

# **CONSTITUTION AND BYLAWS**

**Williamsville  
Teachers'  
Association**

**Amended 5/30/2019**

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## **ARTICLE I—NAME**

The name of this organization shall be the Williamsville Teachers' Association.

## **ARTICLE II—MISSION STATEMENT**

### **Section 1—Our Vision**

The Williamsville Teachers' Association (WTA) is a professional organization of recognized educational leaders. The WTA acts as an advocate, works to ensure due process for every member, and diligently protects the rights of members. We advocate for the welfare of children, the advancement of public education, and the improvement of instruction.

### **Section 2—Our Beliefs and Values**

The WTA must provide leadership for the collective voice of its members. The WTA has a responsibility to students, families, and to the broader society. The WTA is committed to public education as a vital element of American democracy. What unites these responsibilities is our commitment to help children learn. We affirm the union's responsibility to collaborate with other stakeholders in public education to:

- Improve continuously the quality of the teaching force
- Develop and promote the adoption of such ethical practices, personnel policies, and standards of preparation and participation as professionals
- Unify and strengthen the professions, and secure and maintain salaries, retirement, tenure, leaves of absence, and other working conditions necessary to support the professions
- Enable members to speak with a common voice on their individual and common interests to the district administration, the Board of Education, the residents of the district, and other legal authorities
- Promote professional and social opportunities for the membership
- Promote equal educational opportunities for all children
- Seek consistently higher levels of student achievement
- Promote, in public education and in the union, democratic dynamics, fairness, and the due process for all
- Improve on an ongoing basis the terms and conditions under which both adults and children work and learn

The WTA shall hold property, funds, and shall employ a staff for the attainment of these purposes.

## **ARTICLE III—MEMBERSHIP**

### **Section 1—Active Membership:**

- A. Active membership in the WTA shall be open to all district employees for whom the Association is the exclusive representative as listed in the Recognition Clause of the Agreement between the Superintendent of the Williamsville Central School District and the Williamsville Teachers' Association
- B. Active membership shall be continuous until a member is no longer employed by the school district.
- C. Active membership continues for persons on leave.
- D. Active members of the WTA shall also be members of the New York State United Teachers, American Federation of Teachers, National Education Association, and affiliates.
- E. Active members are only those members of the bargaining unit who commit to paying dues to the WTA and its affiliated organizations.

### **Section 2—Non-Members**

Non-members are district employees for whom the Association is the exclusive representative as listed in the Recognition Clause of the Agreement between the Superintendent of the Williamsville Central School District and the Williamsville Teachers' Association but who choose not to become members of the WTA or who choose not to pay dues to the WTA. Non-members are entitled to the provisions of the Collective Bargaining Agreement, but will only be afforded those services from the WTA which are required by law. Non-members are not allowed to vote on WTA matters, attend WTA meetings or events, serve on WTA committees, or hold office in the WTA.

### Section 3—Retirees of the WTA

Members who have retired from the Williamsville School District, while not eligible for Active Membership, shall remain members of the WTA through automatic membership in the Williamsville Teachers Association Retirement Chapter.

## **ARTICLE IV—MEMBERSHIP RIGHTS**

### Section 1

The WTA shall show no discrimination towards individuals on the basis of gender, color, race, national origin, political affiliations, religion, age, disability, marital status, sexual orientation, veteran status, military status, or beliefs.

### Section 2

Every dues-paying member of the WTA shall have equal rights and privileges to nominate candidates, to vote in elections or referendums of the organization, to attend membership meetings and participate in the deliberations, and vote upon the business of such meetings, subject to the rules and regulations in the constitution/bylaws.

### Section 3

Every dues-paying member of the WTA shall have the right: to meet and assemble freely with other members; to express any views upon candidates in an election of the WTA, or express any views upon any business properly before the meeting, subject to the WTA's established rules to the conduct of the meeting.

### Section 4

The WTA shall not limit the right of any member to institute an action against the WTA in any court, or in a proceeding before any administrative agency. However, any such member must first appeal his/her case to the Executive Committee and the Council of Delegates.

### Section 5

No member of the WTA may be censured or otherwise disciplined unless such member has been served with written specific charges, given a reasonable time to prepare his/her defense, and afforded a full and fair hearing.

### Section 6

No member shall be penalized, disciplined, or improperly interfered with in the exercise of that member's right to support the candidate of his/her choice. Reprisals of any kind are not permitted.

### Section 7

A copy of the constitution will be posted on the website and distributed to a member upon request, and as changes are made, these also will be posted or distributed.

## **ARTICLE V—AFFILIATION**

The WTA shall affiliate with the New York State United Teachers, American Federation of Teachers, National Education Association, and those organizations.

## **ARTICLE VI—THE EXECUTIVE COMMITTEE**

The officers listed in Article VII constitute the Executive Committee with each member having an equal vote in Committee decisions. WTA members holding offices in NYSUT or AFT shall be ex-officio members of the WTA Executive Committee without voting privileges.

### Section 1

- A. The Executive Committee shall be responsible for the management of the WTA, approve all expenditures, carry out policies established by the Council of Delegates and report its transactions to the council.

- B. Under policies adopted by the Council of Delegates and within the budget, the Executive Committee shall have the power and authority to employ a staff and adopt rules governing the employment of staff for the efficient management of the WTA.

#### Section 2

The Executive Committee shall prepare and make recommendations to the Council of Delegates on policy matters for its consideration.

#### Section 3

- A. The Executive Committee shall act on policy matters in place of the Council of Delegates under emergency conditions when two-thirds of the Committee declares that an emergency exists.
- B. At the next meeting of the Council of Delegates, such emergency policy measures will be sustained, ceased, or altered, by a majority vote of the Council of Delegates.

## **ARTICLE VII—DUTIES OF THE EXECUTIVE COMMITTEE OFFICERS**

The Officers of the Association shall be a President, a First Vice President, a Vice President for Negotiations, a Vice President for Finances, a Vice President for Records and Membership, a Vice President for Political Action, a Vice President for Grievance and Personnel Issues, a Vice President for Elementary School Issues, a Vice President for Middle School Issues, a Vice President for High School Issues, and a Vice President for Civil Service Personnel Issues.

#### Section 1—President

The President shall:

- A. Preside over meetings of the Executive Committee, the Council of Delegates, and the General Membership.
- B. Appoint chairpersons and members of committees with the approval of the Council of Delegates.
- C. Establish special committees.
- D. Be ex-officio member of all committees.
- E. Be the executive officer of the WTA.
- F. Be first delegate to the Representative Assemblies of NYSUT and its affiliates.
- G. Make appointments, should any vacancies occur in the Executive Committee, to fulfill the duration of that term, subject to the approval of the Council of Delegates.
- H. Perform all other functions usually attributed to the office.
- I. Direct issues or business of the association to the appropriate Executive Committee member(s).

#### Section 2—The First Vice President

The First Vice President shall:

- A. Act as an executive assistant to the President.
- B. Aid in the day to day functioning of the Association as needed.
- C. Perform such other duties as the President may designate.

#### Section 3—The Vice President for Negotiations

The Vice President for Negotiations shall:

- A. Monitor educational initiatives to determine the needs for memorandums of agreement required between formal negotiations.
- B. Keep the Council of Delegates apprised of pending negotiations issues and procedures.
- C. Convene and act as chairperson of the Negotiations Advisory Committee. (NAC).
- D. Act as chairperson of the Collective Bargaining Team.
- E. Make recommendations to NAC regarding the composition of the negotiating team.
- F. Conduct preliminary surveys in preparation for negotiations.
- G. Report to the Council of Delegates regarding the status of negotiations.

#### Section 4—The Vice President for Finance

The Vice President for Finance shall:

- A. Hold the funds of the WTA and disburse them upon authorization of the Executive Committee or the Council of Delegates.
- B. Collect the annual dues either from direct payment or from the District Business Office through payroll deduction.
- C. Transmit full per capita dues for each dues-paying member to NYSUT and its affiliates through NYSUT.
- D. Maintain a roll of the members.
- E. Keep an accurate account of receipts and disbursements.
- F. Report at each meeting of the Council of Delegates and the Executive Committee of the financial condition of the WTA.
- G. Provide for an annual review at the end of each fiscal year.
- H. Create an annual budget which must be approved by the COD and voted on by the WTA membership.

#### Section 5—The Vice President for Records, Membership, and Communications

The Vice President for Records, Membership, and Communications shall:

- A. Keep, maintain, and distribute accurate minutes of all meetings for the Executive Committee, Council of Delegates, and General Membership.
- B. Maintain and update, monthly, the NYSUT membership lists.
- C. Work with the VP for Finance to reconcile the payroll deduction lists and the NYSUT membership lists.
- D. Ensure that all new members fill out NYSUT enrollment forms.
- E. Keep accurate building lists for election and voting purposes.
- F. Organize and coordinate the recognition dinner, gifts, and program.
- G. Be responsible for communication at the discretion of the President and/or Executive Committee.
- H. Oversee the ordering and distribution of WTA merchandise.

#### Section 6—The Vice President for Political Action

The Vice President for Political Action shall:

- A. Serve as a liaison between the WTA and local and state Political Action Committees.
- B. Plan and implement the activities of the “Vote Cope” political fund raising drive.
- C. Convene and chair the Unity Task Force to help develop plans for a successful budget vote and the election of pro-education school board candidates.
- D. Attend Williamsville Coalition meetings.
- E. Keep President apprised of pending political activities and issues.
- F. Be an automatic delegate to the Representative Assemblies of NYSUT.

#### Section 7—The Vice President for Grievance and Personnel Issues

The Vice President for Grievance and Personnel Issues shall:

- A. Know the WTA contract.
- B. Represent dues-paying members involving issues resulting from their employment by the district.
- C. Locate and be able to inform members concerning educational law.
- D. Be present for discussions between a grievant and administration at step one and step two meetings (unless grievant declines such representation) and if requested, at the informal meeting held prior to the filing of a grievance.
- E. Make recommendation to the Executive Committee for a request for arbitration.
- F. Keep President apprised of potential grievances and pending personnel issues.
- G. Recruit and secure training for members to adjudicate transfer grievance hearings.
- H. Keep all records for grievances filed (dropped or arbitrated), hearing panels convened and arbitrations executed.

#### Section 8—The Vice President for Elementary School Issues

The Vice President for Elementary School Issues shall:

- A. Keep current with the issues that have an impact on elementary professionals and represent those dues-paying members as needed.

- B. Create and organize a yearly WTA-wide community service project with the collaboration of the other level Vice Presidents.
- C. Locate and regularly inform membership of information regarding State and Federal Standards including, but not limited to testing, curriculum changes, mandates, and teacher certification.
- D. Locate and regularly inform membership of information concerning local initiatives, including, but not limited to, the district mentoring program and the appraisal process
- E. Keep president apprised of current educational issues as they relate to Elementary Schools

#### Section 9—The Vice President for Middle School Issues

The Vice President for Middle School Issues shall:

- A. Keep current with the issues that have an impact on middle school professionals and represent those dues-paying members as needed.
- B. Create and organize a yearly WTA-wide community service project with the collaboration of the other level Vice Presidents.
- C. Locate and regularly inform membership of information regarding State and Federal Standards including, but not limited to testing, curriculum changes, mandates, and teacher certification.
- D. Locate and regularly inform membership of information concerning local initiatives, including, but not limited to, the district mentoring program and the appraisal process
- E. Keep president apprised of current educational issues as they relate to Middle Schools

#### Section 10—The Vice President for High School Issues

The Vice President for High School Issues shall:

- A. Keep current with the issues that have an impact on high school professionals and represent those dues-paying members as needed.
- B. Create and organize a yearly WTA-wide community service project with the collaboration of the other level Vice Presidents.
- C. Locate and regularly inform membership of information regarding State and Federal Standards including, but not limited to testing, curriculum changes, mandates, and teacher certification.
- D. Locate and regularly inform membership of information concerning local initiatives, including, but not limited to, the district mentoring program and the appraisal process
- E. Keep president apprised of current educational issues as they relate to High Schools

#### Section 11—The Vice President for Civil Service Personnel Issues

The Vice President for Civil Service Personnel Issues shall:

- A. Keep current with the issues that have an impact on civil service personnel and represent those dues-paying members as needed.
- B. Create and organize a yearly WTA-wide community service project with the collaboration of the other level Vice Presidents.
- C. Locate and regularly inform membership of information regarding State and Federal Standards including, but not limited to testing, curriculum changes, mandates, and proper professional licensure and/or certification for professionals covered under civil service law.
- D. Keep president apprised of current educational issues as they relate to Civil Service Personnel.

## **ARTICLE VIII—THE COUNCIL OF DELEGATES**

The Council of Delegates shall be the legislative and policy forming body of the WTA. The Council of Delegates shall consist of the Executive Committee and all Building Representatives. Any dues-paying member of the Association who is not a member of the Council of Delegates may attend meetings, shall sit aside from the voting body, and may receive permission to speak, but may not make a motion, second a motion, or vote.

## **ARTICLE IX—DUTIES OF THE COUNCIL OF DELEGATES**

### **Section 1**

The duties of the Council of Delegates shall be as follows:

- A. Act upon appointments by the President, reports and recommendations of committees, adopt the annual budget, and set the dues for the WTA, approve resolutions and other policy statements.
- B. Adopt procedures to be followed in censuring or disciplining members for cause.
- C. Make any interpretations to the constitution and bylaws deemed necessary.
- D. Ensure all WTA policies, procedures, meetings, and actions are conducted in accordance with the constitution and bylaws.
- E. Validate the integrity of elections and votes.
- F. Have the authority to fill vacancies consistent with the constitution and bylaws.

### **Section 2**

Powers not delegated to the Executive Committee, the officers, or other groups in the WTA shall be vested in the Council of Delegates.

## **ARTICLE X—BUILDING REPRESENTATIVES**

### **Section 1—Representation**

Each building section shall be entitled to one representative for every fifteen (15) FTEs (Full Time Equivalents) or major fraction thereof.

### **Section 2—Building Representatives**

- A. All other building representatives shall assist the senior representative in the completion of the duties listed below.
- B. Representatives or their alternates will attend the Council of Delegates meeting, unless they notify the WTA office.
- C. Building representatives shall be elected for terms of two years. Building representatives of any one building will be elected in alternate years insofar as possible.
- D. Building sections will conduct their own elections for representatives following the election of the Executive Committee and prior to the June Council of Delegates meeting.
- E. Building Representatives shall take office on July 1 following their election except that in special elections, the person shall take office immediately upon being elected.

### **Section 3—Senior Building Representatives**

The Senior Building Representative shall:

- A. Call building meetings and inform the President of the schedule of such meetings by the second Liaison meeting of the school year.
- B. Attend Liaison meetings
- C. Serve as the first line of response to issues and concerns within the building
- D. Refer issues brought by members to the appropriate executive officer when necessary
- E. Accompany a member as an Association representative in meetings with administration when necessary or requested.
- F. Oversee the distribution of correspondence with members
- G. Oversee the monitoring and return of ballot boxes for elections and votes, and
- H. Assist the VP for Membership and Records with updating the NYSUT and building membership lists.

## **ARTICLE XI—STANDING COMMITTEES**

There shall be five standing committees and they will be the Negotiations Advisory Committee, the Liaison Committee, the Elections Committee, the Sick Bank Committee, and the Unity Task Force Committee. Each committee shall meet, adopt its own meeting schedule and rules of procedure, and make recommendations to and be responsible to the Council of Delegates.



#### Section 1—Negotiations Advisory Committee (NAC)

- A. NAC shall be chaired by the Vice President for Negotiations. It shall have members representing every building section in the district commensurate with the number of delegates a building is entitled to at COD. NAC must be convened prior to the negotiation of any successor agreement, including contract extensions.
- B. The committee will:
  - Make a recommendation of a collective bargaining team and its chief negotiator to the Council of Delegates.
  - Be responsible for drawing up and approving by majority vote the contract bargaining proposal to be initially presented by the collective bargaining team.
  - Meet when requested by the Collective Bargaining Team to consider the status of the bargaining and make recommendations to the bargaining team and make recommendations of actions to the Council of Delegates.
  - The Collective Bargaining Team shall promote the advancement of the professions by representing the WTA in bargaining sessions with the district negotiators. The Team has “at the table” authority to reach agreement, while the general membership must ratify the negotiated contract after a general membership meeting has been held for the purpose.

#### Section 2—The Liaison Committee

The Liaison Committee shall consist of the Senior Building Representatives or alternates from each building. The committee shall meet on a monthly basis to facilitate the exchange of information between each building section and the officers of the WTA.

#### Section 3—The Elections Committee

- A. The Elections Committee shall consist of three to five members appointed by the President and approved by the Council of Delegates. No officer or candidate for office may be a member of this committee.
- B. The Elections Committee shall be responsible for the nominations and the elections procedures which it will recommend to the Council of Delegates. It will also be responsible for the supervision of nominations and elections. The committee will also report the outcome of elections to the Council of Delegates.
- C. The Elections Committee also has responsibilities in the recall and impeachment processes, outlined in Articles XVII and XVIII.

#### Section 4—The Sick Bank Committee

The Sick Bank Committee shall be appointed by the President and approved by the Council of Delegates. The Committee shall develop rules and procedures for the administration of the Sick Bank subject to the approval of the Council of Delegates and shall be responsible for the administration of the Sick Bank consistent with these rules and procedures.

#### Section 5—The Unity Task Force

The Unity Task Force shall be chaired by the VP for Political Action and shall consist of a minimum of one member from each building to assist with the communication and tasks necessary for a successful school budget vote and the election of pro-education Board of Education candidates.

### **ARTICLE XII—SPECIAL COMMITTEES**

Each year the President shall appoint, with approval of the Council of Delegates, such special committees as are deemed necessary and shall discharge them upon completion of the duties.

### **ARTICLE XIII—MEETINGS**

#### Section 1—Executive Committee

The Executive Committee shall meet at the call of the President or at the request of at least three members of the committee. The committee shall set its own schedule of meetings annually.

## Section 2—The Council of Delegates

The Council of Delegates shall meet on a regular monthly basis, the schedule of which will be established annually. Special meetings of the council will be held upon request of the President or upon petition to the President of eight members of the Council of Delegates representing at least two buildings. The President shall prepare the agenda for meeting and shall circulate it to all members of the council so that the representatives have time to discuss it with the members in their buildings in advance of the council meeting.

## Section 3—General Membership Meetings

The general membership shall meet at the call of the President or upon petition of at least 10 percent of the total membership. The President shall prepare the agenda for each general meeting and circulate it to all dues-paying members. A reasonable amount of time must be given for the publication of the meeting notice and the agenda. Voting at General Membership Meetings must be restricted to business on the prepared agenda.

## Section 4—Building Meetings

Each building section shall hold regular monthly meetings preceding the meeting of the Council of Delegates. Special meetings may be called by the Senior Building Representative or by petition to the Senior Building Representative by 20 percent of the members of that building. Timely notice should be given before all meetings.

# **ARTICLE XIV—RULES OF ORDER AND QUORUM**

“Roberts Rules of Order Revised” shall be the authority on all questions of procedure not specifically stated in the constitution or bylaws or rules of procedure adopted by the Council of Delegates.

The majority of their members shall be a quorum of the Executive Committee, the Council of Delegates, and all other committees. The members present shall constitute a quorum for General Membership Meetings and meetings of building sections.

# **ARTICLE XV—ELECTIONS AND TERMS FOR OFFICERS AND REPRESENTATIVES TO AFFILIATES**

## Section 1—Elections

The elections procedures for officers of the WTA and representatives and alternates to NYSUT and its affiliates adopted by the Council of Delegates must include the following:

- A. They shall be elected by a secret ballot of a plurality of votes cast by active dues-paying members of the WTA.
- B. Active dues-paying members shall be given suitable opportunity to nominate candidates.
- C. Any candidate must be an active dues-paying member at the time of nomination. Members who have been censured within the past two calendar years are not eligible to run for office.
- D. Notice of the office to be filled, the right to make a nomination and the time, place, and proper form for the submission of nominations will be distributed to each dues-paying member in school mailboxes and posted on the website.
- E. Written notification announcing the time and place of elections will be mailed to each active dues-paying member at least fifteen (15) days prior to the election.
- F. Notice of the nominations and of the election may be combined into one notice.
- G. Each candidate will be permitted to have an observer at the counting of the ballots. The results of the election will be published and all election records, including ballots, will be preserved for a period of one year by the Vice President for Records and Membership in the WTA files.
- H. The Vice President for Records and Membership shall send, by registered mail or certified mail, to the appropriate organizations' headquarters, a certified list of official credentials (where appropriate) of all elected representatives and alternates not later than fifteen days prior to the opening of the Representative Assemblies or in accordance with the policies of the affiliates.
- I. Candidates receiving a plurality of the votes cast shall be elected. Those candidates for delegate to the Representative Assemblies of NYSUT and its affiliates who receive the highest number of votes following the election of the delegates, shall be the alternates.
- J. Each active dues-paying member shall be entitled to one vote.

- K. Balloting for officers, executive committee, and affiliate organization delegates shall be conducted in the month of May, the specific date to be selected by the Executive Committee.
- L. Election to the offices of Vice President for Elementary Issues, Vice President for Middle School Issues, Vice President for High School Issues, and Vice President for Civil Service Personnel Issues shall be as the result of the exclusive vote of the constituency group each represents.
- M. The First Vice President shall be elected on the same ticket as the President.
- N. Affiliate Delegates: The WTA shall be represented at the Annual Representative Assemblies of NYSUT and its affiliates. The delegates shall attend any such meetings, including those held locally by NYSUT Election Districts for delegates elected to the NYSUT RA, which relate to their responsibilities and shall report to the Council of Delegates. The President of the WTA shall serve as the first delegate with the term to coincide with his term of office as President. The VP for Political Action shall serve as an automatic delegate to the NYSUT RA with the term to coincide with his/her term of office as VP. The remaining allocated delegates shall be elected for a period of two years. Alternates shall be elected and serve in the event the delegate is unable.

#### Section 2—Terms of Office

- A. The officers shall be elected for terms of two years.
- B. New officers and representatives to affiliates shall take office on July 1 following their election except that in special elections, the person shall take office immediately upon being elected.
- C. Provisions for special elections can be determined by the Council of Delegates to fill any representative position not otherwise provided for in this constitution/bylaws.
- D. Affiliate delegates shall be elected for terms of two years. Affiliate delegates will be elected in alternate years. The number of delegates will be determined by budgetary considerations.

#### Section 3—Leaves

Officers who are on leave, paid or unpaid, for more than five calendar months must resign their position, unless an exception is made by a majority vote of COD. This vote would need to be held in the fifth month the officer is out of work.

## **ARTICLE XVI—SUCCESSION**

If the President is unable to serve out the term or the President Elect is unable to assume the office the First Vice President shall assume the office immediately. If the First Vice President is unwilling or unable to assume the duties, then the Vice President for Grievance and Personnel, followed by the Vice President for Negotiations are next in the line of succession. If those officers are unwilling or unable to serve, the Executive Committee shall select, from its members, a person to assume the duties.

If the remainder of the term is less than four months, that person will fill the remainder of the term.

If the remainder of the term is more than four months then an election needs to be held within 20 school days and the officer listed in section A will serve as interim president until a new election can be held.

## **ARTICLE XVII – RECALL OF EXECUTIVE OFFICERS**

#### Section 1—Grounds for Recall

An officer can be removed from office by recall for ineffectiveness, insufficiency, and/or exhibiting conduct unbecoming of an officer.

#### Section 2—Recall Procedures:

- A. Member(s) must: 1) obtain a Recall Petition Form (RPF) from the WTA Office, Senior Representative, or Building Representative, 2) fill out all portions of RPF, 3) obtain the signatures of at least 25% of the membership, 4) submit RPF and required signatures to at least one member of the Elections Committee and 5) provide a copy to a member of the Liaison Committee (Senior Representative).

- B. Upon receipt of the RPF, the Elections Committee should: 1) date stamp the form, 2) provide a copy of the form to the member filing the recall petition and 3) notify the officer identified in the recall that a RPF has been filed and provide said officer with a copy of the RPF if requested.
- C. The Elections Committee must validate signatures on RPF within (3) three business days of submission. Validation procedures shall be determined by the Elections Committee.
- D. Upon receipt of the RPF, the officer named in the recall has (3) three working days to submit a written response to the Elections Committee addressing the concerns outlined in the RPF.
- E. The Elections Committee will provide copies of the RPF and officer's written response (if provided) to the Vice-President of Communications. The Vice-President of Communications will oversee the copying and distribution of the RPF and the officer's response to all members through Senior Building Representatives. If the Vice-President of Communications is the subject of the Recall Petition, then the Elections Committee will oversee the copying and distribution of the RPF.
- F. The RPF and officer's response must be submitted to the membership in writing at least (3) days before the recall vote. The Elections Committee should verify the distribution of the aforementioned documents with each Senior Building Representative.
- G. The recall vote must take place no later than (15) fifteen days after the submission of the RPF to the Elections Committee.
- H. A simple majority vote of the membership is needed for an officer to be recalled.

### Section 3

Any officer removed from office as a result of a recall, will not be eligible to serve in any elected or appointed position for three calendar years after the date of the recall vote.

### Section 4

Any member or officer of the WTA who proffers frivolous, baseless, or unwarranted charges in a recall petition may put themselves at risk of losing their status as an active member.

## **ARTICLE XVIII—IMPEACHMENT OF EXECUTIVE OFFICERS**

### Section 1—Grounds for Impeachment

An officer can be removed from office by impeachment for the violation of any provision of this Constitution and its Bylaws or for the misappropriation of WTA funds and property. This is without prejudice to the filing of an appropriate criminal or civil action against the responsible officer or officers by an interested party.

### Section 2 —Impeachment Charges

- A. Member(s) must: 1) obtain an Impeachment Petition Form (IPF) from the WTA Office, a Senior Representative, or a Building Representative, 2) fill out all portions of IPF, 3) obtain the signatures of at least 25% of the Council of Delegates, 4) submit IPF and required signatures to at least one member of the Elections Committee and 5) provide a copy to a member of the Liaison Committee (Senior Representative).
- B. Upon receipt of the IPF, the Elections Committee should: 1) date stamp the form, 2) provide a copy of the form to the member filing the impeachment petition 3) notify the officer identified in the impeachment that a IPF has been filed, the time, date and place the hearing will be held, and provide said officer with a copy of the IPF if requested.
- C. The Elections Committee must validate signatures on IPF within (3) three business days of submission. Validation procedures shall be determined by the Elections Committee.
- D. Upon receipt of the IPF, the officer named in the impeachment has (3) three working days to submit a written response to the Elections Committee addressing the concerns outlined in the IPF.
- E. The Elections Committee will provide a copy of the IPF and the officer's response to The Vice-President of Communications who will oversee the copying and distribution of the IPF to all members of the Council of Delegates. If the Vice-President of Communications is the subject of the impeachment petition, then the Elections Committee will oversee the copying and distribution of the IPF.
- F. A meeting of COD will be held to adjudicate the impeachment charge no later than (15) fifteen days after the submission of the IPF to the Elections Committee and the membership will be notified of the date of the hearing at least (3) three days before the hearing occurs.

### Section 3—Impeachment Proceedings

The following procedures shall govern all impeachment proceedings:

- A. The Council of Delegates will be responsible for adjudication of the charges, and chaired by a member of said committee selected by the Elections Committee.
- B. The member(s) initiating the IPF and the officer charged in the IPF have the right to speak to the charges, followed by a discussion of COD.
- C. If an accused officer without just cause refuses or neglects to stand trial when duly notified, the Committee may proceed with the trial in his absence.
- D. The trial should be open to any member of the Union in good standing. The Council of Delegates is empowered to take those steps necessary to have the trial conducted in an orderly manner and to require individuals present to maintain proper decorum.
- E. The Council of Delegates shall keep minutes of these proceedings and preserve the evidence presented, minutes should accurately reflect the proceedings, but need not be a word-for-word transcript.
- F. A two-thirds vote of those delegates attending the meeting is required for Council of Delegates to take punitive action.
- G. When the verdict is announced, it shall be entered on the minutes, and the Vice-President of Records and Membership shall notify the accused in writing by hand delivery or certified mail. Any penalty imposed shall be enforced by the President of the WTA.
- H. Impeachment proceedings may be held even though an officer resigns.

### Section 4

Officers impeached shall ipso facto be considered removed from office and shall no longer be elected or appointed to any position in the WTA.

## **ARTICLE XIX—RATIFICATION OF THE COLLECTIVE BARGAINING AGREEMENT WITH THE DISTRICT**

Ratification of the contract shall be by procedures adopted by the Council of Delegates. A general meeting shall be conducted prior to the balloting wherein the President, with such assistance as deemed appropriate, shall outline the basic changes from the existing contract. It shall be ratified by a majority vote of all active dues-paying members after the General Membership meeting.

## **ARTICLE XX—RATIFICATION OF MEMORANDUMS OF AGREEMENT WITH THE DISTRICT**

### Section 1—MOAs pertaining to Individuals

If a proposed MOA pertains to one individual member of the WTA, the VP of Negotiations and/or President will solicit input from that individual member before a tentative agreement is reached on the MOA. An MOA pertaining to an individual shall be presented for action to the Executive Committee and shall be approved by a majority vote of the entire Executive Committee. Said member shall be afforded the opportunity to address the Executive Committee prior to the vote.

### Section 2—MOAs pertaining to a subgroup of the WTA

If a proposed MOA pertains to a subgroup (two or more members) of the WTA, the VP of Negotiations and/or President will solicit input from that subgroup before a tentative agreement is reached on the MOA. An MOA pertaining to a subgroup shall be presented for action to the Council of Delegates and approved by a majority vote of COD. Members of the affected subgroup will be afforded the opportunity to speak at the Council of Delegates before such vote occurs. If the Council of Delegates determines that the MOA has the potential to impact a majority of the members, the Council may vote to consider the MOA under Section 4 and present it for action to the membership.

**Section 3—MOAs pertaining to specific instructional levels**

If a proposed MOA pertains to a specific instructional level (Elementary, Middle, or High) of the WTA, the VP of Negotiations and/or President will solicit input from that instructional level before a tentative agreement is reached on the MOA.

An MOA pertaining to an instructional level shall be presented for action to the Council of Delegates and shall be approved by:

- A. A majority vote of the Council of Delegates, or
- B. A majority vote of the dues-paying members at the affected instructional level if such vote is recommended by a majority of Council of Delegates.

Members of the affected instructional level will be afforded the opportunity to speak at the Council of Delegates before such vote occurs.

**Section 4—MOAs pertaining to 50 percent or more of the entire WTA Membership**

If a proposed MOA pertains to 50 percent or more of the membership of the WTA, it shall be presented for action to the entire active dues-paying membership and ratified through a majority vote in the building sections. The VP of Negotiations and/or President will solicit input from members before a tentative agreement is reached on the MOA. Members will be afforded the opportunity to speak at the Council of Delegates before the aforementioned vote occurs.

**Section 5—Determining appropriate section**

If there is any question about which section pertains to a proposed MOA or how the MOA should be approved, the Council of Delegates shall have the authority to determine the appropriate procedure for ratification of the proposed MOA.

## **ARTICLE XXI—AMENDMENTS**

**Section 1**

An amendment to the constitution or bylaws may be introduced in writing at any regular meeting of the Council of Delegates by any active dues-paying member of the Association.

**Section 2**

Any proposed amendment must contain the signature of the member proposing it. The proposal must, in addition, contain the signatures of at least thirty active dues-paying members.

**Section 3**

Any proposed amendments shall be presented for action to the entire active dues-paying membership through a vote in the Building Sections, with the recommendations of the Council of Delegates. The proposed amendment must be submitted to the membership in writing at least twenty (20) days before the vote.

**Section 4**

Amendments, when approved under these provisions by a two-thirds vote of the membership voting, shall become part of the constitution or bylaws.

*Implementation: This constitution/bylaws shall become effective upon ratification. All persons elected to association positions prior to the adoption of this constitution/bylaws shall continue in office for the same terms as elected. Any change of office or term of office will commence upon the next election. Where this constitution/bylaws provides for additional or new positions, they will be filled by special election as provided by this document.*