

Perth Amboy Federation/AFT  
Local 857, AFT, NJSFT,  
AFL-CIO

# Constitution

*A union of professionals*



*revised April 2004*

# ARTICLE I

Section 1: The name of the organization shall be  
Perth Amboy Federation/AFT  
Local 857 AFT, NJSFT, AFL-CIO

# ARTICLE II

## Objectives

Section 1: The objectives of this organization are:

- a. To unite in one organization all eligible employees of the Perth Amboy Board of Education.
- b. To promote and improve the intellectual, physical and social welfare of Perth Amboy's children.
- c. To promote and improve the economic, intellectual, physical and social welfare of all members of this organization and the educational community.
- d. To promote greater and better educational opportunities for all.

# Article III

## Membership

- Section 1: Any and all employees of the Perth Amboy Board of Education in job titles declared eligible by the AFT national, state, or local level, shall be eligible for application to membership in this organization provided that they are not disqualified by reason of the provisions of this Article.
- Section 2: Any and all public school employees who are employed in any school district other than the City of Perth Amboy may also submit application for associate membership and retain the same until such time as an AFT local is chartered in that school district. Annual dues for such associate members shall be determined by the Executive Council
- Section 3: Administrative and/or Supervisory personnel charged with the responsibility of observation and evaluation of work performance of employees shall not be eligible for membership in the AFT. Members who are promoted to supervisory and/or administrative positions shall be automatically removed from membership on the effective date of the promotion.
- Section 4: Any member or former member who hereafter retires from active employment may become a member of the local retirees' chapter with all rights and privileges there unto pertaining. Retiree members may attend and speak at any general or special Federation meeting but without the right to vote on Federation business. Dues rates for the retirees' chapter shall be submitted to and approved by the Executive Council on an annual basis, and shall be set at an amount sufficient to conduct retiree chapter operations.
- Section 5: No person shall become a member of the Federation unless or until:
- a. Said person submits a written application on a form provided by the Federation; and
  - b. Such written application is processed at the Federation Office, serving notice of membership to President, District Representative, *Deputy District Representative*, Treasurer and Office Manager.

# ARTICLE IV

## Powers

Section 1. All the sovereign power, including legislative, executive, and judicial of this Federation shall be vested in its membership when in session, and between sessions, shall be vested in the Executive Council, excepting, however, such powers as may herein be specifically delegated to the specific officers or committees.

# ARTICLE V

## Officers and Executive Council

Section 2: The officers of this Federation, who shall be collectively constitute the Executive Council shall be:

### Elected Officers:

- a. President
- b. District Representative
- c. Treasurer
- d. *Secretary*
- e. *Secretary*
- f. Director of Organization
- g. *VP for Preschool*
- h. *VP for K-4\**
- i. *VP for 5-6\**
- j. *VP for 7-8\**
- k. *VP for 9-12\**
- l. *VP for Adult Education\**
- m. *VP for Custodial Personnel\*\**
- n. *VP for Secretarial Personnel\*\**
- o. *VP for Paraprofessionals\*\**
- p. *VP for School Related Personnel\*\**
- q. *VP for Retirees\**

### Appointed Officers:

- a. Executive Vice President
- b. *Deputy District Representative*
- c. President Emeritus
- d. *Director Professional/Vocational Ed*
- e. *Asst' to President-Bilingual Ed\**
- f. *Asst' to President- Special Ed\**
- g. *Asst' to President Pre K-6 Ed Issues\**
- h. *Asst' to President 7-Adult Ed Issues\**
- i. *Asst' to President Parent/Community*
- j. *Web Master*
- k. *ER & D Local Site Coordinator\*\*\**
- l. *Parliamentarian*

Appointed officers shall be named by the President following the annual election. Persons interested in serving shall notify the President, in writing, within seven (7) days following the annual election.

\*Persons to hold these positions shall be a certificated employee and currently assigned at the grade level/*department* to be represented. Eligible voters shall be members in good standing who are certificated and currently assigned at that grade level.

\*\*Persons to hold these positions shall be those elected to serve as Presidents of their respective affiliate groups. Eligible voters shall be considered the members in good standing in each of the affiliates who shall elect the representative (President) for their respective group.

\*\*\* Person holding this position must be trained by AFT National in the ER & D program.

## Article V (continued)

- Section 2: The officers above named shall constitute the Executive Council, which shall possess the power herein delegated.
- Section 3: The aforementioned elected officers shall be nominated and elected in the manner prescribed in this Article. The aforementioned appointed officers shall be appointed officers shall be appointed by the President no sooner than (7) seven days following the annual election.
- Section 4: No member shall be eligible for nomination or election to any office enumerated in Sections 1 and 2, nor as a delegate to any Convention of the American Federation of Teachers or the New Jersey State Federation of Teachers, nor to serve as a member of the local negotiating committee unless he or she has been a member of Local 857 in continuous good standing for a period of at least one (1) calendar year.
- Section 5: The aforementioned officers and members of the Executive Council shall be elected for a term of one (1) year at the annual election to be held on the *first (1st) Tuesday in May. Beginning in May 2005, the aforementioned officers and members of the Executive Council shall be elected for a term of two (2) years at an annual election to be held on the first (1st) Tuesday in May.* Voting hours and location shall be established by the Executive Council and shall evidence consideration for the work schedules and convenience of the membership.
- Section 6: Nominations for the various elected positions may be made from the floor at the March and April membership meetings, provided that each nomination is properly seconded.
- Section 7: Each of the said elected officer positions shall be elected by secret ballot by a plurality of the votes cast in the annual election. Elected officers shall assume office at the next regular scheduled general membership or Executive Council meeting.
- Section 8: In case of the removal of the president from office, the Executive Vice President will assume the duties of the President following a majority vote of the Executive Council. The person so elected by the Executive Council shall hold the Office of the President until such time as the next regular annual election is held.
- Section 9: Should the Executive Vice President fail to receive a majority of the vote by the Executive Council, a meeting for nominations for the Office of the President must be called within seven (7) calendar days, during the time schools are in session. The subsequent election by the general membership shall be held within seven (7) calendar days of the nominating meeting for the sole purpose of filling the Office of President. This special election shall be conducted in general accordance with Sections 5 and 7 of this Article, excepting the provision identifying the *first (1st) Tuesday in May* as the annual election date.

Article V (continued)

Section 10: If the President transmits to the Executive Council, in writing, a declaration that she/he is unable to discharge the duties and responsibilities of the Office, the Executive Vice President shall discharge such duties and responsibilities until such time as the President informs the Executive Council that no inability exists and she/he is ready to resume the Office.

Section 11: When, through any cause, a vacancy occurs among the officers of the Federation (Except that of President, see sections 8-10 of this Article) such vacancy shall be filled for the unexpired term by the Executive Council.

Section 12: All members in good standing from the various employee groups shall be eligible to vote for the election of the following officers:

- a. President
- b. District Representative
- c. Treasurer
- d. Secretaries (2)
- e. Director of Organization

Members in good standing who are certificated staff members shall be eligible to vote for the election of the Vice President for the grade level to which they are currently assigned.

Members in good standing who are staff members in the various groups shall be eligible to vote for the election of their representative on the Executive Council (affiliate President) as well as the remaining officer positions for their affiliate.

# ARTICLE VI

## Duties of Officers

- Section 1: The president shall preside at all meetings of this organization and of the Executive Council. The President shall represent the local Federation in its relations with all other organizations or shall appoint a designee. The President shall appoint chairpersons and members of such committees as the cause may demand and shall fill vacancies not otherwise provided for, subject to the advice and consent of the Executive Council. *Summer hours for the President shall be subject to the approval of the Executive Council on an annual basis. The President shall be the ranking delegate representing the membership at the AFT National Convention and is appointed to that status by virtue of the Presidency. Should the President opt not to attend the AFT Convention, he/she shall designate the ranking delegate from within those elected as delegates.* The President shall perform such other duties as are ordinarily incumbent upon that Office.
- Section 2: The duties of the Executive Vice President shall be those usual to that office. He/She shall preside at membership and Executive Council meetings in the absence of the President. The Executive Vice President shall be appointed by the President after the annual election.
- Section 3: It shall be the duty of the President Emeritus to offer guidance and counsel to the Executive Council. To be appointed President Emeritus, a person shall have served for at least one (1) year as the Federation's President. If the person appointed as President Emeritus is retired from active employment, he/she ~~shall~~ *may* also represent the needs and interests of the retired members in his/her capacity as an Executive Council member. At the President's option, the President Emeritus shall be appointed by the President after the annual election.
- Section 4: It shall be the duty of the District Representative to serve as the Chief Executive Officer for the daily operations of the Federation, in accordance with the leadership objectives of the President and the policy mandates of the Executive Council. The District Representative shall be responsible for the direction and conduct of all staff employed by the local Federation and for the proper maintenance of personnel records. The District Representative, in conjunction with the President, Treasurer and Deputy District Rep, shall evaluate the annual job performance of all local Federation employees. The District Representative shall serve as the principal daily contact person between the Federation and the Board of Education and its administrative agents. It shall

Article VI continued

be the duty of the District Representative to investigate and pursue grievances, to direct the Federation's communication program, to authorize preliminary legal services and to act in the interest of the Federation and its membership. The District Representative shall work a normal business day during the school year but shall be available and accessible to the membership in emergency situations. Summer hours for the District Representative shall be subject to the approval of the Executive Council on an annual basis.

Section 5: It shall be the duty of the Deputy District Representative to assist the District Representative as Chief Executive Officer for the daily operations of the Federation, in accordance with the leadership objectives of the President and the policy mandates of the Executive Council. The Deputy District Rep shall also maintain regular and frequent contact and communications with the Building Representatives, and to keep the Executive Council informed of all matters concerning the organization that may come to his/her attention. Summer hours for the Deputy District Rep shall be subject to the approval of the Executive Council on an annual basis. The Deputy District Rep shall be appointed by the President after the annual election.

Section 6: It shall be the duty of the Treasurer to serve as Chief Financial Officer of the Federation. The Treasurer shall receive all monies and collect all funds due to the Federation and make ordinary and special disbursements subject to the approval of the Executive Council. The Treasurer shall provide financial guidance and specific recommendations to the Executive Council concerning the fiscal operations of the Federation. The treasurer shall submit a financial report, including all transactions, at all Executive Council meetings. The Federations' financial records shall be audited annually and/or at the expiration of the Treasurer's term, by an independent auditing firm (See Article XL) approved by the Executive Council upon the recommendation of the Treasurer. Summer hours for the Treasurer shall be subject to the approval of the Executive Council on an annual basis. It shall be the responsibility of the Treasurer to develop and disseminate the annual budget statement to the membership and the Hudson Report/Agency Fee Report to the non-members in accordance to Federal Law.

Section 7: It shall be the duty of the co-secretaries to keep accurate minutes of all General Membership, special meetings and Executive Council meetings at the direction of the President. These duties shall be performed in conjunction of the President, District Representative, Deputy District Representative and Treasurer. A co-secretary shall be an official signatory on convention credential materials.

Article VI continued

- Section 8: It shall be the duty of the Director of Organization assist in the coordination and implementation of all organizational activities. The Director of Organization shall be responsible for organizing efforts for new membership recruitment.
- Section 9: It shall be the duty of Grade Level Vice Presidents to represent the constituents of the grade levels are elected to serve. The Vice Presidents shall keep the council informed of all matters concerning the organization that may occur within his/her grade level jurisdiction as well as other matters that may affect the organization as a whole. To be eligible for election to these positions, the candidates must be a certified employee in the teacher's affiliate and assigned at the grade level they are seeking to represent.
- Section 10: It shall be the duty of Vice Presidents of Federation component groups to represent the needs and interests of those component employees in matters that come before the Executive Council. The person representing the component group on the Executive Council shall be the duly-elected President of that component group. The representative shall keep the Council informed of all matters concerning the organization that may occur within his/her component jurisdiction as well as all other matters that may effect the organization as a whole. If the President is not able to attend a meeting of the Executive Council, he/she may designate an officer of that component group to attend in his/her place. This person will have the authority to vote on all matters before the council at that meeting.
- Section 11: It shall be the duty of the Vice President for retired personnel to represent the needs and interests of retired employees in matters that become before the Executive Council. The person so representing the retired personnel on the Executive Council shall be the duly-elected President of the Federation's Retired Employees Chapter. This representative shall keep the Council informed of all matters concerning the organization that may occur within the Chapter's jurisdiction as well as all matters concerning the organization that may affect the organization as a whole.
- Section 12: It shall be the duty of the Director of Professional and Vocational Development to promote the National AFT and local's educational agenda for all component groups. This person shall assist in disseminating educational materials through the ER & D Local Site Coordinator, Special Assistants to the Presidents and Editors of EQ. He/she shall keep the Council informed of all matters concerning the organization that may affect the organization as a whole. The Director of Professional and Vocational Development shall be appointed by the President after the annual election.

Article VI continued

- Section 13: It shall be the duty of the Special Assistants to the President to assist in the dissemination educational materials through the Director of Professional and Vocational Development, the ER & D Local Site Coordinator and Editors of EQ. He/she shall keep the Council informed of all matters concerning the organization that may affect the organization as a whole. To be eligible for to these appointed positions, the candidates must be a certified employee in the teacher's affiliate and assigned to the department they are seeking to represent.
- Section 14: It shall be the duty of the ER & D Local Site Coordinator to plan and implement the local's ER & D program. This person shall be responsible for coordinating the ER & D program within the district's professional development program. He/she will complete all reports required by National AFT and submit them to the President. The LSC will assist the Director of Professional and Vocational Development in promoting the National AFT and local's educational agenda. He/she shall keep the Council informed of all matters concerning the organization that may affect the organization as a whole. The Local Site Coordinator shall be appointed by the President after the annual election. To be eligible for to this appointed positions, the candidates must be a certified employee in the teacher's affiliate and certified by National AFT as an ER & D trainer.
- Section 15: It shall be the duty of the Web Master to develop and maintain the local's web site under the direction of the President. The web site shall communicate the goals and objectives of the organization, promote all Federation's initiatives and activities and shall be a resource for Federation members on contractual and educational issues. He/she shall keep the Council informed of all matters concerning the organization that may affect the organization as a whole. The Web Master shall be appointed by the President after the annual election. To be eligible for to this appointed positions, the candidates must demonstrate knowledge of computer technology and communications skills.
- Section 16: It shall be the duty of the Parliamentarian to offer guidance and direction when interpretation of the constitution or procedure is required. To be eligible for this appointment one must have working knowledge of Robert's Rules of Order or other accepted rules of parliamentary procedures. The Parliamentarian shall be appointed by the President after the annual election.

# Article VII

## Committees

- Section 1: The Federation shall have the following standing committees:
- a. Negotiations
  - b. Legislative
  - c. Personnel/Staff Relations
  - d. Educational Issues
- Section 2. Each committee, with the exception of the Negotiations Committee, shall consist of those members appointed by the President, with the advice and consent of the Executive Council. The members of the negotiations committee shall be elected to serve by the unit's eligible voters.
- Section 3: The members of the Negotiations Committee shall be nominated and elected in the following manner:
- a. Eligible candidates shall be nominated at the March and April general membership meetings or at component membership meetings held in February, March and/or April. The election of the Negotiating Committee members shall be held in conjunction with the annual Federation Election on the first (1st) Tuesday in May.
  - b. Each member of the committee shall be elected by a plurality of the votes cast by secret ballot.
  - c. The term of this committee shall be from the time elected until the formal signing of a negotiated agreement.
  - d. The committee may begin preliminary planning prior to the election, under the direction of the President, District Representative and Deputy District Representative.
  - e. The President, with the consent of a majority of the Executive Council, shall be empowered to remove or appoint members to this committee as warranted.
  - f. The President, District Representative and Deputy District Representative shall serve as ex officio (non-voting) members of the negotiations committee. The President shall have the power to vote only to break a tie vote within the committee.

Article VII continued

- g. The Negotiations Committee Chairperson(s) shall be appointed by the President, subject to the approval of the Executive Council and upon consideration of recommendations from the committee itself. The person(s) appointed as chairperson(s) of the Negotiating Committee must be among the highest vote-getters in the election held to determine committee members.

Section 4: The Negotiations Committee shall be structured and governed in accordance with the following:

- a. The Bargaining Council (committee-at-large) shall consist of elected representatives from each of the five (5) components of the unit. This Council shall be comprised of a maximum of twenty-four (24) representatives from the certificated component and a maximum of six(6) representatives from each of the remaining affiliate components, representing the custodial, school related, secretarial and paraprofessional employees. The charge of the bargaining council is to formulated the proposal package for presentation to the Board of Education, based on the expressed written proposal suggestions received from the membership from various polling/feedback formats.

The

bargaining council or committee at large may continue to meet during the negotiations process to be kept abreast of developments at the table or to provide guidance to the members of the Council engaged in the actual face-to-face negotiations with the Board.

- b. Election to the certificated component of Bargaining Council shall attempt to provide representation for the various constituencies of the component. The twenty-four(24) available certificated slots on the bargaining council shall be designated as follows:

1. Four (4) representatives for Pre K - 4
2. Two (2) representatives for grades 5-6
3. Two (2) representatives for grades 7-8
4. Four (4) representatives for grades 9-12
5. Two (2) representatives for the Adult Education Center
6. Two (2) representatives for Special Education
7. Two (2) representatives for Bilingual Education
8. One (1) representatives for Child Study Teams
9. Three (3) representatives for special subject specialists: art, music, phys ed, health, music, computer and media specialists
- 10: One (1) representative for Nurses, counselors,
11. One (1) representative for whole school reform facilitators literacy coaches, reading specialists, math coaches, tech coord-i nator

Article VII continued

- c. Election to the custodial component of the Bargaining Council shall attempt to provide representation for the various constituencies of the component. The six(6) available custodial slots on the bargaining council shall be designated as follows:
  - 1. Two (2) representatives for Custodians "A"
  - 2. Two (2) representatives for Custodians "B"
  - 3. Two (2) representatives for Custodial Aides "D"
  
- d. Election to the School-Related component of the Bargaining Council shall attempt to provide representation for the various constituencies of the component. The six(6) available school related slots on the bargaining Council shall be designated as follows:
  - 1. Two (2) representatives for Food Services
  - 2. One (1) representative for Transportation
  - 3. One (1) representative for Law Enforcement Officers
  - 4. One (1) representative for Community Agents/Attendance Officers
  - 5. One (1) representative for Parent Coordinators
  
- e. Election to the Secretarial component of the Bargaining Council shall attempt to provide representation for the various constituencies of the component. The six(6) available secretarial slots on the bargaining Council shall be designated as follows:
  - 1. Two (2) representatives from the Administrative Headquarters Building, but no more than one(1) from any dept./office
  - 2. One (1) representative from Pre-K
  - 3. One (1) representative from the elementary schools (K-4)
  - 4. One (1) representative from the middle schools (5-8)
  - 5. One (1) representative from the high school/adult school

Article VII continued

- f. Election to the Paraprofessional component of the Bargaining Council shall attempt to provide representation for the various constituencies of the component. The six(6) available Paraprofessional slots on the bargaining Council shall be designated as follows:
  - 1. One (1) representative from Pre K
  - 2. One (1) representative from K - 4
  - 3. One (1) representative from 5-6
  - 4. One (1) representative from 7-8
  - 5. One (1) representative from 9-12
  - 6. One (1) representative from the Adult Education Center
  
- g. In the process of electing the Bargaining Council members, the membership of the respective components of the unit shall also determine which Bargaining Council members shall directly represent them in actual negotiations with the Board. The results of the certificated component election will determine which six(6) representatives will represent the interests of the component in actual negotiations with the board. The results of the affiliated component groups will determine which three(3) representatives from each (custodial, school-related, secretarial, and paraprofessionals) affiliate components will represent the interests of the component in actual negotiations with the Board.
  
- h. All eligible voters shall be entitled to participate in the election of the Bargaining Council for their respective component group.
  
- i. When negotiations are to take place concerning Section 1 (Common provisions applicable to all component groups) of the Agreement, the negotiating team shall consist of three (3) members from the certificated component and (4) members from the affiliate components (one (1) from (custodial, school-related, secretarial, and paraprofessionals). The specific identity of the person(s) to represent the component shall be determined by Bargaining Council members for each component.
  
- j. When negotiations are to take place concerning Section 2 (certificated provisions) of the Agreement, the negotiating team shall consist of six(6) members of the Certificated component, determined by the results of the general election, with the six(6) highest vote-getters to act in that capacity, subject to prevailing contractual provisions and limitation.

Article VII continued

- k. When negotiations are to take place concerning Sections 3-6 of the Agreement, the negotiating team shall consist of three (3) members of the applicable component team, determined by the results of the general election, with the three (3) highest vote-getters to act in that capacity, subject to prevailing contractually provisions and limitations.
- l. The President, District Representative, Deputy District Representative, the Negotiation Chairperson and any other person/persons deemed necessary by the President, shall be authorized to be present at all negotiating sessions and meetings affecting the unit of any of its affiliate components. The District Rep shall be responsible for the coordination and operation of the Bargaining Council, and to be available to the Council for guidance and support.

Section 5: The Legislative Committee's charge will be to keep abreast of legislation, court decisions, and other events having direct bearing on the educational, economic and employment climate affecting students and any employee job title represented by the Perth Amboy Federation/AFT and to recommend to the Executive Council a suggested course of action. The Legislative Committee shall participate in the activities of the Federation's LOPEC (Local Political Education Committee) or COPE (Committee of Political Education) and shall also be responsible to make members and the general public aware of their citizenship responsibilities and to encourage them in exercising their right to vote.

Section 6: The Educational Issues Committee's charge will be:

- a. To keep abreast of educational policies and practices affecting the education of students in Perth Amboy and to offer comments and recommendations thereto:
- b. To participate in the educational issues initiatives sponsored by our parent bodies at the national and state levels and to promote active participation therein by the membership.
- c. To keep abreast of educational policies, practices and initiatives developing in the world or nation with potential for positive impact on the education of students in Perth Amboy.
- d. To promote membership participation in the Educational Research and Dissemination Program offered at the local, state and national levels.
- e. To formulate and advance ideas for possible inclusion within the district's Staff Development Program.

Article VII continued

Section 7: The Personnel Committee's charge will be:

- a. Evaluate the staffing needs of the Perth Amboy Federation/AFT, with input and guidance from the President, District Representative, Deputy District Representative and Treasure and make recommendations to the Executive Council on an annual basis.
- b. Make recommendations to the Executive Council on an annual basis regarding working conditions, hours and compensation for all Federation employees with input and guidance from the President, District Representative, Deputy District Representative, and Treasurer.

# Article VIII

## Recall

- Section 1: Any elected, appointed officer or committee member may be recalled from office at any time by the majority vote of the members at any general membership meeting subsequent to the meeting at which a motion was made and duly adopted for the recall of such officer or committee members, with the exception noted in Article VII Section 3 e.f and g.
- Section 2: The said motion or resolution shall provide that the matter will be fully and finally considered at the next general membership meeting and that one of the co-secretaries give at least five (5) days notice to the person or persons whose recall is sought.

# Article IX

## Meetings

- Section 1: There shall be a regular or general meeting of the Federation not less than three (3) times in each school year at such times and places as recommended by the President and approved by the Executive Council. The Federation's affiliate component groups (custodial, school related personnel, secretarial and paraprofessionals) shall meet at least two (2) times each school year and said meetings may be co-sponsored by more than one (1) affiliate group, in accordance with the wishes of their respective group presidents.
- Section 2: The Executive Council shall meet at least once per month during the school year, at a time, date and place determined by the President.
- Section 3: Special meetings of the Federation or its component affiliates and special meetings of the Executive Council may be called by the President or the component group President with at least two (2) days notice to the membership of that body. Whenever fifteen (15) members in good standing present a written request for a special meeting of the Federation or a component affiliate, such request shall be honored with at least two (2) days notice to the membership of that body.
- Section 4: Special meetings of the Federation or a component affiliate shall be confined to the subject of the meeting notice.
- Section 5: All Federation members, certificated and non-certificated, shall be permitted to attend, speak at, and vote upon business transacted at general or special Federation meetings. All Federation members, certificated and non-certificated, shall be permitted to attend and speak at all Federation sponsored component affiliate meetings, but only those who are members of the component affiliate in session may vote upon business being transacted. Non-members of the Federation are normally not permitted to attend membership meetings and functions. The President of the local shall have the authority to invite non-members to attend but not vote at membership meetings when in the President's judgement, such invitation may result in new membership.
- Section 6: A quorum for transaction of all business at general and special meetings of the membership shall constitute attendance of all members in good standing exclusive of the President, District Representative, Deputy District and Treasurer. A quorum for the transaction of all business of the Executive Council shall constitute attendance of not less than one half of the Executive Council.

Article IX continued

- Section 7: Members in good standing are defined as employees who have authorized dues payment to the Federation and/or members of the Retiree's Chapter and are current in their dues obligation. Employees who pay a representation fee (Agency Shop) fee to the Federation are not entitled to membership benefits and are not permitted to attend, speak at or vote upon business transacted at general or special Federation meetings. Non-members paying a representation fee are entitled to services and benefits as required under the law.
- Section 8: The Federation shall continue its practice of permitting non-members to attend, speak at, and vote upon a successor Agreement at contract ratification meetings and vote upon a recommended course of action when contract negotiations fail to result in a timely successor Agreement.
- Section 9: The manner of voting at all Federation-sponsored meeting shall be determined by the President, with the advice and consent of the Executive Council when deemed appropriate. Voting methods to be considered will include but not be limited to voice votes, secret ballots, mail in ballots and electronically cast ballots.
- Section 10: Robert's Rules of Order, as most recently revised, shall govern the parliamentary procedure at all meetings.

# Article X

## Revenues, Dues and Arrearages

- Section 1: The Federation's fiscal year shall begin on July 1 and end on June 30.
- Section 2: The Federation's revenue shall be derived from:
- a. Annual member dues and non-member representation fees transmitted through payroll deduction by the Board of Education.
  - b. Any other lawful income.
- Section 3: Federation dues shall be established for the following year by the membership meeting in general session in April. The annual dues rates shall be recommended by the Executive Council, ~~shall be set at an amount that is not less than 1.5% of the teacher's level salary (step 1, BA lane) and shall be struck in consideration of the prevailing negotiated salary increase, provided that is sufficient to meet the operating expenses for the coming year. Federation dues rates for the component affiliates shall be established for the following year by the affiliate membership at a meeting of the component affiliates or~~ at the April general membership meeting. The dues rates for the component affiliates shall be recommended by the Executive Council, shall be generally set at an amount that is ~~approximately 50% or~~ less than the dues rate of the certificated staff and is struck in consideration of the prevailing earnings of the affiliate members and the prevailing negotiated salary increase, provided that the rates are sufficient to meet operating expenses for the coming year.
- Section 4: Annual representation fees (Agency Shop) shall be set in accordance with prevailing state and federal laws and local custom.
- Section 5:
- a. Any member who shall, or has at the time of the adoption of this Constitution, become in arrears in the payment of Federation dues shall be automatically expelled from membership and may only become a member thereof by application and payment of arrearage.
  - b. The provisions of Sub-section a. hereof shall not apply in the case of:
    1. Any member who has entered the Armed Forces of the United States;
    2. Any member who is presently on a Board of Education approved leave of absence.

## Article X continued

Section 5: c. Any member who has entered the Armed Forces service or is on a Board of Education approved leave of absence shall be exempt from paying dues during the period of service or leave until such member's return to active employment.

Section 6: Editors of the Educator's Quarterly (EQ) and the Federation's Web Master shall be dues exempt during service in those positions.

Section 7: Any member who has failed to pay dues shall be deemed a member not in good standing.

# Article XI

## Audit and Audit Report

- Section 1: The Federation's financial records shall be audited annually after the close of the fiscal year by an independent auditing firm appointed by the President upon the recommendation of the Treasurer, and with the advice and consent of the Executive Council.
- Section 2: After the audit is received and duly certified by the independent audit firm, a copy of the audit summary shall be available at the next regular membership meeting. The full audit report shall be on file in the Treasurer's office and shall be available for on-site inspection by members in good standing wishing to review the contents.
- Section 3: A copy of the audit will be forwarded to the Office of the Secretary-Treasurer of the National AFT.
- Section 4: The Perth Amboy Federation shall comply with all guidelines recommended by the National AFT.

# Article XII

## Affiliations

- Section 1: The Federation shall maintain a good standing affiliation with the following organizations. Whenever possible, the Federation shall name, sponsor and send delegates to the various functions of these organizations with the prior approval of the Executive Council.
- a. The American Federation of Teachers: All delegates and alternates to the AFT (national) convention shall be elected at the Federation election held in May. The President and one of the co-secretaries shall certify the election and forward the credentials of all elected delegates and alternates to the AFT (national) Office as soon as possible but not later than ten(10) days before the convening of the Convention. *The President shall be the ranking delegate representing the membership at the AFT National Convention and is appointed, not elected, to that status by virtue of the Presidency. Should the President opt not to attend the AFT Convention, he/she shall designate the ranking delegate from within those elected as delegates.* The Treasurer shall have the responsibility for the payment of the AFT per capita dues through June being forwarded to the AFT National Office fifteen (15) days prior to the convening of the Convention.
  - b. The New Jersey State Federation of Teachers: Delegates shall be elected prior to the State Convention at a regular membership meeting.
  - c. The Middlesex County Central Labor Council: Delegates shall be appointed by the President, with the advice and consent of the Executive council.
  - d. The New Jersey AFL-CIO: Delegates shall be elected prior to the State AFL-CIO Convention at a regular membership meeting.
- Section 2: All delegates/representatives shall make an oral or written report to the Executive Council on meetings or conventions that are funded, in whole or in part by the local Federation.
- Section 3: The Federation will reimburse expenses of delegates/representatives to meetings and conventions of affiliated organization in accordance with the prevailing local Policy on Conference/Convention reimbursement.

## Article XII continued

Section 4: The Federation, to the best of its ability, shall be active in the affairs of affiliated organizations. Anyone serving as a delegate and/or representative of the Federation shall not do so without approval of the President with the advice and when possible, the consent of the Executive Council. The local's name shall not be used, in spoken or written form, concerning the activities of any affiliated organizations, without approval of the President with the advice and when possible, the consent of the Executive Council.

Section 5: Delegates/representatives to affiliated organizations shall meet the same requirements as the officers of the local.

# Article XIII

## Federation Staff

- Section 1: The Federation shall employ staff members to conduct its on-going operations. Said staff members shall be employed on a full or part-time basis, as determined by local needs, resources and finances. The Federation shall seek to be fair and responsible in its dealings with all of its employees.
- Section 2:
- a. Terms and Conditions of Employees for all Federation employees shall be duly negotiated between the individual employees and the Executive Council and the agreed-upon terms and conditions shall be reduced to writing and shall formally executed between the parties.
  - b. The President, District Rep, Deputy District Rep and Treasure will serve on the Federation's Personnel Committee (*see article 5; section 7*) Recommendations of this committee shall go before the Executive Council for approval by majority vote. Negotiated terms and conditions shall not go into effect prior to the Executive Council approval.

# Article XIV

## Civic and Political Involvement

- Section 1: The Federation shall actively encourage its members and the public at large to exercise the right to vote in all public elections.
- Section 2: The Federation shall actively encourage its members to participate in voluntary contributions of \$1.00 per pay period (September to June) to the Federation's Local Political Education Committee (LOPEC) fund. The LOPEC fund shall be utilized to pay expenses related to political activities authorized by the organization. The Executive Council shall have the authority to expend LOPEC funds provided the LOPEC contributors are notified, in writing, whenever LOPEC funds are used.
- Section 3: The Federation shall actively encourage the support of the electorate for the passage of the annual school budget. Specific measures to be taken shall be approved by the Executive Council.
- Section 4: The Federation shall actively participate in a process for the annual screening of candidate for membership on the Board of Education. The Federation may opt to recommend that certain candidates be elected, pursuant to the expressed preferences of the majority of members participating in the annual screening process. The Federation may offer in-kind support for the campaign of the recommended candidates, but shall not make direct financial contributions to those campaigns.
- Section 5: The Federation may participate in the election for City Council Members, Mayor, Governor and Legislative offices for the Legislative districts in which our members reside and LOPEC funds may be used to support the campaigns of those recommended candidates when properly authorized by the membership of the organization or its Executive Council.
- Section 6: The Federation shall rely to its members the political recommendations of the New Jersey State Federation of Teachers, the American Federation of Teachers and the AFL-CIO.

# Article XV

## Retired Employee Chapter

- Section 1: The Federation shall encourage its members who retire from active employment in the district to become members of the Retired Employees Chapter of the Perth Amboy Federation/AFT, NJSFT, AFL-CIO by submitting an application card for that purpose.
- Section 2: The Federation shall, pending the continued availability of appropriate funding employ a Retired employee Coordinator on a part time basis. Said employed under negotiated terms and conditions approved by the Executive Council.
- Section 3: The Coordinator shall be available to the active and retired employees for retirement counseling and to offer assistance to the Federation and its staff in the operations of the organization.
- Section 4: Members of the Retired Employee Chapter shall be entitled to attend and speak at membership meetings of the active employees but shall have the right to vote only at meetings of Retired Employees Chapter. Retired Employee Chapter members shall be eligible to attend all social functions sponsored by the Federation.
- Section 5: Dues for members of the Retired employees Chapter shall be recommended by the Coordinator and Federation Treasurer, subject to the approval of the Executive Council.

# Article XVI

## Amendments

Section 1: This Constitution may be amended as follows:

- a. Any members or members may submit proposed Constitutional amendments to the Executive Council through the President.
- b. Any member or members of the Executive Council may submit proposed Constitutional amendments to the Executive Council through the President.
- c. After having been approved by a majority vote of the Executive Council, the proposed amendment or a synopsis of the changes, shall be submitted to each member of the Federation in writing.
- d. The proposed amendment shall be discussed and voted upon the next meeting of the Federation but not sooner than seven (7) days following members's receipt of the proposed amendment.
- e. A majority vote of all members casting a ballot shall be sufficient for adoption.
- f. The amendment, once formally adopted, shall take effect immediately.

# Article XVII

## Availability of Constitution

- Section 1: Three copies of this Constitution and all future amendments shall be forwarded to the office of the American Federation of Teachers.
- Section 2: Three copies of this Constitution and all future amendments shall be forwarded to the Northeast Regional office of the American Federation of Teachers.
- Section 3: Three copies of this Constitution and all future amendments shall be forwarded to the office of the New Jersey State Federation of Teachers.
- Section 4: Any member of the Federation may receive a copy of this Constitution by contacting the local Federation Office.

# Article XVIII

## Interpretations and Definitions

- Section 1: The objects for which this Federation is formed and the purposes for which it exists shall be the primary and paramount guide for the interpretation of this Constitution and each provision thereof.
- Section 2: Words in the plural number may be construed to include the singular, and words importing the singular may be applied to the plural of persons and things.
- Section 3: Verbal inaccuracies, or errors in the use of words, grammar, punctuation, or spelling, should be disregarded in any interpretation.