

Cincinnati State
Technical and Community College Chapter
American Association of University Professors

Constitution and Bylaws

Ratified Unanimously
September 19, 1989

Amended:
March 7, 1991
November 3, 1998
December 18, 2009
April 25, 2022

CONSTITUTION AND BYLAWS

Cincinnati State Technical and Community College Chapter American Association of University Professors

Article 1. Name

The name of this organization shall be *Cincinnati State Technical and Community College Chapter of the American Association of University Professors (Cincinnati State AAUP)*. This Chapter is a local affiliate of the National organization of AAUP.

Article 2. Purpose

The purpose of this organization shall be to promote the interests of higher education, to advance the standards, ideals, and welfare of the profession, and to serve as the exclusive agent of the Cincinnati State Technical and Community College full-time faculty members for the purposes of collective bargaining.

Article 3. Membership

There shall be three categories of membership: Active, Retired, and Associate. Membership is contingent upon payment of appropriate national, state, and local dues and/or fees or assessments. (Local dues and collective bargaining assessments shall be proposed by the Executive Committee and approved by two-thirds of the active voting members of the Chapter.) All members of the Chapter must be members of the National AAUP.

The eligibility requirements of each of these categories and a description of membership rights are as follows:

A. *Active Members*: Any member of the Cincinnati State Technical and Community College Faculty who is included within the AAUP collective bargaining unit as determined by certification of the State Employment Relations Board (SERB) in 1989 and/or modified by the parties in negotiation shall be eligible for active membership. Active members shall have full rights to hold Chapter office and full rights to vote on all Chapter matters, including but not limited to acceptance or rejection of fact finder's reports, strike authorization, and contract ratification.

B. *Retired Members:* Any member retiring for age, years of service, or disability may be transferred at the member's request to Retired Membership with the approval of the Executive Committee. Retired members shall not have voting rights, shall not hold office, and shall pay no local dues. Retired Members of the Chapter must pay National AAUP Retired Member dues.

C. *Associate Members:* Any Cincinnati State Technical and Community College Administrator (or former Faculty Member who changes their Faculty status by virtue of becoming an administrator) may, with the approval of the Executive Committee, participate as an Associate Member without rights to vote, hold office, serve on committees, or attend certain meetings. Associate Members of the Chapter must pay National AAUP Associate Member dues.

Article 4. Officers of the Chapter

A. The Chapter shall have a President, Vice President, Secretary, Treasurer, Membership Chairperson, and one Committee Member at Large. These officers, together with the Immediate Past President, shall appoint the Chapter Contract Compliance Officer and the Chairperson of the Bargaining Council. These nine officers shall be the members of the Executive Committee. In the event that the Past President cannot serve, or no person qualifies for such a title, then another Committee Member at Large position shall be filled by election for a one-year term.

B. The terms of office for these officers shall be for two years, except as provided with regard to the position of Past President. Except for the positions of Immediate Past President, Chapter Contract Compliance Officer, and Chairperson of the Bargaining Council, these officers shall be elected by secret ballot of the membership. Elections shall take place as provided in the Bylaws.

C. In case of a vacancy in the office of the President, the Vice President shall succeed to that office until an election can be conveniently held within four months to fill the remainder of the unexpired term.

D. In case of a vacancy in any other Executive Committee office, the President shall make an interim appointment until the next regularly scheduled election.

E. Incumbents are eligible for re-election.

F. Elected officials may be removed from office in accordance with the Bylaws.

G The business or financial interests of the officers and agents of the Cincinnati State AAUP, their spouses, minor children, parents, or otherwise, shall not be in conflict with the fiduciary obligation of these officers to the Cincinnati State AAUP.

H. When specifically requested to do so by the State Employment Relations Board, any official who is designated as a fiscal officer, and who is responsible for funds or other property of the Cincinnati State AAUP or trust in which the Cincinnati State AAUP is interested, or a subsidiary organization of the Cincinnati State AAUP, shall be bonded, with the amount, scope, and form of the bond to be determined by the State Employment Relations Board.

Article 5. Duties of the Officers of the Chapter

A. The President and the Vice President shall have the duties usually associated with these offices. The President shall preside over all meetings of the Chapter and the Executive Committee, and prepare the agenda of the Chapter meetings (with the advice of the Secretary). The President shall be the official representative of the Chapter, including serving as the Chapter Delegate at official meetings of the National AAUP. The President shall be a non-voting member *ex officio* of every committee, not to be included in the quorum count, unless appointed as a voting member in the usual manner.

B. The Vice President shall act in absence of the President as the presiding officer of the Chapter and of the Executive Committee, and shall assist in the duties of the President. The Vice President may represent the Chapter at official meetings of the National AAUP.

C. If neither the President or Vice President is able to attend an official meeting of the National AAUP, then another elected Chapter officer as specified in Article 4 may represent the Chapter.

D. The Secretary shall keep the minutes of the Chapter and of the Executive Committee meetings, maintain official records of the Chapter, assist the President to prepare the agenda of the Chapter meetings, and with the advice of the President, conduct the correspondence appropriate to the office. The Secretary shall maintain the official records of the organization.

E. The Treasurer shall be responsible for the collection of all Chapter monies, and for the discharge of all Chapter financial obligations. The Treasurer shall present an annual financial report, and, in consultation with the President, prepare an annual budget for consideration by the Executive Committee. The Treasurer shall, with adequate notice, make available to any Chapter member the financial records of the Chapter. The

Treasurer shall annually present the books of the Chapter for an audit by a Certified Public Accountant who is not a member of the Chapter.

F. The Membership Chairperson shall be responsible for keeping the membership rolls of the organization, and shall be responsible for informing the Executive Committee about information from the Cincinnati State Human Resources Office concerning new members of the Faculty bargaining unit, and providing information to new Faculty members about the Chapter.

G. The Committee member(s) shall have responsibilities appropriate to the office and shall perform such duties as assigned by the President.

H. The Chapter Contract Compliance Officer shall work on all problems involving tenure and academic freedom, shall advise members of the bargaining unit in their individual grievances, and shall help solve all tenure, academic freedom, or grievance matters arising from misapplication of the Collective Bargaining Agreement, through use of existing procedures.

I. The Chairperson of the Bargaining Council shall, with the advice of the Executive Committee, direct and coordinate the activities of the committees and subcommittees of the Bargaining Council and shall report to the Executive Committee the views of the membership.

Article 6. Duties of the Executive Committee

A. The Executive Committee shall act for the Chapter in carrying out the purposes of Chapter. The Executive Committee shall present the schedule of dues and regulations for their payment to the Chapter membership for ratification. The Executive Committee shall establish committees for the Chapter, and shall convene special meetings of the Chapter at its discretion.

B. The Executive Committee shall appoint the Negotiating Team.

C. The elected officers of the Executive Committee shall appoint the Chapter Contract Compliance Officer and the Chairperson of the Bargaining Council.

D. The Executive Committee shall authorize all expenditures over five hundred dollars (\$500) and shall also act as the body which approves the employment of persons to serve the Chapter, including independent auditors and legal counsel.

E. The Executive Committee shall authorize the assignment of workload release units for Chapter Officers, Negotiating Team members, and others as provided for in the Collective Bargaining Agreement.

F. The Executive Committee shall call at least one annual business meeting of the Chapter, conducted in accord with *Roberts' Rules of Order*, during the academic year and shall provide adequate notice of the time and place of such meeting(s). Upon petition of any 15 members of the Chapter, the Executive Committee shall call a special meeting of the Chapter.

Article 7. Meetings, Quorums, and Parliamentary Authority

A. The Executive Committee shall schedule all regular Chapter meetings.

B. The Executive Committee shall call special meetings at its discretion. The Executive Committee shall, upon receipt of a petition of at least 15 active members, call a special meeting within two weeks of receipt of the petition.

C. A quorum shall be 15 percent of the Active Membership.

D. Parliamentary procedure at all meetings shall be in accord with *Roberts' Rules of Order, Newly Revised*, except when these *Rules* conflict with the Chapter Constitution and Bylaws.

Article 8. Bargaining Council, Negotiating Team, and Contract Ratification

A. The Bargaining Council

1. The Active Members of the Chapter and the members of the collective bargaining unit shall make known their concerns regarding collective bargaining issues through a Bargaining Council.

2. The Executive Committee may establish at its discretion Standing Committees to identify and formulate positions on appropriate bargaining issues.

3. The Standing Committees may consist of volunteers from the Active Membership and non-voting Faculty members within the bargaining units.

4. Each Standing Committee shall elect a chairperson or chairpersons who will sit on the Bargaining Council. The Chairs of the Standing Committees shall be Active Members.
5. The Chairperson of the Bargaining Council shall be appointed by the Executive Committee.
6. The Bargaining Council shall make recommendations to the Executive Committee regarding terms to be sought in the contract, and shall assist in gathering any data necessary to support those recommendations.

B. The Negotiating Team

1. The function of the Negotiating Team shall be to negotiate a contract with the representatives of the Board of Trustees of Cincinnati State Technical and Community College.
2. The members of the Negotiating Team and the Chief Negotiator shall be appointed by the Executive Committee.
3. The Negotiating Team shall automatically disband when a contract has been ratified by both the Chapter and the Cincinnati State Technical and Community College Board of Trustees.
4. Should the Chapter fail to ratify a tentative contract agreement, the Executive Committee shall consider the appropriateness of modifying the personnel of the Negotiating Team.
5. The Chapter President may serve as a member of the Negotiating Team.

C. Contract Ratification

1. Any Collective Bargaining Agreement negotiated by the Negotiating Team shall be deemed approved upon its ratification by a majority of the voting Active Members of the bargaining unit. Ratification shall be by secret ballot.
2. The Executive Committee shall give appropriate notice of the time and place for the ratification meeting or ratification period, if more than one meeting is scheduled.
3. Members who for good cause cannot attend a meeting called for the purpose of ratifying a contract may cast a secret ballot at a time and place designated by the

Chapter President. Such balloting shall conclude before the end of the unit membership contract ratification meeting or ratification period.

Article 9. Amendments

A. Amendments to the Constitution and/or Bylaws may be proposed by the Executive Committee, or in writing to the Executive Committee by no fewer than five active members. At least fifteen days prior to the voting, the Executive Committee shall, for ten days, circulate to the membership for information and response the text of the proposed amendment(s), along with the Executive Committee's recommendation. During this ten-day period, the membership shall have the opportunity to submit to the Executive Committee further recommendations and/or revisions. The Executive Committee shall have the right of final decision on these additional submissions and/or revisions for the purpose of presentation and vote.

B. Voting on the amendment(s) shall take place after the fifteen days of the notice to the total eligible membership. Two-thirds vote of those voting, either by mail ballot (including electronic ballot) circulated to the total eligible membership, or of the members present at a regular or special meeting called for that purpose, shall be necessary for approval of the amendment(s).

Article 10. Bylaws

A. Nomination for Office

1. The Executive Committee shall circulate to the membership by October 1 a form soliciting nominations for office, setting forth the date required for returning the nomination forms, such date to be at least ten days after circulation of the forms and no later than October 15.

a. The form soliciting nominations shall include the duties/responsibilities of each open office, as well as the release units, if any, associated with the office.

b. All nominators shall seek assurance that the nominees will be willing to serve, if elected.

c. If there are more than two nominees, the Executive Committee shall circulate to the membership a nominating ballot containing the names of all nominees and the offices for which they were nominated, including such names as the Executive Committee may wish to add.

d. Each voter shall return to the Secretary within the stated appropriate time of not less than ten days their nomination ballot marked in the appropriate place(s). The Executive Committee shall notify the membership of the two persons

receiving the largest number of nominations for each office in that particular election.

B. Election of Officers and Terms of Office

1. Officers shall be elected for two-year terms of office by secret mail ballot (or electronic ballot) or secret ballot at a regular or special meeting of the Chapter called for that purpose, no later than December 1.
2. The term of office for each elected officer shall begin on the first class day of the Spring Semester immediately following the election.
3. When an office becomes vacant before the regular expiration date, the special election or interim appointment, as provided in Article 4, shall be for the remainder of the term.

C. Fiscal Year

The Chapter's fiscal year shall be from September 1 to midnight August 31.

D. Dues, Fees, and Assessments

1. Each Active Member shall pay directly to the Chapter a sum of money equal to one percent (1.0%) of their base salary. This sum will include all national, state, and local dues. The Executive Committee may submit recommendations for changes in the dues structure. A two-thirds majority of the voting members of a secret mail ballot (or electronic ballot), or of those present and voting at a regular or special meeting, shall be necessary for approval of such changes.
2. A contribution may be paid voluntarily by members of the bargaining unit who are not Active Members of the Chapter, in accordance with applicable provisions of Ohio law, National AAUP regulations, and the Collective Bargaining Agreement.
3. Dues for Active Members may be collected by voluntary check-off arrangement in accordance with Ohio law.
4. No assessments, fines, or fees shall be levied for any purpose against any member or members except by a majority vote of the eligible members voting at a regular or special meeting called for such a purpose.
5. No assessments, fines, or fees for purely political purposes may be levied under any circumstances.

6. Should the Cincinnati State AAUP cease to exist as an organization for any reason, the Cincinnati State AAUP Executive Committee shall, in its sole discretion, designate an appropriate non-religious charitable fund which is exempt from taxation under section 501(c)(3) of the Internal Revenue Code as the recipient of any funds, property, or trust which should remain in the treasury of the Cincinnati State AAUP at the time of disbandment.

E. Contributions

The Chapter is authorized to accept donations or contributions from any donor.

F. Discipline and Due Process

No Active Member tendering dues may be expelled from the Chapter for any reason as long as the member retains Faculty status. Failure to pay dues shall result in loss of membership. Persons expelled from the Chapter for non-payment of dues shall be automatically reinstated upon payment of all dues and/or fees.

G. Removal of Officers

Officers may be removed for misconduct or dereliction of duties. In the event proceedings are instituted, the accused officer shall have a full opportunity to present a defense against the charge(s) both before the Executive Committee, which shall make a recommendation to the membership, and before the membership at a special meeting which shall be convened by the Executive Committee after reasonable notice of at least ten days. A majority vote of the membership present and voting shall be required to remove an officer. In the event that an officer resigns their office, or is removed from office as provided above, Article 4 (C and D) shall apply.