**Union Constitution and Bylaws**



Backus Federation of Nurses

Local 5149

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 5149 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.

Section 7 Members who are an approved leave of absence and not receiving a Backus payroll check from the Hospital shall remain members in good standing and shall not be required to pay dues or back dues throughout the approve leave of absence period. This section shall also apply to employees terminated and awaiting adjudication of a pending arbitration.

**ARTICLE IV**

**OFFICERS AND DUTIES**

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

1. 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

1. No one shall be elected an officer unless he/she is a member in good, standing, and has been so for at least one year[[1]](#footnote-1).
2. The Term for the above offices shall be two years in duration[[2]](#footnote-2).

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;

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

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

a. Preside over any regular or special meetings and duties of the local in the President’s absence

1. Attend contract and other defined negotiating sessions;

 c. Shall provide training to all new Union Delegates;

1. Shall co-chair (with the President), over monthly Union Delegate meetings;
2. Shall attend all grievance hearing and arbitrations whenever possible;
3. Shall work with and assist area Union Delegates with grievances;
4. Shall serve as Area Union Delegate in areas of the Hospital that lack a Union Delegate.
5. Shall oversee managing of the website.

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

1. Record minutes of all meetings
2. Handle all necessary correspondence
3. 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 forone 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. **DUTIES OF THE CHIEF DELEGATE SHALL BE AS FOLLOWS:**

The Chief Delegate coordinates Delegates, and enforces the Collective Bargaining Agreement (CBA). You work collectively with delegates, elected leaders, and other members in your workplace, bargaining unit, and sector. You also deal with management on behalf of the union. As Chief Delegate, you fulfill the duties of a Delegate, but also work with other Delegates to do the following:

**Communication** \* Encourage Delegates to approach you with questions about processes, contract interpretation, and reports of workplace conflicts and issues. \* Advise Delegates and other members about union activities and advise bargaining unit and sector leaders about workplace developments. \* Ensure new member orientations are occurring as needed. \* Inform Delegates and members about changes in or interpretation of the CBA or as well as relevant arbitration decisions. \*Be accessible to Delegates by text, email, telephone or in person.

**Conflict Resolution** \* Assist in resolving conflicts between members and Delegates or between members and the employer. \* Be knowledgeable about both workplace and union harassment policies and procedures. \* Encourage Delegates to talk to you when they encounter harassment in the union or in the workplace, and work with Delegates and/or the AFT Officers to resolve the problem.

**Hold regular meetings of all Delegates**. Topics should include current workplace issues, barriers facing equity-group Delegates, discrimination/harassment of Delegates in the union and the workplace, and strategies to address issues. \* Work to dispel, not encourage, rumors.

**Grievance Co-ordination** \* Assign complaints and grievances to Delegates in specific departments, taking into account: Delegates’ specialized knowledge. \* The chance for new Delegates to gain experience \* The need to prevent Delegate burn-out. \* Respect members’ right to work with the Delegate of their choice. \* Assist Delegates, as needed, in writing and investigating grievances properly, and in judging whether a complaint is a grievance. \* In communications with the E-Board, keep track of filed grievances and ensure the necessary tasks are completed. \* Inform Delegates that all grievances are to be fully investigated in order to identify any violations of the collective agreement and/or any other statutes or laws, before being filed. \* Educate Delegates on the internal appeal processes. \* Ensure contract enforcement by: \* Not agreeing to any deal that violates the provisions in the CBA or any other rights defined in a statute. \* Challenging violations of the CBA and other rights defined in a statute. Leadership \* Promote maximum involvement by members in union activities, especially within the collective bargaining process. \* Delegate duties to Delegates (and to panel reps where relevant) \* Call and chair regular Delegate meetings to share information, identify best practices, and review grievances and other workplace issues. \* Chair other meetings when necessary, such as membership or Labor/Management meetings. Recruitment \* Actively recruit new Delegates with the goal of achieving a representative Delegate body.

**Mentoring & Training** \* Ensure you are familiar with your CBA, related legislation, workplace policies and procedures, AFT policies, the Delegate Manual, and union resource people. \* Complete training as set out in AFT guidelines. \* Orient new Delegates, and support them to meet the expectations set out in the Delegate job description.

**Mentoring Arrangements for New Delegates** \* Encourage Delegates to take appropriate training, including conflict resolution training. \* Update Delegates about education opportunities. \* Encourage Delegates to set appropriate limits to prevent stress and burn-out.

Ensure distribution and posting of union information.

Section 7. All officers and constitutional 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 8. 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:

1. Assist the grievance team in handling grievances;
2. Police the contract in their respective areas reporting any potential violations as they occur;
3. Communicate to the Grievance Committee decisions, contract interpretations and results of meetings with their constituent members;
4. 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
5. Shall be responsible for orientation of new members to enable them to function effectively in the union.
6. 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 POSITIONS[[3]](#footnote-3)**

 **Annual stipends shall be paid for the following positions:**

1. President $3,000.00 yearly
2. Treasurer $3,000.00 yearly
3. Vice President $2,500.00 yearly
4. Chief Delegate $2,500.00 yearly
5. Secretary $2,500.00 yearly
6. Negotiation Committee $500 as needed
7. Union Delegate 1/2 dues reimbursement.

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

* 1. Complete monthly activity 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.
	2. 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.

**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 3

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 for the purpose of conducting Executive Board business shall consist of not less than a simple majority of its 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

1. Shall negotiate the contract and develop procedural policy
2. Shall consist of the Executive Committee
3. 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

1. All elections must be by secret ballot of each member present at the meeting even if there is no contest
2. 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.).

* + 1. Shall be responsible at the direction of the President and for the Executive Committee for issuing material as needed to communicate with the public.

* + 1. Establish a local website.
		2. 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 review, in a timely manner, all outstanding grievance(s) to determine whether or not said grievance(s) shall be forwarded to the arbitration level as outlined in the collective bargaining agreement.

(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**

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.

Special membership meetings shall be called by the President when any of the following conditions occur(s).

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.
3. 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. **CONSTITIUTIONAL 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.

1. Any member who is chosen to represent the Local shall make reports to the Executive Committee, the President and/or the membership as appropriate.
2. The Executive Committee members shall be a delegate by virtue of Office.

# ARTICLE VIII

**REVENUES**

Section 1. Union dues shall be the total sum of the following amounts:

1. National AFT Per Capita monthly (dues) as determined by the National annually;
2. State AFT Per Capita monthly (dues) as determined by the State AFT annually;
3. Local 5149 Per Capita monthly (dues) as determined by Local 5149.
4. State AFL-CIO Per Capita monthly (dues) as determined by the AFL-CIO periodically;
5. Central Labor Council Per Capita monthly (dues) as determined by the CLC periodically

Section 2. In accordance with the Constitution of the American Federation of Teachers and AFT Connecticut the Treasurer will pay from the treasury the monthly per capita tax for all members and persons paying full agency fees. The treasurer shall also ensure that the local is always 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 Local 5149 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/Constitutional Delegates shall occur in the month of March at the general membership meeting[[4]](#footnote-4).

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) Constitutional delegates to affiliate bodies, and (c) Constitutional 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.

# 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.

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:

* + - * 1. Remains an employee of Backus Hospital or;
				2. Is on an approved leave of absence from the Hospital, or;
				3. Is employed as a staff person for an AFL-CIO affiliated Union;
				4. Is serving in an elected position in an AFL-CIO affiliated Union or an affiliate body thereof, or;
				5. 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**

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:

1. All members shall be notified of such strike authorization vote as soon as possible preferably by mail to his/she last known address.
2. 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.
3. A seventy-five percent (75%) **super majority of those members who attend and vote is required** to grant strike authorization.

**ARTICLE VI**

**RULES OF ORDER**

Section 1 *Roberts Rules of Order, Revised*, shall govern in all cases not covered by this constitution or by the Bylaws of this local.

**SIGNATURE**

The Constitution and By-laws were adopted the day of 2018

President

(Seal) Attest

Secretary

1. Does not apply for the first election cycle. [↑](#footnote-ref-1)
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 [↑](#footnote-ref-2)
3. Salaries first paid out on January 1, 2013 [↑](#footnote-ref-3)
4. Adjustment to this date shall be allowed for the first election cycle. [↑](#footnote-ref-4)