

DETROIT FEDERATION OF TEACHERS
LOCAL 231
AMERICAN FEDERATION OF TEACHERS

**CONSTITUTION
AND
BYLAWS**

Updated Feb. 5, 2013
Amendments included

CONSTITUTION

Article	Page
I Name and Affiliation	3
II Purposes	3
III Membership	3
IV Elective Officers	4
V Safeguards	4
VI Amendments	5
VII Referenda	5
VIII Recall of Officers	5
IX Title to Property	5
X AFT Public Review Board	6

BYLAWS

Article	Page
I Membership and Dues	7
II Agency Shop Objections	7
III Chapter Organization	7
IV Meetings	7
V Elective Officers	8
VI Election Procedures	9
VII Duties of Officers	15
VIII Labor Relations Administrators	17
IX Duties of the Executive Board	17
X Committees	17
XI Building Representatives and School Union Committees	17
XII Affiliation and Sponsorship	19
XIII Insurance	20
XIV Internal Grievances	20
XV Misconduct and Penalties	20
XVI Good and Welfare	22
XVII Amendments	22

**CONSTITUTION AND BYLAWS OF THE DETROIT FEDERATION OF TEACHERS
LOCAL 231, AMERICAN FEDERATION OF TEACHERS
(Updated Feb. 5, 2013)**

CONSTITUTION

PREAMBLE

We believe in democracy and in the schools as the chief agency by which democracy is preserved and enriched.

We believe that to secure this end, administration must be democratic, not authoritarian or coercive; offer courageous leadership in preparing citizens for the changed and changing world; and recognize that good teachers are the foundation of good education.

We believe that if the schools are to produce free, unafraid, men and women, American citizens of the highest type, teachers must live and work in an atmosphere of freedom and self-respect.

We believe that the teacher is one of the most creative workers, and that the best interests of the schools and of the people demand close contact and cooperation between teachers and other workers of the community.

That adequate procedures for seeking these ends may be available to this Union, we, its members, do establish this Constitution and these By-Laws and do pledge ourselves to the principles therein set forth.

ARTICLE I

Name and Affiliation

This organization shall be known as the Detroit Federation of Teachers, Local 231. It shall be chartered by the American Federation of Teachers and be directly affiliated with the AFT Michigan, Metropolitan Detroit AFL-CIO, and Michigan AFL-CIO or their successors.

ARTICLE II

Purposes

Section 1. To provide and maintain, as sole and exclusive collective representative for members of the bargaining unit, the orderly and effective implementation of the collective bargaining contract.

Section 2. To promote such democratization of the schools as will enable them better to equip pupils to take their places in family life and in the industrial,

professional, social, economic and political life in the community.

Section 3. To involve members of the bargaining unit in experimentation, research and the development of methods and materials of teaching upon which the success of education depends.

Section 4. To purchase, hold, lease, transfer, sell, and generally deal in any real and personal property necessary to carry out the purposes of the Detroit Federation of Teachers.

Section 5. To maintain a relationship of mutual assistance and cooperation with organized labor.

ARTICLE III

Membership

Membership in Local 231 of the American Federation of Teachers is governed by the following provisions:

Section 1. Regular Membership

Eligible are:

- (a) Persons who qualify as members of the bargaining unit as defined in the contract between the Detroit Board of Education and the Detroit Federation of Teachers.
- (b) All members of the bargaining unit on Board of Education approved leaves of absence, pensioned retirement or deferred retirement.
- (c) Persons employed by the Detroit Board of Education in job classifications not in the teachers bargaining unit whose applications for membership have been approved by the Executive Board and by the majority of members in attendance at a regular membership meeting.

Section 2. Special Membership

- (a) Members of Local 231 who have been promoted out of the bargaining unit, up and including the rank of Assistant Principal.
- (b) Members of Local 231 in promotional positions who held such positions prior to Aug. 30, 1967 (the date of adoption of Article III, Section 9 of the Constitution of the American Federation of Teachers).

Section 3. Associate Membership

- (a) Eligible are:
 - 1. Persons who have been members of Local 231 who have resigned from teaching, but are not on pension.
 - 2. Student teachers assigned to classrooms in the Detroit Public Schools.
 - 3. Persons engaged in educational work who are not eligible for regular membership, subject to Executive Board approval.

(b) Rights and Privileges

Associate members may attend regular and special membership meetings, but shall not vote in such meetings; hold an elective office in the Union; sign nominating petitions; vote in Union elections or referenda; represent the Union in any official capacity.

Section 4. Limitations

Only members of the bargaining unit may hold elective office, represent the Union in any official capacity, or vote on matters directly involving the contract with the Board of Education.

Section 5. Non-Discrimination

No discrimination shall ever be shown toward a member or applicant for membership because of race, religious faith, sex or political activities or belief.

Section 6. Membership in this Union is forfeited by:

- (c) Arrearage in dues and notification of same.
- (d) Expulsion from the Union according to procedures provided in the By-Laws.
- (e) A member who is in the bargaining union may resign from Union membership by submitting a letter of resignation and authorizing deduction of agency shop fees by the Board of Education. A member not in the bargaining union may submit a letter of resignation only.

ARTICLE IV

Elective Officers

Titles

- (a) The Officers of this organization shall be: a President, three Vice Presidents, a Recording Secretary, and a Treasurer.
- (b) There shall be an Executive Board as provided for in the By-Laws.
- (c) There shall be an elected three member Board of Trustees as provided for in the By-Laws.

ARTICLE V

Safeguards

Section 1. This Union shall not promote or permit itself to be used to promote any advantage for any particular partisan group of its members which shall not have been previously endorsed by at least a majority vote in the Executive Board and approved at a membership meeting.

Section 2. Should any of the provisions of this Constitution be contrary to or in conflict with the National or State Constitution of the American Federation of Teachers, the remaining provisions shall continue in full force and effect.

ARTICLE VI

Amendments

Section 1. This Constitution may be amended:

- (a) At the regular or a special membership meeting in January and May.
- (b) This Constitution may also be amended by direct referendum with a majority of all votes cast required to adopt the proposed amendment. A referendum may be voted on during the months of October, November, December, February, March, April and May.

Section 2. A proposed amendment to this Constitution must be endorsed by not fewer than one thousand (1,000) members of this Union from not fewer than twenty percent (20%) of the schools or work locations and be submitted in writing to the Executive Board two months before such meeting. The Executive Board may also initiate an amendment proposal by a majority vote.

Section 3. A copy of the proposed amendment shall be made available through Building Representatives or otherwise, to each member eligible to vote; at least twenty (20) days prior to the meeting at which the amendment is to be submitted and voted upon.

Section 4. A quorum at the meeting which will vote on the amendment must consist of members representing no fewer than one-half (1/2) of the work locations exclusive of executive board members. (Amended April 19, 2012)

Section 5. Two-thirds of all votes cast at a membership meeting shall be necessary for the adoption of any amendment.

ARTICLE VII

Referenda

Section 1. Proposed action or actions at general, special or Executive Board meetings may be submitted to a referendum vote upon written request of not fewer than one thousand (1,000) Federation members in good standing from not fewer than twenty percent (20%) of the schools or work locations.

Section 2. The Executive Board shall make provision for referendum vote upon the written request of one thousand (1,000) Federation members in good standing from not fewer than twenty percent (20%) of the schools or work locations except that no proposals on appropriations or any

proposals where the termination date is between June 1 and September 1, shall be submitted for referendum.

Section 3. The Executive Board may initiate a referendum by a majority vote.

Section 4. Such provisions for referendum shall be carried out within two months.

ARTICLE VIII

Recall of Officers

Section 1.

- (a) Petition for the recall of any officer for violation of his/her obligation of office shall be initiated by a recall petition clearly stating specific charges and signed by not fewer than one thousand (1,000) members in good standing from not fewer than twenty percent (20%) of the schools or work locations.
- (b) No officer shall be subject to recall proceedings without being given at least 30 days written notice of the charges preferred against him/her and an opportunity to appear before the membership at a regular or special meeting. Two-thirds of those present and voting at the meeting shall be required to recall the officer.

ARTICLE IX

Title to Property

Section 1. Title to any real estate or personal property acquired in the name of or for the benefit of the Detroit Federation of Teachers may hereafter be vested in a Michigan non-profit corporation known as Teachers Federation Inc.

Section 2. Title to any real and/or personal property now in or hereafter acquired by the Detroit Federation of Teachers may be transferred to Teachers Federation Inc. by authorization of the Detroit Federation of Teachers Executive Board. All necessary legal instruments for the transference of title shall be executed on behalf of the Detroit Federation of Teachers by the President and Treasurer.

ARTICLE X**American Federation of Teachers****Public Review Board**

The services of the American Federation of Teachers Public Review Board will be available to any member in good standing of this local who has exhausted the internal remedies provided in the By-Laws. The decision of the American Federation of Teachers Public Review Board shall be final and binding in all cases, including charges arising under ARTICLE XV of the By-Laws.

BY-LAWS

ARTICLE I

Membership and Dues

Section 1. Annual membership dues for this Union shall be set by the Executive Board and approved by the membership by referendum vote. Dues for associated members need not be subject to a referendum.

Dues shall be paid by payroll deduction by all members on a regularly scheduled payroll. Members not on such a payroll (e.g. emergency substitutes, on leave, retired) shall pay dues semi-annually directly to the Federation office.

Section 2. Application for membership in this Union shall be made on the prescribed form. Applications shall include a signed authorization for payroll deduction of Union dues where applicable.

Section 3. An eligible applicant shall be considered a Union member when his completed application has been processed in the Federation office.

Section 4. Any member whose dues have been in arrears for more than one month and who has been notified of same shall no longer be a member in good standing, except as otherwise provided in the contract with the Board of Education for members on payroll deduction.

Section 5. The fiscal year shall begin July 1 of each year.

ARTICLE II

Agency Shop Objections

DELETED (Adopted June 8, 2006)

ARTICLE III

Chapter Organization

Section 1. Upon approval by the Executive Board, teachers in a school district within the jurisdiction of Local 231, or other division with common interests, may constitute themselves a chapter or unit within the Detroit Federation of Teachers.

Section 2. Such chapters or units may elect officers, adopt procedures, and advance policies and activities which promote their common interests, subject to the approval of the Executive Board of Local 231.

Section 3. Executive officers of Local 231 shall represent the chapter in its dealings with the Board of Education, the administration, and elsewhere outside the

organization, except as such representation may be specifically delegated by the Executive Board.

Section 4. Chapter officers and members shall be bound to adhere to the established Federation policies, to cooperate in Union activities, respect the interest of other groups of members, and to assume only such financial obligations or legal contracts as are approved by the Executive Board of Local 231.

ARTICLE IV

Meetings

Section 1. Regular and Special Meetings

- (a) A regular business meeting open to the entire membership shall be held monthly during the school year at a time and place determined by the Executive Board.
- (b) The purposes of the regular business meetings shall be to report on the work of the Union, to place information before the members, to pass on action taken by the Executive Board, and to take action on all matters placed before the members by either the Executive Board or individual members according to proper parliamentary procedures. (Adopted June 19, 1971).
- (c) Special business meetings may be called by the Executive Board or shall be called upon the written request of five hundred (500) members in good standing, representing at least ten percent (10%) of the schools and work locations. The subject mentioned in the call for the special meeting shall constitute the agenda. All schools shall be notified of such a meeting.
- (d) The agenda of regular business meetings shall be as follows, except that the President or the Executive Board, or the body by majority vote, may set a special order of business:
 1. Roll call of officers.

- 2. Approval of minutes of previous meetings and of minutes of Executive Board meetings.
- 3. Reports and communications.
- 4. Old business.
- 5. New business.
- 6. Adjournment.

(e) Members representing no fewer than one-half (1/2) of the work locations exclusive of Executive Board members shall constitute a quorum, except as otherwise provided in the Constitution and By-Laws (Amended April 19, 2012).

(f) A minimum of four (4) Sergeants-at-Arms shall be appointed by the presiding officer at each meeting. They shall be charged with preparing the hall for the meeting, with preserving order and decorum during the meeting, and with discharging other duties as assigned by the presiding officer.

(g) No material shall be circulated or distributed inside the meeting room except with permission of the Chairman.

(h) In the event of a national or local emergency, the Executive Board, by an affirmative vote of nine (9) members in a meeting, by mail, email or by telephone, may dispense with any meeting of the Detroit Federation of Teachers. All members shall be notified through their Building Representative or otherwise. (Adopted March 16, 2000).

Section 2. Executive Board Meetings

(a) The Executive Board shall meet regularly at least once a month during the school year. Special meetings of the Board may be called by the President or by application to the President by a simple majority of that body. All meetings of the Executive

Board shall be open to the members of the Local, who shall be granted the right to speak, but not to make motions or vote. Nothing herein shall be construed to preclude the Executive Board from holding an executive session as in its discretion it shall deem appropriate. A complete report of the Executive Board activities shall be presented to the general membership at each regular business meeting.

(b) Any member of the Executive Board who shall absent himself/herself from three (3) meetings of the Board, unless absences are excused by the Board, shall be notified by the Secretary and automatically shall cease to be a member of the Executive Board. A total of five (5) absences with or without excuse from regular Executive Board meetings during a single calendar year shall vacate the position, except by unanimous vote of the Executive Board.

Section 3. Roberts' Rules of Order (newly revised edition) shall be considered the authority for conducting meetings in all cases not covered by this Constitution and By-Laws.

ARTICLE V

Elective Officers

Section 1. Term of Office

President, Vice Presidents, Recording Secretary, Treasurer, and other Executive Board members, and Trustees, shall be elected biennially for a term of two years. (Adopted October 12, 1972).

An election shall not be held if the number of candidates for an office does not exceed the number of positions to be filled. The nominated candidate(s) shall be elected by acclaim. (Adopted February 12, 1987).

Section 2. Eligibility

(a) All candidates shall have been members in good standing for at least twelve (12) calendar months without

break prior to the close of nominations.

- (b) Except for the President and a Vice President, no full-time annual salaried employee of the Detroit Federation of Teachers shall serve on the Executive Board, Board of Trustees or Election Committee.

Section 3. Executive Vice President

With the advice and consent of the Executive Board, the President shall annually name one of the Vice Presidents as full-time annually salaried Executive Vice President.

ARTICLE VI

Election Procedures

Section 1. Election Committee

- (a) The Election Committee shall consist of seven members who shall be elected by plurality vote at the regular March membership meeting beginning in 1968. An election shall not be held if the number of candidates for an office does not exceed the number of positions to be filled. The nominated candidates shall be elected by acclaim. (Adopted March 16, 2000).
- (b) No officer, member of the Executive Board, nor candidate for office may be a member of the Election Committee.
- (c) Members shall serve two-year terms, staggered so that three (3) are elected in each odd year and four (4) elected in each even year. The Election Committee shall elect its own chairperson each April from among those members with a minimum of one year's experience. (Adopted June 8, 1978).
- (d) The Election Committee shall be responsible for supervising general elections, i.e., elections of Union Officers, Executive Board members, Trustees and referenda, except that the Executive Board shall set the schedule of specific dates for such elections within the framework provided by the By-Laws. The Election Committee

shall be responsible for delegate elections as provided in Article V, Section 2, and for Election Committee elections.

- (e) In case of a vacancy, the Executive Board shall name a temporary replacement to serve until the next membership meeting at which time the vacancy shall be filled by a plurality vote at an election. Such vacancy shall be made known before the meeting. (Adopted March 16, 2000).
- (f) A quorum of the Election Committee shall be four (4). Actions of the Election Committee shall be by majority vote of those committee members present.
- (g) The Election Committee may name an independent ballot counting agency to count the vote in any general election, referendum or special election with the approval of the Executive Board.

Section 2. General Election Procedures

General elections, i.e., elections of Union Officers, Executive Board members, Trustees and referenda, shall be conducted by the Election Committee in accordance with the following procedures:

- (a) The Committee shall be responsible for the printing, handling and distribution of all election materials and for the security of the ballots.
- (b) The right of voting and/or holding elective office shall be extended only to regular members in good standing.
- (c) No member may be a candidate for more than one office at any general election.
- (d) Executive Board members shall be elected by plurality vote of ballots cast by the membership not later than during the month of November. Each member of the Local shall be entitled to vote for eleven (11) candidates. The eleven (11) candidates receiving the highest number of votes cast for members of the Executive Board,

along with six (6) elected officers consisting of the President, three (3) Vice Presidents, Recording Secretary and Treasurer will be the governing body and known as the Executive Board.

- (e) Officers and other Executive Board members shall be installed at a time designated by the existing Executive Board and shall assume office at the beginning of the second school term.
- (f) Should a vacancy in the office of the President occur, the Executive Vice President shall assume the office of the Presidency until a regular election can be held, but in no case shall such an election be delayed for any period exceeding 120 calendar days.
- (g) A vacancy in the office of Vice President, Recording Secretary or Treasurer during the term of office shall be filled by the Executive Board within thirty (30) days. A majority vote of the entire Board will be necessary to elect. A vacancy in the office of the Executive Board shall be filled by a plurality vote of the membership meeting within sixty (60) days or at the next membership meeting for which adequate notice can be given. (Adopted March 16, 2000).
- (h) Trustees shall be elected by plurality vote by the membership at the same time as election of Executive Board members and officers. They shall assume office at the beginning of the second school term.
- (i) A vacancy in the office of Trustee shall be filled by a plurality vote of the membership meeting within sixty (60) days or at the next membership meeting for which adequate notice can be given. (Adopted March 16, 2000).
- (j) Procedures for all elections shall be approved by the Executive Board after consulting and in conjunction with the Election Committee. (Adopted October 12, 1972).

Section 3. Nomination Procedure for General Elections

- (a) Nomination procedures, as defined below, and a schedule of appropriate dates shall be announced at the September membership meeting.
- (b) Nominations for the office of President, three (3) Vice Presidents, Recording Secretary, Treasurer, Executive Board members and Trustees shall be made in writing and mailed to a specified Post Office Box no more than ten (10) days prior to the October membership meeting, at which time nominations will be posted and additional nominations will be accepted from the floor. Nominations shall be declared closed by the presiding officer as the last order of business before adjournment of said membership meeting.

Nominations shall include nominee's name, office, and should include school or work location of candidate, and name, school or work location of nominator.

- (c) The Election Committee shall prepare the lists of nominees, one for the Committee Chairperson, and a second to be kept on file at the Federation Office. The Committee shall notify all nominees by U.S. mail of their nomination and shall request acceptance or rejection of nomination to be mailed to the Election Committee in care of a specified Post Office Box by a specified date set by the Committee or hand-delivered to the Election Committee or its designee at the Union Office during specified office hours.

The Election Committee shall notify by U.S. mail any nominee who has not replied at the end of the fifth day after original notification, or on the next work day immediately thereafter.

- (d) Only those nominees whose acceptances have been received by the Committee within eight (8) days of the

mailing date of the original notification shall become candidates.

- (e) The Election Committee shall prepare a list of the eligible candidates for each office, a copy of which shall be sent to the Committee Chairperson, and to each candidate. A copy shall also be kept on file at the Federation office.

Section 4. General Election Campaign Provisions

(a) Special Election Edition of Union Publication

1. Each candidate shall be notified by the Election Committee of his/her right to publish an official statement in the special edition of the Detroit Federation of Teachers publication. Such statement may include his professional training, teaching experience, Union service, and may conclude with a statement of the Federation policy he/she intends to pursue. Statements shall not be defamatory or scurrilous and shall not exceed 150 words.

Any candidate whose statement is not received within eight (8) days of the mailed request by the Election Committee shall be notified by the Election Committee that no statement for him/her will appear.

Statements are to be reviewed by the Election Committee and the Committee may return statement to any candidate for correction to comply with the above.

2. A Special Election Edition of the Federation publication shall be sent to Building Representatives for distribution to members only and shall also be sent to retirees and members on leave. The edition shall include statements by candidates as provided in Section 4 (a) above, instructions for voting, and a general statement of the importance of voting in Federation elections.

(b) Use of Union Office Facilities

Union mailing facilities shall be made available for one mailing per candidate of printed or mimeographed campaign material, provided material bears a proper union label. All expenses of mailing shall be borne by the candidate(s) who use the facilities.

Under the supervision of the Election Committee, the following materials shall be made available to a slate and/or any individual candidate:

1. Cover letter from the Election Committee.
2. List of Building Representatives and Alternates by name and school.
3. Set of properly addressed envelopes to Building Representatives at their schools. All expenses are to be borne by the slate and/or candidate, payable to the Detroit Federation of Teachers at the end of the working session.

4. Home address shall not be made available to any candidate.

(c) Distribution of Campaign Materials

Building Representatives shall be instructed NOT to distribute printed campaign materials without the union label. Building Representatives are obligated to distribute or delegate distribution of all election materials accompanied by a cover letter from the Election Committee.

Section 5. Balloting for Elections by Mail

- (a) The Election Committee shall be responsible for the preparation of the ballots. Order of names for each office shall be determined by lot, conducted by the Committee at a time and place announced prior to said determination.

- (b) If a group of candidates indicate that they wish to run as a slate, the Election Committee will make provision on the ballot for a slate designation after each candidate's name. The leading candidate of a particular slate must present to the Election Committee a signed acceptance form from each candidate before such designation will be printed.

- (c) The Union office shall provide the following election materials and such other materials as may be deemed necessary by the Committee and/or the Executive Board:

1. Registration sheets for each school or work location with names of members in good standing as of a date specified by the Executive Board.
2. Instructions for Building Representatives.
3. Ballots and individual ballot envelopes.

4. Individual signature envelopes.

5. Return envelope addressed to Election Committee Post Office Box.

6. Mailing envelope for election materials for each school or work location where voting will take place and for members on leave and retired.

7. Envelopes addressed to members on leave and retired.

- (d) The Election Committee Chairman or designee shall be responsible for the stuffing and mailing of election materials listed in subsection 4(a) and 5(c) above.

- (e) Special provisions shall be made by the Election Committee for any member who is eligible to vote, but is not listed on the registration sheet of his/her school or work location.

- (f) The Election Committee shall direct the closing of the Post Office Box at midnight, one week after the last day set for voting. The Post Office Box shall be opened with at least two of the committee present, the ballots placed into an appropriate locked container, and taken to a secure place.

Section 6. Balloting: Building Representatives' Responsibilities

- (a) The Building Representative or his/her designate shall be responsible for receiving, checking, distributing, collecting and returning of election materials. He/she may be assisted by one or more co-chairperson.

- (b) Registration sheet must be signed when member receives his ballot and again when he returns it.

- (c) The Building Representative and/or a member of the School Union

Committee must certify by signature the number of ballots received and the number distributed. Members who wish may mail their own ballots directly to the Election Committee Post Office Box. The Building Representative must mail all voted ballots to the Election Committee Post Office Box, except those ballots returned directly by the members themselves. The right to mail ballots individually **MUST BE STATED** on the registration form.

Members must be allowed to vote on any of the days during which an election is scheduled.

Section 7. Provisions for General Election Balloting Outside School or Work Location

Any member absent during designated balloting period may be supplied with necessary election materials by the Building Representative. Voted absentee ballots shall be mailed directly to the Election Committee Post Office Box.

Election materials shall be mailed directly to the members who are retired and on leave. Those members shall mail their voted ballots directly to the Election Committee Post Office Box.

Section 8. Tallying for General Elections

All tallying procedures shall take place at time and place designated and announced in advance by the Election Committee:

- (a) The Election Committee shall employ all reasonable means to prevent the counting of fraudulent or improper ballots. Ballots for retired and on leave members and absentee ballots and those mailed in separately shall be checked separately.
- (b) Checked ballots shall be opened and tallied by the Election Committee with a majority of the Committee present. The Committee shall deputize such assistants as it deems necessary. The following procedures shall be followed:

1. Outer signature envelopes shall be removed from all ballot envelopes before any ballots are tallied.
2. Ballots shall then be removed from envelopes and checked for irregularities. Ballots with irregularities shall be turned over to the Election Committee for final disposition.
3. Ballots shall be tallied and totaled as directed by the Election Committee.
4. A record in triplicate of the total number of ballots received, the number tallied, the number of uncounted ballots (with reasons for setting aside), and the total votes cast for each candidate, shall be signed by all members of the Election Committee present. One copy shall be kept by the Election Committee Chairman, one shall be kept on file in the Federation office, and one shall be attached to the official minutes of the Union.
5. Ballots, tally sheets and signature envelopes shall be made available for inspection for a period of six months following the election to any member requesting same of the Election Committee.
6. Candidates and members who wish to act as challengers may observe the tallying procedure. They must register upon entering and leaving and wear an appropriate

badge. They must adhere to all reasonable regulations as determined by the Election Committee.

7. The ballots shall be tallied and totaled by school or workplace designation where the vote is cast, by office and by candidate. The total shall be made available for any member no later than thirty (30) days after the count of the votes. In areas where there are less than ten (10) eligible voters, the votes shall be grouped together with other similar units and totaled together. Examples of these are retirees and substitutes. Regular voting units of less than ten (10) members shall be grouped together and labeled as "smaller voting units." The Election Committee shall be responsible for the execution of this provision. (Adopted June 8, 2000).

- (c) If no officer receives a majority of the votes cast for a particular office, the Election Committee shall immediately set up provisions for a run-off election between the top two contenders for that office.

Section 9. Voting Machines

These By-Laws shall not be interpreted to forbid the use of voting machines, phones or other electronic devices in any union election. If such machines are to be used in a general election, plans and procedures for their use shall be prepared by the Election Committee, and be subject to approval by the Executive Board in conjunction with the Election Committee. Final approval must be given by the membership no later than the October meeting. Procedures followed shall comply with such of these By-Laws as do not apply solely to the use of paper ballots, and in general,

with the procedures and safeguards used in City of Detroit elections.

Section 10. Notification of General Election Results

The Election Committee shall direct the Federation office to send out to all schools and work locations and to all candidates, a report of election returns, including the number of votes cast for each candidate. Announcement shall also be made in the official Union publication.

Section 11. Nomination and Election of Delegates

- (a) Nominations of delegates to the Michigan State AFL-CIO and the Metropolitan Detroit AFL-CIO Central Labor Body shall take place no later than the April Membership meeting, term to be three (3) years beginning with the 1977 terms. (Adopted March 8, 1979).
- (b) Beginning in 1986, delegates to the AFT Michigan and the American Federation of Teachers Conventions shall be elected for a two (2) year term. Nominations shall be made biennially not later than the April Membership meeting in each even year. (Adopted January 9, 1986).
- (c) All delegates shall be elected by procedure prescribed by the Executive Board. An election shall not be held if the number of candidates for an office does not exceed the number of positions to be filled. The nominated candidate(s) shall be elected by acclaim. Delegate vacancies between elections shall be filled as determined by the Executive Board. (Adopted February 12, 1987).
- (d) The twenty (20) candidates receiving the highest number of votes in elections for the AFT Michigan and the American Federation of Teachers Conventions shall be declared elected delegates for these respective conventions. (Amended Nov. 12, 2009).
- (e) The top ten (10) candidates who are not elected delegates to AFT Michigan

and the American Federation of Teachers Convention shall be considered elected alternates if they receive one-half or more of the number of votes received by the delegate elected with the fewest number of votes. They shall fill delegate vacancies in rank order of number of votes received. (Amended Nov. 12, 2009).

- (f) In case of tie votes for delegates or alternates for convention, the decision as to who shall serve shall be determined by lot by the Election Committee.
- (g) All Executive Board members and officers shall also be considered elected to serve as delegates to the AFT Michigan Convention and the American Federation of Teachers Convention by reason of their election to Union office.

The elected Chairperson of the Retirees' Chapter shall serve as a delegate to the American Federation of Teachers Convention and the AFT Michigan Convention. (Adopted June 4, 1992).

They shall not be counted as part of (d) above.

- (h) Only regular members of the union shall be eligible to run for a delegate seat.
- (i) In order to run for any delegate seat, a member must have held regular membership in the organization without break for twelve (12) calendar months.
- (j) Notification of nominations and election of delegates to the American Federation of Teachers Convention shall be sent to all members of at least fifteen (15) days prior to the close of nominations. Notification shall also appear in an official publication. (This notification shall be sent to each work location).

- (k) Provision shall be made for the use of voting machines, phones or other electronic devices in all regularly scheduled and special elections held at Membership meetings for which adequate provision can be made as recommended by the Election Committee and concurred in by the Executive Board.

Section 12. Grievance Procedure

Any aggrieved member or officer may file a grievance with the Election Committee respecting any matter within its jurisdiction. The Election Committee shall consider such grievance within one (1) week thereafter. Appeal from its decision may be taken by such aggrieved person, or any other person aggrieved by the decision of the Election Committee, or by any officer, to the Executive Board, at its next regular meeting and thereafter; from the decision of the Executive Board, to the membership at the next regular Membership meeting, whose decision shall be final unless there is an appeal to the American Federation of Teachers Public Review Board.

ARTICLE VII

Duties of Officers

Section 1. The President's duties shall be those normally carried out by the President of an organization, including the following:

- (a) To act as Chairman of the Executive Board, special and general Membership meetings, and to prepare the agenda for such meetings.
- (b) To represent the local and be responsible for administering its affairs.
- (c) To appoint all committee members (except that appointment of standing committees shall be with the advice and consent of the Executive Board), and to be an ex-officio member of all standing and special committees.
- (d) To sign all necessary papers and documents.
- (e) To serve as chief negotiator for the Union and to appoint the bargaining team for all negotiations.

- (f) To employ, with the approval of the Executive Board, and to dismiss all members of the professional staff, and to supervise and direct its performance.
- (g) To poll the Executive Board and membership when necessary.
- (h) To delegate assignments and responsibilities when necessary and appropriate.

Section 2. The Executive Vice President shall perform all the duties of the President in the absence of the President or as directed by him/her.

Section 3. The Vice Presidents shall assume duties as directed by:

- (a) The President.
- (b) The Executive Vice President if the President is absent or otherwise unable to serve.
- (c) The Executive Board if both the President and the Executive Vice President are absent or otherwise unavailable for duty.

Section 4. The Recording Secretary shall be responsible for recording and filing the minutes of all meetings of the Local and of the Executive Board.

Section 5. The Treasurer shall be responsible for recommending financial policy and supervising its execution. He/she shall report monthly to the Executive Board on receipts and expenditures, and on the general financial condition of the Local.

The Treasurer, with the approval of the Executive Board, shall be responsible for receiving and disbursing funds, issuing all receipts, notifying members of non-payment of dues, presenting a financial report to the membership upon request of the Executive Board, presenting all per capita dues to the proper affiliated Unions and maintaining the financial records in a manner satisfactory to the Auditing Committee.

Section 6. There shall be a three (3) member Board of Trustees elected by the general membership of the Detroit Federation of Teachers. No officer or person holding elective office as designated under Article VI, Section 1 of this Constitution shall be eligible to serve in this office, with the exception of the Treasurer, who will be

designated as an ex-officio member without vote of the Board of Trustees.

- (a) Books shall be audited within sixty (60) days after the close of the fiscal year and the report shall be read not later than the October business meeting.
- (b) The Board of Trustees shall have the right to examine all financial records, receipts, expenditures, disbursements, vouchers, bills and statements. They shall verify the report of the auditor at the close of the fiscal year along with a statement attesting to the accuracy of all bank accounts and investments of Local 231 for that period.
- (c) A written report shall be prepared after the audit of the books. The report may be rendered at any monthly membership meeting not later than the December business meeting.
- (d) The Trustees shall consult with the Treasurer in the preparation of their report and present their findings to the Executive Board prior to the presentation of the report in its final form at a regular business meeting of the membership. Copies of the report affixed with signatures of the duly-elected Trustees and witnessed by the Treasurer, shall be placed on file in the Federation office, available for inspection by all members, not later than the December business meeting. A copy of the report and recommendations will be sent to any building upon the request of the Building Representative, or any individual member upon his/her request.
- (e) A second written report on the financial status of the Union following the steps as outlined in Article VI, Section 6(f) above, shall be presented at the June business meeting.
- (f) The semi-annual report of the Trustees, which shall be incorporated in full into the minutes, shall be the

occasion for membership review of the financial program of the Local.

ARTICLE VIII

Labor Relations Administrators

Labor Relations Administrators may be employed to implement Union policy and program, handle grievances, and act upon Executive Board directives and approved activities. Labor Relations Administrators are directly responsible to the President, and are not eligible to serve on the Executive Board, on the Election Committee, or as Trustees.

Labor Relations Administrators and the Editor shall not be involved in internal DFT politics. Failure to adhere to the above shall constitute grounds for dismissal under procedures established in Article XIII. (Adopted March 13, 1975, Revised Jan. 10, 2002).

ARTICLE IX

Duties of the Executive Board

Section 1.

- (a) The Executive Board shall initiate policy, create committees, and delegate duties; authorize expenditures and appropriations; set dues and application fees; pass upon committee recommendations, and otherwise administer affairs of the Local, subject to the will of the membership. It may also hire such employees as it deems necessary. The duties of such employees shall be clearly defined by the Executive Board.
- (b) The Executive Board may provide for the bonding of employees or officers.
- (c) The Executive Board shall appoint three (3) persons in addition to the Treasurer for the purpose of validating checks. The signatures of two of these shall be required for check validation. The bookkeeper, if bonded, may also sign checks.

Section 2. The Executive Board shall be responsible for the orientation of convention delegates.

Section 3. Members of the Executive Board shall secure approval of the Executive Board for use of the name

and/or stationery of the Detroit Federation of Teachers except on authorized Union business.

Section 4.

- (a) The Executive Board shall submit any new collective bargaining agreement to the membership for ratification.
- (b) The Executive Board shall be responsible for the distribution, in writing, of all contract changes to the total membership through Building Representatives, at least twenty-four (24) hours prior to ratification. (Adopted April 1, 1971).

ARTICLE X

Committees

Section 1. The Union shall have such standing committees as are necessary to discharge its responsibilities.

Section 2. The President, with the advice and approval of the Executive Board, shall be responsible for the appointment of the Chairman and members of each standing committee.

Section 3. Each standing committee shall be responsible to a designated member of the Executive Board, who shall in turn be responsible for its efficient functioning; shall report progress to the Executive Board, and shall include in his annual report the work of the committee he sponsored. Such report shall be filed for conference.

Section 4. Special committees shall be set up by the President and/or the Executive Board as the occasion demands, and shall consist of as many members as are deemed necessary.

ARTICLE XI

Building Representatives and School Union Committees

Section 1. A Building Representative and Alternate must be elected each May by secret ballot in each school or work location, except if the number of candidates does not exceed the number of positions to be filled, the nominated candidate(s) shall be elected by acclaim. The term of office shall be for one year beginning in September.

Temporary employees or other itinerant members assigned to a building shall not serve as Building Representative,

Alternate, School Union Committee, or School Election Committee member. (Adopted November 10, 1994).

(a) Qualifications

Candidate(s) must be a DFT member for at least one (1) school year preceding the election, except as otherwise approved by the Executive Board. (Adopted Feb. 12, 1998. Amended Dec. 9, 2010).

(b) Duties

1. He/she shall be Chairman of the School Union Committee in the school.
2. He/she or his/her designee shall attend regular city-wide membership meetings.
3. He/she or his/her designee shall conduct Union meetings in the building once a month after regular membership meetings. He/she shall call additional meetings in the building at his/her discretion or at the request of thirty percent (30%) or more of the members in his school or work location.
4. He/she shall assist members in initiating grievances upon request, and shall forward copies of formal grievances to the DFT office, except in personal grievances where the aggrieved party requests the DFT office to designate a representative.
5. He/she or his/her designee shall conduct Union elections and referenda.

6. He/she or his/her designee shall distribute official Union materials.
7. The Alternate shall act as Building Representative if the representative is absent or temporarily unable to serve. He/she shall assume such of the above duties as are assigned by the Building Representative.

Section 2. If the Building Representative transfers, retires, resigns, or goes on leave, the Alternate shall act as Building Representative until a new election can be held which shall be within twenty (2) school days.

Upon presentation of a petition signed by thirty percent (30%) or more of the members at a work location, a School Union Election Committee shall conduct a new election for Building Representative, except that a new election shall not be held within ninety (90) days of a previously held election initiated by petition.

Section 3. A School Union Committee shall be elected each May by secret ballot in each school or work location, except if the number of candidates does not exceed the number of positions to be filled, the committee members may be elected by acclaim.

- (a) There shall be no fewer than three (3) or more than seven (7) members on the committee, except in schools with more than 100 on the teaching faculty.
- (b) Each committee member must have at least one year's experience as a teacher in the school system, be a member of the bargaining unit, be a member of the DFT for at least six (6) months preceding the election, and be on the faculty of the school for at least one semester or the equivalent, except as otherwise approved by the Executive Board.
- (c) Executive Board members are ex-officio members of the School Union Committee in the schools where they teach. They will have no vote unless they have been elected as members of the committee.

- (d) The School Union Committee should meet monthly with the principal to discuss school problems and policies. Conclusions reached at such meetings shall be reported to the faculty.
- (e) The School Union Committee should not serve as a grievance committee on personal grievances.
- (f) Vacancies on the School Union Committee shall be filled by election among the Union members in the school within twenty (20) school days after the vacancy occurs.

Section 4. An Election Committee shall provide for nominations, distribute ballots, count votes, and certify the election of Building Representatives, Alternates and School Union Committees.

- (a) Members of the School Election Committee shall not be candidates for election.
- (b) Each candidate shall have the right to appoint one (1) member of the school chapter to serve on the School Election Committee. The Building Representative shall assign other members to assure a committee of at least three (3) members, except in small buildings.
- (c) Notice of the time and place of the election and vote count shall be posted on the Union bulletin board at least five (5) school days prior to the election.
- (d) Each candidate may have a challenger present (or act as his/her own challenger) at the vote count.
- (e) Results of the election shall be posted on the Union bulletin board and a copy sent to the Union office immediately.

Section 5. Election Grievances

- (a) Any grievance concerning the election should, if possible, be settled between the parties concerned or by the school chapter.

- (b) Failing this, the Union president or his/her designee may be requested to mediate a solution with the parties.
- (c) In the event of an election grievance, members of the chapter may, under Section 2(b) of this Article, initiate a petition for a new election with or without action under (a) and (b) above.
- (d) The Executive Board may, by majority vote, call for a new election under Section 2(b) of this Article.

ARTICLE XII

Affiliation and Sponsorship

Section 1. The following general principles shall guide the Union in its relationship to other organizations.

- (a) Affiliation is defined as involving all of the following:
 1. A regular financial contribution.
 2. Responsibility for planning and resultant action.
 3. The regular use of the Union's name.
 4. The sending of delegates.
- (b) No affiliations shall be made except with those organizations specified in Article I, Section 1 of the Constitution, or with those having the approval of the affiliates of the Union.
- (c) Sponsorship is defined as involving any of the following:
 1. One or more financial contributions.
 2. Responsibility for planning and resultant action.
 3. The use, for a specific project, of the Union's name.

- (d) Decision to affiliate or to sponsor shall be governed by the following criteria:
1. The degree of responsibility in the leadership of the project.
 2. The probable effect on the Union to accept responsibility for action.
- (e) Cooperation is defined as requiring no financial consideration, nor the use of the Union's name, but merely such actions as the sending out of announcements or the selling of tickets.
- (f) Individual sponsorship means the use of the names of officers or Executive Board members. It is subject to the approval of the Executive Board when the matter affects the Union in areas where Union policy has not been determined. No officer or Executive Board member may sponsor any activity contrary to established Union policy.
- (g) Observers: This term is interpreted as involving no commitments of any kind, nor the use of the name of Local 231 or the names of its officers.
- (h) Members of the Local may not use the names of the organization nor Federation stationery without approval of the Executive Board.

ARTICLE XIII

Insurance

The Union may provide insurance service for its members at the discretion of the Executive Board, and may set up from among insured members an Insurance Committee which shall be responsible for the efficient functioning of this service.

ARTICLE XIV

Internal Grievances

Any member having filed or sought to file a grievance under the Union/Board of Education Collective Bargaining Agreement, and subsequently claiming to be

aggrieved by a decision or action of the Union, its officer(s), or representative(s) relative to the grievance, including a decision not to arbitrate the grievance, shall, within ten (10) school days of notice of the decision, appeal for relief to the President of the Union or his/her designee; thereafter if still aggrieved, within ten (10) days or to the next regular Membership meeting. The decision shall be final if not timely appealed as herein provided. (Adopted December 10, 1981).

ARTICLE XV

Misconduct and Penalties

Section 1.

- (a) The Union shall have the power to suspend or expel any member, or remove from office any officer who violates or fails to comply with any of the provisions of the Constitution of the American Federation of Teachers, or of the Constitution or By-Laws of the local union; or who engages in any activity or course of conduct which is contrary or detrimental to the welfare or best interest of the AFT or the local union.
- (b) No member shall be suspended or expelled, or officer removed from office until he has been given an impartial trial and found guilty of charges that have been preferred against him/her.

Section 2. Charges and reconciliation procedure

- (a) Charges may be made only by Union members in good standing.
- (b) A charge shall be submitted to the President (or if the President is the person charged, the Executive Vice President) in writing.
- (c) When charges are thus submitted, the President or his/her designee (or the Executive Vice President or his/her designee if the President is the person charged) shall arrange a conference of the accuser and the member or official charged, with the objective of resolving the matter informally. Each party to the charge may have one other

member at the conference, but the presence of legal counsel shall be discouraged.

Section 3. Trial

- (a) In the event the matter is not resolved informally, the Executive Board shall decide whether or not to hold a trial. If a trial is ordered, both accuser and accused shall be notified in writing of the date and the charges. The member or officer charged shall be given up to three (3) weeks to prepare a defense.

In the event that charges preferred against an officer are of such serious nature as to require immediate action to safeguard the interests of the Union, the matter shall be immediately referred to the Executive Board, which may temporarily suspend the officer by a two-thirds majority of members present and voting, less any member(s) disqualified because of involvement in the charges.

- (b) At the trial of a member or officer on any charge, the Executive Board shall sit as jury, except that no person on trial may participate as a member of the jury. The ranking officer shall preside and shall appoint Sergeants-at-Arms as necessary.

The accused shall have the right to be confronted by his accuser, and both may have their own counsel (at their own expense) as may the Executive Board (at Union expense).

The Executive Board shall hear all evidence and render

judgment. A two-thirds (2/3) majority of Board members present and voting is required to render a verdict of guilty. The Executive Board may suspend or expel a member or remove from office an officer adjudged guilty.

Meetings of the Board shall be held in Executive Session. Both parties may present witnesses.

If the accused, his legal counsel and/or representative is absent from the trial without reasonable cause in the judgment of the Executive Board, the trial shall proceed without him/them.

If the accuser, his/her counsel and/or his/her representative is absent without reasonable cause in the judgment of the Executive Board, the charges shall be dropped.

Section 4. Appeals

- (a) The member or officer may accept the decision of the Executive Board and abide by it or have the Board's decision submitted to the first regular meeting of the Union. The decision reached by the Board may be changed by a two-thirds (2/3) majority of the members present and voting at the meeting. This decision is not subject to a referendum vote.
- (b) An aggrieved member who has exhausted the above remedies provided in the Constitution and By-Laws may appeal his case to the American Federation of Teachers Public Review Board, whose decision is final and binding on both parties to the dispute.

Section 5. Reinstatement

An expelled member may, upon application, be reinstated for a probationary period of no less than

two years by a two-thirds (2/3) vote of the Executive Board after which he may be restored to full membership by a two-thirds (2/3) vote of this body.

A suspended or expelled member may not run for office for a period of one (1) year from the date of reinstatement to full membership.

Officers removed from office for cause shall not be eligible to run for office for three (3) years following removal.

ARTICLE XVI

Good and Welfare

Section 1. Membership lists shall be used only as permitted by the Executive Board.

Section 2. Representatives or delegates to other organizations must inform the Executive Board of any matters involving action, so that such matters may be placed on the agenda.

Section 3. There shall be kept on file, accessible to members, all minutes, financial reports, committee reports, election procedures, and copies of the Constitution and By-Laws.

ARTICLE XVII

Amendments

These By-Laws may be amended by the following procedures:

- (a) A proposed amendment must be endorsed by at least five hundred (500) members of the Union and no fewer than ten percent (10%) of the schools or work locations and must be submitted in writing to the Executive Board.

The Executive Board may also initiate an amendment proposal by majority vote.

- (b) The proposed amendment shall be submitted at a regular Membership meeting and voted on at the next regular Membership meeting, or shall be made available through the Building Representatives or otherwise to each member eligible to vote at least ten (10) days before the meeting at which the vote will be taken.
- (c) A majority of all votes cast shall be necessary for the adoption of any amendment.
- (d) These By-Laws may also be amended by direct referendum as provided in Article VII of the Constitution.