

Backus Federation of Nurses **Union Constitution and Bylaws**



A Union of Professionals

AFT Healthcare 

Backus Federation of Nurses
Local ____
AFT Connecticut AFL-CIO CLC

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ARTICLE I **NAME**

This organization shall be known as the Backus Federation of Nurses of the American Federation of Teachers AFT Connecticut AFL-CIO, (Southeastern Connecticut Central Labor Council.

ARTICLE II **OBJECTIVES**

Section 1. To provide an effective collective bargaining representative for allied health professionals and other healthcare employees.

Section 2. To bring this local in relations of mutual assistance and cooperation with the American Federation of Teachers, its State Federations and locals and local labor bodies.

Section 3. The objectives of this Union is to improve the standards for Allied Health Professionals and other health care employees by advancing economic status, promoting better preparation in basic education programs, encouraging and promoting continuing education, and securing working conditions essential to the best performance of services and the most effective delivery of health care through AFT Healthcare.

Section 4. To promote the welfare of the health care consumer by providing progressively better access to and utilization of healthcare resources within the country.

Section 5. To fight all forms of bias in health care delivery due to race, creed, sex, age, sexual preference, social, political or economic status or national origin.

Section 6. To promote AFT Healthcare local participation in community health programs, healthcare systems, agencies, as well as any other regulatory body affecting the delivery of health care.

Section 7. To work for the passage and retention of just laws which will improve the climate for collective bargaining and organizing, and for health care consumers, allied health professionals and other health care employees.

ARTICLE III

MEMBERSHIP

- Section 1. Non-supervisory employees of William Backus Hospital in the following units are eligible for membership: Registered Nurses.
- Section 2. Supervisory personnel shall not be members - Members who are promoted to positions with the rank of supervisor automatically are removed from membership on the effective date of the promotion.
- Section 3. Any group of employees at William Backus Hospital who wish to be members of the local shall be admitted to membership as a group upon motion and passage at any regular or special meeting of the local.
- Section 4. Employees in public or private health care facilities outside the jurisdiction of this local may be admitted to membership until such time as a local is chartered in their jurisdiction.
- Section 5. A member shall be considered active provided dues are paid and continue to remain current and the person meets at least one of the following:
- a. Remains an employee of the hospital or jurisdiction area
 - b. Is on an approved leave of absence from the hospital or jurisdictional area
 - c. Is employed as a staff person for the local or AFT affiliated body thereof
 - d. Is serving a fulltime position in Local _____ or AFT affiliated body thereof.
- Section 6. No discrimination shall ever be shown toward individual members or applicants for membership because of race, creed, political activities or belief, sex, age, sexual preference, economic status, or national origin.

ARTICLE IV

OFFICERS AND DUTIES

Section 1. The officers of Local shall be: a President, Vice President /Chief Delegate, Treasurer, and Secretary

- a. All officers shall, be elected as follows:
 - 1. Even years: President and Secretary and delegates to the AFT Connecticut and the National AFT
 - 2. Odd years: Vice President/Chief Delegate, Treasurer
- b. No one shall be elected an officer unless he/she is a member in good, standing, and has been so for at least one year¹.
- c. The Term for the above offices shall be two years in duration².

Section 2. **DUTIES OF THE PRESIDENT SHALL BE AS FOLLOWS:**

- a. Preside over all regular and special meetings of the local after determining that a quorum is present;
- b. Act as liaison officer between the hospital administration body and the local membership;
- c. Report results of negotiating activity to the local;
- d. Appoint the membership committee chairperson with the approval of a majority of the Executive Committee;
- e. Appoint new committees that are deemed necessary with the approval of a majority of the Executive Committee;
- f. Appoint the Finance Committee with approval of a majority of the Executive Committee
- g. Appoint, until the next regular election, vacant elected positions with the approval of the majority of the Executive Committee
- h. Shall co-sign all checks with the Treasurer
- i. Shall be an ex-officio member of all committees

¹ Does not apply for the first election cycle.

² First election for the Vice President/Chief Delegate and Treasurer shall be one year duration. In the event that the Local does not have it's first collective bargaining agreement in calendar year 2012 the odd/even designation shall switch

- j. Consistent with the duties outlined above, shall perform all other functions, which may become necessary.
- k. Shall attend all grievance hearings and arbitrations whenever possible.

Section 3. **DUTIES OF THE VICE PRESIDENT/CHIEF DELEGATE SHALL BE AS FOLLOWS:**

- a. Preside over any regular or special meetings and duties of the local in the President's absence
- b. Attend contract and other defined negotiating sessions;
- c. Shall provide training to all new Union Delegates;
- d. Shall co-chair (with the President), over monthly Union Delegate meetings;
- e. Shall attend all grievance hearing and arbitrations whenever possible;
- f. Shall work with and assist area Union Delegates with grievances;
- g. Shall serve as Area Union Delegate in areas of the Hospital that lack a Union Delegate.

Section 4. **DUTIES OF THE SECRETARY SHALL BE AS FOLLOWS:**

- a. Record minutes of all meetings
- b. Handle all necessary correspondence
- c. Work closely with the Membership Committee to keep a current list of all members.
- d. Notify all members of the time and place of regular and special meetings
- e. Send to the AFT, AFT-CT and the local labor Committee the names of all officers and delegates following their election
- f. Keep on file for one year all ballots from all elections

Section 5. **DUTIES OF THE TREASURER SHALL BE AS FOLLOWS:**

- a. Maintain a record of monies and financial transactions of the local
- b. Pay bills and dues, and make deposits promptly
- c. Present a Treasurer's Report to the Executive committee and the membership at each regular meeting
- d. Preside as chairperson of the Finance Committee
- e. Co-sign all checks with the President
- f. Make herself /himself and all required materials available to the audit committee

Section 6. All officers and delegates must be elected by individual secret ballot with the exception of the office of President who shall be a delegate by virtue of office. The candidate receiving the largest number of votes shall be declared the winner.

Section 7. Outgoing officers shall turn over to the incoming President all files, records and materials for distribution to incoming officers.

UNION DELEGATES

Section 9. Union Delegates shall be members in good standing that shall serve as their area's Communication Liaison. They shall be appointed by the President with the Executive Committee consent and approval. All elected Officers shall also be Union Delegates by virtue of office. Union Delegate duties shall be as follows:

- a. Assist the grievance team in handling grievances;
- b. Police the contract in their respective areas reporting any potential violations as they occur;
- c. Communicate to the Grievance Committee decisions, contract interpretations and results of meetings with their constituent members;
- d. Represent members upon request, in meetings with management and inform the Executive Committee and the Grievance Committee of any results of said meetings. Continue to receive and make themselves available to education regarding the latest issues facing the Union and the membership

- e. Shall be responsible for orientation of new members to enable them to function effectively in the union.
- f. Additional responsibilities include introducing all new employees to the Union insuring that they are notified that the worksite is unionized and that all "prospective" members are given an opportunity to join the Union. Presentation packages, which shall include a copy of the current collective bargaining contract with a dues authorization card, shall be given to all prospective members.

Section 10. STIPENDS AND REIMBURSEMENT FOR CERTAIN POSITIONS³

Annual stipends shall be paid for the following positions:

- a. President \$3,000.00 yearly
- b. Treasurer \$3,000.00 yearly
- c. Vice President/ Chief Delegate \$2,500.00 yearly
- d. Secretary \$1,000.00 yearly
- e. Negotiation Committee \$500 as needed
- f. Committee established by the President and/or Executive Committee as established;
- g. Union Delegate 1/2 dues reimbursement.

Section 11. To be eligible for the Union stipend the Union Delegates shall:

- a. Complete weekly actively form describing what activities, if any, were completed. The Vice President/Chief Union Delegate shall make this form available to the Union Delegates monthly. The Vice President/Chief Delegate shall report such finding to the Executive Committee.
- b. Union Delegates must also attend seven out of ten yearly Union meetings

Section 12. Officers and /or Union Delegates who spend personal funds on Executive Committee approved union activities/function shall receive full reimbursement for such activities/function upon copy of receipt of said expenditure.

Section 13. On an annual basis the Executive Committee will review the salaries of the Executive Committee and Union Delegates and may adjust the amounts by a two thirds vote of the Executive Committee.

³ Salaries first paid out on January 1, 2013

ARTICLE V

EXECUTIVE COMMITTEE AND DUTIES

THE EXECUTIVE COMMITTEE

- Section 1. Shall be the governing body
- Section 2. Shall consist of the President, Vice President/Chief Delegate, Treasurer, Secretary, Constitutional delegates to the AFT-CT and AFT National. All must be members in good standing
- Section 3. Shall approve the budget for each fiscal year
- Section 4. Shall adjust the budget during the fiscal year
- Section 5. Shall submit the approved budget to the membership at the fall membership meeting
- Section 6. Shall approve appointments by the President
- Section 7. Shall meet not less than six (6) times a year
- Section 8. Shall notify the membership of the place of its meetings at least fifteen (15) days prior to the meeting
- Section 9. A quorum shall consist of not less than a simple majority of members.
- Section 10. Shall be a Union Delegate by virtue of office.
- Section 11. Shall be a member of the negotiation committee by virtue of office.

ARTICLE VI

COMMITTEES AND DUTIES

STANDING COMMITTEES

NEGOTIATING COMMITTEE -

- Section 1. (1) Shall be Delegate of services and shifts
- (2) Shall be open to any member in good standing
- (3) Shall negotiate the contract and develop procedural policy
- (4) Shall consist of the Executive Committee
- (5) Shall be appointed by the President with the approval of a majority of the Executive Committee

FINANCE COMMITTEE

- (1) Shall consist of the Treasurer and two (2) members appointed by the President with the approval of a majority of the Executive Committee
- (2) Shall assist the Treasurer with the financial operation of the local
- (3) Shall prepare an annual budget for presentation to the Executive Committee and the membership

ELECTIONS COMMITTEE

- (1) Shall consist of at least three (3) members appointed by the President with the approval of a majority of the Executive Committee
- (2) Shall prepare ballots, distribute, collect and count them for all elections
- (3) Shall announce the results after determining that there are not more ballots collected than there are members present
- (4) Shall turn over all ballots to the Secretary after each individual election
- (5) All elections must be by secret ballot of each member present at the meeting even if there is no contest
- (6) Candidates receiving the most votes shall be declared the winner.

COMMUNICATION AND PUBLICITY COMMITTEE-

- (1) Shall consist of one (1) to three (3) member(s) appointed by the President with the approval of a majority of the Executive Committee.
- (2) Shall be responsible for issuing and distributing a periodic newsletter to all members (There shall be a minimum of four (4) per year.).
- (3) Shall be responsible at the direction of the President and for the Executive Committee for issuing material as needed to communicate with the public.

- (4) Establish a local website.
- (5) The final managing authority of the newsletter and the website shall be vested with the President with the Executive Committee consent

GRIEVANCE COMMITTEE

- (1) Shall consist of the Chief Union Delegate and two (2) Executive Committee members appointed by the President with the approval of a majority of the Executive Committee
- (2) Shall meet regularly and as needed to
- (3) Shall prepare an annual budget for presentation to the Executive Committee and the membership

Section 2. OTHER COMMITTEES-

Other committees shall be appointed as needed by the President with the approval of a majority of the Executive Committee.

Section 3. At the end of their terms of office, all outgoing committee chairpersons shall turn over to the incoming President all files, records and materials for distribution to incoming chairpersons.

Section 4. All committee members must be members in good standing.

ARTICLE VII **MEETINGS**

Section 1. MEMBERSHIP MEETINGS

- a. There shall be at least two (2) regularly scheduled membership meetings per year, the time, place and date to be set by the Executive Committee.
- b. Special membership meetings shall be called by the President.
 - 1. Within five (5) days after the President is requested to do so by a majority of the Executive Committee.
 - 2. Within five (5) days after the President receives a petition signed by at least thirty-five (35) members in good standing requesting a special meeting.

- c. Notice of a regular or special membership meeting shall be posted at least fifteen (15) days prior to the meeting and shall contain the date, place, time and purpose of the meeting.
- d. A quorum shall be 5% of the membership.

Section 2. **COMMITTEE MEETINGS**

- a. Committee Chairpersons shall call meetings as needed or at the request of a majority of the committee members. Reasonable notice shall be given to each member.
- b. A quorum shall consist of a majority of the members.
- c. Committee Chairpersons shall report activities to the Executive Committee and at membership meetings.

Section 3. **CONSTITUTIONAL DELEGATES**

- a. Election delegates to the local Labor Committee, AFT-CT, and to AFT and the conventions shall report to the Executive Committee and the membership meetings.
- b. Any member who is chosen to represent the Local shall make reports to the Executive Committee, the President and/or the membership as appropriate.
- c. The Executive Committee members shall be a delegate by virtue of Office.

ARTICLE VIII
REVENUES

Section 1 Current dues for union members shall annually be \$11.90 per week for employees who have an annual salary of twenty thousand dollars (\$20,000) or more. Members earning less than twenty thousand (\$20,000) per year shall pay weekly dues of \$6.90 per week. Dues are excluded from bonus monies. Retiree union dues shall be _____dollars (\$2.00) per month.

Section 2. In accordance with the Constitution of the American Federation of Teachers, the Treasurer will pay from the treasury the monthly per capita tax for all members and persons paying full agency fees that the local will always be in good standing with the AFT, AFT-CT and the Southeastern Connecticut Central Labor Council

- Section 3. The fiscal year shall end on December 31st.
- Section 4. All members of the Union are under a positive duty to see that their dues are paid on or before the last day of the month in which the same are due at the office of the Union.
- Section 5. The failure of a Delegate or any officer of the Union to appear or to collect the dues shall not in any manner excuse the member from his obligation to pay his dues on or before their due date at the office of the Union.
- Section 6. A suspended member who pays up his back dues and assessments shall, from the date of such payment, be considered a reinstated member of the Union.
- Section 7. All records of this Union pertaining to income, disbursements and financial transactions of any kind whatsoever must be kept for a period of at least six (6) years.
- Section 8. The dues automatically will be increased or decreased equal to any increase or decrease in the per capita payments that are required to be made to any of the organizations with which we are affiliated.
- Section 9. Any future dues increase shall be determined by the membership on an annual basis. Notification for the request shall be thirty (30) days in advance by mail to all members at their last known address.
- Section 10. Retiree's dues rate shall not exceed one half of the current rate.

ARTICLE IX **AFFILIATIONS**

The local shall maintain affiliation with:

- a. The American Federation of Teachers;
- b. AFT Connecticut;
- c. The Connecticut State AFL-CIO;
- d. Southeastern Connecticut Central Labor Council;

ARTICLE X **ELECTIONS AND TERMS OF OFFICE**

Section 1. Election of Officers/Delegates shall occur in the month of March at the general membership meeting⁴.

Section 2. All elections must be by written secret ballot by those present and voting. The candidate with the majority of the votes shall be deemed the winner.

Section 3. Nomination and election of (a) office, (b) delegates to affiliate bodies, and (C) delegates to conventions shall take place after at least fifteen (15) days written notice of the procedure, time, place, and date of the meeting at which such will take place has been made available to each member.

Section 4. The Secretary must keep ballots for all elections on file for one (1) year.

Section 5. All delegates shall make reports to the Executive Committee on meetings attended.

Section 6. Every reasonable effort shall be made to pay the legitimate expenses of delegates to meetings and conventions of affiliated organizations.

Section 7. The President and the Executive Committee shall be considered a delegate to all affiliate bodies, and conventions by virtue of office

ARTICLE XI **RECALL**

In order to recall an elected officer, the following procedure must be followed:

- a. A petition must be sent to the Executive Committee, signed by at least sixty-seven (67) members giving specific reasons for recall.
- b. Reasons must be provided the officer to be recalled at least fifteen (15) days before meeting at which recall is considered.

⁴ Adjustment to this date shall be allowed for the first election cycle.

- c. The petition must be presented for action at a membership meeting. Notice of intent to consider recall must be sent to members at least fifteen (15) days prior to its consideration at a meeting.
- d. The officer must have an opportunity at the membership meeting to answer charge.
- e. If a majority present and voting at the meeting, votes to recall, the position will be declared vacant and an election ordered.
- f. The election must conform to procedures in Article X.

ARTICLE XII **AMENDMENTS**

This Constitution may be amended by a 2/3 vote of the members present at any regular meeting provided that a copy of the proposed amendment shall be included in the notice of the meeting and providing that the proposed amendment has been presented in writing at the previous meeting and providing that a quorum is present.

Three (3) copies of each amendment shall be sent to the AFT, three (3) to the AFT-CT and one (1) to the Membership Structure Committee Chairperson.

ARTICLE XIII **PROPERTY RIGHTS**

Section 1. The title to all property, funds and other assets of this Union shall at all times be vested in the Local Executive Committee for the joint use of the membership of this Union, but no member shall have any severable proprietary right, title, or interest therein. Membership in this organization shall not vest any member with any right, title or interest in or to the funds, property or other assets of this Union now owned and possessed or that may be hereafter acquired. Each member hereby expressly waives any right, title or interest in or to the property of this Union, including the Funds of this Union.

BY-LAWS

ARTICLE I **GOOD STANDING**

- Section 1. A member in good standing is one whose dues are no more than one month in arrears.
- Section 2. A person whose dues are two month(s) in arrears shall be dropped from membership and the person, the AFT and the AFT-CT so notified.
- Section 3 Such person may be reinstated to membership in good standing upon the payment of all back dues.
- Section 4. A person who has been out of good standing more than three times shall be required to pay all back dues, and may be required to pay a reinstatement fee which shall be decided upon by the Executive Committee.
- Section 5. For the purposes of eligibility to run or hold office (including appointment) or participate in any Union affairs, including but not limited to contract ratification, meeting attendance rights, agency fee-paying employees shall not be considered members.
- Section 6 The following shall continue to be members in good standing providing dues are and continue to remain current, and the Person:
- a. Remains an employee of Backus Hospital or;
 - b. Is on an approved leave of absence from the Hospital, or;
 - c. Is employed as a staff person for an AFL-CIO affiliated Union;
 - d. Is serving in an elected position in an AFL-CIO affiliated Union or an affiliate body thereof, or;
 - e. Has retired his/her employment at Backus Hospital.

ARTICLE II **VACANCIES**

Vacancies of any positions requiring an election shall be filled by the President with the approval of the Executive Committee until the next scheduled election.

ARTICLE III

MATTERS NOT COVERED

The Union Executive Committee shall be the authority to resolve matters not covered in this Constitution or the By-Laws. If there is an article and/or section identified in this constitution that conflicts with the National AFT constitution and/or the AFT-CT constitution, the National AFT and/or AFT-CT constitution shall prevail.

ARTICLE IV AMENDMENTS

TO THE BY-LAWS

Section 1 The proposed amendment shall be read at a duly scheduled meeting.

Section 2. A copy of the proposed amendment shall be made available to each member along with written notice of the time, place, and date of the meeting at which it will be voted upon. Such notice must be given at least fifteen (15) days prior to the meeting date.

Section 3 A majority vote shall be sufficient for approval.

ARTICLE V

STRIKES AND LOCKOUTS

Section 1. In case of a dispute between this Union and an employer or employers, the Union shall notify the President of AFT-CT and the International Union immediately. This Union shall not call a strike without previous notification to AFT-CT and the International AFT President

Section 2. Prior to any work stoppage, work slow- down or strike of any kind, the members shall vote to authorize any such action against the employer. Such vote shall be conducted in the following matter:

- a. All members shall be notified of such strike authorization vote as soon as possible preferably by mail to his/she last known address.
- b. The vote shall be conducted by secret ballot with the ballot clearly authorizing and granting the negotiation team the right to call for a strike.
- c. A seventy-five percent (75%) **super majority of those members who attend and vote is required** to grant strike authorization.

The Constitution and By-laws were adopted the _____ day of 2012

President

(Seal) Attest _____
Secretary