

Nassau Community College Federation of Teachers

NCCFT

Local 3150

Affiliated with New York State United Teachers, AFT, AFL CIO

# Constitution

October 2020

**Nassau Community College**

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# NCCFT Constitution

Revised October 2020

## Article 1 – Name and Affiliation:

The name of this Organization shall be the Nassau Community College Federation of Teachers, Local 3150. This Organization is affiliated with the New York State United Teachers, its national affiliates, and their successor Organizations.

## Article II – Purposes

- A. To further the development of Nassau Community College as an institution of higher learning serving students and the community.
- B. To aid in providing the faculty (herein faculty shall mean classroom faculty and non-classroom/professional faculty as per the Collective Bargaining Agreement (CBA)) with optimum conditions with regard to terms and conditions of employment and in the following areas:
  1. An atmosphere of academic freedom for faculty and students in the teaching-learning process, with respect to the pursuit of knowledge and the acquisition of values and skills.
  2. Faculty participation in policy-making areas as described by the CBA between the NCCFT and the County of Nassau/Nassau Community College.
  3. Tenure rights to provide fair and impartial protection of position, as well as protection of tenured and non-tenured members of the faculty.
  4. Establish fair and adequate grievance procedures.
  5. Contract enforcement for the defense of faculty against contractual violations or harassment.
  6. Collective bargaining as the process of establishing equality and justice in negotiating the terms and conditions of employment for the faculty.
  7. Adequate compensation and a fair promotion policy which will attract and hold competent faculty and permit them to advance economically with service.
  8. A reasonable workload in terms of hours, workweek, number of preparations, class size, and extra-curricular responsibilities.
  9. Adequate leave time.
  10. Promote the aims and objectives of the NCCFT, New York State United Teachers and its national affiliates.
  11. Promote the unity and strength of its members.

## Article III – Membership

- A. There shall be the following forms of association with the Organization:
1. **Membership:** Membership in this Organization shall be open to any person whose title is delineated in the CBA with the employer and whose application for membership has been approved.
  2. **Affiliation:** Members of the Organization who have retired and no longer hold a job title delineated in the CBA may maintain their association with the Organization by becoming affiliates.
- B. Membership in good standing shall be maintained through the timely payment of all required dues.
- C. Membership is continuing during the period of a member's employment in his/her job title. Membership is continuing for members that transfer to another job title also represented by the NCCFT. Members who leave employment at the college automatically have their membership reinstated upon return to active service with the employer in a job title represented by the NCCFT. Members who go on unpaid leave have the option of continuing their membership by paying dues directly to the Organization. If they elect not to pay their dues directly to the Organization, their membership will automatically be reinstated upon their return to active service with the employer in a job title represented by the NCCFT.
- D. A member who wishes to drop his/her membership must do so within the annual drop period beginning on August 1 and ending on August 31. A member who drops his/her membership at any other time during the year shall nonetheless be obligated to continue payroll dues deduction until the beginning of the next official drop period. Notice of intention to drop one's membership must be made in writing by certified mail to the President of the NCCFT.
- E. A non-member may request reinstatement as a member of the NCCFT at any time. The conditions of reinstatement of membership are as follows:
1. The non-member shall sign a membership enrollment form which includes a payroll deduction authorization.
  2. The non-member shall pay a reinstatement fee equal to 50% of the dues owed for the entire period of non-membership up to the amount equal to one year of dues.
  3. The reinstated member shall not be eligible to receive the full rights, privileges, services, and benefits reserved for members in good standing for a period six months following the date of reinstatement.

4. The Executive Committee may, at its sole discretion, declare an amnesty period during which the aforementioned requirements and conditions for reinstatement of membership are modified, reduced, or eliminated.

## Article IV – Dues

Dues shall be established by the membership, as per the Organization's By-Laws. Dues may be changed with the approval of the Executive Board followed by the approval of a majority of those voting at a regular or special membership meeting. Dues for retirees shall be set by the Treasurer upon the advice of the Executive Committee and with the approval of the Executive Board.

## Article V – Officers

- A. The officers of the Organization shall be the President, Vice President-Classroom Faculty, Vice President-Non Classroom/Professional Faculty, Secretary, and Treasurer. Officers shall be members of the Organization in good standing. The officers shall receive annual compensation as established by the Executive Board followed by the approval of a majority of those voting at a regular or special membership meeting. This compensation shall increase annually in conjunction with the salary percentage increases established in the prevailing collective bargaining agreement. Officers of the Organization shall be delegates to meetings of the state and national affiliate Organizations.
  - **The President** shall call and preside at all General Membership, Executive Committee and Executive Board meetings, and shall be an ex-officio member of all NCCFT committees. The President shall be the Contract Administrator and shall act as liaison with the state and national affiliate Organizations. The President shall act as the Chief Executive Officer of the Organization and as the Chief Contract Negotiator. The President shall be authorized to sign checks.
  - **The Vice President-Classroom Faculty** must be so classified. The Vice President-Classroom Faculty shall serve in the absence of the President, assuming the duties of the President. The Vice President-Classroom Faculty shall be authorized to sign checks.
  - **The Vice President-Non-Classroom/Professional Faculty** must be so classified. The Vice President-Non-Classroom/Professional Faculty shall serve in the absence of both the President and Vice President-Classroom Faculty. The Vice President—Non-Classroom/Professional Faculty shall be authorized to sign checks.
  - **The Secretary** shall record and distribute Minutes of General Membership, Executive Committee, and Executive Board meetings. The Secretary shall be responsible for preparing summaries of meetings held with the college administration, elected public

officials, and representatives from the state and national affiliate Organizations. The Secretary shall keep a record of all Negotiating Committee Meetings.

- **The Treasurer** shall: (1) maintain records of all receipts and disbursements; (2) be responsible for collecting monies and paying bills; (3) keep records of all savings and checking accounts and file state and federal forms required by law; (4) submit semi-annual financial reports to the Executive Board and a yearly financial report to the membership; (5) maintain accurate membership records; (6) maintain all records relating to the Joseph F. Carlino, Jr. Scholarship Fund and prepare an annual fund report; (7) prepare an annual NCCFT budget which will be submitted to the Executive Board for approval. The Treasurer shall be authorized to sign checks.

- B. All officers shall be eligible to perform those Executive Committee duties not specifically named in this document.

## Article VI – Executive Committee

The Executive Committee shall consist of the officers of the Organization. In addition to the duties stipulated in the Constitution and By-Laws, the Executive Committee shall carry out Organization policy, coordinate activities of the Organization's committees, and meet monthly (September-May) with the Executive Board or at other times deemed necessary. The Executive Committee shall set the Agenda for Executive Board meetings. Any Executive Board member wishing to place an item on the Executive Board Agenda may do so by notifying the NCCFT Office prior to the scheduled meeting. Additional items may be brought up under Good of the Order. The Executive Committee shall approve applications of non-members seeking reinstatement of membership.

## Article VII – Executive Board

- A. The Executive Board shall be comprised as follows:
  1. One member in good standing from each academic department, to be elected by secret ballot by the members in good standing in each department.
  2. One member from the Professional Faculty Unit to be elected by secret ballot by the members in good standing in that unit.
- B. Each academic department and the Professional Faculty Unit shall also elect an alternate Board Member who shall have voice but no vote, except when replacing the elected Board Member. If both the elected Board Member and the alternate are unable to attend a meeting, the elected Board Member may designate any NCCFT member in good standing from the same department to attend with voice, but no vote. The elected Board Member must send the name of this designee to the NCCFT Office prior to the meeting.

- C. The NCCFT officers shall be non-voting members of the Executive Board.
- D. The Executive Board shall formulate policy, approve the annual NCCFT budget, oversee the operation of the Organization, serve as a forum for ideas and provide a communication channel within the Organization. In addition, the Executive Board shall approve the final contract proposal prior to its submission to the College/County. The Executive Board may reverse an action of the Executive Committee only by a two-thirds vote of the entire Executive Board.

## Article VIII – Committees

- A. **Negotiation Committee:** As prescribed in the By-Laws.
- B. **Standing and Ad Hoc Committees:** The Executive Committee is empowered to establish committees. Committees must submit written reports to the Executive Committee of all recommendations and of all actions taken. All committee actions are subject to review and approval by the Executive Committee.
- C. Committees are to be constituted as follows:
  1. Method of selection of members for Standing Committees shall be prescribed in the By-Laws unless otherwise stated below.
  2. The duties and composition of Standing Committees will be set forth in the By-Laws.
  3. All members in good standing are eligible to serve on NCCFT committees.
  4. The term of office for committee members shall be prescribed in the By-Laws.
  5. Each committee shall elect its own Chairperson subject to the approval of the Executive Committee, unless otherwise noted in the By-Laws.
  6. Ad Hoc Committees may be appointed as needed and serve at the pleasure of the Executive Committee.
- D. There shall be the following Standing Committees:

▪ Negotiating Committee	▪ Health & Safety Committee
▪ Political Action Committee	▪ Special Events Committee
▪ Fringe Benefits Committee	▪ Scholarship Committee
▪ Tellers Committee	▪ Retirement Committee
▪ Elections Committee	▪ Constitution and By-Laws Committee
▪ Membership/Early Career Committee	

## Article IX – Elections of The Executive Committee

- A. The Elections Committee shall oversee all aspects of the conduct of the election to ensure that the election procedures set forth in this Constitution, the By-Laws of the Organization, and the Labor-Management Reporting and Disclosure Act (Landrum-Griffin Act) are followed. All appeals and questions regarding the conduct of the election shall be directed to

the Elections Committee Chairperson for adjudication by the Elections Committee. This committee will adhere to the processes prescribed in the By-Laws.

- B. The term of office of the officers of the Organization shall be three (3) years and shall run from June 1 to May 31. Elections shall be staggered for the purpose of ensuring consistency and continuity on the Executive Committee.
- C. Nominations of the officers of the Organization must be by petition. The petitions must bear the name of the nominee, the office sought, and the names and signatures of 25 members in good standing. Petitions must be filed with the Organization's office at least ten days before the scheduled election for that position.
- D. The election of the Executive Board members shall take place during the same month as that of the President, and their term of office shall run concurrently with that of the President of the Organization.
- E. All elections of officers of the Organization must be in accordance with the Labor-Management Reporting and Disclosure Act (LMRDA), also known as the Landrum-Griffin Act.

## **Article X – Meetings**

General membership meetings shall be held once a semester, unless special circumstances require additional meetings.

## **Article XI – Amendments to the Constitution**

- A. An amendment to this constitution may be proposed by:
  - 1. A majority of the Executive Board OR
  - 2. No fewer than twenty (20) percent of members in good standing.
- B. Amendments to this Constitution may be made only by a two-thirds vote of members in good standing present at a regular membership meeting provided that both written and e-mail notifications have been given at least two weeks in advance.

## **Article XII – By-Laws**

Changes to the By-Laws shall be made in accordance with Article VII of the Organization's By-Laws ("PROCEDURE TO AMEND BY-LAWS"). In addition, the Executive Committee may propose changes to the By-Laws for the specific purpose of carrying out the provisions of this Constitution. Changes in the By-Laws may be made only by a two-thirds vote of those present at a regular membership meeting, with a quorum of at least 20% of the membership, provided that both written and e-mail notifications have been given at least two weeks in advance.

## Article XIII – Conduct of Meetings

Meetings will be conducted as per *Roberts Rules of Order, Newly Revised Edition*.

## Article XIV – Protection of Rights of Members

- A. Every member in good standing of this Organization shall have equal rights and privileges, including but not limited to the right to nominate candidates to hold office, to be a candidate for elected office or other elected union positions, to vote in elections or referendums, to attend membership meetings, to be eligible to be considered for appointment to represent the union in any capacity, and to participate in deliberations and voting upon the business of the Organization. Only members in good standing shall be eligible to enjoy the rights and privileges provided in this section.
- B. No member may be fined, suspended, expelled, or otherwise disciplined (except for non-payment of dues) by this Organization unless such member has been served with written specific charges and given a reasonable time to prepare a defense and afforded a full and fair hearing. The Executive Board, or a subcommittee thereof, shall conduct all disciplinary hearings.
- C. No officer of the Organization may be removed from office unless such officer has been served with written specific charges and given a reasonable time to prepare a defense and afforded a full and fair hearing before the Executive Board. Following the hearing, the Executive Board may, by a two-thirds (2/3) vote of those present, recommend to the membership of the Organization that the officer be removed from office. Thereupon, the officer may be removed from office by a two-thirds (2/3) vote of the membership at a general membership meeting called for that purpose and pursuant to the Organization's by-laws.
- D. This Organization shall show no discrimination toward any individual or group of individuals on the basis of sex, religion, color, race, marital status, sexual orientation, gender identity, national or ethnic origin, age, disability, or political activities and beliefs.

## Article XV – Non-Members

- A. Any member of the bargaining unit represented by the NCCFT that is not a union member in good standing as defined in Article III, shall not be eligible to receive from the NCCFT or its state and national affiliates any service or benefit not expressly provided for in or conferred by the prevailing CBA with the employer. Services and benefits withheld from non-members shall include, but not be limited to (a) the right to be represented by the union at disciplinary hearings that are not part of the prevailing CBA, meetings or interviews with administrators, supervisors or their agents that may lead to disciplinary action, §913 examinations, workers' compensation proceedings, and EEOC or NYSDHR proceedings; (b) the right to have access to NYSUT, AFT or NEA Member Benefits programs, including any benefit plans



purchased by the NCCFT for the use of its members, i.e., legal service plans; and (c) the right to have access to NYSUT ELT programs.

- B. Non-members shall be ineligible to participate in any union activity reserved for members in good standing including, but not limited to, the rights defined in Article XIV above. Furthermore, non-members are ineligible to participate in any social, collegial, professional or other such events conducted by the NCCFT.

## **Article XVI – Ratification of Collective Bargaining Agreements**

Approval or disapproval of any CBA with the employer shall be determined by a majority of the valid votes cast. Members in good standing shall be provided with a written summary of the memorandum of agreement at least forty-eight (48) hours in advance of the ratification meeting/ratification vote.

*Revised and approved on March 3, 2020 by the Executive Board; ratified by the membership on October 27, 2020.*