

**MASCONOMET TUTORS  
PARAPROFESSIONAL UNION**

**AFT, AFTMA, AFL-CIO**

**CONSTITUTION AND BY-LAWS**

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## **ARTICLE I - NAME OF FEDERATION**

### Section 1

The name of the Union shall be the Masconomet Tutors Paraprofessional Union, Local XXXX, hereinafter referred to as the Union.

### Section 2

The Masconomet Tutors Paraprofessional Union, Local XXXX, is affiliated with the Massachusetts Federation of Teachers, American Federation of Teachers, and the AFL-CIO.

## **ARTICLE II - OBJECTIVES**

We, the members of this Union, in order to fulfill our responsibilities to society and to our profession, do hereby adopt the following objectives:

- A. To maintain and improve the quality of education for all.
- B. To uphold high professional standards and to advance the socio-economic well-being of educators.
- C. To maintain and promote the collective welfare of its members and to maintain and improve their conditions of employment.

## **ARTICLE III - MEMBERSHIP**

### Section 1

- A. Active members in good standing include Tutors, Library Aides, and Study Hall Monitors employed by the Masconomet Regional School District excluding the Superintendent, chief financial officer, principals, assistant principals, department heads, teachers, nurses, and all other professional employees, managers, secretaries, cafeteria workers, custodian and maintenance workers, casual employees and all other employees, who:

1. are engaged in work of a professional nature in the field of education;
  2. support and work toward the realization of the objectives stated in Article II;
  3. support and work to aid in the collective bargaining process as it seeks to promote the objectives stated in Article II;
  4. support and work toward the maintenance of the collective bargaining agreement;
  5. Adhere to established Union policies as stated in the By-Laws or as favorably voted upon by a majority of the voting membership.
- B. Retired members are those former active members who, upon retirement, apply for membership and pay dues as set by AFT and MFT.
- C. Laid off members are those former active members who, upon being laid off, apply for membership and pay one quarter (1/4) of the annual dues.

## Section 2

Only active members in good standing as defined in Section 1 of this Article III shall have the privilege of voting and holding office in the Union.

## Section 3

No person shall be denied membership because of his/her race, creed, religion, national origin, color, sex, sexual preference or marital status.

## Section 4

New employees wishing to become active members in good standing as defined in Article III, Section 1 shall be granted membership upon request to their building representative at any time during the school year. Dues will be assessed on a pro-rated basis.

## Section 5

Membership to the Masconomet Tutors Paraprofessional Union (MTPU) shall be continuing from year to year.

Membership may be terminated within sixty (60) days after submission of written notice to the Treasurer of the MTPU or upon separation from the Masconomet Regional School District.

## **ARTICLE IV - OFFICERS AND EXECUTIVE BOARD**

### Section 1

The officers of the Union shall be: President, Vice-President, Treasurer and Secretary.

### Section 2

The Executive Board of this Union shall consist of all elected officers and building representatives. The Executive Board shall administer the policy of the Union set by the membership at regular membership meetings. The Executive Board shall have the power to act for the good of the Union in emergency situations where policy cannot be set by the membership. The chairman of the Executive Board shall be the President of the Union. The time and place of the Executive Board meetings shall be set by the Executive Board and shall be announced at the previous membership meetings. The Executive Board shall have the power to employ all personnel, clerical help and other persons as may be determined by the needs and finances of the Federation. The Executive Board shall report its activities at each regular membership meeting. Fifty percent (50%) of the membership of the Executive Board shall constitute a quorum.

### Section 3

The terms of office for all officers and members of the Executive Board of the Federation shall be two years commencing from the date of their election. Vacancies in any office except that of the President shall be filled by the Executive Board. Vacancy in the office of the President shall be filled by the Vice President.

## ARTICLE V - AFFILIATIONS

### Section 1.

This Union shall maintain affiliation with and whenever possible send delegates to the following organizations:

- a. The American Federation of Teachers. All delegates and alternates to the national convention of the American Federation of Teachers shall be elected by a majority vote at the May membership meeting. The President and Secretary shall certify the election and forward the credentials of all elected delegates and alternates to the national office as soon as possible but no later than fifteen days prior to the opening date of the convention. The Federation must send the list of certified delegates by registered or certified mail. The delegates shall confer with the Treasurer to make sure that the per capita dues for June have been sent to the national office at least fifteen days before the convening of the national convention. The election of delegates and alternates to the national convention shall be conducted according to Article IX of this Constitution.
- b. The Massachusetts Federation of Teachers. Delegates shall be elected according to Article IX of this Constitution.

Section 2.

All delegates shall report to the Executive Board on all meetings attended.

Section 3.

The Union to the best of its ability shall be active in affairs of affiliated organizations.

Section 4.

Delegates to affiliated organizations shall meet the same requirements as those set for officers of this Union.

Section 5.

Every reasonable effort shall be made by this Union to pay legitimate expenses of delegates to meetings and conventions of affiliated organizations.

Section 6.

The local shall submit annually to MFT:

- A. A list of its officers and their addresses.
- B. The names and addresses of all members on the official enrollment form.
- C. A statement setting forth all amendments or changes in its By-Laws during the preceding year.
- D. Three copies of the collective bargaining agreement.

Section 7.

Nothing in the MTPU By-Laws shall be in conflict with MFT, AFT By-Laws.

**ARTICLE VI - MEETINGS**

Section 1

There shall be at least three (3) regular meetings of the Federation during the school year. Such meetings shall be in September and on the second Tuesdays in March and May. The May meeting shall be the annual meeting. The

President may call additional meetings at his or her discretion.

Section 2

Special meetings shall be called by the President at the request of any three members of the Executive Board or ten members of the Union.

Section 3

Any special meeting shall be held within 10 days after the President receives the request.

Section 4

Only members in good standing shall be present at membership meetings.

Section 5

Ten (10) percent of the membership shall constitute a quorum for the transaction of business at an annual or special meeting of the membership.

**ARTICLE VII - DUTIES OF THE OFFICERS  
AND BUILDING REPRESENTATIVES**

Section 1

The president shall preside at all meetings of the Federation and of the Executive Board, shall supervise the affairs of the Union, shall appoint committees, shall be an ex-officio member of all committees, and shall submit an annual report. The President shall appoint, subject only to a confirmation vote by the Executive Board, all Negotiation Teams. By virtue of office, the President shall be a delegate to conventions of affiliate bodies.

## Section 2

The vice-president shall perform the duties of the president in his/her absence. The vice-president shall also be responsible for By-law compliance of the local, shall serve on the Negotiating Team

## Section 3. The duties of the Treasurer shall be:

- a. To receive, record, and deposit in the name of the Union money from dues and all other sources.
- b. To keep the membership rolls and issue membership cards, receipts, and delinquent notices.
- c. To forward all per capita dues and current membership lists to the national office of the American Federation of Teachers and to other affiliated organizations to keep this Federation in good standing at all times. Special care should be taken to insure that per capita tax through June thirtieth be sent to the national office no later than fifteen days prior to the opening date of the national convention to make sure that the delegates from this Federation may be seated.
- d. To prepare a budget annually for approval by the membership.
- e. To submit the books to a CPA for an independent audit annually.
- f. To present a written report to the Executive Board monthly and to all members at the annual meeting.
- g. To keep adequate records available at all times for the Executive Board and the Budget Committee.
- h. To pay all bills, retaining vouchers or invoices for the same.

Section 4

The secretary shall keep a record of all business transacted by the Union and by the Executive Board; shall keep a list of the Officers, committees and members, with their addresses; shall notify members promptly of all meetings; and shall conduct the correspondence of the Federation and preserve its documents. The Secretary shall reproduce the highlights of all meetings that are held, and shall make these highlights available to all members. The permanent record of minutes shall be maintained by the secretary and made available to members upon request. The Secretary shall serve as custodian of the local Charter and Seal.

Section 5

There shall be at least one Building Representative elected by the members of the union in each building. The Building Representative shall be responsible for soliciting membership in the Union, signing up members, contacting the grievance committee promptly regarding any grievance within his/her building, informing members of Union activities, posting Union notices, communicating building concerns to the Officers for action, distributing Union information, coordinating Union activities within the building and maintaining a telephone tree for the building.

**ARTICLE VIII  
EXECUTIVE BOARD**

Section 1. The Executive Board of this Union shall consist of the following:

- a. All elected officers
- b. All building representatives

Section 2. The Executive Board shall administer the policy of the Union set by the membership at regular membership meetings. The Executive Board shall have the power to act for the good of the Union in emergency situations where policy cannot be set by the membership.

Section 3. The chairman of the Executive Board shall be the President of the Union.

Section 4. The time and place of the Executive Board meetings shall be set by the Executive Board and shall be announced at the previous membership meetings.

Section 5. The Executive Board shall have the power to employ all personnel including officers, clerical help and other persons as may be determined by the needs and finances of the Union and the will of the membership.

Section 6. The Executive Board shall report its activities at each regular membership meeting.

Section 7. Fifty percent (50%) of the membership of the Executive Board shall constitute a quorum.

Section 8

The executive board shall have the power to carry the responsibility for general management of the Union between meetings thereof, shall assist the constitutional officers at the request of the president, and shall report all recommendations to the general membership.

Section 9

The term of office of all committee members appointed by the President or the Executive Board shall be the same as the President. This section does not apply to the Negotiation Team.

Section 10

Elected officials, chairmen of committees, building representatives and delegates to councils and conventions must attend 80% of meetings with the exception of extenuating circumstances.

## ARTICLE IX - ELECTIONS

### Section 3

All elections for Constitutional Officers, Building Representatives, and delegates to affiliated organizations shall be conducted in accordance with the following procedures:

- A. Notice of nominations and elections shall be mailed to the last known home address of each member of the Federation in order that it may be received at least 15 days prior to date of nominations. Said notice shall contain the date, time and place for nominations and the date, time, and place for the election. Said notice shall also explain the nomination procedure.
- B. Any union member who has been a member in good standing for one (1) year is eligible to be nominated for union officer.
- C. The President shall appoint a Nomination-Election Committee to seek candidates for office, prepare the ballot, and conduct union elections. No candidate for any office shall serve on this committee or participate in the activities of this committee.
- D. Nominations for office shall be made biennially at the regular March meeting. The Nominations Committee shall accept names of candidates for office by voice at the March meeting. All members of the Union shall have the opportunity to nominate candidates.
- E. The election shall be by secret ballot. Ballots shall be counted before the union meeting adjourns. Observers for the candidates may be present when the Election Committee counts ballots, but they may not participate in the counting.
- F. The results of the election shall be announced before the union meeting adjourns. The chairperson of the Election Committee shall publish the results in writing over his/her signature and send them to

each building representative who shall post them in his/her school. The ballots, the tally sheets, the notice of nomination and election, the notice of election results and the names of Election Committee members shall be kept in the union office under the charge of the chairperson for one (1) year following the election.

## **ARTICLE X - FINANCE**

### Section 1

The dues of the Union shall be ....., per member, per month above the dues of the AFT and AFTMA.

### Section 2

One dollar per member per month is to be set aside annually to be used as a militancy and defense fund. The Executive Board shall exercise control over the militancy and defense fund.

### Section 3

No other expenditures shall be made, nor agreements entered into involving the funds of this Federation, unless by vote of the membership; except that in case of emergency, the President with the approval of the Executive Board may direct the expenditure of such sums as necessary for the good of the membership provided that such sum does not exceed five hundred dollars.

### Section 4

All disbursements of funds will require the signatures of both the President and the Treasurer and receipts must be submitted for reimbursement.

### Section 5

An annual independent audit of the Union's accounts shall be conducted. The results of said audit shall be reported to the membership upon receipt of the audit statement and not later than the September meeting.

## ARTICLE XI - STANDING COMMITTEES

### Section 1

The following committees shall be active in this Federation:

- a. Membership
- b. Budget
- c. Grievance
- d. Nominations-Election
- e. Negotiating
- g. Committee on Political Education (COPE)

Section 2 The chairman and members of each of the committees shall be appointed by the President.

## ARTICLE XII - DUTIES OF COMMITTEES

**Section 1.** It shall be the duty of the Membership Committee to investigate all applications for membership and to present them, with recommendations, at any meeting of the Local. The Membership Committee shall plan and execute a dynamic program to insure the growth and vitality of the Federation.

**Section 2.** It shall be the duty of the Budget Committee to assist the Treasurer to prepare a budget for adoption by the membership at the annual meeting.

**Section 3.** It shall be the duty of the Grievance Committee to receive all written grievances for all units and to take appropriate action.

**Section 4.** It shall be the duty of the Nominations-Elections Committee to present a slate of officers to conduct the nominations and election procedures as described in Article XI, and in conformity with the Federal Landrum Griffin Act.

**Section 5.** It shall be the duty of the unit Negotiating Committees to prepare and negotiate collective bargaining agreements for each unit of the Federation.

**Section 8.** It shall be the duty of the Committee on Political Education (COPE) to raise funds for, and to oversee the political education activities of the Federation.

### **ARTICLE XIII - AMENDMENTS**

This Constitution may not be amended except by 2/3 vote of those present and voting at any meeting; provided, however, that the members be in receipt of a written notice setting forth the proposed change at least ten (10) days in advance of a meeting.

### **ARTICLE XIV - RULES OF ORDER**

The Annual Meeting and all General Membership Meetings shall be conducted according to Robert's Rules of Order as most recently revised.