFT annual budget.

The RC shall schedule regular meetings once each month during the academic year. Special meetings of the RC may be called at the request of a majority of the EC. Written notice shall be delivered to all RC members at least 72 hours prior to the special meeting. Written notice shall be by email. RC members shall have and provide to the Local an active, non-PVUSD email account.

RC meetings shall be open to PVFT members. (Exception: The RC may meet in closed session to discuss issues concerning union personnel, existing or potential litigation involving the Union or Union personnel, negotiations parameters, or specific Union grievances.)

Section Two: Executive Council (EC)

The EC shall consist of the eight, at-large-elected Officers, six department VP's elected by their departments and 3 grade level VP's elected by and from the RC.

The Executive Council shall execute policy as established by the Site Representative Council.

Regular meetings of the EC shall be held once each month during the academic year. Special meetings of the EC may be called at the request of three EC members. Written notice shall be delivered to all EC members at least 72 hours prior to the special meeting. Written notice shall be by email.

Meetings of the EC shall be open to all PVFT members. Exception: The EC may meet in closed session to discuss issues concerning union personnel, existing or potential litigation involving the union or union personnel, negotiations parameters, or specific grievances.

Section Three: Quorum

At any meeting of the Executive Council or Site Representative Council, a quorum, consisting of fifty percent (50%) plus one of each body's membership, shall be required for the purpose of voting on action items.

ARTICLE VI – OFFICERS AND SITE REPRESENTATIVES

Section One: Elected Officers

The following Officers shall be elected "at large" by majority vote of the membership according to the Bylaws during an annual election of officers: President, Treasurer, Secretary, Vice President Negotiations, VP Communications, VP Chief Grievance Officer, VP Membership, and VP COPE. Department VP's shall be elected by their departments and Grade Level VPs shall be elected by and from the RC.

Any PVFT member in good standing is eligible to serve as a PVFT officer. Grade level VPs must work at the grade level.

Any officers elected to two-year terms prior to the ratification of this constitution shall be allowed to complete their terms as officers on the Executive Council.

Section Two: Site Representatives and Alternates

Site Representatives shall serve on the PVFT Site Representative Council (RC). Each site or program shall vote to elect at least one Site Representative according to procedures described in the Bylaws. The number of Union representatives from each site will be determined by the number of Union members as

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of March 1 of each year. Each site or program shall be entitled to one representative for every 25 members or fraction thereof and one alternate. The table below describes the allocation of Site Representatives:

- o 1-25 Union Members=1 Union Representatives
- o 26-50 Union members=2 Union Representatives
- o 51-75 Union members=3 Union Representatives
- o 76-100 Union members=4 Union Representatives
- o 101-125 Union members=5 Union Representatives

The alternate may attend all Representative Council meetings but will only be allowed to vote if one or more of the site's/program's Representative(s) is absent.

Any PVFT member in good standing is eligible to serve as Site Representative. Site Representatives must represent sites to which they are assigned.

Section Three: Terms of Office

All Officers and Site Representatives shall be elected for two-year terms to begin July 1 following the General Election. Terms of Office shall be staggered according to provisions in the bylaws to provide continuity in leadership. All Offices shall become vacant when the term of the office expires.

Section Four: Vacancies

In the case of a vacancy in the office of President, the Site Representative Council shall select, by majority vote, one of the sitting Vice-Presidents to serve as President until the next general election.

With the exception of the President (or an Office vacancy resulting from a recall) the Site Representative Council shall appoint, from the general membership, Officers to fill vacant Offices until the next general election, at which time the Office shall again be vacant.

Site Representative vacancies shall be filled by a vote of that individual's building site membership to serve the remainder of the term.

Section Five: Recall

Signatures equal to twenty-five percent (25%) of members in good standing are necessary for a petition of recall against an officer. Petitions shall be filed with the chair of the Elections Committee. It shall be the duty of the Elections Committee to verify the number and validity of the signatures. A recall election shall be held pursuant to the Bylaws.

Any Recall Election shall include two ballots: 1. Vote For or Against the Recall; and 2. Select from candidates to succeed the recalled officer. The recalled officer's name shall not appear on the ballot to select a successor. In any recall election, any PVFT member in good standing (except the officer who is the subject of the recall) is eligible to run for election to succeed the officer being recalled.

ARTICLE VII – COMMITTEES

Section One: Negotiations Committee

The Negotiations Committee shall consist of at least four (4) members of the Local, to be appointed by the President and the Negotiations Chief VP. The Committee shall attend scheduled negotiating sessions. The Negotiations Chief shall maintain communication with the Executive Council throughout the

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negotiations process. The chairperson shall submit all tentative agreements regarding salary and working conditions to the Site Representative Council for initial approval. Final approval shall rest with the membership of the bargaining unit.

Section Two: Communications Committee

Communications Committee shall consist of at least four (4) members and Chaired by the Communications VP. They will be responsible for the publishing of the Local's fliers and keeping Local's Website current. The committee will also assist the President with developing press releases to be distributed to the local media, and shall perform any additional duties required to keep the membership and the community informed about the Local's activities.

Section Three: Grievance Committee

The Site Representative Council shall appoint three (3) individuals from the general membership to serve on the Grievance Committee. The Committee shall consist of a chairperson (VP Chief Grievance officer) and representative(s) of the various grade-level divisions, as necessary. The Committee shall make recommendations to the Executive Council on the handling of grievance cases that have reached the stage of litigation.

Section Four: Membership Committee

The Site Representative Council shall appoint at least three (3) members to the Membership Committee. The VP Membership shall chair the membership committee. The committee shall be responsible for assisting the building representatives in promoting the benefits of the Union membership to the district's teachers resulting in an increase in membership and involvement with the Local. Special emphasis shall be placed on new hires. This committee shall be comprised of a minimum of five members appointed by the Representative Council. Additionally, the Committee will assist the local in coordinating social events of the Union.

Section Five: COPE Committee

The COPE Committee will be responsible for: promoting public and governmental support for public education, government services, and health care; encouraging the participation of the Union's members and the general public in governmental and political activities; improving union members' and the general public's understanding of policies and legislation that affect education, state and local government and health care; engaging in lawful activities suitable for achieving these ends; and engaging in political activities that benefit students of PVUSD. The COPE Committee shall be chaired by the Vice President COPE. The COPE Committee shall be composed of as many members who choose to volunteer their services.

Section Six: Budget Committee

The Site Representative Council shall appoint at least three (3) members to the Local's Budget Committee, which shall be chaired by the Treasurer. The Committee shall prepare and revise the annual budget and submit it to the Site Representative Council for approval and seek direction from the Local's Standing Committees as to the Committees' financial needs for the year.

Section Seven: Elections Committee

The Elections Committee shall be responsible for conducting annual elections of officers and recall elections pursuant to the Bylaws. The Site Representative Council shall select a minimum of 5 Local member volunteers to serve on the Elections Committee who are not candidates for officer election. No member on this committee shall serve during an election in which the member is an officer or a candidate for office. This committee shall be established in November and members shall serve for one calendar year. The Chair of the Elections Committee is selected from within the committee at the first meeting of

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the Elections Committee. Vacancies in the Elections Committee shall be filled as needed by the Site Representative Council.

Section Eight: Ad Hoc Committees

The Site Representative Council shall appoint the membership of ad-hoc committees as deemed necessary including, but not limited to: Special Education, NCLB, English Language Learner, Bilingual Education, Professional Issues, Human/Civil Rights, and Early Childhood.

Section Nine: District Committees

- a. **Calendar Committee:** The Site Representative Council shall appoint three (3) members to the Calendar Committee. The Local's members of this Committee shall formulate, together with the District, Classified Employee Representatives, and community members, the work calendar for each school year. The Committee shall solicit input from the membership regarding calendar preferences.
- b. **Sabbatical Leave Committee:** The Site Representative Council shall appoint three (3) members to represent the Local on the PVUSD Sabbatical Leave Committee, which shall review applications for sabbatical leave and make recommendations to the Board of Trustees with approval.
- c. **Benefits Committee:** The Site Representative Council shall appoint at least four (4) members to represent the local on the PVUSD Benefits Committee. The Local's members of this Committee shall review and evaluate fringe benefits programs and recommend revisions to the Site Representative Council for initial approval. Approval by the General Membership is required in the case of a decrease in benefits or an increase in financial contributions. Final approval rests with the Board of Trustees.
- d. **Safety Committee:** The Site Representative Council shall appoint at least two (2) members to represent the Local on the PVUSD Safety Committee. The Local's members of this committee shall review and make recommendations for revisions in safety policies and practices.
- e. **Equity Committee:** The Executive Council shall appoint three (3) members representing the various grade level divisions to represent the Local on the PVUSD Equity Committee. The Local's members of this Committee shall review and make recommendations for revisions in equity policies and practices. The Local's members shall also investigate possible violations of established equity policies.

ARTICLE VIII - DUES

Section One: Dues Structure

Membership dues shall equal one percent (1%) of the annual salary of each member, with the exception that the minimum dues can be set at an amount sufficient to cover per capita dues to the American Federation of Teachers and the California Federation of Teachers, plus enough to guarantee the Local three dollars (\$3) per month per member.

Section Two: Mandated Increases in Dues (pass-through increase)

As per the Constitution of the American Federation of Teachers, "each affiliated local shall increase the local dues to equal any increase in per capita payments that are required to be made to the American Federation of Teachers and any increase to either the State Federation or the regional council with which the local is affiliated."

Section Three: Changes in Dues Structure

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The Executive Council shall notify by district-mailed (Pony Mail) flyer to each site explaining to the membership any proposed change in dues structure sixty (60) days before an election to approve such a change. The proposal shall be up for discussion at the next scheduled Site Representative Council meeting.

ARTICLE IX - DELEGATES

- a. Delegates to the Central Labor Council shall be selected by the Site Representative Council.
- b. Delegates to the CFT and AFT Conventions shall be elected by the General Membership according to the election's procedures established in the bylaws. Any member in good standing is eligible for these positions.
- c. The president shall automatically be an official local delegate to the CFT and AFT conventions.
- d. Nominations for delegates to the CFT and AFT Convention will occur at the Site Representative Council meeting that is at least two months before the first day of the CFT or AFT Convention.
- e. Voting for CFT and AFT delegate elections will be included on the Union Officer Election ballot if it meets the minimum qualification as stated above.

ARTICLE X - CONDUCT OF MEETINGS

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

ARTICLE XI – AMENDMENTS

An amendment to this Constitution may be submitted by a Local member in good standing to the Secretary by a petition signed by ten percent (10%) of the total membership. The Secretary shall verify the signatures. If the number of signatures is sufficient, the Secretary shall notify the membership of the proposed amendment within two (2) weeks of receipt of said petition. The proposed amendment shall become part of the Constitution if affirmed by a supermajority (2/3) of the votes returned by members of the Local.

ARTICLE XII – RATIFICATION

This Constitution shall be ratified by a majority of the votes returned by members of the Local.

Bylaws of the Pájaro Valley Federation of Teachers Local 1936 of the CFT, AFT and AFL-CIO.

ARTICLE I - ELECTION OF OFFICERS

- a. Nominations for Union Officers will take place at the February Site Representative Council meeting.
- b. All members in good standing at the end of that business day shall be eligible to vote.
- c. The ballot for Union Officer elections shall be mailed out no later than March 1st to all members in good standing. Any member who requests a duplicate ballot shall be mailed one. Only one vote per member shall be counted.
- d. The counting of the ballots shall occur no later than the last working day in March.
- e. The term of officers shall be two years. The President, Department VP's and Grade Level VP's shall be elected on odd numbered years. The Secretary, Treasurer, VP Negotiations, VP Communications, VP Chief Grievance officer, VP Membership and VP COPE shall be elected on even numbered years.
- f. Department VP's shall be elected by their departments, Grade Level VP's shall be elected by and from the RC.
- g. Any challenges to the election must be submitted in writing to the Election Committee Chair within 30 days of the conclusion of ballot counting.

ARTICLE II - DUTIES OF OFFICERS

Section One: The President

The President Shall:

- a. Preside over meetings of the Local and of the Executive Council.
- b. Carry out the policies of the Site Representative Council.
- c. Coordinate the organization of and formulate programs for the Local.
- d. Hire and oversee the work of any office staff necessary to maintain the proper functioning of the Local office.
- e. Liaison with California Federation of Teachers and American Federation of Teachers.
- f. Conduct comprehensive site visits per semester.
- g. Meet regularly with Human Resources, Financial offices, the District Superintendent, Board members and any other district personnel necessary to the Local's interest.
- h. Be available to intervene with administration on behalf of members of the Bargaining Unit.
- i. Stand as an ex-officio member of all Local committees.
- j. Not reach a negotiated agreement with any part of the District without Site Representative Council consent.
- k. Together with the Negotiations Chief VP, appoint the members of the Negotiations Committee.
- l. Attend school board meetings as spokesperson for the Local.
- m. Work his or her district-contracted days as PVUSD President and be paid his or her district salary for those days.
- n. Serve on district committees.

Section Two: Vice Presidents

The Vice-Presidents shall:

- a. In the absence of the President, one of the VP's shall preside over the Site Rep Council.
- b. Attend Executive Council meetings and Site Representative Council Meetings.

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- c. Attend the beginning of the year planning session, which takes place at the end of summer.
- d. Attend General Membership meetings.
- e. Chair at least one of the Local's committees as specified in the Constitution.
- f. Share the responsibility of attending School Board meetings.

Section Three: Treasurer

The Treasurer shall:

- a. Receive, record, and deposit all monies (dues) and other income in the name of the Local.
- b. Balance and reconcile Local's checkbook.
- c. Make monthly summary report to the Executive Council.
- d. Make biannual full reports to the general membership.
- e. Maintain the following files: membership, bank statements, monthly bills and yearly financial records.
- f. Transmit per capita payments on a monthly basis to the American Federation of Teachers and California Federation of Teachers.
- g. File quarterly financial reports with California Federation of Teachers.
- h. Arrange for an independent audit of the finances of the Local annually and make results available to the Executive Council, California Federation of Teachers, American Federation of Teachers and the general membership.
- i. File and pay all approved reimbursement forms.
- j. Disburse a stipend to all Local Officers and Site Representatives as approved by the Site Representative Council.
- k. Chair the Budget Committee for the Local.

Section Three: Secretary

The secretary shall:

- a. Record and keep accurate minutes of the Site Representative Council and the Executive Council meetings.
- b. Attend School Board meetings in the President's absence.
- c. Work with the Treasurer to maintain an accurate and up-to-date membership and contact lists.

ARTICLE III – ELECTION OF SITE REPRESENTATIVES

- a. Elections of Site Reps shall be conducted at each site during the Spring. Any member in good standing may function as a site representative.
- b. Any member in good standing may request the involvement of the Executive council and/or Elections committee at their particular site to conduct and/or support the election process.
- c. Any member in good standing may challenge an election result.
- d. The term of office for Site Rep shall be for two years.
- e. Any challenges to the election must be submitted in writing within one week of the election to the Elections Committee. The Election Committee will determine if a rerun election is necessary.

ARTICLE IV - DUTIES OF SITE REPRESENTATIVE

Site Representatives shall:

- a. Represent and support staff with professional confidentiality.
- b. Attend all regular and special meetings of the Site Representative Council.

- c. Hold regular monthly meetings of the membership at the work site or other appropriate place for the purpose of making reports, discussing workplace and organizational concerns and conducting surveys on current Union issues.
- d. Recruit eligible individuals to membership.
- e. Conduct elections and referenda when so instructed by the Elections Committee.
- f. Process grievances and resolve disputes at the work site, or other appropriate location. Site Representative will seek support from appropriate Zone Vice President as needed.
- g. Send a monthly report of your site's Union activity to the PVFT office.
- h. Maintain a PVFT bulletin board at your site with current information.
- i. Encourage participation and involvement in Union committees and activities.
- j. Attend and receive training from the Local.
- k. Work collaboratively with site teachers and administrators to ensure that teachers are elected by their peers to site councils and other committees.

ARTICLE V – ELECTION OF DELEGATES

- a. Nominations for delegates to the CFT Convention will occur at the Site Representative Council meeting that is at least two months before the first day of the CFT or AFT Convention.
- b. The president shall automatically be an official local delegate to the CFT and AFT conventions.
- c. Voting for CFT delegate elections will be included on the Union Officer Election ballot if it meets the minimum qualification as stated above.
- d. The process for electing AFT delegates will be the same as for the CFT delegates.

ARTICLE VI – DUTIES OF DELEGATES

- f. Labor Council Delegates shall attend all regular meetings of the Labor Council and report to the Site Representative Council on a monthly basis.
- g. CFT/AFT delegates will vote according to the will of the general membership.

ARTICLE VII - DUTIES OF ELECTION COMMITTEE

Section One: Election Committee

- a. Elect an Election Committee Chair from within the Committee.
- b. Set ground rules for conduct of meetings, decision-making process.
- c. Conduct Union Officer and CFT/AFT Delegate elections.
- d. Support building/program Site Representative elections as needed and Validate building/program Site Representative ballots.
- e. Act as the primary body in resolving election challenges.
- f. No member serving on the Elections Committee shall publicly support or endorse any candidate seeking Union Office or be a Union Officer or a candidate for Union Office.
- g. Oversee the elections in accordance with the Landrum-Griffith Act.

Section Two: Responsibilities of the Election Committee Chair

- h. Convene or appoint a committee member to convene all committee meetings, facilitate agenda development for meetings, and notify all committee members of upcoming meetings.

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- i. Record or appoint someone to record and maintain notes of all meetings.
- j. Act as primary liaison between the Union and the Election Committee.
- k. Act as the committee's official spokesperson.
- l. Carry out the instructions of the Election Committee.
- m. Notify candidates of election results and have election results posted on the website the night the ballots are counted.
- n. Follow guidelines established by the Office of Labor and Management Standards (OLMS) and Landrum-Griffith Act.

ARTICLE VIII - GENERAL MEMBERSHIP MEETINGS

Section One: Schedule

There should be at least two general membership meetings per year. Special meetings may be called upon by a petition signed by twenty-five (25) members, or by a majority of the Site Representative Council. The first general meeting should be held during the Site Representative Council meeting in September. The second general membership meeting shall be held in February to prepare for Local elections.

ARTICLE IX - LOCAL OFFICE STAFF

Section One: Local Office Staff

The Local staff shall maintain the Local office. Staff shall be hired by the President with the approval of the Executive Council.

Section Two: Administrative Assistant

There shall be an Administrative Assistant who shall perform the following duties:

- o. Prepare and publish bi-monthly flyers, notification of meetings and emergency communications to the general membership.
- p. Resolve problems and handle non-routine inquiries related to assigned work.
- q. Operate and maintain photocopier and other office machines.
- r. Maintain inventory of office supplies.
- s. Make travel arrangements.
- t. Answer telephone requests for information.
- u. Any other duties as deemed necessary by the president.

Section Three: Office Personnel

Other office personnel shall be hired by the President with the approval of the Executive Council and shall perform duties assigned by the President.

ARTICLE X - AMENDMENT TO BYLAWS

An amendment to these Bylaws may be submitted by a member in good standing to the Secretary by a petition signed by ten percent (10%) of the total membership. The Secretary shall notify the membership of the proposed amendment within two (2) weeks of receipt of said petition. A vote shall be affected by a simple majority (50% +1) of the votes returned by members of the Local.