

## **CONSTITUTION AND BY-LAWS FOR THE UNIVERSITY OF DETROIT MERCY PROFESSORS' UNION**

NAME: The name of this organization (a non-profit corporation organized under the laws of Michigan) shall be the University of Detroit Mercy Professors' Union, affiliated with the MEA-NEA.

### PURPOSES:

Sec. 1. To work for the welfare of the University and its students, the advancement of education, and the improvement of instructional opportunities for all.

Sec. 2. To develop and promote the adoption of such ethical practices, personnel policies, and standards of preparation and participation as mark a profession.

Sec. 3. To unify and strengthen the faculty by securing and maintaining the salaries, retirement, tenure, and other working conditions necessary to quality teaching and research.

Sec. 4. To enable members to speak with a common voice in matters of university policy pertaining to the profession and to present their common interests before the Board of Trustees and other legal authorities as provided by law.

### ARTICLE I, MEMBERSHIP:

Sec. 1. All faculty members employed full time as of 16 August 1975 and any time thereafter at the University of Detroit Mercy in the College of Liberal Arts, the College of Business Administration, the College of Engineering and Science, the College of Health Sciences, the School of Architecture, and the College of Education and Human Services, the McAuley School of Nursing and engaged in instruction or research activities at the University of Detroit Mercy, and full-time professional librarians serving in a non-supervisory capacity as defined by the National Labor Relations Act, may, upon payment of dues herein provided, become members of the Union, with the exception of deans, associate deans, assistant deans, directors of divisions, vice-presidents, chancellors, provosts, and presidents of the University of Detroit Mercy.

Sec. 2. Members who have not paid their annual dues as provided herein by October 1 of each year shall lose both voice and vote in all meetings.

### ARTICLE II, OFFICERS AND BOARD:

Sec. 1. The officers of the organization shall consist of a President, a Vice President, a Secretary, a Treasurer, delegates to the MEA Representative Assembly, and delegates to the Board of Directors of the Michigan Association

for Higher Education. Terms of office shall be for one year except that a delegate to the MEA Representative Assembly and the MAHE shall be elected for a two-year term.

Sec. 2. There shall be a governing body known as the Board of Directors which shall consist of the officers named in II, I, and one elected representative for every 30 members or fraction thereof from the Library, and each of the following colleges and schools: Architecture, Business Administration, Engineering and Science, Health Sciences, Education and Human Services, Liberal Arts, and Nursing.

Sec. 3. Any member of the Board of Directors who is absent without proper justification from three consecutive regularly scheduled meeting of the Board may no longer be considered a member of the Bard, and the position may be declared vacant by a majority vote of the Board of Directors. Vacancies in office shall be filled by the Board of Directors for the remainder of the unexpired term except for a vacancy in the office of the President. If the Presidency is vacated, the Vice President shall preside until the next regular election.

#### ARTICLE III, DIRECT LEGISLATION:

Sec. 1. The rights of popular initiative and recall shall rest with the membership of the Union. Upon receipt of a petition signed by 15% of the membership of the Union, the secretary shall announce a general election or ballot as indicated on the petition within 15 calendar days for the purposed presented in the petition. A majority of the total membership shall be required for its adoption, which shall take effect thirty days later.

#### ARTICLE IV, AMENDMENTS:

Sec. 1. Amendments to this constitution may be introduced at any regular meeting of the Board of Directors, and shall be acted upon at a subsequent meeting of the membership but no later than two subsequent regular meetings or by ballot within 30 days of introduction. A copy of the proposed amendment, together with the recommendation of the Board of Directors, shall be sent to each member of the Union. Provided that the total number of these voting is not less than half the total membership, a two-thirds affirmative vote of those voting is required to adopt the proposed amendment, which shall become effective immediately upon adoption unless otherwise provided.

## BY-LAWS

### I. RULES:

Sec. 1. The latest edition of Robert's RULES OF ORDER shall be the authority on all questions of procedure not specifically stated in this constitution and by-laws.

### II. MEETINGS:

Sec. 1. General membership meetings shall be held in September, November, January, and March. The President shall have the power to call special general membership meetings. The President is mandated to call a special general membership meeting upon receipt of a petition signed by 15% of the membership of the Union. The membership shall be notified of such meetings by mail two weeks before each meeting and shall be furnished with an agenda attached to the notice of the meeting.

Sec. 2. The Board of Directors shall meet once a month, excluding the months of June and July, at a regularly scheduled time. The President shall have the power to call special meetings of the Board of Directors.

Sec. 3. When the Union is considering entering into a legally binding agreement with the university, the president and chairperson of the professional negotiating committee are authorized to sign such an agreement on behalf of the membership only upon completion of the following procedures at a general membership meeting:

- a) a report and recommendation by the Board of Directors;
- b) a report and recommendation by the professional negotiating committee;
- c) a written digest of the proposed agreement;
- d) discussion by the membership; and
- e) a majority vote of the total membership.

Sec. 4. The minutes of general membership meetings and special membership meetings of the Board of Directors shall be published and sent to the membership with the notification of a general meeting.

### III. QUORUM:

Sec. 1. A quorum exists in general and special meetings when at least 20% of the membership is in attendance. A quorum exists in Board meetings when a majority of the Board is in attendance.

IV. DUTIES OF OFFICERS:

Sec. 1. The President shall preside over meetings; appoint members of committees, subject to the approval of the Board of Directors; represent the Union before the public; serve as an ex officio voting member of the professional negotiating committee; act as executive officer of the Union; and perform all other functions attributed to this office. The only committee which he/she and the Board of Directors are specifically prohibited from appointing is the professional negotiating committee. See below, VI, 2.

Sec. 2. The Vice President shall serve in the President's absence and work with Union committees as delegated by the President.

Sec. 3. The Secretary shall keep accurate minutes of all meetings of the general membership and Board of Directors; publish the minutes as required herein, maintain official files; and assist the President with Union correspondence.

Sec. 4. The Treasurer shall hold the funds of the Union; disburse them according to decisions of the Board of Directors; maintain the roll of members, keep accurate account of receipts and expenditures; report to each general meeting and each meeting of the Board of Directors; prepare an annual financial statement for the membership; keep the President and Board of Directors informed of the financial condition of the Union; and assist in drafting the annual budget. At least one other officer besides the Treasurer shall sign checks with at least two signatures being required on each check. All officers empowered to sign checks shall be bonded. There shall be an annual audit of the Union accounts.

Sec. 5. Each delegate to the MEA Representative Assembly shall keep the organization informed of and alert to significant actions by the MEA and to issues to be presented to the MEA Representative Assembly. Each delegate to the Board of Directors of the Michigan Association for Higher Education shall keep the organization apprised of all actions being taken by MAHE that have any bearing whatsoever upon the Union.

V. POWER OF BOARD OF DIRECTORS:

Sec. 1. The President shall have the power to appoint, with the consent of the Board of Directors, all standing and ad hoc committees as are appropriate, with the exception of the professional negotiating committee. In appointing persons to committees, the President and the Board shall show due concern for representation of minority segments of the membership, whether that minority status is determined by sex, race, color, creed, or national origin.

Sec. 2. When the Union is to enter into negotiation with the employing unit for purposed of establishing a legally binding agreement, the President shall call a

special meeting of the membership at which a professional negotiation committee (hereinafter referred to as the PNC) shall be elected.

a) The PNC shall be composed of one elected representative for every 30 members or fraction thereof from the Library and from each of the following colleges and schools: Architecture, Business Administration, Engineering and Science, Health Sciences, Liberal Arts, Education and Human Services, McAuley School of Nursing, and the President who is an ex officio member voting only in case of ties.

b) At the election meeting, the Library, the Colleges and the Schools shall divide and elect their representatives. A representative must achieve a majority vote of the caucus.

Sec. 3. The PNC shall elect its own chairperson; represent the Union at the collective bargaining table with the administration; keep the Board of Directors informed of the stages of negotiation; have the right to present a proposed contract to the administration and to negotiate in secret when necessary.

## VI. NOMINATIONS AND ELECTIONS:

Sec. 1. Officers and the Board of Directors serve from May 1 of the year of their election to the same date in the following year.

Sec.2. The President shall appoint a nominating committee with a designate chairperson before the general meeting in March. The nominating committee shall meet and select one or more candidates for each office and one or more for each position on the Board of Directors after due consultation with full-time professional librarians and with the faculty of the colleges and schools. The committee shall be mandated to nominate no more than two officers from the same unit, school, or division. At the March meeting, the chairperson of the nominating committee shall present the names of the candidates for each office. The President shall then conduct the election, taking each office, beginning with the presidency, and call for nominations from the floor. Nominations from the floor must be seconded. Upon a motion to close nominations for office, a second, and a majority vote to close, a secret ballot shall be cast and the person with a majority of votes shall be declared the winner. If no majority appears, a run-off ballot shall be held between the two top vote getters. No proxy votes are admissible. The chairperson of the nominating committee shall then present the names of the unit representatives for the Board of Directors, each in this order: the School of Architecture, College of Business Administration, the College of Engineering and Science, the College of Education and Human Services, the College of Health Sciences, the College of Liberal Arts, Library, the McAuley

School of Nursing. The President shall call for a ratification of each nomination, the members from each unit standing and voting for ratification by a show of hands. A majority vote shall constitute ratification. If the ratification fails, the

members from the unit must then caucus and return with another name, at which time another ratification vote shall be conducted by the President. Ratification constitutes election.

Sec. 3. Delegates to state and national assemblies, conferences, and conventions of associations with which the Union is affiliated shall be elected by secret ballot.

VII. DUES:

Sec. 1. Annual Dues, payable on August 16 or by payroll deduction, shall be the current MEA/NEA dues plus \$40.00 for local dues. Agency fees for non-members shall equal annual dues, and be payable in the same manner.

Sec. 2. Special assessments as may be proposed in emergency situations by the Board of Directors must be approved by a two-thirds vote of the membership in a general meeting. When approved in this fashion, the assessment is binding on the membership.

VIII. AMENDMENTS:

Sec. 1. By-laws may be amended by majority vote at any regular membership meeting, provided notice in writing of any proposed amendment is filed with the Union secretary and presented at the regular meeting preceding the one at which it is to be voted on. Amendments to by-laws have immediate effect unless otherwise provided.