

RUSH-HENRIETTA EMPLOYEES' ASSOCIATION
Teachers' Chapter
CONSTITUTION

Article I

Name

The name of this Association shall be the Rush-Henrietta Employees' Association, Teachers' Chapter.

Article II

Purposes

Section 1: To work for the welfare of school children, the advancement of, and interest in, public education on every level, local, state and national.

Section 2: To bring about better understanding of educational problems among teachers and to promote a strong professional spirit.

Section 3: To promote the general welfare of the members and all employees of Rush-Henrietta Central Schools.

Section 4: To enter into negotiations with the Board of Education concerning all working conditions necessary to support teaching as a profession.

Section 5: To permit the Association to hold property and funds and to employ a staff.

Article III

Affiliations

This organization shall affiliate with the New York State United Teachers and its national affiliates as mandated by its Constitution and Bylaws. This organization shall also be a constituent body of the Rush-Henrietta Employees' Association.

Article IV

Membership

Section 1: Active Membership

1. Active membership in the RHEA, Teachers' Chapter, shall be open to all professional personnel who are members of the bargaining unit represented by the Chapter.
2. Active membership shall be continuous until the member leaves the Rush-Henrietta school system, resigns from the Association, or fails to pay membership dues, or chooses to withdraw.
3. Active membership shall be open to all of the above criteria with no discrimination due to race, sex, religion, sexual orientation, gender, or cultural background.

Section 2: Special Membership

1. Special membership includes:
 1. Substitutes hired by the RHCS D
 2. People on unpaid leaves of absence.
2. Special membership shall be continuous until the member leaves the school system, resigns from the Association, or fails to pay membership dues.
3. Special members will pay one-half of the current membership dues charged.

Section 3: Revocation of Membership

The Executive Council may suspend or expel from membership any member who shall have violated the purposes of the RHEA, Teachers' Chapter, as expressed in Article II of this Constitution.

Article V

Finance

The dues shall be determined by the Executive Council with the consent of the Representative Assembly. The membership votes on them in a dues referendum after two weeks notice.

Article VI

Officers

The elected officers of this Association shall consist of a President, a First Vice-President, a Second Vice-President, Secretary and Treasurer.

Article VII

Executive Council

Section 1: The policy forming body of the RHEA, Teachers' Chapter, shall be the Executive Council.

Section 2: It is a major unit of administration of the RHEA.

Article VIII

Representative Assembly

The legislative body of the Rush-Henrietta Employees Association, Teachers Chapter shall be the Representative Assembly. This Assembly shall consist of the officers and one or more representatives of each school faculty.

Article IX

Association Meetings

There shall be at least one (1) meeting of the RHEA, Teachers Chapter, at large each year. Special district-wide meetings may be called by the President, the Assembly, or upon a petition to the President of 25% of the members of the Chapter, such meeting to be called within ten (10) school days of the receipt of the petition.

Article X

Committees

There shall be standing committees and such Ad Hoc committees as the membership or Executive Council may deem necessary to carry out the purposes of this Chapter.

1. Section 1: Standing Committees
 - a. Legislative Committee/Political Action (VOTE/COPE)
 - b. Education Committee.
 - c. Special Events Committee
 - d. Negotiations
 - e. Grievance Committee
 - f. Human Rights and Social Responsibility

Section 2: Ad Hoc Committees

Ad Hoc committees will be appointed by the Executive Council as the need arises.

Article XI

Amendments

Section 1: An amendment to the Constitution shall be introduced in writing to the Assembly. If the Assembly shall approve of such amendment by two-thirds vote, it shall submit the amendment to the membership for approval not later than eight (8) school weeks after Assembly approval.

Section 2: Written notice of the proposed amendment shall be made to the membership at least two (2) school weeks before the actual date upon which the amendment is to be voted.

Section 3: Amendments shall become a part of the Constitution when approved by a majority of the votes cast by members of the chapter voting by secret ballots in their respective buildings.

Section 4: If there shall be insufficient time between the submission of an amendment and the actual date upon which a vote is to be taken due to the end of a school year, such amendment can be reintroduced in September of the following year.

Section 5: If an amendment shall have been submitted to the Assembly and shall have been rejected, the members proposing such amendment may obtain the signatures of twenty percent of the members of the Chapter on a petition. The Assembly then releases such amendment to the Chapter membership for a vote, not later than six (6) school weeks after such petition to discharge shall have been presented to the Assembly.

BYLAWS

Bylaw I

Parliamentary Authority

Robert's Rules of Order, Newly Revised shall be the authority on all questions of procedure not specifically covered in this Constitution and Bylaws.

Bylaw II

Membership

Section 1: Membership in the Rush-Henrietta Employees' Association, Teachers Chapter, shall include membership in the Rush-Henrietta Employees' Association and its affiliates.

Section 2: Any member desiring to resign shall submit his resignation in writing to the President between August 1 and August 31.

Section 3: According to the procedures adopted by the Executive Council, any member who is not in good standing may lose his rights and privileges as a member and may be dropped from the membership list of this Chapter. This former member is not entitled to representation, legal benefits, member benefits, voting or social events when not paying dues. Representation and benefits are not retroactive. By a similar procedure, a former member may be reinstated who has previously been suspended, expelled, or withdrawn from this Chapter. To reinstate membership, this individual shall submit a letter to the President and Treasurer. Upon receipt that individual will resume paying dues, and the benefits of membership.

Bylaw III

Officers

Section 1: The President shall:

- Preside at all regular meetings of this Chapter and the Executive Council.
- Issue the call for all general meetings of the Chapter, the Executive Council, and for any building meetings which the President may deem necessary.
- Appoint, with the approval of the Assembly, all committees and committee chairpersons.
- Prepare an annual report on the work of the Chapter to be submitted to the members by the end of the second full week in June.
- Upon approval by the membership, the President shall be empowered to sign for the Association agreements described in Article II, Section 4 of the Constitution.
- Secure bond for all Executive Council members of the Chapter and staff.
- The President shall administer all items not so stated in the Constitution and shall conduct all routine business of the Chapter.
- Be the chief public spokesperson for the Chapter.
- Oversee the publication of a newsletter to the membership.
- Be a delegate to NYSUT and its affiliates.
- Maintain the membership list for the chapter.

- Be one of the responsible financial officers of the organization and shall be authorized to co-sign financial instruments and make regular and usual disbursements of funds.
- Certify to the Secretary-Treasurer of the American Federation of Teachers that the annual audit/internal financial review were presented to the entire membership annually.
- Meet regularly with the Superintendent to discuss matters of mutual interest.
- Provide an orientation for new members.
- Serve as an ex-officio member of all committees.
- Assign a member of the executive council to review and balance bank accounts and money as a check and balance with the Treasurer.

Section 2: The First Vice-President

- Issue the call for all Assembly meetings.
- Preside at all meetings of the Assembly.
- The First Vice-President shall assume the duties and responsibilities of the President in case of absence or disability.
- The First Vice-President shall perform such duties as the President may request.
- Co-sign financial instruments in the absence of the President or Treasurer.

Section 3: The Second Vice-President shall:

- Upon the request of the President, attend such meetings which may necessitate his/her official presence.
- Preside at meetings of the Assembly in the absence of the First Vice-President.
- Attend one meeting of the Board of Education per month, or twelve (12) per year.
- Provide summaries of both monthly Board of Education meetings to the Executive Council.
- Communicate with the membership, maintain the Association's website, and maintain the presence of the Association on social media.

Section 4: The Secretary shall:

- Keep a record of all regular meetings of the Chapter Assembly and Executive Council.
- The Secretary shall prepare reports of these meetings upon request of the President or First Vice-President.
- Ensure that the annual budget is adopted and recorded in the minutes of the Executive Council meeting.

Section 5: The Treasurer shall:

- Keep an accurate record of all receipts and expenditures of the Chapter.
- Draw up the budget with the advice of the Executive Council to be submitted to the Representative Assembly. The Representative Assembly will present the budget in their respective buildings two weeks prior to the vote by the membership.
- Receive, record and deposit all dues monies and other income in the name of the association.

- Reimburse local officials as mandated by the Expense Reimbursement Policy.
- Send invoices to other coalition chapters with their portion of the dues to NYSUT.
- Be one of the responsible financial officers of the organization and be authorized to co-sign financial instruments and make regular and usual disbursements of funds
- Present monthly financial reports to the Executive Council and an annual report to the general membership.
- Collaborate with the Executive Council in the preparation of the annual budget.
- Arrange for an independent audit/internal financial review of the finances of the association annually, no later than September 30 and make same available to the Executive Council and membership.
- Transmit per-capita payments on a regular basis to the Membership Reporting Department of the New York State United Teachers
- Perform other financial duties as delegated by the President or assigned by the Executive Council.
- Work with an outside consultant for tax filing.

Section 6: Whenever a majority of the Executive Council shall agree that an officer has been grossly negligent of the duties as defined in the Bylaws or is incapacitated, they shall recommend to the Assembly that the office be declared vacant. If the Assembly so votes by a two-thirds majority, it shall immediately declare the office vacant.

Section 7: In the event of a vacancy in the office of the President, the First Vice-President shall immediately assume the duties of the office for the unexpired term.

Section 8: In the event of a vacancy in the office of First Vice-President, the Second Vice-President shall immediately assume the duties of the office of the unexpired term.

Section 9: In the event of a vacancy in the office of the Second Vice-President, the Secretary shall immediately assume the duties of the office of the unexpired term.

Section 10: In the event of a vacancy in the office of Secretary or Treasurer, it shall be filled by appointment of the President upon the approval of two-thirds of the Assembly.

Bylaw IV

Executive Council

Section 1: The Executive Council shall review proposals submitted by members and chairpersons of committees and make recommendations regarding their disposition. It shall

make recommendations relating to the Chapter policy and program. It shall outline a tentative program for the year and submit it to the Assembly by September 1 or by first RA in September. Under personnel policies adopted by the Assembly and within the annual budget, it shall have the power to employ staff for the efficient management of the Chapter. It shall carry out the directives of the Assembly.

Section 2: The Executive Council shall establish the salary, benefits and expense guidelines of any general officer who is employed by the association.

Section 3: The Executive Council shall be empowered to make contracts and incur liabilities, including the purchase of services, equipment and real property, to borrow money, to secure such obligations by mortgage or other instrument, and to otherwise engage in financial transactions to the extent permitted by applicable law or statute. The Executive Council shall have the power to sue, complain and defend on behalf of the membership.

Section 4: The Executive Council shall ensure that an annual financial report and an audit/internal review are presented to the membership.

Section 5: The Executive Council shall ensure that an audit/review by an independent accounting firm or an internal financial review conducted by a committee of 3-5 members who do not sit on the Executive Board is presented to the membership annually.

Section 6: The Executive Council shall ensure that an annual budget is adopted, in collaboration with the Treasurer, by the Representative Assembly no later than May 15th.

Section 7: The Executive Council shall implement an Investment Policy determining acceptable types of investments, maturity timeframes, and number of commercial bank relationships with assessments of these relationships based on periodic ratings by an independent rating service.

Section 8: The Executive Council shall establish a fiscal year for the local which shall commence on July 1 and end on June 30.

Section 9: The Executive Council shall adopt an expense reimbursement policy and update as necessary.

Bylaw V

Negotiating Team

Section 1: The Team shall have responsibility for negotiating the contract and shall report the status of negotiations to the Executive Council on a regular basis. The Team shall be appointed by the President with approval of the Representative Assembly. The Team shall consist of the following positions: Chief Spokesperson, Team Recorder, Grievance Committee Chairperson and the Teacher Action Committee Chairperson.

Section 2: The Negotiating Team shall hold member input meetings and prepare contract proposals. The Team shall submit the tentative agreement to the Executive Council and the Representative Assembly for their approval. The Team shall then present the proposals to the General Membership. Ballots will be mailed to members on a Leave of Absence. There will be a ratification vote in each building at least one school day after the presentation to members. The new contract will be ratified with a majority vote and a quorum of 50% in each building. Votes shall be tabulated by a ratification committee of at least 3 members not on the Negotiations Committee.

Bylaw VI

Grievance Committee

The Grievance Committee shall provide the Building Representatives with necessary assistance in processing all grievances under the contract. The Committee, with approval of the Executive Council, shall determine which grievance to carry to arbitration. The Committee shall be appointed by the President with approval of the Representative Assembly.

Bylaw VII

Membership of Executive Council

The Executive Council of the Rush-Henrietta Employees' Association shall be composed of the following positions: President, First Vice-President, Second Vice-President, Secretary and Treasurer, all of whom were duly elected by the membership. The Chairpersons of the Grievance Committee, Special Events Committee, Education Committee, Legislative Committee, Human Rights and Social Justice and the Chief Negotiator shall also be members of the Executive Council and their appointments are made by the President and approved by the Representative Assembly. By

Bylaw VIII

Representative Assembly

The Representative Assembly shall authorize all expenditures, approve the membership dues for the Chapter, review the budget and have it prepared for presentation in their buildings by June 1. It shall approve appointments by the President, act on reports of committees, approve resolutions and other policy statements and shall adopt procedures for censuring, suspending, and expelling members for cause or for reinstating members. It shall adopt such rules governing the employment of staff, the conduct of the Chapter and the conduct of meetings as are consistent with this Constitution and Bylaws. It shall be the final judge of the qualifications and election of officers and faculty representatives. Powers not delegated to the Executive Council, the officers or other groups in the Chapter shall be vested in the Assembly.

Bylaw IX

Representatives

Section 1: In each building of the district, faculty members shall elect for a term of two (2) years one (1) faculty representative for each twenty (20) members or major fraction thereof. Members who are traveling teachers will be credited to the school at which they receive their paychecks. There shall be at least one (1) representative from each building. If there is just-cause, a building may ask for additional building representatives by presenting a request to the Executive Council for approval. In buildings with more than one representative, the terms of one-half of the representatives shall not coincide with the terms of the remainder. Elections shall be held in the first full school week of the month of June. Representatives shall be elected by a plurality vote of the building membership. At least one alternate from each building will be elected to serve a one-year term.

Section 2: All representatives from each building shall attend all meetings of the Assembly. Representatives who are unable to attend shall notify the 1st VP before the meeting. If a representative misses two (2) meetings of the Assembly without arranging for an alternate to attend in his place, the President may declare a representative vacancy and call for a faculty election to fill the term. Representatives shall represent the interests of their faculties and of the Chapter. They shall promote membership in the Chapter and shall collect all monies due the

Chapter and forward them to the Treasurer of the Chapter. Representatives from each building shall schedule a regular, joint meeting with the principal. Representatives shall serve on Association committees and recruit members at large to serve on committees. Representatives shall facilitate communications between the Executive Council and the membership. Representatives shall represent members in meetings with administration, maintain copies of records of such meetings, and submit copies of these records to the President. Representatives shall welcome new staff members

Section 3: Faculty representatives shall inform their constituents of action taken and pending before the Assembly. As appropriate, representatives shall hold meetings in their buildings as a way to disseminate important information to members, and gather feedback when necessary.

Section 4: The primary role of the representative is to serve members. Within a building any three members may, at their building meeting, move that a vote of confidence be given to a representative. Should a majority of those present express a lack of confidence in the representative, a special vote of the school membership shall be taken by secret ballot, the exact date to be set by the President in order to retain or release the representative.

Section 5: Representative vacancies shall be filled by a special election in the building, the exact date being set by the President.

Bylaw X

Standing Committees

Section 1: The Legislative Committee shall work to produce positive local, state and national legislation which affects education and teacher welfare. It shall coordinate and administer an annual VOTE/COPE drive. It shall coordinate an endorsement and/or election process for the BOE. It shall establish positive relationships with members. It shall communicate important legislative activities with the Executive Council, Representative Assembly and Membership.

Section 2: The Negotiations Committee shall periodically examine the contract between the Chapter and the Board of Education and suggest to the Executive Council such changes as may seem advisable. A needs-assessment inventory may be conducted with the membership.

Section 3: The Special Events Committee shall arrange the social and recreational program of the Chapter. This committee shall, with the approval of the Council, set up and administer plans, rules and regulations governing retirement gifts, parties and honors.

Section 4: Human Rights and Social Responsibilities Committee shall arrange the charitable events and donation opportunities for the Association's members.

Section 5: Members of committees shall serve two (2) years from the date of their appointment or until their successors are appointed.

Section 6: The standing committees shall make **monthly** reports and recommendations to the Executive Council of the Chapter and at the end of each year shall submit written summary reports to the Executive Council. Committees shall advise the officers and Executive Council; their findings shall not be construed as final.

Bylaw XI

Nomination and Election of Officers

Section 1: The qualifications for a Chapter office shall be an active membership in the Rush-Henrietta Employees Association, Teachers' Chapter. Candidates for the office of President shall also have served for two (2) years as an officer, a chairperson of a standing committee, or as a representative to the Assembly.

Section 2: Every second year the President shall, with the approval of the Assembly appoint a Nominating Committee which shall submit candidates for the Chapter's officers. Notification of these nominees shall be made to the members of the Chapter no later than the first week in April. Nominations other than those so submitted may be made in writing by any other member, not later than the end of the third week in April. Names of the nominees shall be placed on the ballot in order determined by a drawing of lots among the candidates for each office.

Section 3: The Assembly shall establish a date by the third week of May for members to vote for a President, a First Vice-President, a Second Vice-President, a Secretary and a Treasurer. The election will be held in conjunction with the election for faculty representatives in the first full week of June. Members shall vote by secret ballot in their respective buildings. Officers shall be elected by a simple majority, a run-off shall be held between the two (2) leading contenders for that office on a date determined by the Assembly. The President shall publish the names of the new officers within one (1) week of the election. New officers shall assume office June 30.

Section 4: The officers shall serve for a term of two (2) years. There is no limit to the number of terms a person may serve. No member shall hold more than one office at a time.

Bylaw: XII

Stipends

Stipends will be paid to RHEA Leaders to compensate them for time spent on union duties. Stipend amounts may only be increased in even years, to take effect the following year with the new terms for officers.

Stipends will be paid in the following amount:

President: \$7,000

1st Vice President: \$3,000

2nd Vice President: \$1,500

Secretary: \$1,500

Treasurer: \$3,000

Grievance Chair: \$2,000

Legislative Chair: \$1,500

Negotiations Chair: \$1,000

Special Events Chair: \$599

Human Rights and Social Justice Chair: \$599

Negotiations Team Member: \$599

Building Representative: \$500 - max 29 - 20 members/rep

Bylaw XIII

Delegates

Section 1: Delegates to the affiliate organizations, NYSUT and its affiliates will be elected at the time of election of officers to serve two (2) year terms.

Section 2: Delegates will attend Election District meetings and the conventions for which they are duly elected.

Section 3: Delegates should be participating in the committee structure, Representative Assembly, or the Executive Council.

Section 4: Alternates will be elected to carry on the responsibilities in case of vacancy of a delegate.

Section 5: A vacancy in a delegate position will be declared by the President of the Chapter if a delegate does not attend two consecutive Election District meetings.

Section 6: The election committee representing the Executive Council and the Representative Assembly will determine the slates, post the time and place of election and publish the credentials of candidates for delegates and alternates.

Section 7: The President of the Chapter shall be the Chapter's chief delegate.

Bylaw XIV

Quorum

Seventy-five percent of buildings shall be a quorum for the Representative Assembly. A vote on a business item will be determined by a majority of weighted votes cast. A majority of their members shall constitute a quorum for Executive Council and committees. Twenty-five percent (25%) of the membership shall constitute a quorum for district-wide meetings.

Bylaw XV

Fiscal Year

The fiscal year shall be from July 1 to June 30.

Bylaw XVI

Amendments to the Bylaws

The Bylaws may be amended by a two-thirds vote of the Assembly. An amendment shall be introduced in writing to the Assembly. There shall be a period of two weeks between the presentation of the amendment and voting.

1. The following changes were made to bring the Constitution in compliance with the Landrum-Griffin Act, which is Federal Law.

2. All revisions of this Constitution will go into effect the date of ratification.

Marie DeHond
Dave Rose
Brad Crooks
Brian Usselman
Sheila Buck
President, RHEA

Revised: January 2007

Revised: April 6, 2015

Revised: June 12, 2017

Revised: June 4, 2019