

FEDERATION OF N.J.A.R.C. EMPLOYEES, AFT LOCAL 3782

CONSTITUTION

ARTICLE I – NAME AND AFFILIATION

1. The name of this organization shall be the FEDERATION OF N.J.A.R.C. EMPLOYEES, Local 3782, AFT.
2. This organization shall be a chartered local union of the American Federation of Teachers.
3. This local shall, through the regular payment of the required per capita and insurance costs, maintain affiliation with the following organizations:
 - a) The American Federation of Teachers (AFT)
 - b) The New Jersey State Federation of Teachers (NJSFT)
 - c) The New Jersey State American Federation of Labor-Congress of Industrial Organizations (AFL-CIO).
 - d) The Monmouth-Ocean Counties Central Labor Council
4. Delegates to the American Federation of Teachers and the New Jersey State Federation of Teachers shall be elected at the same time and in the same manner as local officers, except as otherwise required by AFT or NJSFT.
5. Delegates to the New Jersey State AFL-CIO and the Central Labor Council shall be appointed by the Executive Board.
6. The Federation shall, to the best of its ability, be active in the affairs of its affiliates, and shall send delegates to meetings and conventions of affiliate organizations. The local shall pay the legitimate expenses of delegates to such meetings. Delegates shall make regular reports to the Executive Board.

ARTICLE II- PURPOSES

1. To bring members together for mutual assistance and cooperation.
2. To work for the welfare of developmentally disabled citizens.
3. To represent its members in the collective bargaining unit for the purpose of negotiations and processing grievances with the appropriate Boards, agencies, and/or other parties on all matters of compensation and all other terms and conditions of employment.
4. To develop and promote the adoption of such personnel policies and standards of preparation and participation as mark a profession.
5. To advance the professional rights, status, and responsibilities of its members.
6. To constitute a representative body to speak with authority for its members.

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7. To establish cooperative relationships between its members and members of the community.
8. To promote mutual cooperation with other affiliates of the NJSFT, the AFT, and other labor unions within the local area and the state.
9. The Federation may engage in other fund-raising activities as determined by the Executive Board.

ARTICLE III- MEMBERSHIP

1. All non-supervisory employees of The Arc of Monmouth who are members of the bargaining unit shall be members of the Federation.
2. All members of the Federation shall also be members of the NJSFT, the AFT, and the AFL-CIO.
3. No discrimination shall ever be shown toward individual members or applicants for membership because of sex, race, national origin, religious faith, political belief, or sexual orientation.
4. Membership shall be maintained through the payment of the appropriate dues as established by the membership.
5. Retirees, laid-off employees, and employees on leave may maintain membership in the manner specified by the AFT Constitution.
6. Membership shall begin as of the date of payment of dues, which shall be collected in regular installments.

ARTICLE IV- OFFICERS

1. The officers of the Federation shall be a President, a Vice-President, a Recording Secretary, a Corresponding Secretary, and a Treasurer.
2. Membership in the Federation in good standing for a minimum of one year is required to hold office.
3. Officers shall be elected by secret mail ballot during the fall every three years.
4. Upon election officers shall serve for a term of three years.
5. Vacancies in any office shall be filled by majority vote of the Executive Board until the next regular election.
6. The Treasurer may be paid a stipend of \$100 per month upon timely completion of all monthly chores related to payment of the Federation's authorized monthly expenditures and submission of payment and reports for per capita dues owed to AFT and NJSFT.

ARTICLE V- ELECTIONS

1. Nominations and elections shall be conducted by the Elections Committee. No officer or candidate for office may be a member of the Committee.
2. The election procedure shall be as follows:
 - a) All members shall have the right to make nominations and to vote in the election of officers.
 - b) Written notice of nominations and election shall be provided to all members at least fifteen (15) days prior to the close of nominations. Such notice shall specify the voting procedures, the dates for the close of nominations and for balloting, and the time and place for the counting of the ballots. This notice shall be disseminated to all members by mail.
 - c) The Elections Chairperson will seek nominations by notifying the membership of the procedure and time deadline for submitting nominations to the Elections Chairperson. After receipt of nominations, the Elections Chairperson will prepare the slate by verifying that all nominees are eligible and willing to be Union officer candidates.

Voting shall be by secret ballot in an unmarked envelope. This envelope shall be enclosed in a second, pre-addressed envelope marked with the name of the member, so that voting eligibility may be determined before the envelope containing the ballot is removed.
 - d) The Election Committee shall mail the ballots and envelopes, together with the appropriate dates and voting instructions, to each member at his/her home address at least ten (10) days before the ballots are to be counted.
 - e) Ballots shall be returned to a separate post office box or address to the Elections Chairperson. No candidate for office shall have any access to the ballots.
 - f) The opening and counting of the ballots may be observed by any member.
 - g) The candidate receiving the highest number of votes shall be elected to the particular office.
 - h) Election results shall be published on the Federation website: <http://nj.aft.org/njarc>.
 - i) Ballots, tally sheets, and all election material shall be retained for at least one year from the date of the election.
 - j) No local publications or funds shall be used to promote any candidate for office.
3. Delegates to meetings and conventions of NJSFT and AFT shall be elected in the same time and manner as specified above, unless otherwise provided by those organizations.
4. The President and Corresponding Secretary shall certify the election and forward to NJSFT and AFT the names and addresses of all elected officers. They shall also forward to NJSFT and AFT the credentials of all elected delegates and alternates in compliance with the requirements of those organizations.

5. Protests of election conduct or procedures may be made by any member to the Election Committee no later than thirty (30) days after the election. The Committee shall conduct a hearing within one week, with notice to the complainant and all other affected parties no less than two days prior to the hearing. If the Committee determines that no violation of this Constitution has taken place, the complainant may appeal to the Executive Board, which shall hear and consider the complaint as its first order of business at the next regularly scheduled meeting. The complainant and all other affected parties shall be notified no less than two days prior to the Executive Board meeting, shall be permitted to attend, and shall be advised in writing of the Executive Board's decision within three days following the meeting.
6. An officer shall be subject to recall by a two-thirds vote at a special membership meeting called for that purpose. Notice of such proposed action shall be sent to the membership at least ten days in advance of the meeting, and shall contain the time and place of the meeting at which recall is to be voted upon. Recall proceedings may be initiated by petition of one-third of the Executive Board or one-fourth of the membership. The petition shall be sent to the Executive Board, which shall schedule the membership meeting within one month. At the special membership meeting, the officer in question shall be given ample opportunity to offer his/her defense. If an officer is recalled, the Elections Committee shall schedule a special election promptly, using the same procedures as provided herein.

ARTICLE VI- DUTIES OF OFFICERS

1. The President shall:

- a) Preside at all meetings of the Executive Board and the membership.
- b) Appoint, with the approval of the Executive Board, the chairpersons of all committees, the Grievance Coordinator, and the Publicity Chairperson.
- c) Be a member ex-officio of all committees, except the Audit and Elections Committees.
- d) Serve as ranking delegate at conventions of affiliates.
- e) Sign all necessary papers and documents in behalf of the Federation.
- f) Coordinate the activities of the Federation, its Board, and its Committees.
- g) Represent the Federation when and where necessary, either personally or through a designee.
- h) Co-sign all checks with the Treasurer or Vice-President.
- i) Report regularly to the Executive Board and the membership.
- j) Perform the other duties usually associated with that office.

2. The Vice-President shall:

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- a) Perform all duties of the President in the absence or inability of that officer.
- b) Succeed to the Presidency if that office becomes vacant.
- c) Serve as an ex-officio member of the Negotiations and Grievance Committees.
- d) Coordinate leadership training activities.
- e) Co-sign checks with the President or the Treasurer.
- f) Make regular reports to the Executive Board and the membership.
- g) Carry out such other duties as may be assigned by the President or the Executive Board.

3. The Recording Secretary shall:

- a) Be the custodian of the seal, charter, and non-financial records of the Federation.
- b) Keep accurate minutes of all meetings of the Executive Board and the membership, and distribute copies to all Executive Board members.
- c) Make regular reports to the Executive Board and the membership.
- d) Carry out such other duties as may be assigned by the President or the Executive Board.

4. The Corresponding Secretary shall:

- a) Report all incoming correspondence to the President and the Executive Board.
- b) Answer correspondence at the direction of the President and the Executive Board.
- c) Issue all notices of the time and place of meetings of the Executive Board, and the membership, and publish such information in the manner directed by the Executive Board.
- d) Distribute copies of proposed amendments to this Constitution to all members.
- e) Make regular reports to the Executive Board and the membership.
- f) Carry out such other duties as may be assigned by the President or the Executive Board.

5. The Treasurer shall:

- a) Be bonded for such amount as may be determined by the Executive Board or the American Federation of Teachers.
- b) Receive, record, and deposit in the name of the Federation all monies from dues all other sources.
- c) Pay all bills authorized by the budget on receipt of invoices or vouchers.

- d) Maintain the membership records of the Federation.
 - e) Forward all per capita affiliation fees and current membership lists to the national office of the American Federation of Teachers and to other affiliates in such a manner that the local shall be maintained in good standing at all times.
 - f) Present an annual budget to the Executive Board for review and approval prior to submission to the membership at a membership meeting annually.
 - g) Maintain adequate financial records of income and expenditures and make them available to the Executive Board and the Audit Committee at all times.
 - h) Present regular written reports to the Executive Board and the membership.
 - i) Submit a financial statement of the assets and liabilities, and a statement of income and expenses, to the Secretary-Treasurer of the American Federation of Teachers within five months of the end of the fiscal year of the Federation.
 - j) Co- sign all checks together with either the President or the Vice-President.
 - k) File the necessary Federal and State tax forms and other records.
 - l) Carry out such other duties as may be assigned by the President or the Executive Board.
6. Any officer may, with the approval of the Executive Board, appoint an assistant to help in carrying out his/her duties.

ARTICLE VII- EXECUTIVE BOARD

1. The Executive Board shall consist of all elected officers of the Federation, the Grievance Coordinator, the Publicity chairperson, the delegates to affiliates, and the chairpersons of all Standing Committees. An individual occupying more than one of these positions shall have only one vote.
2. Regular meetings of the Executive Board shall be held monthly. Special meetings may be called by the President or a majority of the elected officers.
3. The time and place of Executive Board meetings shall be set by the Executive Board or the President. At least one week in advance of a meeting, the Corresponding Secretary shall notify all Executive Board members and the membership of the time and place of the meeting.
4. The Executive Board shall administer policies of the Federation as set forth by the membership. It shall have the power to act for the good of the Federation in emergency situations where the policy cannot be set by the membership.
5. The Executive Board shall have the power to employ all personnel including professional staff, clerical staff, or other persons on a full-time or part-time basis as may be determined by the needs and finances of the Federation.

6. The Executive Board shall have the power to make contracts and incur liabilities which may be appropriate to enable it to accomplish any or all of its purposes, to borrow money for Federation purposes at such rates of interest and terms and conditions as they may determine, to issue notes and other mortgage, pledge, or deed of trust of all or any of its property and income.
7. The Executive Board shall report its activities at each regular membership meeting.

ARTICLE VIII- BUILDING REPRESENTATIVE

1. The Federation members at each worksite shall select one of their number to serve as Building Representative. A Building Representative may also hold any other Federation office.
2. Each Building Representative shall be responsible for:
 - a) Dissemination of information and notices from the Federation and its affiliates to all members at the worksite;
 - b) Communication of the concerns of members to the attention of the Executive Board, or the Grievance Coordinator as appropriate;
 - c) Providing information to the Publicity Chairperson and to other committee chairpersons as appropriate;
 - d) Attending membership meetings, and meetings of the Executive Board;
 - e) Keeping members informed of Federation activities;
 - f) Handling first step grievances and working with the Grievance Coordinator when necessary and appropriate;
 - g) Performing such other duties as may be decided or delegated by the Executive Board.

ARTICLE IX- STANDING COMMITTEES

1. The Standing Committees and their duties shall be as follows:
 - a) The Negotiations Committee shall, on the basis of suggestions solicited from the membership and an assessment of the salary and other remunerative and contractual needs of the membership, prepare and negotiate contract proposals with the employer. The Committee shall keep the membership informed of the progress of negotiations and shall submit any tentative agreement to the membership for ratification.
 - b) The Grievance Committee shall investigate potential grievances; coordinate the tracking and expediting of grievances; participate in the presentation and resolution of grievances; and assist in training Building Representatives in grievance handling. The Committee shall be chaired by the Grievance Coordinator, who shall assist in training Building Representatives in grievance

handling, and who may seek the assistance of affiliate staff, attorneys, and public agencies as appropriate in the resolution of grievances and other problems affecting the membership and the Federation. Approval of the Executive Board is necessary in order to appeal a grievance to arbitration.

- c) The Membership Committee shall plan and execute a program to ensure membership growth and participation in Federation affairs. It shall disseminate information about the Federation and its affiliates to all members, and provide information about the Federation for all new employees.
 - d) The Public Relations Committee shall develop and publish a regular newsletter and other materials for the membership and shall plan and execute a public relations program.
 - e) The Residential Affairs Committee shall act as liaison with members employed in residential programs, and shall represent the special concerns of those members.
 - f) The Elections Committee shall conduct elections in accordance with the provisions of this Constitution. No officer or candidate for election may serve on this Committee.
 - g) The Social Committee shall plan and organize a program of social activities for the membership.
 - h) Labor-Management Committees may be established through negotiations and incorporated into the contract. The Federation members on such committees shall constitute Standing Committees of the Federation, and one member shall be appointed as chairperson.
- 3. Chairpersons of all Standing Committees shall be appointed by the President, with the approval of the Executive Board, at the first Executive Board meeting following the election of officers. The Negotiations and Grievance Committee chairpersons must meet the same eligibility requirements as officers.
 - 4. Members of each Standing Committee shall be appointed by the President after consultation with the Committee chairpersons and with the approval of the Executive Board.
 - 5. Each Standing Committee chairperson shall make regular reports to the Executive Board and the membership.

ARTICLE X- SPECIAL COMMITTEES

- 1. The Audit Committee shall be appointed annually by the President with the approval of a majority of the officers. It shall audit the financial records of the Federation and report to the Executive Board and the membership.
- 2. The Budget Committee shall be appointed annually by the President, in consultation with the Treasurer and with the approval of a majority of the officers. It shall prepare a budget for approval by the Executive Board and the membership prior to the end of May of each year. The Treasurer shall be a member of the Budget Committee and may be its chairperson.
- 3. Other Special Committees may be established by the Executive Board to perform such tasks as the Executive Board may direct.

ARTICLE XI- MEMBERSHIP MEETINGS

1. Regular meetings of the membership shall be held at least twice each year. Special meetings may be called by the President, one-third of the Executive Board, or on written petition by ten percent of the membership.
2. The time and place of membership meetings shall be established by the Executive Board.
3. The Corresponding Secretary shall notify all members at least one week in advance of each membership meeting by issuing a meeting notice to the Building Representatives for distribution. In an emergency, the Corresponding Secretary may issue such notice by telephone to the Building Representatives for prompt communication to the membership.

ARTICLE XII- QUORUM REQUIREMENTS

1. The quorum for meetings of the Executive Board shall be two officers and those other Executive Board members present.
2. The quorum for meetings of the general membership shall consist of one-fourth of the Executive Board and those members present.

ARTICLE XIII- AMENDMENTS

1. Proposed amendments to this Constitution shall be submitted to the Executive Board for review, and shall be presented at the next regular membership meeting.
2. At least two weeks prior to the membership meeting at which they are to be presented, the proposed amendments will be posted to the Federation website: <http://nj.aft.org/njarc>.
3. A two-thirds majority of the member present at such regular membership meeting shall be sufficient for adoption.
4. Constitutional amendments shall become effective upon their adoption.

ARTICLE XIV- PARLIAMENTARY AUTHORITY

The rules contained in Robert's Rules of Order, latest revised edition, shall govern the conduct of business in this organization except as otherwise provided by this Constitution or by affiliate requirements.

ARTICLE XV- AVAILABILITY OF CONSTITUTION

1. Three copies of this Constitution and all future amendments shall be submitted to the national office of the American Federation of Teachers and to the office of the New Jersey State Federation of Teachers.
2. The Constitution shall be posted on the Federation website: <http://nj.aft.org/njarc>.

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ARTICLE XVI- EFFECTIVE DATE

This Constitution shall become effective upon its approval by the membership of the Federation in accordance with the appropriate procedures.

BY LAWS

ARTICLE I- DUES

1. Federation dues shall be an amount fixed by the membership with the adoption of the annual budget. In no event shall dues be less than an amount necessary to cover required per capita and insurance costs plus a reasonable amount for the local treasury.
2. If per capita affiliation costs increase, the membership dues shall be immediately increased accordingly.
3. The fiscal year shall be from July 1 through June 30.

ARTICLE 2 - AMENDMENTS

1. The By-Laws may be amended by a majority of the Executive Council and a majority of members present at any membership meeting.

Adopted unanimously by the membership, November 17, 1995

Amendments adopted unanimously by the membership, March 10, 2016