

2017 revisions recommended by the constitution committee

LOCAL 1261

CONSTITUTION AND BY-LAWS

2015

2017

ARTICLE I: NAME

SECTION 101: The name of this organization shall be: ~~Lay Faculty Association, Local 1261, an affiliate of Laborers' Union of North America.~~ **Laborers' International Union of North America, Local 1261 Lay Faculty Association.**

ARTICLE II: PURPOSE

The purposes of this Association are:

SECTION 209: To organize the unorganized ~~on Long Island~~ as stated under our Charter from the International.

ARTICLE III: ELECTION OF DELEGATES

SECTION 301: The election of the Unit's delegate and alternate delegate shall follow the procedures of Robert's Rules of Order (1995-2011 edition) and the guidelines established under the ~~Landrum~~ **Landrum** Griffin Act (1959) with regard to the election process for union delegate and alternate delegate.

SECTION 303: The delegate shall ~~may~~ have an alternate.

ARTICLE IV: OFFICERS AND BOARD MEMBERS

SECTION 401: The officers of the Association shall consist of the President, Business Manager, Vice President, ~~Vice President for Retiree Affairs~~, Secretary - Treasurer, ~~Recording Secretary to the Board~~, the Sergeant-at- Arms and **two Auditors** who shall be elected by ballot; and additional Vice Presidents as deemed necessary by the Board of Directors. ~~In addition, the Sergeant-at-Arms and Auditors shall be elected by ballot.~~

ARTICLE VI: MEETINGS

SECTION 605: The order of business for each given meeting shall be as outlined by Robert's Rules of Order (~~1995~~ **2011 edition**) except as altered by the President, policy statements or by existing by-laws.

SECTION 608: All other notifications of the membership will be governed by Robert's Rules of Order (~~1995~~ **2011 edition**).

SECTION 609: Parliamentary procedures shall be as outlined in Robert's Rules of Order (~~1995~~ **2011 edition**) except as altered by the President and except as otherwise provided by the constitution and / or by – laws.

ARTICLE VII: VOTING AT ASSOCIATION MEETINGS

SECTION 704: Voting questions and disputes not covered by this Article shall be covered by Robert's Rules of Order (~~1995~~ **2011 edition**).

ARTICLE VIII: QUORUM

SECTION 802: A special membership meeting called by the Board of Directors or the President shall have their quorum set by Robert's Rules of Order (~~1995~~ **2011 edition**).

ARTICLE IX: DUTIES OF THE OFFICERS

SECTION 901 A: The President / Business Manager shall:

- (b) represent the Association in all **New York State Public Employment Relation Board** , National Labor Relation Board, State Labor Relations Board and AAA grievances, where necessary;
- (h) have the power to appoint General Counsel for the Association for a **minimum** period of one (1) year with the approval of the Board of Directors;
- (j) by virtue of his / her election, he / she ~~shall~~ **may** serve as delegate to the District Council and all other local labor bodies with which the Local Union is affiliated;
- (o) work with the ~~office~~ **Secretary to the Board** with all mailings and communications necessary, including the processing of grievances, and other related legal matters.
- (s) be responsible for the LIUNA per capita and work with the ~~Recording~~ **Secretary to the Board** to keep accurate LIUNA membership lists.

SECTION 901B: The Business Manager:

(a) the Business Manager's function **and term** shall be defined by the Board of Directors.

~~(b) the position of Business Manager is a contracted position, approved by the Board of~~

~~Directors for the term of 3 years.~~

(be) the Business Manager shall be responsible for all recruitment and the organizing of any

school wishing to become part of the LFA/LIUNA. (d) shall act as a liaison between the Board

of Directors and the Executive Committee.

(ce) shall chair all Public Relation Committees.

(df) be responsible for processing membership cards

SECTION 902: (A) The Vice President shall:

(i) seek membership promotions or materials and relaying and coordinating with the Secretary to the Board.

(j) work with the Secretary – Treasurer as a membership chairman in relationship to the dues and / or any plans that the Union might initiate.

(k) maintain an updated list of all member benefits and promotions for retirees and active members

~~— (B) The Vice President of Retiree Affairs shall:~~

~~(a) work with the Retiree Coordinator to keep the retiree membership mailing list~~

~~— up to date (see Section 907)~~

~~(b) maintain an updated list of all member benefits and promotions for retirees and active members~~

~~(c) seek membership promotions or materials and relaying and coordinating with the Secretary to the Board and / or the Retiree Coordinator;~~

~~(d) make a monthly report to the Board of Directors concerning the activities for that month;~~

~~In addition the Vice President of the Retiree Affairs may be called upon to:~~

~~(a) work with the Secretary – Treasurer as a membership chairman in~~

~~— relationship to the dues and / or any plans that the Union might initiate;~~

~~(b) be the main coordinator or any activities that the Board of Directors deems — necessary, under the Constitution.~~

~~(c) maintain an updated list of all member benefits and promotions;~~

~~(d) seek membership promotions or materials and relaying and coordinating — with the office Secretary;~~

~~(e) work with the President to actively seek new membership in our Schools;~~

~~(f) work with the President to organize and help other Schools in the area,~~

~~—primarily to seek new memberships in the Lay Faculty Association.~~

SECTION 903: A: The Secretary to the Board shall:

(b)work with the President/Business Manager to update all membership lists every **month** ~~two (2) months~~, and distribute updated copies to the Board of Directors and Delegates;

(e)work with the **Secretary Treasurer** ~~the appointed Director of Retirees and Vice President of Retiree Affairs~~ to maintain accurate records of Retired Members, and **Associate Fee paying individuals** ~~Members~~;

(f)coordinate all general mailings of the Association and order all supplies necessary for carrying out the duties of the ~~Office Secretary~~ ;

(h)Maintain and update as needed, the Electronic Per Capita Tax data base.

SECTION 904: The Secretary Treasurer shall:

(f)pay the per capita tax due to the International Union, after the accuracy of the **per capita lists and membership lists** ~~is~~ **are coordinated and updated** with the **Secretary to the Board** ~~President/Business Manager~~, for and in behalf of each member who has paid his dues **or fees** to the Association,

(i)prepare and send the 941 **quarterly** and the 940 tax returns **annually**, the **NYS 45** quarterly, in addition to the New York State Wage Scale Governmental forms, in addition to the IRS forms necessary for depositing the funds in terms of the salaries of the employees and the Board of Directors on the 990 form, **W 3, W2** at the end of the fiscal year, in addition to form **I 9 for new hires**;

(k)prepare the Labor Management – **3 2 (LM-2)** Report form in January of each year

(m)collect all dues; collect and send all per capita dues to the Mason Tenders' District Council and to LIUNA and be responsible for ~~membership lists in relationship to the dues, each month. Check for inaccuracies of same;~~work with the President/ Business Manager in the ~~coordination~~ of the **timely submission of the ACH Payment to LIUNA for the per capita tax in addition to any** deposits that are associated with dues' collection, agency fee collection, and other monies collected by the Association.

(n)maintain a separate listing of all agency fee payees with the amounts of dues collected, off- setting same for the negotiations in each of the Schools that have agency fee payees. In relationship to this, shall make a line by line break – down in terms of the expenditures for same, using the agency fee monies in conjunction with that reported on in the form 990.

SECTION 905: The Sergeants-at-Arms shall:

- (b) **take and record attendance, lateness, and or early departure of the delegates, alternate delegates and officers.**

~~SECTION 907: The Retiree Coordinator shall:~~

- ~~(a) be appointed each year by the President who shall consult with the Board of Directors.~~
- ~~(b) The Retiree Coordinator shall work directly with the Vice President of Retiree Affairs, who will oversee this position.~~
- ~~(c) The Retiree Coordinator shall work with the Secretary to the Board to assist all retirees. A budget line will be established by the Board of Directors as needed.~~

SECTION 908: The Executive Board shall:

- (a) be composed of seven (7) members.
- (b) consist of the President/ Business Manager, **the** Vice President(s), Secretary to the Board, Secretary – Treasurer, the Sargent of Arms, **and two (2) Auditors** up to two (2) other members appointed **elected** by the Board of Directors.

SECTION 909: The Newspaper Editor shall:

- (b) must attend Board of Director meetings and if requested the Executive Board meetings; (c) must coordinate with the web master. ~~and Retiree Coordinator.~~

SECTION 910: DIRECTOR OF WEBSITE SERVICES SHALL:

- (d) be responsible for ~~monthly~~ maintenance and updating of the Website and records **as required by the Executive Board.**

ARTICLE X: BOARD OF DIRECTORS

SECTION 1002:

- (b) he Board of Directors shall meet at least twelve (12) times per year or as often as the President deems necessary to conduct the affairs of the Association.

SECTION 1003: (a) ~~if any~~ Members of the Board of Directors: **Executive Board**

Members / delegate / alternate delegate may be excused from one (1) meeting.

If a member of the Board is excessively absent, the position may be declared vacant. After a full year of service for each position held, a Christmas bonus shall be paid at the rate of \$750.00 if the member attends all of the meetings, with the exception of the one excused absence. If a member of the Board is absent two(2) or three(3) times there will be a \$75.00 reduction for each meeting not attended. Four (4) or more absences will result in a loss of the Christmas Bonus for that year. In the event of a long term illness of four (4) months or more, the bonus will be set at \$500.00 per position. For the members who do not complete a full calendar year of service, the Christmas bonus will be pro-rated.

~~fails to attend three (3) meetings in one LFA calendar year without prior notification to the LFA office, the position may be declared vacant or one month salary will not be paid as per a 2/3 vote of the Board.~~

- (d) ~~The membership will be notified by the Recording Secretary to the Board of~~ such a vacancy. The vacancy will be filled according to the provisions of these by – laws.

SECTION1004: The Board of Directors shall have the power to determine and or modify the responsibilities of the President and the Business Manager at any time.
as circumstances warrant.

ARTICLE XI: STANDING COMMITTEES

SECTION 1102: Bargaining teams shall be **chaired by the President / Business Manager and be comprised of an odd number of members which include:** ~~no more than six members: (a) the President / Business Manager; (b) a) the Delegate; (c) b) the Aernate Delegate; and (d) c) at-large members elected by the membership of each unit.~~

ARTICLE XIII: DUTIES OF THE DELEGATE AND THE ALTERNATE DELEGATE

7. the Board of Directors will act as a sounding board for all grievances (This will be discussed at the regularly

occurring Board of Directors meetings in any given month with the Delegate under the School Reports).

If for some reason, in conflict with other filed decisions and /or settlements, or AAA decisions, the official grievance may be withdrawn after consultation with the President or Business Manager and / or Counsel and their decision will be final. If the **NYS PERB**, SLRB or the NLRB is involved with any action within the School, or happenings within the School, the Delegate will work closely with the Union President or Business Manager and /or Counsel concurrently, so as to file the necessary documentation. (The **NYS PERB**, SLRB or the NLRB is not so time barred – one year from the occurrence will still initiate a charge).

(f) the Union Delegate will be responsible to the Union ~~recording~~ Secretary **to the Board** for a complete mailing list of all the dues paying members / agency fee paying **individuals members / and associate fee paying individuals** in his / her School. This should be done at each regularly scheduled Board of Directors meetings, so as to keep the membership list current. (For example: name changes, marital status, department switches, address changes, etc.) This is easily accomplished since in each Board of Directors packet the Union Delegate has current listings for that month.

(g) the Delegate will be responsible for notifying the **Secretary to the Board** ~~President/ Business Manager~~ in our office of any name and address changes so that the Union can have an updated listing, as well, in the Union Office.

(o) the Union Delegate will also work with the officers ~~Vice President~~ for membership in all the promotions, as well as Working with the Vice President and President / Business Manager on organizing the Schools in the area surrounding the Delegates' unit.

(r) the Union Delegate will attend all the regularly scheduled Board of Directors and / or Special Meetings of the Unit. Should the Delegate have **more than one (1) excused absence** ~~3 (three) unexcused absences~~ within the School Year, the Delegate will ~~not be paid~~ **receive a reduction in salary and / or not receive a Christmas Bonus as stipulated in article Article X Section 1003 .**