

PROPOSED AMENDED CONSTITUTION OF THE HENRY FORD COLLEGE ADJUNCT FACULTY ORGANIZATION

Submitted by the Executive Board
For consideration at the Winter 2019 General Membership Meeting
March 22, 2019

Commented [WN1]: The AFO Constitution was approved by a referendum of the membership in 2009. It has not been amended since 2015 and at present several items are out-of-date. For example, our name needs to be changed from the "Henry Ford Community College" AFO to the "Henry Ford College" AFO. During the fall and winter semesters the Executive Board reviewed the Constitution and recommended a series of amendments. A few of the recommended changes are substantive, but most were made for technical reasons like name changes or to clarify ambiguities and otherwise improve the language. During the March 22, 2019 General Membership Meeting a motion was made and passed to approve amendments to 16 of the 17 articles and both by-law. This document includes all of the proposed amendments and explanations for the changes being proposed in the particular article. For two of the articles – the ones on the election and duties of officers – comments are made section-by-section.

During the March 22 meeting, a motion was made and passed to ratify the proposed amendments by voice vote during our Fall 2019 General Membership Meeting. Members at that meeting will be asked to approve or reject all of the amendments. If you cannot attend the meeting, you can vote to approve or reject by proxy.

Any member who wishes to review a "red-lined" version of the document, in track change format, that shows the specific differences between our current Constitution and this proposed amended Constitution may do so by contacting AFO@hfcc.edu.

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Article I – Name

This organization shall be known as the Henry Ford College Adjunct Faculty Organization (AFO), AFT-Michigan/American Federation of Teachers (AFT) Local 337, American Federation of Labor-Council of Industrial Organizations (AFL-CIO), hereafter referred to as the “AFO.” Prior to 2016, Henry Ford College was known as Henry Ford Community College and the AFO was originally chartered as the Henry Ford Community College Adjunct Faculty Organization. When legal, union, or other reasons require, the AFO will identify itself by the name as originally chartered.

Commented [WN2]: The revisions to this article will formally change the name of the AFO (from the HFCC-AFO to the HFC-AFO). The last two sentences are new. They permit us to use the original name when necessary.

Article II – Objectives

The purposes of the AFO shall be:

Section 1

To secure full trade union rights, including the right to exclusive recognition and collective bargaining, for all employees of Henry Ford College who are eligible for membership and to represent their interests and protect their academic freedom and other rights.

Commented [WN3]: The changes proposed for this article are all related to the fact that the College's name changed from HFCC to HFC.

Section 2

To implement public support for and interest in Henry Ford College through close contact and effective cooperation between members, the College community and the wider community the College serves.

Section 3

To promote the professional, social, economic, and political well-being of the membership and thus improve the quality of education at Henry Ford College.

Section 4

To work in cooperation with the Henry Ford College Board of Trustees and other interested organizations and individuals in endeavors to secure such legislation as will provide adequate financial support of the College.

Section 5

To promote increased collegiality of members within and across academic units and make members full citizens in the governance structures of the College.

Section 6

To strengthen public and government support for universal access to high quality public education at all levels, from primary school to graduate studies in the state of Michigan and beyond.

Section 7

To help build a dynamic and democratic national labor movement, animated by the principle that an injury to one is an injury to all, and in that spirit, to promote local, national and international labor solidarity.

Section 8

To promote democracy, justice, equality, and trade unionism in the society at large.

Article III – Membership

Section 1

All persons in the bargaining unit agreed upon with the College shall be eligible for membership in the AFO during any academic term in which the person teaches at least the equivalent of a one-credit hour course or works an equivalent amount of time in a non-teaching capacity. To become a member such persons must sign a membership form and agree to pay membership dues either through payroll deduction or other means.

A member not employed during an academic term will be considered an AFO associate member for one year (12 months) after the associate member last taught at least a one-credit hour course or worked an equivalent amount of time in a non-teaching capacity. Subsequent to that academic year, the associate member may continue in this associate member status for an indefinite period, as long as the associate member pays a reduced dues rate as set by the Executive Board.

No person shall be denied membership or discriminated against based on age, color, ethnicity, national origin, citizenship status (subject to compliance with federal, state and local law), sex (including pregnancy, sexual orientation, gender identity and gender expression), disability (including HIV status), height, weight, marital status, religious faith, ancestry, political persuasion or affiliation, familial status or veteran status.

Section 2

A member in good standing is defined as a member who is current in payment of dues to the AFO and has been a current dues-payer since being hired or for at least three months,

Commented [WN4]: There is a lot of new language in the first three sections of this article, but there is only substantive change and it involves hardly anyone. The new language changes the period of time an individual can continue as an Associate Member if she is no longer actively working for HFC. The old language said that retirees could continue as Associate Members indefinitely; but others were limited to three years. The new language says that all inactive members can continue as Associate Members (with some voting rights) indefinitely whether or not they retire so long as they pay dues as set by the Executive Board.

whichever is less. An associate member in good standing is defined as an associate member who is current in payment of dues to the AFO if he or she is required to pay dues. A member or associate member who is more than thirty (30) days delinquent in dues payment shall be considered a member or associate member in bad standing, and members shall be promptly notified of such status. A member or associate member shall be removed from membership in the AFO, with notice if a member, following three months of dues nonpayment, unless a plan to pay back dues is made and approved by both the Executive Board and the member.

Section 3

A member who is removed from membership and seeks at some later point to become re-instated will be responsible for a one-time dues payment equal to any amount set by the Executive Board up to an amount equal to the amount that would have been paid by a member with equal earnings.

Section 4

Only members in good standing and associate members in good standing who taught at least a one-credit hour course or worked an equivalent amount of time in a non-teaching capacity in the bargaining unit during the academic year in which the contract is negotiated shall have the right to vote on their collective bargaining contract. Only members in good standing employed during the current term shall have the right to vote on a job action occurring during the term. All members and associate members in good standing shall have the right to vote on all other matters.

Article IV – Membership Meetings

Section 1

The legislative power of the AFO shall be vested in the Membership Meeting. Unless otherwise stipulated in the Constitution, action items and elections require a simple majority of votes cast in the Membership Meeting. The Membership Meeting shall approve the annual budget, shall receive and approve committee reports, including the required annual financial report or audit; and shall develop and vote on resolutions to guide the policy of the AFO. In addition, Membership Meetings may include seminars and workshops on professional development, union organizing, or other areas of concern to the AFO and its members.

Commented [WN5]: The only change to this article can be found in Section 5. The old language said that a Special Membership Meeting could be called by "petition to the Executive Board of fifteen percent of members and/or associate members" – emphasis added. The new language says that any 15 members can petition for a Special General Membership meeting.

Section 2

Membership Meetings shall be held twice times per year, once in the Winter and once in the Fall terms at a predetermined time and place. Membership Meetings may also be called at the discretion of the Executive Board or more or less often as approved by the majority vote of assembled members in a regularly constituted Membership Meeting. The Executive Board shall give notice of all regular Membership Meetings at least thirty (30) days in advance and an agenda shall be communicated to the membership at least one (1) week in advance of the meeting day. Notice of the Membership Meeting time and place and communication of the agenda may take place through the AFO's newsletter, a mailing to the membership, an e-mail message to the membership, and/or on the AFO's website.

Section 3

Membership Meetings shall be open to all members and associate members in good standing. Proxy balloting shall be allowed at Membership Meetings under procedures established by the Elections Committee.

Section 4

A quorum for the Membership Meeting shall be the lesser of (a) thirteen members or associate members in good standing physically or virtually present at the meeting or (b) a total number of members or associate members in good standing physically or virtually present at the meeting that is equal to twice the number of Executive Board members physically or virtually present at the meeting. To be counted as virtually present at the meeting, a member or associate member in good standing must be able to participate in the proceedings of the meeting by telephone conference call, internet connection, or similar electronic contact. If a quorum cannot be assembled at a regularly scheduled or special Membership Meeting, the Executive Board is empowered to make contingent decisions as necessary to ensure the continued operation of the AFO. Such contingent decisions must be ratified, modified, or rejected at the first subsequent Membership Meeting at which a quorum is assembled.

Section 5

Special Membership Meetings may be called by the President (or acting President), by a majority of the Executive Board or by petition to the Executive Board of fifteen members and/or associate members in good standing. The notice of the special Membership Meeting and the agenda shall be circulated to all members at least one (1) week in advance of the special

Membership Meeting. Items not included on the agenda for the special Membership Meeting will not be addressed. All special Membership Meetings shall be adequately advertised and conducted according to the provisions of this Constitution.

Article V – Election of Officers/Elections Committee

Section 1

Elections of officers shall be conducted in accordance with the AFT Constitution.

Section 2

The AFO will elect at least five officers, including a President during the Fall General Membership Meeting in even years for two-year terms beginning on January 1 of the following (odd) year and ending on December 31 of the next even year. The titles and duties of the other four (at least) elected officer positions will be determined by the Executive Board and may vary from election cycle to election cycle.

Section 3

To be eligible for office a person must be, or must have been, an AFO member in good standing in any two of the three terms (counting the spring/summer terms as one term) during the one year period prior to the date of the election. Associate members who do not fit these criteria are not eligible to be elected to office, but if a member in good standing becomes an associate member while in office, he or she shall be allowed to continue in office for the duration of her or his term.

Section 4

The Elections Committee shall conduct all elections and referenda in accordance with Articles X (Elections and Referenda) and XI (Balloting) of this Constitution and the AFT Constitution.

The Elections Committee shall consist of at least three members or associate members in good standing nominated and elected by a majority of members present at the winter term Membership Meeting. Once appointed, the Elections Committee will preside over all elections and referenda until the next winter term Membership Meeting and a new Elections Committee is assembled. Members of the Elections Committee may be re-appointed. The Elections Committee shall elect its own chair.

Any member of the Elections Committee nominated for or seeking office must vacate his or her position and be replaced by a member nominated by the President and approved by the

Commented [WN6]: This article and the next (Article VI: Duties of Officers) are, of course, ones that should be of utmost importance to AFO members. Generally the proposed changes to these articles are intended to clarify ambiguities and conform to existing practices. Given the importance, more specific explanations for changes will be made by section.

Commented [WN7]: The new language in Section 2 does two things. First, it specifies terms more specifically compared to the more vague old language. Second, it gives the Executive Board more flexibility to change officer titles than the old language did. Under the new language, at least the same number of officers are elected as the current constitution requires but the new language only mandates the president title.

Commented [WN8]: The current language includes a reference in this section to “special elections” but doesn’t say anything about them in the referenda or balloting articles – the new language in those articles covers special elections. The new language here deletes the word “special” so that the reference is to all elections as well as referenda and adds a reference to the appropriate articles of the Constitution.

Executive Board.

If a member of the Elections Committee vacates his or her position for any reason, he or she can be replaced by a member nominated by the President and approved by the Executive Board.

Section 5

Officer elections will normally be conducted shortly before or during the fall term General Membership Meeting in even years for two-year terms beginning on January 1 of the following odd year. The agenda for the preceding winter term General Membership Meeting shall include notice to all members of the opening of nominations for officers, the titles of the offices to be filled, the date of the election, and the term of office. Notice of the election of officers may take place through the AFO’s newsletter, a mailing to the membership, an e-mail message to the membership, and/or on the AFO’s website.

Section 6

Any member in good standing can self-nominate or be nominated by another member in good standing during the winter term General Membership Meeting preceding the election. Any member nominated to run for office must affirmatively accept her or his nomination. A majority of the members present at the winter term General Membership Meeting preceding the election must vote to accept the nomination. The membership can vote to accept the nominations of multiple candidates for a single office.

Members not nominated during the winter term General Membership Meeting preceding the election may be nominated if they submit a petition containing the signatures of ten (10) percent of the membership, or twenty (20) members and/or associate members, whichever is less, to the Elections Committee by September 30 of the fall term during which the election is to take place.

The Election Committee shall determine whether the nominations were timely and if the nominees are eligible for office.

Section 7

The election and balloting will be conducted as specified in Articles X and X1 of this Constitution.

Commented [WN9]: The new language in sections 5 and 6 clarifies ambiguities and follows the long-standing practice of the AFO regarding the timing of officer elections more explicitly than the old language

Section 8

If three or more candidates run for an office and none fails to obtain a majority, the Elections Committee shall conduct a run-off election between the two candidates who have received the most votes for the office in question. In the event of a tie between candidates receiving the second highest number of votes, the candidate receiving the most votes and both of those involved in the tie will constitute the candidates for the run-off election. In the event this election does not produce a winner, other run-off elections following the same procedure will be held until one candidate receives the majority of votes and is declared the winner. The Elections Committee will have the discretion to conduct run-off elections following a procedure different than the procedure followed in the initial election provided it is otherwise consistent with the provisions of this Constitution.

Section 9

Challenges and objections to the election must be submitted in writing, with a statement of supporting reasons that includes specific facts as well as any documentation, to the Elections Committee within five (5) days of the count. The Elections Committee shall issue its written opinion regarding the objections no later than ten (10) days after receipt of such objections.

Section 10

The election results will be published in the AFO newsletter and posted on the AFO website within thirty (30) days of the count. All elections materials, including paper ballots and records of electronic ballots, will be kept in a secure location for one (1) year.

Section 11

With the exception of the President, or in case of recall, the Executive Board will have the power to fill vacancies in its membership until the next general election of officers.

Section 12

Membership or associate membership in good standing is required to continue to hold office in the AFO. A petition signed by twenty-five percent (25%) of the membership, that alleges constitutional violations, fiduciary breaches or clearly detrimental acts, shall be sufficient to require the Executive Board to vote on whether to conduct a recall election of the officer identified in the petition. The officer subject to recall and any Executive Board member signing the petition shall not vote on the question of a recall election. If a majority of the Executive Board approves a recall election, the Elections Committee shall supervise the recall election.

Article VI – Duties of Officers

Section 1

The AFO is an organization of part-time employees of HFC. With the exception of the duties of the President which are prescribed below, the Executive Board has the discretion to modify the duties of the remaining four (or more) elected officer positions depending on the needs of the organization and the abilities and time availability of specific members willing to serve as officers. The Executive Board (see Article VII) is ultimately responsible for ensuring that AFO business is properly conducted. The duties described in the following Sections of this Article must be assigned to one of the elected officers.

Section 2

All officers shall contribute to the organizing efforts of the AFO.

Section 3

The President shall:

- be the presiding officer at all meetings of the membership and of the Executive Board;
- be an ex-officio member of all committees except the Elections Committee;
- appoint, with the approval of the Executive Board, the chairs of all standing and special committees except the Elections Committee;
- be the principal officer of the AFO;
- receive, report and respond to correspondence of the AFO;
- supervise any and all employees of the AFO;
- be one of the responsible financial officers of the AFO who is authorized to co-sign financial instruments and make regular and usual disbursements of funds;
- represent the AFO before bodies of the employer, executive and legislative officials;
- represent the AFO before the public, community organizations, and the news media;
- be, by office, a delegate to the Central Labor Council, and the state AFL-CIO body;
- be, by office, a delegate to the convention of the AFT and meetings or conventions of its affiliated bodies;
- make a report to the membership at least once a year, summarizing the accomplishments of the AFO and outlining plans for the next year; and
- be able to delegate the responsibilities of the office except where otherwise specified by the Constitution.

Commented [WN10]: As was the case with Article V and for the same reasons, explanations for changes in this article will be made by section.

Commented [WN11]: The language in this section is all new, but it was borrowed from Bylaw 2 (and reframed).

Section 4

One elected officer position (perhaps titled Vice President) will be designated to assume the duties of the President in the event of the absence, illness, or death of the President and be authorized to co-sign financial instruments in the absence of the President or other AFO fiduciary.

A second elected officer (perhaps titled Treasurer) will have primary, but not necessarily sole, fiduciary responsibility for the AFO. Fiduciary responsibilities include:

- being one of the responsible financial officers of the AFO authorized to co-sign financial instruments and make regular and usual disbursements of funds;
- maintaining all financial records of the AFO;
- arranging for an independent audit or financial review of the finances of the AFO annually and making same available to the Executive Board and membership;
- receiving, recording, and depositing all dues monies and other income in the name of the AFO; and
- transmitting per-capita payments on a regular basis to the Secretary-Treasurer of the AFT and similar officers of all other bodies with which the AFO is affiliated; and overseeing the work and receive reports from the Finance Committee.

In addition, the following responsibilities must be allocated among officer positions:

- maintenance of the non-financial files and records of the AFO;
- being the custodian of the seal and charter of the AFO;
- recording and keeping accurate minutes of Membership Meetings and meetings of the Executive Board;
- overseeing the work of, and receiving and certifying the reports of the Elections Committee;
- assisting the President in handling the correspondence of the AFO;
 - maintaining accurate membership records;
 - issuing membership cards and notices of delinquency;
- designing, building, and developing processes to create and maintain a member and bargaining unit database as necessary to support organizational reporting needs; and
- performing other duties as delegated by the President or required by guidelines developed by the AFT.

Commented [WN12]: Officer duties were detailed by position in the old constitution; the new language says you need to have a VP and a Treasurer (although you don't have to call them that) but all other duties are more or less lumped together.

Section 5

The President, with the approval of the Executive Board, will appoint a Chief Grievance Officer who may or may not also be an elected officer. Normally, but not necessarily always, the Chief Grievance officer will also serve as the Chair of the Bargaining Committee. The Grievance Officer shall work with the Executive Board in the resolution of contractual and non-contractual disputes in the workplace; shall maintain records of grievances and their disposition; and shall be responsible for the processing of grievances and disputes beyond the immediate work location. Once a grievance has reached step 3, the Grievance Officer will review the grievance and he or she will brief the Executive Board regarding the merits of pursuing the grievance. The Executive Board will then decide either to withdraw or advance the grievance. If the Executive Board declines to pursue a grievance, the grieving party (or parties) shall be notified within ten (10) days. The grieving party (or parties) will then have ten (10) days to appeal the Executive Board's decision to the Executive Board. If the Executive Board declines to pursue the grievance a second time, the grievance shall not be pursued.

Commented [WN13]: This section is new here but was taken from the current Constitution – Section 12 of Article VIII – pretty much word for word. It seems to fit better with an article on duties rather than the article on committees

Section 6

Fulfilling the responsibilities identified in this Article takes a considerable expenditure of time and the AFO recognizes that officers with regular responsibilities should be appropriately compensated both because they deserve to be and to motivate the next generation of AFO leaders. Individuals (whether elected officers or not) who earn ten thousand dollars (\$10,000) or more on an annual basis are required to enter into personal service agreements with the AFO Executive Board. The Executive Board will determine the appropriate level of compensation by comparing the AFO's total personnel costs and individual salaries to the average total personnel costs and average individual salaries of other AFT-Michigan local unions representing non-tenured higher education faculty. As noted in Article VII below, the General Membership must approve the overall budget including personnel costs on an annual basis.

Commented [WN14]: This section is new here. It replaces the language in Bylaw 2 of the current Constitution regarding officer stipends.

Article VII – Executive Board

Section 1

The Executive Board shall serve as the executive of the AFO as a whole, responsible for implementing the will of the members as dictated at Membership Meetings. The Executive Board shall:

Commented [WN15]: The AFO Constitution emphasizes the executive role of the Executive Board (as opposed to the President alone). That practice has worked well and we aren't proposing changing it. The new language in Section 2 allows for the expansion of the Executive Board. New language in Section 11 specifies that all members of the Executive Board – whether elected or appointed - must attend meetings regularly (to have a vote).

- coordinate the organizing efforts and other activities of the AFO;
- prepare an annual plan and an annual budget, including payroll expenses, for the AFO and submit these to the membership for approval at the winter term Membership Meeting;
- oversee and execute the administrative needs of the AFO;
- promote the development of an informed and active membership; and
- fulfill all other roles, functions, and duties assigned to it by this Constitution.

Section 2

The Executive Board shall consist of a minimum of five voting members including the President and at least four other officers (or their replacements) elected by the general membership. In addition, the chair of the Bargaining Committee shall serve as an ex-officio member of the Executive Board with voting rights. Further, any voting member of the Executive Board may nominate any member in good standing to be added as an ex-officio members of the Executive Board with voting rights. If the member affirmatively accepts the nomination and if a majority of the Executive Board or a majority of the members casting votes at a Membership Meeting approves, the nominee becomes an ex-officio member of the Executive Board with voting rights for a term of office ending on December 31 of the next even year.

Section 3

The Executive Board shall meet monthly from September through May, and as determined by the Board from June through August, or at the call of the President, or at the call of three (3) or more of its members, for the purpose of initiating, overseeing or revising the program of the AFO and to conduct other business of the AFO that is within its authority. A quorum for the Executive Board shall be four voting members.

Section 4

The Executive Board shall determine the agenda for all Membership Meetings.

Section 5

The Executive Board shall employ any and all professional, technical, clerical and support staff of the AFO.

Section 6

The Executive Board shall establish the salary, benefits and expense guidelines of any and all employees of the AFO.

Section 7

The Executive Board shall be empowered to make contracts and incur liabilities including the purchase of services, equipment and real property, to borrow money, to secure such obligations by mortgage or other instrument, and to otherwise engage in financial transactions to the extent permitted by applicable law or statute. The Executive Board shall have the power to sue, complain and defend on behalf of the membership.

Section 8

The Executive Board shall approve the chairperson and membership of all standing and special committees of the AFO, except the Elections Committee, and receive regular reports from such committees.

Section 9

The Executive Board shall be responsible for adherence to and enforcement of the Constitution and By-Laws of the AFO.

Section 10

The Executive Board shall issue regular reports, including an annual report, to the membership.

Section 11

An Officer or other voting member on the Executive Board who fails to attend three (3) regularly scheduled meetings of the Executive Board without reasonable excuse during one academic year shall be sufficient grounds for the Executive Board member’s suspension and/or replacement by a two-thirds majority vote of the remaining members of the Executive Board.

Article VIII – Committees

Section 1

The standing committees of the AFO shall be:

- Elections
- Bargaining and Grievance
- Finance
- Legislation and Political Action and Education
- Organizing and Leadership Development

Commented [WN16]: New language eliminates Publications and Communications, Social, and Safety and Health. The deleted committees have never been functional committees and can always be re-created as special committees – see Section 2. With regard to the Bargaining and Grievance Committee two changes are being proposed. First, moving the language regarding the duties of the Grievance Officer to the article on the Duties of Officers. Second, the old language mandated that the president serve as a member of the Grievance and Bargaining Committee. Elsewhere (Duties of Officers) it is noted that the President is an ex officio member of all committees except the Elections Committee. The new language thus says that the Bargaining and Grievance Committee shall consist of members appointed by the president and approved by the executive board and leaves it up to the president to decide what sort of role she want to play on the bargaining committee.

Section 2

The Executive Board, either on its own initiative, or at the direction of a Membership Meeting, may establish special committees. Such special committees will serve for a period of time determined by the President and the Executive Board. If a special committee is deemed to be of more permanent value to the AFO, then Article XV – Amendments must be followed, and the membership will determine if the committee is to be added as a standing committee to this current Article VIII – Committees.

Section 3

The Legislation and Political Action and Education Committee and the Organizing and Leadership Development Committees shall be chaired by elected officers appointed by the President, with the approval of the Executive Board; and the Treasurer (or the elected officer with primary responsibility for treasury functions) shall chair the Finance Committee.

The Elections committee will appoint its own chair.

The President, with the approval of the Executive Board, shall appoint all remaining committee chairs.

Section 4

An Elections Committee shall be appointed at the winter term Membership Meeting during even years. This committee and the process by which it is constituted are described in Article IV (Elections of Officers), Section 4 of this Constitution.

Section 5

The Bargaining and Grievance Committee shall be chaired or co-chaired (usually but not necessarily by the Grievance Officer) and shall consist of such other members as the President shall appoint with approval of the Executive Board. This committee shall prepare proposals as directed by the President or Executive Board concerning salary, grievances, policy, and other negotiable matters and shall advise the AFO team that negotiates these matters with the appropriate representatives of the Board of Trustees. Any proposed contract settlement shall be submitted to this committee and the Executive Board prior to its submission to the membership for action.

Section 6

The Finance Committee shall oversee the financial affairs of the AFO, and shall make recommendations to the membership regarding the financial stability and prosperity of the AFO.

The Treasurer (or other elected officer with primary responsibility for treasury functions), as chair of this committee, will be responsible for the AFO's revenues and disbursements in conjunction with the President.

Section 7

The Committee on Legislation and Political Action and Education shall be responsible for monitoring government actions that may affect the membership and developing appropriate responses to such action in cooperation with affiliated organizations. The committee shall secure voluntary contributions to support the political work of the AFO; screen and recommend endorsement of candidates for local, state and federal office to the Executive Board; educate members on the issues of importance to the AFO, its membership and clients; and develop programs to promote voter registration and to support the election of candidates who support the interests of the AFO, its membership and the people they serve. Such recommendations may come from the AFT, the AFT-M, or the AFO itself. At the direction of the Executive Board, the committee may oversee telephone and correspondence campaigns regarding proposed legislation. It may also initiate recommendations and make known the record of government officials.

Section 8

The Organizing and Leadership Development Committee shall develop programs and activities that encourage all eligible persons to join, participate in and help lead the AFO.

Article IX – Activists

Section 1

Activists shall serve as conduits of information between the AFO Executive Board and members. As such, they shall assist with organizing, leadership, and contract enforcement activities. AFO members designated as Activists by the Executive Board may volunteer to serve on the AFO Bargaining and Grievance, Organizing and Leadership Development, and/or the Legislative and Political Action and Education committees depending on the interests and availability of the Activist.

Section 2

Any member or associate member in good standing can be recognized as an Activist by the Executive Board.

Commented [WN17]: We're proposing changing the name of this Article from "Stewards" to "Activists." The AFO has never really had stewards and the concept doesn't fit well with our structure. We have always benefited from a core group of activists.

Section 3

In respect to their duties, Activists shall:

- Help organize and recruit members;
- make reports to the membership as necessary;
- meet regularly with the members they know to discuss workplace and organizational issues, and to receive feedback;
- initiate grievances and resolve disputes at the worksite or other appropriate location; and
- report on activities to the Grievance Officer or other Executive Board member.

Article X – Referenda and Elections

Section 1

An election is required to elect or recall an officer, approve a contract, job action, or to approve referenda. Referenda may be initiated by a majority vote of the Executive Board, by a motion made and approved at a General Membership Meeting, or by a petition from the membership. The Elections Committee shall determine the manner in which the election is to be conducted provided the method is consistent with the procedures outlined in Article XI (Balloting) of this Constitution.

Section 2

Referenda initiated by the Executive Board, by a General Membership Meeting, or by petition from the membership shall be submitted to the Elections Committee for validation. In the case of petitions, the Elections Committee shall have ten (10) days to accept a petition or reject it. To be considered valid, a petition from the membership must:

- be signed and dated by at least twenty-five percent (25%) of the members and/or associate members in good standing;
- contain the full text of the referendum; and
- have had all of its signatures collected in a continuous period of not more than ninety (90) days.

Section 3

Examples of referenda include but are not limited to votes on collective bargaining platforms, on collective bargaining agreements, and on job actions.

Commented [WN18]: We're proposing renaming this article from "Referenda" to "Referenda and Elections." As the proposed new name implies, the idea is to broaden its scope somewhat. The current Constitution has language in Article V: Elections of Officers/Elections Committee detailing procedures for naming an Election Committee and conducting officer elections. In this section, the current Constitution specifies procedures for conducting referenda, but nowhere is there any language in the current Constitution that covers "special elections." Those Sections of Article V specific to the election of officers and the naming of an Elections Committee have been left in Article V, but in the proposed new language, general procedures have been moved from Article V to this article. The new language in this article says that those procedures cover all elections (including special elections). Further, Section 5 of this article is new. It specifies that referenda to approve financial contributions for election issues must be approved by a sixty percent super majority. This new language follows the practice we used to approve the \$10,000 contribution we made to the HFC millage renewal campaign. There are no other substantive changes in this article.

Section 4

No referendum on a job action shall require the AFO to undertake the specified action. Rather, such a referendum shall only grant permission from the membership to undertake the specified action if in the judgment of the Executive Board it is deemed necessary.

Section 5

Referenda to approve contributions to millage or other election campaigns must be approved by at least sixty percent of voting members. All other elections and referenda shall be passed by a simple majority of the votes cast.

Article XI – Balloting

Section 1

The Elections Committee makes the final decision as to whether a ballot of the membership shall be a secret ballot or a voice vote. Generally, the Elections Committee will conduct a secret ballot, as opposed to a voice vote, for contract ratification and contested officer elections and conduct voice votes for all other referenda unless a secret ballot is requested by a member.

Section 2

Except as otherwise specified in this Constitution, all members and associate members in good standing of the AFO shall be eligible to vote in a ballot of the membership and all issues shall be decided by a majority of the votes cast.

Section 3

A ballot of the membership may be conducted by any of the following methods:

- a voice or paper ballot cast at a Membership Meeting;
- a paper ballot to be returned to the AFO by U.S. mail;
- a paper ballot to be collected and counted at a Membership Meeting;
- a paper ballot to be collected at a designated campus voting place or places; or
- an electronic ballot to be collected via the Internet.
- Voice votes (including votes by acclamation) and proxy voting are permitted for ballots collected and counted at a Membership Meeting.

Section 4

In the case of balloting on a referendum initiated by a valid petition from the membership, the Elections Committee shall determine the method to be used for the balloting

Commented [WN19]: Only minor changes, to clarify the role of the Elections Committee, are being proposed for this article.

and the dates or dates of the balloting, which dates shall not be more than forty-five (45) days after the date on which the petition from the membership was submitted to the Elections Committee. In all other cases, the method to be used for the balloting and the date or dates of the balloting shall be as specified in this Constitution or as determined by a majority vote of the Executive Board.

Section 5

Advance notice of the balloting and a description of the method to be used shall be provided to the entire membership. Such notice may be provided via the AFO’s newsletter, a mailing to the membership, an e-mail message to the membership, and/or on a members-only section of the AFO’s website. In no case shall less than fourteen (14) days of advance notice be provided, but other provisions of this Constitution may require a longer period of notification.

Section 6

The Elections Committee shall be responsible for conducting the balloting, counting the votes, and certifying and reporting the results.

Article XII – Budget Process

Section 1

The Executive Board shall submit an annual budget for the AFO, including any proposed changes to dues and agency fee policies, to the membership at the winter term Membership Meeting for discussion, possible amendment and approval. Member dues and any fair share fees shall be fixed in accordance with the By-Laws.

Section 2

The fiscal year shall begin July 1 of each year, and end on June 30 of the subsequent year.

Section 3

The Executive Board shall publish its proposed budget to all members at least fourteen (14) days prior to the winter term Membership Meeting. The proposed budget along with a draft report of the previous year’s financial activities as well as information on any changes shall be included. Publication may take place in the AFO’s newsletter, a mailing to the membership, through an e-mail message to the membership, and/or on a members-only section of the AFO’s website.

Commented [WN20]: The only language changes being proposed for this article involve the elimination of agency fees.

Section 4

A majority of the votes cast at the winter term General Membership Meeting, including proxy votes, shall be required for approval of the budget.

Article XIII – Affiliations

Section 1

The AFO shall maintain affiliations with the AFT, AFT-Michigan, the local AFL-CIO Central Labor Body Assembly, and the Michigan State AFL-CIO Labor Body Assembly.

Section 2

Delegates to any and all of these respective bodies shall be appointed by the President with the approval of the Executive Board and shall submit reports to be presented at Memberships Meetings.

Section 3

Delegates from the AFO to affiliated organizations shall meet the same eligibility requirements as Officers of the AFO.

Article XIV – Rules of Order

Section 1

Robert's Rules of Order, Newly Revised shall be considered the authority in all cases not expressly covered by this Constitution or the By-Laws of the AFO. A copy of the rules must be kept on hand at every meeting.

Section 2

The President shall appoint a parliamentarian.

Article XV – Amendments

Section 1

Any member or associate member of the AFO may propose an amendment to this Constitution or the by-laws to this Constitution through the following procedure:

The member or associate member shall prepare the full text of the proposed amendment and present it to the Executive Board. If a majority of the Executive Board accepts the proposed amendment, it can be submitted to the membership for ratification as described in Section 2 below. If a majority of the Executive Board fails to accept the proposed amendment, the member or associate member can prepare a petition that adheres to a format to be specified by the Executive Board and made available to members;

Commented [WN21]: New language gives Executive Board authority to appoint delegates to conventions of affiliated organizations. That has been our practice since the inception of the AFO. The old language said delegates should be appointed by a special election (which we think would be more trouble than it's worth).

Commented [WN22]: No changes to this Article!

Commented [WN23]: New language in this Article – especially Section 1 – clarifies ambiguities in current language and conforms to past practice more explicitly.

The member or associate member shall collect on the petition the valid signatures of twenty (20) members or associate members in good standing of the AFO and then submit the original copy of the petition to the President or other elected officer of the AFO;

The Executive Board shall verify the compliance of the petition with the provisions of this Article, and within ten (10) days of the receipt of the petition either return the petition to the originating member or associate member with a written explanation of its deficiencies or accept the petition for submission to the membership for ratification as described in Section 2 below;

The Executive Board shall publish its recommendation together with the proposed amendment to all members at least fourteen (14) days prior to the next Membership Meeting. Publication may take place by inclusion in the AFO's newsletter, or by inclusion on the AFO's website, or both.

Section 2

It takes two Membership Meetings to ratify any proposed amendments to this Constitution. The membership shall approve or amend any proposed amendments at the Membership Meeting in which they are first presented. The members at that meeting will also decide the method for final ratification of the proposed amendments. The method can either be (1) a voice vote at the next Membership Meeting or (2) by a referenda of all members to be ratified at the next Membership Meeting.

Whichever method is chosen, the Elections Committee have ultimate responsibility for validating the integrity of the process.

Section 3

If ratification is to be by voice vote at the next Membership Meeting, two-thirds (2/3) of the membership present at that next Membership Meeting, including proxy votes, shall be required for ratification of the amendment.

If ratification is to be by a referenda of all members, a simple majority of those voting must be in favor of ratification and then two-thirds (2/3) of the membership present at the next Membership Meeting, including proxy votes, shall be required for ratification of the amendment.

Article XVI – Availability of Constitution

Section 1

Copies of this Constitution shall be made available to any member of the AFO upon request to the Secretary. A copy of this Constitution will be posted and available on the AFO

Commented [WN24]: Only technical changes were made to this Article – affiliates use to require multiple copies of our Constitution; now they only want a digital copy.

website.

Section 2

Copies of this Constitution and all subsequent amendments shall be submitted to the office of the Secretary-Treasurer of the American Federation of Teachers in the format requested.

Section 3

Electronic copies will be made available to the similar officer of each organization with which the AFO is affiliated as requested.

Article XVII – Ratification

This amended Constitution shall go into effect upon its ratification by a majority of the votes cast in a ballot of the membership.

Commented [WN25]: In proposed new language, the word "amended" is used instead of "original."

This amended Constitution was ratified by a two-thirds (2/3) majority of members present at a Membership Meeting on _____ following the procedures specified in Article XV of this Constitution.

Signature of the Elections Committee Chairperson

By-Laws to the Constitution of the Henry Ford College Adjunct Faculty Organization

By-Law I—**DUES, ASSESSMENTS**

SECTION 1

The membership dues of the Adjunct Faculty Organization (AFO) shall be 2.05% of salary beginning in the Winter of 2015 subject to the stipulation that the percentage amount covers the prevailing per capita amounts for affiliated organizations including the American Federation of Teachers, AFT-Michigan, and local and state councils of the American Federation of Labor-Congress of Industrial Organizations and insurance premiums. Whenever the dues of a required affiliate increase, the dues of the AFO shall be increased by a sufficient amount to cover the increase if necessary.

SECTION 2

Non-members of the AFO can choose to be either voluntary “Fair Share Fee Payers” or “Free ~~Loaders~~Riders.” Fair Share Fee payers agree to pay a percentage of salary that is equal to two-thirds of the percent of the amount paid by members rounded to the nearest tenth of a percent. Fair Share Fee payers voluntarily agree to pay these fees to the AFO because they recognize the value of the AFO contract. Free Riders are those members of our bargaining unit who are taking advantage of current laws and court interpretations that make it possible for them to enjoy the benefits of our collective bargaining agreement without having to help pay for it.

SECTION 3

Assessments for unusual expenditures shall be set by the Executive Board subject to ratification by the Membership.

Commented [WN26]: This bylaw was changed to reflect the fact that we can no longer collect agency fees from non-members of the AFO. During the March 22, 2019 Membership Meeting, a motion was made and passed to amend the language in Section 2 or refer to those who don't pay dues or voluntary fair share fee payers as “free riders” (the language used in the Janus Supreme Court case) rather than “free loaders.”

By-Law II—OFFICER DUES and DUES REFUNDS

Commented [WN27]: The old Section 1 in this bylaw – covering officer stipends – has been eliminated. Officer stipends have been eliminated; payments to officers are covered by the Budget Process.

SECTION 1

Officers and anyone covered by a personnel services agreement (whether an officer or not) are to pay AFO union dues on any earnings from the AFO at a rate equal to the rate of union dues paid by AFO members. Officers and any employees of the AFO can forego this requirement to pay AFO dues on their earnings if they contribute an equal or greater amount to either the AFT-Michigan’s Political Action Fund or to any other College or community fund approved by the Executive Board for such purposes.

SECTION 2

On an annual basis, the President and the Executive Board may approve dues refunds up to an amount equal to the amount actually paid in dues or \$100.00 (whichever amount is higher) to AFO members who serve as Activists. As members of standing committees, Activists may be required to expend a considerable amount of time in the service of the AFO. In addition, this provision can be applied to any Executive Board who does not receive compensation, of any amount, based on her or his service to the AFO.

Dues refunds will be made annually in January based upon dues paid in the prior year and service provided in the prior year.

The amount of each member’s dues refund will be determined by the president with the approval of the Executive Board.