

# **MFT LOCAL 59 CONSTITUTION**

**(2017)**

## **Preamble**

We, the Teachers & Related Services Professionals and Education Support Professionals of Minneapolis Special School District #1, in order to establish relationships of mutual assistance and cooperation among members; to ensure professional status and compensation; to enhance the quality of work life; to share in the decision-making process; and to ensure recognition of the members and our profession and safeguard the public good of public education do establish this Constitution and Bylaws.

## **ARTICLE 1**

### **Name**

This organization shall be known as the Minneapolis Federation of Teachers, Local 59.

## **ARTICLE 2**

### **Affiliation**

Section 1. Affiliates. This organization shall affiliate with: the American Federation of Teachers, National Education Association, Education Minnesota, Minneapolis Regional Labor Federation, Minnesota American Federation of Labor-Congress of Industrial Organizations, and with such other organizations as the membership may deem advisable.

Section 2. Delegates. MFT Local 59 may send delegates to meetings of each of the organizations which it is affiliated.

## **ARTICLE 3**

### **Membership**

Section 1. MFT Local 59 shall be composed of voting and non-voting membership chapters. The voting chapters are the Teachers Chapter and the Education Support Professionals Chapter. Non-voting chapters may be a retiree chapter, a student chapter, and/or a community auxiliary chapter.

Section 2. Eligibility. Membership shall be granted to individuals who sign up to pay dues (full share members) to MFT Local 59 and agree to the terms of membership as laid out in this Constitution and bylaws. MFT Local 59 shall consist of the following voting members: Teachers & Related Service Professionals, Educational Support Professionals, organized in conformity with the provisions of this Constitution. Non-voting members will be non-dues payers or fair share dues payers, retired Teachers & Related Service Professionals and retired Educational Support Professionals, students, and community members organized into an auxiliary that are organized in conformity with the provisions of this Constitution.

Section 3. Free Speech. No member shall be restricted or hampered in the expression of free speech or personal views.

Section 4. Anti-discrimination. MFT Local 59 will not discriminate on the basis of age, race, color, creed, religion, gender, gender identity, sexual orientation, physical ability, marital status, status with regard to public assistance, or veteran status.

## **ARTICLE 4**

### **Fiscal and Election Years**

Section 1. The "fiscal year" of MFT Local 59 shall begin September 1 and end August 31.

Section 2. The elected officials of this Union except stewards and designated delegates shall serve beginning June 15 in every even-numbered year.

## **ARTICLE 5**

### **Meetings**

Section 1. Each chapter shall hold at least seven chapter meetings in each school year at the time and place determined by the Executive Board and upon notification to the members of the chapters.

Section 2. MFT Local 59 will host an annual Joint Membership Meeting in May of each year. At this meeting members will consider and approve an annual budget and dues rates and may consider for approval amendments to the Constitution and Bylaws, changes to the MFT Local 59 Policy Manual, Assessments and other such business that may come before the body by recommendation by the Joint Executive Board, Committee or by Referendum.

Section 3. Other membership meetings may be held in each school year at a time and place determined by the Joint Executive Board and with notification to the membership.

Section 4. There shall be at least nine regularly scheduled monthly Executive Board meetings during the school year.

## **ARTICLE 6**

### **Governance & Conduct of Business**

Section 1. The Chapter Executive Boards, the Joint Executive Board, shall democratically govern MFT Local 59, along with Membership, through elections, voting and consideration of Referendum. Members at a Chapter Meeting may bring new business to the Chapter and Joint Executive Boards and request reports by a majority vote of the membership meeting.

Section 2. MFT Local 59 will have a policy manual that will be reviewed every two years.

Section 3. All business of MFT Local 59 shall be conducted according to the most current *Robert's Rules of Order, Revised Edition*.

Section 4. Each Chapter President may designate a parliamentarian to assist the President at all chapter meetings. The decision of the parliamentarian shall be final unless an appeal by a member or by the President is sustained by a 66% vote of the members present.

Section 5. Quorums.

a. The full share members present at any chapter meeting held in accordance with procedures for calling the meetings shall constitute a quorum.

b. The elected Chapter or Joint Executive Board members present at a meeting held in accordance with procedures for the meeting shall constitute a quorum.

## **ARTICLE 7**

### **Official Publications**

MFT Local 59 and each chapter may have official publications to inform members and will include an official chapter logo.

## **ARTICLE 8**

### **Amendments and Bylaws**

Section 1. This Constitution and Bylaws may be amended or revised by a two-thirds (2/3) majority vote of the membership casting ballots, provided that content thereof in full shall have been published in an official electronic or paper publication of MFT Local 59 and forwarded to the membership not fewer than fifteen (15) days prior to the day of the vote. Voting may occur by USPS mail ballot or electronic ballot. In person voting must be available during the balloting period for either ballot option.

Section 2. The MFT Local 59 Policy Manual will be reviewed every two years and may be amended by a majority vote of those casting ballots.

Section 3. Each chapter will have policies that must be consistent with and not constrict the policies and governance of MFT Local 59.

## **ARTICLE 9**

### **Referendum**

A referendum is a vote conducted so the membership can make decisions governing MFT Local 59.

A referendum vote on any question may be initiated in the following manner:

- a. by recommendation of the Joint Executive Board, or
- b. by petition of thirty-five percent (35%) of union membership.

## **ARTICLE 10**

### **Recall**

Section 1. Any elected officer or Executive Board member or delegate shall be subject to recall for any infringement of the provisions of this Constitution & Bylaws or for breach of fiduciary responsibility.

Section 2. Whenever thirty-five (35) percent of the eligible membership signs a recall petition setting forth specific charges, the Executive Board shall order a recall election, with published notice thereof.

Section 3. The accused officer, member, or building steward shall be presented with the charge in writing not less than ten (10) days before the recall meeting, which may be a special meeting or a subsequent membership meeting. They shall be given an opportunity to answer the charges at the meeting.

Section 4. Pending action upon charges, the officer or member charged may be suspended by a two-thirds (2/3) majority vote of the Executive Board.

Section 5. Upon a call for a vote, two-thirds (2/3) of those voting will be necessary for removal of the person. The voting shall be conducted by ballot of the membership, as formulated in the Referendum section of Constitution and Bylaws of MFT Local 59. Balloting will be by USPS Mail or electronic ballot. In person voting must be available at MFT Union Hall during the balloting period.

## **ARTICLE 11**

### **Officers and Executive Board**

Section 1. The elective officers of MFT Local 59 shall be: Chapter Presidents (one each chapter), First Vice-Presidents (one each chapter if needed), Second Vice-Presidents (one each chapter), recording secretaries (one each chapter) and MFT Local 59 Treasurer.

Section 2. The Executive Board shall include elected officers, the Chairperson of the Minneapolis Regional Labor Federation delegation and elected members of the Board.

## **ARTICLE 12**

### **Elections**

Section 1. The election of officers, Executive Board members and Minneapolis Regional Labor Federation (MRLF) delegation shall be held prior to the May executive board meeting on even-numbered years, pursuant to Bylaws, Chapter 13.

Section 2. All officers, Executive Board members, and MRLF delegates elected in a regular election shall serve two years, beginning June 15 in even numbered years.

Section 3. To be eligible to run for any union position one must be a full share member in good standing.

Section 4. Elections for officers, Executive Board members, and the MRLF delegation position are conducted by the standing Elections Committee.

## **ARTICLE 13**

### **Stewards**

Section 1. Each chapter shall have one steward per work site to be elected annually by the last day in September by the members at that site.

Section 2. If no steward is elected, the chapter president shall be able to appoint a steward to serve until the following year's election.

Section 3. Stewards shall be subject to recall by the Joint Executive Board by a 2/3 majority vote after a request of the majority of the Teachers and Related Service Personnel or ESPs at the site.

## **ARTICLE 14**

### **Budget, Dues, & Assessments**

Section 1. A budget shall be prepared and submitted for adoption to the May Joint Membership meeting for each ensuing fiscal year.

Section 2. The annual dues shall be based on the budget report submitted by the Budget Committee Chairperson with approval of the Joint Executive Board in accordance with State and National Affiliates. Such action shall be final, except that the Executive Board with the approval of the membership may waive this provision for special membership drives.

Section 3. Every member of MFT Local 59 shall pay into its treasury through dues check-off the annual dues as provided in this Constitution and Bylaws.

Section 4. Assessments. In the event the need arises for a special assessment of the membership the membership shall vote by Referendum as laid out in this Constitution and Bylaws. An assessment must pass with a majority of those voting.

## **ARTICLE 15**

### **Audit**

All financial records of MFT Local 59 shall be audited annually by an independent auditor no later than the end of the first quarter of the following fiscal year.

## **ARTICLE 16**

### **Contract Authorization & Strike Vote**

Section 1. Upon a tentative contract agreement being reached, the Chapter Executive Board and Negotiations team shall schedule a contract vote of members of MFT Local 59. The procedure and timeline is described in the Bylaws Chapter 6.

Section 2. In the event contract negotiations stall on selected issues, the Chapter Executive Board and Negotiations Team may recommend to the membership to take the remaining unresolved issues to mediation by the MN Bureau of Mediation Services.

Section 3. In the event contract negotiations does not result in an agreement, followed by the required cooling off period, the Chapter Executive Board, upon the recommendation of the Negotiations Team, may call for a strike authorization vote of the membership.

Section 4. In the event continued contract negotiations fail to reach agreement, the Executive Board may call a strike vote and/or may recommend an action.

Section 5. Teacher and Related Service Professionals. A strike vote may be conducted either electronically or via paper ballot, (2/3) majority vote of members is required to proceed.

Section 6. Education Support Professional. A strike vote may be conducted either electronically or via paper ballot, two-thirds of all people in the unit, (2/3) majority vote is required to proceed.

## **ARTICLE 17**

### **Disciplinary Action**

Section 1. Cause: Discipline may be imposed on any member for the following:

- a. Failure to pay dues
- b. A substantial violation of the "Code of Ethics of the Profession"

c. A violation of the Education Minnesota policy in crisis situations affecting the MFT Local 59 affiliate bargaining unit

d. Other good and sufficient cause whereby the conduct of the member would be substantially prejudicial to the purposes of MFT Local 59

Section 2. Authority to Impose: A majority of the Joint Executive Board of MFT Local 59 shall have the power to impose discipline on any member subject to the provisions of the Member Discipline Policy established and maintained by the Joint Executive Board.

Section 3. Other authority: When the authority to impose discipline is not exercised pursuant to Section 2, then the President/s of MFT Local 59, when authorized by the Joint Executive Board shall have the power contained in Section 2 of this Article.

Section 4. Lawsuits: No person shall initiate a civil action, suit or proceeding in any court against MFT Local 59 or its officers, members or employees on account of any discipline unless such person has exhausted the remedies of hearing and appeal provided by the Member Discipline Policy established and maintained by the Executive Board, or at least four (4) months have elapsed from the time the discipline was imposed.

## **BYLAWS**

### **CHAPTER 1**

#### **Membership**

Part 1. A member whose dues, or special assessment, is not current thirty days after the due date shall be deemed delinquent. Delinquent members will receive notification of the amount, timeline, and options for repayment from MFT Local 59.

Part 2. Membership may be terminated or forfeited by expulsion from MFT Local 59 at the discretion of the Executive Board for arrearage of dues or assessment for three months.

Part 3. An application for reinstatement to membership by one who has resigned or one who is not in good standing and has forfeited membership must be accompanied by a remittance in full payment of past financial obligations unless such dues are cancelled by the Joint Executive Board, and acceptance of dues check-off.

Part 4. Resigned membership is effective through any current fiscal year. The Joint Executive Board shall review and act on overdue accounts. It shall, in presented cases of individual emergency, review and act in matters of dues. It may authorize legal action.

### **CHAPTER 2**

#### **Withdrawals and Resignations**

Part 1. A member may resign from MFT Local 59, but only by notice in writing to the Union. Any notifications received after August 31 of any given year will result in continuation of automatic dues deduction and full membership is in effect for the remainder of the fiscal year. An "oral" resignation made to a steward or an officer has no legal status and no legal effect.

Part 2. A letter of withdrawal or resignation, after processing and having been reported to the Joint Executive Board, shall be used to strike such name from the membership list and to cancel all MFT Local 59 and affiliate publications and services at the end of the fiscal year.

### **CHAPTER 3**

#### **Meetings**

Part 1. Special meetings of the chapters of MFT Local 59 may be called at the discretion of the Chapter President or the Executive Board. Notification to the membership shall be seven days prior to the meeting, if possible.

Part 2. Special meetings of the Joint Executive Board shall be at the call of the Executive Board Chairperson or by a Chapter President with due notice informing the Chairperson of the time, place and purpose of the meeting.

Part 3. Meetings of stewards shall be called at the discretion of the chapter officer whose duties include the calling of such meetings, or the Chapter President with due notice to the Chapter Vice-President(s).

Part 4. The Chapter President or the Joint Executive Board shall be empowered to change the date, location or time of any chapter meeting. Both chapters will be notified if the meeting deals with issues pertaining to both chapters.

Part 5. Official minutes of all official membership and Joint Executive Board meetings shall be recorded by a Recording Secretary. Official minutes of all chapter meetings shall be recorded by the appropriate Chapter Secretary or designee. Official minutes of all membership, executive board and chapter meetings shall be recorded by a Recording Secretary or designee. All committees will appoint a recording secretary to take minutes and report to the appropriate executive board.

Part 6. Official minutes of all meetings of record shall be filed, stored, and transferred periodically to the Minnesota Historical Society following the MFT Local 59 Archives and Record Policy.

## **CHAPTER 4**

### **Duties of Officers**

Part 1. Chapter President. It shall be the duty of the Presidents: to serve as a regular or ex-officio member of MFT Local 59 Joint Executive Board; to chair the Community Engagement Committee, to serve as a member of the Joint Officer Committee, Personnel Committee, MFT Local 59 Budget Committee; to preside at chapter meetings; to be a member ex-officio on all other committees and delegations or appoint a member of the Chapter Executive Board to serve as such, except the Elections Committee; to perform duties set forth in this Constitution and Bylaws; to sign necessary papers and documents; to transact such other business as normally pertains to the office; to be generally responsible for the functioning of this Union; to be the official spokesperson for that chapter of MFT Local 59 and, when possible, shall have authority to delegate such responsibility; appoint membership to standing committees; lead the negotiations process as laid out in Bylaw Chapter 11 part 4.c.

Part 2. Chapter First Vice-President. It shall be the duty of the First Vice-President: to chair a standing committee, serve as a member of the Joint Officer Committee, Personnel Committee, MFT Local 59 Budget Committees; and a member of the Member Mobilization Committee. The First Vice-President (Chapter) will assume the responsibilities of the President and complete the unexpired term when that office becomes vacant or the President is unable to fulfill those duties. First Vice-Presidents will co-chair the MFT Local 59 Joint Executive Board, and each shall chair their respective chapter board meetings.

Part 3. Chapter Second Vice-President. It shall be the duty of the Second Vice-President to serve: as the chair of the Chapter Membership Mobilization Committee, as a member of the Joint Officer Committee, Personnel Committee, MFT Local 59 Budget Committee; to serve as chairperson of the stewards' general meetings. The Second Vice-President will serve on the MFT Local 59 Executive Board.

Part 4. Chapter Recording Secretary. It shall be the duty of the Secretaries to: create and archive a permanent record of the proceedings of all chapter business meetings (Officers, Executive Board, Stewards, and Membership). Maintain attendance for Officer and Executive Board meetings. The Secretary will furnish copies to Chapter Presidents and to the Chapter First Vice-Presidents for publication to members after approval.

Part 5. Treasurer. It shall be the duty of the MFT Local 59 Treasurer to all financial transactions approved by the Joint Executive Board this may include; The treasurer also serves on the MFT Local 59 Executive Board Joint Officers committee, Personnel Committee and MFT Local 59 Budget Committee. The treasurer will assist in preparing a budget for the local, and serve as



financial advisor to the local. The Treasurer will work with the local's accountant to submit monthly and annual financial reports prepared for the Executive Board and be prepared to explain details of the report. In case of inability of the Treasurer to perform duties, the Joint Executive Board may authorize another officer to sign checks. The Treasurer will collect reports from members returning from conventions and conferences.

Part 6. Bonding of Officers. Any officer or staff member requiring it may have adequate and reliable bonding and theft insurance coverage at the expense of the Union.

Part 7. In the event that any officer other than the President can no longer fulfill their responsibilities the process for filling vacancies shall be followed as outlined in Chapter 12 Vacancies.

## **CHAPTER 5**

### **Executive Board**

Part 1. Prior to each regular election, at the January Joint Executive Board meeting, the number of At-Large Executive Board members from each chapter shall be determined by dividing the number of MFT Local 59 members (Teachers and ESP) by fifteen (15) to establish a board unit.

a. To determine the number of each chapter's membership on the Executive Board, divide the number of each chapter's members by the board unit number. Thus giving each chapter one Executive Board member for each board unit and major fraction thereof (see above).

b. This formula is to determine the regular Executive Board members. Officers for each Chapter are not included in this equation, but do sit on the Executive Board.

Part 2. Each Chapter's Executive Board Officers shall be a member of the Joint Executive Board, Minneapolis Regional Labor Federation (MRLF) Chair, MFT Local 59 Treasurer, Chapter Presidents, First Vice-Presidents, Second Vice-Presidents and Secretaries.

Part 3. At any time a chapter is eligible for an additional member according to the unit established prior to the last election, that member shall be filled according to Chapter 11 Parts 7-12. It is recognized that the size of the board may exceed the number of members of the board established at the previous election.

Part 4. When a vacancy exists between elections positions on the Executive Board will be filled in the following manner:

a. At a membership meeting with prior notice of board vacancy, names can be presented for approval by said membership.

b. If a vacancy occurs over the summer, a special membership meeting will be convened at the first chapter meeting in September.

## **CHAPTER 6**

### **Duties of the Executive Board(s)**

Part 1. The Joint Executive Board shall execute the decisions of the chapters and MFT Local 59 membership.

Part 2. The Joint Executive Board shall write and recommend policy to the chapters and MFT Local 59 Joint membership.

Part 3. Each Chapter's Executive Board shall create and recommend for consideration, prior to the budget committee's work to approve their respective budgets.

Part 4. The Joint Executive Board shall establish a calendar of monthly Executive Board meetings and properly notify the MFT Local 59 membership of said meetings according to Article 5, Section 4.

Part 5. The Joint Executive Board shall be responsible for the conduct of all referenda. All referenda shall pass by a majority of those voting unless otherwise stated in an Article or Chapter of this Constitution & Bylaws. Referenda shall be conducted the following manner:

- a. Determine the language to appear on ballots after consulting with the representative/individuals submitting the petition.
- b. Establish a time schedule to ensure that all views on the question be communicated to the membership of MFT Local 59 official publications or email.
- c. Publish the language of the question in multiple venues prior to balloting the conduct of balloting.
- d. Hold information and discussion meetings concerning the question.
- e. Establish a fair and equitable procedure for conduct of balloting.
- f. Joint Executive Board certifies the results of the ballots prior to release to the membership as a whole.
- g. Challenges to the conduct of the vote shall be heard by the Joint Executive Board.

Part 6. The Joint Executive Board shall act for the membership of MFT Local 59 in the interim between the regular and/or special meetings, including the summer.

Part 7. The Joint Executive Board shall authorize other than routine items of budget expenditures and shall approve transfers of funds between line items in each respective budget.

Part 8. The Executive Board shall exercise jurisdiction over the authorization of funds to be used for items that were not allocated in the member approved budget, and shall establish committees of the Executive Board which must include Chapter Presidents and MFT Local 59 treasurer for the administration of all special reserves.

Part 9. The Joint Executive Board Officers shall act in a judicial capacity in cases of discipline, of forfeiture of membership, or of expulsion (refer to Article 17).

Part 10. The Joint Executive Board Officers shall have the authority to employ and contract with such staff as necessary.

Part 11. All Executive Board meetings shall be open to all MFT Local 59 members with exception of committee of the whole.

## **CHAPTER 7**

### **Contract Ratification**

Part 1. Once a tentative agreement has been reached it is presented to the appropriate chapter executive board for a decision to present to the membership for approval.

Part 2. A vote on contract ratification could be by mail ballot to the home address of full share members. The mailing shall include a ballot, a ballot envelope, and an executive summary of the contract settlement, instructions and deadlines for returning the ballot. Ballot return shall be scheduled to allow for return by U.S. mail. Ballots shall be counted by a committee of members appointed by the elections committee.

a. A vote on contract ratification by electronic means will be sent by email to all full share members following established procedures.

b. Any contract ratification vote must offer an in person voting option during the period of voting.

Part 3. All ballots, including used, unused, and challenged ballots, envelopes used to return marked ballots in a mail ballot election, tally sheets, and related election documents, must be kept for two (2) years by the election officials. Results of electronic ballots should be kept on file for the designated two (2) years.

## **CHAPTER 8**

### **Strike Voting**

Part 1. The Chapter Executive Board may take a vote on taking unresolved issues from negotiations to mediation and shall take place at any regular or special meeting after notice of the membership by email.

Part 2. The Chapter Executive Board must authorize the taking of a strike vote by a majority vote of the Chapter Executive Board. The strike vote shall be at any regular or special membership meeting following proper notification and explanation.

Part 3. A strike vote shall be taken in accordance with state law statute M.S. 179A.17 subdivision 1. After proper notification, members of the local may cast a written ballot vote at a regular or special meeting called for that purpose. All Teachers & Related Service Professionals or Education Support Professionals are eligible to vote in their chapter's strike vote.

Part 4. A strike vote requires 2/3 majority to authorize a strike.

## **CHAPTER 9**

### **Affiliation Delegations**

Part 1. MFT Local 59 delegates to the American Federation of Teachers (AFT), National Education Association (NEA) and Education Minnesota (ED MN) shall be elected at chapter meetings following an announcement for candidates the two preceding monthly meetings and by two notices in an official publication of MFT Local 59 for candidates. Members who present themselves, or who are presented as candidates for nomination must be members in good standing.

Part 2. All elected delegates to affiliate national conventions shall be constituted to include proportional representation from each chapter, as determined by the Constitution and Bylaws of the body to which the delegates are sent.

Part 3. Delegates to the national conventions of the AFT and NEA shall be elected pursuant to the Landrum-Griffin Act.

Part 4. Delegates to education conferences may be selected and funded by the appropriate chapter Executive Boards.

Part 5. Minneapolis Regional Labor Federation (MRLF) delegates, proportionately representing each chapter, one of whom shall be chair, shall be elected and designated in accordance with the representation as set forth in the Constitution and Bylaws of MRLF. The Chair of the Minneapolis Regional Labor Federation of MFT Local 59 shall represent both Teacher & RSP and ESP chapters and will appear on each chapter's ballot during elections.

Part 6. MRLF delegates, including the chairperson of the delegation, shall file and/or be nominated and elected in the manner prescribed in the Bylaws, Chapter 11. Unsuccessful candidates shall be designated alternate delegates in rank order, so that there shall be as many alternate delegates as MRLF allows.

Part 7. After a delegate misses two consecutive MRLF meetings without prior notice, the Chair may declare an opening, notify the Joint Executive Board, and fill it by ranked alternate status from prior election results when possible. If there is an unfilled position the Chair can bring potential candidates to fill the position to the Joint Executive Board.

Part 8. The chairperson of the MRLF delegation shall be a member of the Joint Executive Board of MFT Local 59, and shall be delegate to the convention of the Minnesota AFL-CIO.

Part 9. Delegates to the MN AFL-CIO Convention shall be selected by the Presidents from the delegates to MRLF upon recommendation of the MRLF Chair and shall be ratified by their Executive Boards.

Part 10. Retiree Chapter 59 may, at their expense, send delegates to conferences and conventions.

## **CHAPTER 10**

### **Editors of Official Publications**

Part 1. The editors of official communications/publications shall be appointed by the incoming Chapter Presidents at the first Joint Executive Board meeting following the election and subject to the approval of the Joint Executive Board. Editors shall be members of the MFT Local 59 Communications/Publications Committee.

Part 2. The MFT Local 59 Communications/Publications Committee shall include all editors of official publications, a Vice-Presidents and one member appointed from each chapter. The committee shall elect a chairperson and hold at least two meetings yearly. Joint publications will be reviewed on an annual basis.

Part 3. Each Chapter President may send out official publications by email to members via electronic distribution and shall be considered legal notification for official business, constitution and referenda.

Part 4. MFT Local 59 publications may include the Educator, the Negotiator, and the Committee of Thirteen Newsletter, Capitol Watch, Steward Handbooks, In the Know, and other such

printed or electronic publications and social media platforms as necessary to fully inform the members.

Part 5. Elected delegations to conferences and conventions shall be expected to submit written reports to the Treasurer within 30 days of return for possible inclusion in MFT Local 59 publications.

## **CHAPTER 11**

### **Committees**

Part 1. MFT Local 59 shall have standing committees with such functions as herein described. Standing committees shall have continuous active status; but all members thereof shall serve on a year to year basis.

- a. A full list of committees and their chairs shall be furnished to the membership at the beginning of each school year.
- b. Committees shall strive for a balance of current and new full share members.
- c. Committee members may be appointed/recruited prior to the end of the school year for the following school year. Negotiation committees will continue until ratification of contract.

Part 2. The membership or the Joint Executive Board of MFT Local 59, in order to meet the needs of the MFT Local 59 may recommend other committees as appropriate to each chapter.

Part 3. The Executive Board shall notify the membership, of chairpersons for MFT Local 59 standing committees. No member shall chair more than one Local No. 59 standing committee except by approval of the Joint Executive Board or where called for under the Constitution & Bylaws.

Part 4. The chairperson of each chapter standing committee shall be voted on by committee membership or be appointed by the Chapter President with the exception of the Negotiations Committee. The membership will approve the negotiations committee at a chapter meeting. The President may:

- a. Serve as lead negotiator
- b. Serve as a co-lead negotiator
- c. Nominate lead(s) to be approved by the Chapter Executive Board and serve in an advisory role

Part 5. Standing committees of MFT Local 59 shall be:

- a. Budget, as per Chapter 14, Part 1 (Joint Officers)
- b. Personnel Committee (Joint Officers)
- c. Elections Committee (Joint)
- d. Communications/Publications as per Chapter 10, Part 2 (Joint/each chapter)
- e. Joint Labor Management Committees (Joint/each chapter)

- f. Constitution and Bylaws (Joint/each chapter)
- g. Grievance Committee (each chapter)
- h. Legislative (Joint)
- i. COPE (Joint)
- j. Negotiations Committees (each chapter)
- k. LCAT (Local Contract Action Committee) (each chapter)
- l. Professional Issues (each chapter)
- m. Social Justice/Community Engagement Committees (Joint)
- n. Staff Development Committees (each chapter)
- o. Committee of Thirteen
- p. MFT Retiree Committee
- q. Member organizing/mobilization committee

Part 6. Standing committees shall be activated at the discretion of the Joint Executive Board, membership, or appropriate chapter Executive Board.

Part 7. Task forces and short term committees shall be created by the Joint and Chapter Executive Board and Presidents as needed.

Part 8. The President shall recommend names to committees of affiliates like Education Minnesota (ED MN), American Federation of Teachers (AFT), National Education Association (NEA), American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) and Minneapolis Regional Labor Federation (MRLF).

Part 9. All committees, with the exception of the Grievance and some portions of the Legislative Committees shall be open for membership observation.

Part 10. Committee meeting dates, times and location shall be published and meeting summaries shall be posted on the MFT website.

Part 11. Standing Committee chairs can submit and present proposed budgets for consideration prior to annual budget committee process as outlined in Chapter 14 Budget.

## **CHAPTER 12**

### **Vacancies**

Part 1. In the case of death, disability, resignation, or removal of the MRLF delegation chairperson, the Joint Executive Board shall fill the vacancy from the MRLF delegation.

Part 2. In the case of death, disability, resignation, or removal of an Officer, with the exception of President, the Chapter Executive Board shall elect an officer from the Executive Board.

Part 3. In the case of death, disability, resignation, or removal of the President the chapter First Vice President shall become the chapter President.

Part 4. In the case of a vacancy of an At-Large Executive Board position the membership shall vote at the next chapter meeting with proper notice of vacancy from the membership.

Part 5. The Chapter(s) Secretary shall record attendance at Chapter, Chapter Executive Board, and Joint Executive Board meetings.

## **CHAPTER 13**

### **Nominations and Elections**

Part 1. Elections for Executive boards shall occur in even numbered years. Elections for conferences and conventions may occur annually.

Part 2. The Elections committee will have an equal number of ESP and Teacher members. The committee shall have a total of six, ten, or fourteen voting members.

Part 3. The timeline for elections committee work is the following; notice of nominations must be published fifteen days prior to each chapters' first February steward/member meeting. Nominations close at the end of the March chapter steward/member meetings. The Elections Committee shall hold election rules meetings directly after each chapters' member/steward meeting in March to distribute rules, procedures, and member list to each candidate. The committee shall reserve time and conduct candidates' speeches at April chapter steward/member meetings. Elections are to be held by each chapter some time during the three weeks preceding the May steward/membership meeting. Results shall be tallied, reported and certified within 10 days of the election closing. Committee reports same results at May steward/member meetings.

Part 4. Any qualified member may file as a candidate for any elective office or position of MFT Local 59 during the periods of time between the February and March membership or chapter meetings.

- a. In February, a person from the Elections Committee will announce the first call for nominations.
- b. Forms for such filing shall be available at the MFT Local 59 office or online after nominations have opened.

Part 5. Any candidate for any elective office or position must be a member in good standing with dues fully paid or checked off to date, and other financial obligations. The standing of members shall be checked prior to placement on the ballots.

Part 6. A report of all eligible filings shall be made at the March membership or chapter meetings by an Elections Committee member. Following this report, the Elections Committee member shall call for any further nominations from the floor for each office or position. Any member nominated from the floor shall be present or shall have indicated such consent in writing to the individual making the nomination and such written consent must be presented to the Elections Committee at the time of nomination.

Part 7. In the event that the filings and nominations do not provide at least one candidate for each office or position, the Elections Committee shall be responsible for securing candidates for any remaining, unfilled ballot slots and shall report such nominees in writing by email to the Joint Executive Board at in the same notice. Nominations will close at the end of the March membership or chapter meetings unless a nominee has withdrawn and thereby created a vacancy

on the ballot (see Chapter 12 Vacancies). In the event of a vacancy on the incoming executive board, once seated the new board shall follow Chapter 10 procedures to fill the vacancy.

Part 8. Elections are to be held by each chapter in even numbered years some time during the three weeks prior to the May membership meeting. Certified results will be reported to the Executive Board and Membership within 10 days of the election closing. Results will be reported to membership in an official publication and at the May Chapter meeting. Results will be published in the May chapter meeting minutes.

Part 9. Elections Committee shall be made up of members who are not running for office, not publicly support a candidate, or currently holding an elected office. Elections will comply with the Landrum-Griffin Act and follow election rules, procedures and protocols outlined below. The committee will oversee the election process and select members for the vote-counting sub-committee.

Part 10. Election rules, procedures, and protocols established by the Election Committee include:

- a. Each member must receive timelines, procedures and deadlines to file as a candidate at least 15 days prior to each chapters' February steward/member meeting.
- b. There shall be an open nomination process for all elections conducted by the Elections Committee according to this Constitution and Bylaws.
- c. Every member shall have a fair and equal opportunity to participate in the election without unreasonable impediments.
- d. Voting shall be by secret ballot.
- e. In a contested election, candidates must be allowed to station observers at collection sites and or MFT Local 59 during ballot counting.
- f. Candidate representatives may observe the ballot count but not participate in the ballot count.
- g. All ballot materials used by any candidate shall be safely stored for two years in case there is a challenge to the election.
- h. No union or district resources, direct or indirect, may be used by any candidate.
- i. The union shall comply with reasonable requests to distribute campaign literature at the candidate's expense.
- j. The candidates have a right to inspect the membership list once within the 30 days prior to the election.
- k. Elections Committee may decide how to handle voting for a shared single candidate positions if write-ins are not allowed.
- l. Election Committee shall provide written rules, procedures and membership list to each candidate at the Candidates Meeting that takes place immediately following the March chapter steward/membership meetings wherein nominations are closed.



Part 11. Each chapter shall, as part of the election process, provide a ballot that includes the MRLF Chairperson and the MFT Local 59 Treasurer who are to be elected at-large to represent MFT Local 59.

Part 12. All ballots and tally sheets shall be securely packaged and sealed upon completion of all election tallying and kept intact for a period of two years in the offices of MFT Local 59.

To certify the election results; Co-Chairs of the Chapter Elections Committee shall, at a May Joint Executive Board meeting, announce the results of the elections based on the official tally sheet. This sheet shall be dated, signed and presented to the Recording Secretary of each Chapter for inclusion in the May Joint Executive Board minutes. The Co-Chairs of the Elections Committee shall indicate the number of votes cast for each candidate for an office or position. All duly-elected officers, Executive Board members, and MRLF delegates of MFT Local 59 shall begin service to MFT Local 59 the following June 15. Part 11. Any contest of an election result must be presented in writing to the Elections Committee not later than ten days following the certification of the vote. The Election Committee shall sit in a judicial capacity and its decision shall be final.

Part 15. In the event of a tie vote for an elected position, a coin flip will determine the winner.

## **CHAPTER 14**

### **Budget**

Part 1. The Budget Committee shall include a Chairperson who is neither an elected Officer nor committee chair, Treasurer, the Presidents from both chapters, all Vice-Presidents, and the Secretaries.

- a. The proposed budget shall be prepared by the Budget Committee as identified.
- b. The Chair shall present the budget to the Joint Executive Board for review and recommendation to the membership. Budget background documents shall be prepared by the Treasurer and Accountant.

Part 2. Assessments. A referendum for an assessment of the membership may be considered at special meeting of MFT Local 59, provided prior notice of such action is given in two issues of the official publications of MFT Local 59 or special bulletin. A majority vote shall be required for approval of the referendum. A majority vote of those casting ballots is required to pass an assessment.

Part 3. Each MFT Local 59 member shall be accorded the opportunity to a secret ballot on a proposed assessment.

Part 4. Funds raised by any assessment shall be expended only as directed in the purpose and object of the assessment and shall conform to the usual collection and disbursement procedures of the MFT Local 59.

Part 5. Property Insurance. The annual reports of the financial officers shall include a full listing of the property of MFT Local 59. The entire property shall be adequately insured. For audit purposes, a full listing of all property and inventory shall be available.

## **CHAPTER 15**

### **Dues**

Part 1. Dues Calculation. Following the adoption of the budget by the membership for the subsequent year, the unified dues to MFT Local 59, Minneapolis Regional Labor Federation, Education Minnesota, American Federation of Teachers, and the National Education Association, for that year shall be calculated in the following manner:

a. Dues shall be increased an amount that covers the increases in per capita payments required by all affiliates according to AFT Constitution.

b. Then the local dues may be increased in the same percentage as the regular salary schedule was increased for the previous year.

Part 2. MFT Local 59 shall notify the Minneapolis Public Schools to automatically check off the dues of members and fair share fee payers from the number of checks from which benefits are dedicated and funds forwarded to MFT Local 59.

Part 3. Member dues shall be calculated and deducted consistent with affiliate dues categories. ESP member dues and fair share per capita payments shall be based on the salary amount earned by the members consistent with the dues categories of the affiliates.

Part 4. Student Teachers shall be offered membership at a rate to at least cover the cost of liability insurance determined by Education Minnesota (EdMN).

Part 5. Leaves of absence. Adjustments for leaves of absence may be made on a pro-rated basis.

Part 6. Retiree dues shall be established and collected by the Retiree Chapter.

Part 7. MFT Local 59 shall have the authority to arrange direct dues deduction with members and appropriate financial institutions.

## **CHAPTER 16**

### **Services**

Part 1. Benefits Plus. MFT Local 59 and its affiliates will offer opportunities for saving on a variety of products and services available only to members.

Part 2. Insurance Services. MFT Local 59 and affiliates may provide various insurance services and investment products and service for its members.

Part 3. Subscriptions. Members of MFT Local 59 shall receive all Union newspapers and magazines either mailed or online by virtue of their membership with affiliates.

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