

Constitution Of The Linn Benton Community College Faculty Association

(Revised, February 14, 2003)

Preamble

The purpose of the Linn-Benton Community College Faculty Association is to defend and promote academic freedom, due process, and shared governance; to protect and advance the interests of faculty members and their students; and to collaborate with the college administration in the creation of college policy.

Article I.

Membership

- All members of the LBCC faculty bargaining unit are eligible to become members of the Association.

Article II

Officers

- Section 1. Election of Officers
- Section 2. Term of Office
- Section 3. Eligibility to Hold Office
- Section 4. Nominations
- Section 5. Balloting for Election of Officers
- Section 6. Duties of Officers
- Section 7. Vacancies in Office

Article II.1

Election of Officers

Officers of the Association shall include the following: president, president-elect, secretary, treasurer, and past president. The Association shall, during the first seven working days of March each year, or as soon as practicable thereafter, elect a president-elect, secretary and treasurer. In no event, however, shall the election be held later than the last day of classes during winter term. Upon completion of a term of office, the president-elect shall immediately

assume the office of president and the previous president shall fill the office of past president.

Article II.2

Term of Office

- Officers shall assume the duties of their respective offices on the first day of spring quarter.
- All officers will serve for a term of one year.

Article II.3

Eligibility to Hold Office

Faculty Association members holding concurrent administrative positions in which such administrative work comprises more than 25% of the member's total contracted time are not eligible to hold office in the Association.

Article II.4

Officers

Nominations for candidates to office shall be presented by a Nominations/Elections Committee appointed by the Faculty Board and received at a meeting of the Association to be held at least 7 days prior to the election. Nominations from the floor may also be made at this meeting. All elections shall be by secret ballot. No person may be a candidate simultaneously for more than one elective office.

Article II.5

Balloting for Election of Officers

All elections shall be by secret ballot. The Association shall take such precautions as are reasonably necessary to protect the confidentiality of the balloting process. The candidates for each office receiving the plurality of votes cast during the time set for elections by the Nominations/Elections Committee shall be declared the winner. Election dates, times, places and methods shall be established by the

Nominations/ Elections Committee after consultation with the Faculty Board.

In the event of a tie vote for any office, notification of a run-off election between the candidates who are tied will be sent to all Association members within three working days. The run-off election will be held within seven working days of the date of that notification.

Article II.6

Duties of Officers

A. President

- The president shall endeavor to promote the interests and purposes of the Association, and supervise its progress and work.
- The president shall preside at all meetings of the Association and the Faculty Board.
- With the advice and consent of the Association, the president will appoint the chairpersons of all standing committees, and will serve as an ex-officio member of each committee.
- The president shall represent the faculty at meetings of the College Board of Education and other appropriate meetings.

Article II.6

Duties of Officers

B. President-Elect

- The president-elect shall serve as assistant to the president in the absence of the president. The president-elect is responsible for maintaining records of policies and regulations that affect faculty, for insuring that faculty members are provided current copies of such documents, and for notifying the Faculty Board when there is reason to believe that revisions are necessary.
- When policies or regulations are initiated, revised or approved by the Faculty Association, the president-elect insures that they are transmitted to the appropriate administrator in the proper form. The president-elect maintains a record of subsequent action taken, informs the Association of problems that arise in the processing, and takes the responsibility to see that implementation procedures are followed upon adoption.

Article II.6

Duties of Officers

C. Secretary

The Association secretary is responsible for:

- (1) supervising the work of a recording secretary hired by the Association to assist in maintaining the correspondence files and records of the Association, including a record of the proceedings of each meeting of the Association and of the Faculty Board, and
- (2) preparing an agenda for each Association meeting, distributing minutes of each Association meeting, and carrying on the correspondence of the Association.
- The Association secretary shall also respond appropriately to faculty occasions with cards, flowers and gifts.

Article II.6

Duties of Officers

D. Treasurer

- The treasurer is responsible for maintaining the financial files and records of the Association. The treasurer also maintains a current membership roster, receives all funds belonging to the Association and pays out same on orders of the Association, keeps an itemized account of the receipts and expenditures, and makes a report of same at each meeting of the Association.
- Every May the treasurer shall propose a budget for the following school year with such budget to include operating funds as well as contingency funds for legal expenses and for expenses associated with negotiations. The Faculty Board will then approve a budget and present it to the Association at the last meeting of the school year. At year end, the treasurer will prepare appropriate tax reporting forms as required by governmental agencies.
- The treasurer, in consultation with the president, shall appoint three faculty members to advise the treasurer regarding bookkeeping and banking policies and to assist in budget preparation. Other duties assigned by the treasurer to these faculty members will include

observing the college budget process and reporting to the treasure and Faculty Board regarding that process.

Article II.7

Vacancies in Office

In the absence of the president-elect, secretary or treasurer, defined as ninety or more continuous days (excluding summer term), the Association shall, at its next regular meeting, nominate candidates for each vacant position. Voting shall take place by secret ballot within one week of that meeting. In the absence of the past president, the next preceding past president who is still a regular member of the Association shall automatically fill the office.

- In the absence of the president-elect, secretary or treasurer, defined as ninety or more continuous days (excluding summer term), the Association shall, at its next regular meeting, nominate candidates for each vacant position.

- Voting shall take place by secret written ballot within one week of that meeting. In the absence of the past president, the next preceding past president who is still a regular member of the Association shall automatically fill the office.

In the short-term absence of the president-elect, secretary or treasurer, defined as any continuous period of more than

twenty-one days but less than ninety days (excluding summer term), a temporary appointment to the office shall be made by the president at the time the absence becomes known. Such appointment shall serve until the elected officer returns or is replaced.

Article II.8

Recall of Officers

All officers are subject to recall. A two-thirds vote by the members at a regularly scheduled Association meeting, or a petition signed by 20% of the Association's members, shall cause a recall election to be conducted within 30 days from the date of said meeting, or from the filing of said petition with the Association president. In the event the president is the subject of the recall, the petition shall be filed with an officer who is not the subject of the recall effort.

Article III.1

Faculty Board: Members

- The officers of the Association and the chairpersons of the standing committees shall constitute the Faculty Board.

Article III.2

Faculty Board: Duties

- The Faculty Board shall be responsible for planning, maintenance, and informational duties in the name of the Association as specified in the preamble of this Constitution. The Faculty Board will schedule and prepare agenda items for consideration at Association meetings, carry out official business on behalf of the Association as determined by action taken at Association meetings, and may call special meetings of the Association when required.
- Ultimate responsibility for the Association affairs rests with the Association as a whole and the Faculty Board is not empowered to take any action on behalf of the Association without Association approval, except as otherwise stated in this Constitution or By-laws.
- The Faculty Board may, in an emergency, act in the name of the Association in matters concerned with the purposes of the organization, as specified in the preamble of this Constitution. Such action is subject to ratification by the Faculty Association at the next immediate Association meeting.
- The Faculty Board shall insure that the financial records of the treasurer are audited before the last Faculty Board meeting of each winter quarter.

- Meetings of the Faculty Board shall be open to all members of the Association.

Article III.3

Faculty Board

- In the event that legal action is brought against a member of the Faculty Board as a result of that member's acts in carrying out provisions of the Constitution, By-laws, or Contract of the Faculty Bargaining Unit, the Association will pay the cost of defense.

Article IV

Standing Committees

- Section 1. Negotiations Committee
- Section 2. Professional Relations
- Section 3. Activities Committee

Article IV.1

Negotiations Committee

Members shall be selected by the Negotiations Committee Chairperson, in consultation with the Association president. To the fullest extent possible, its membership shall provide a wide representation of the variety of faculty positions that exist across campus. The membership of the Negotiations Committee may, at the discretion of the Faculty Association, vary from contract to contract to provide an opportunity for new faculty to participate. The Negotiations Committee shall develop bargaining proposals and rationale for faculty salaries, fringe benefits, and other conditions of employment.

At its first meeting, the committee shall select from its membership a legislative aide who will maintain a continuing study of proposed and actual legislation affecting the school and teachers and shall keep the committee informed regarding such legislation. A subcommittee of the Negotiations Committee shall comprise the bargaining team that will represent the members of the bargaining unit in collective bargaining with the representatives of the College Board of Directors. The subcommittee shall make a recommendation through the Negotiations Committee chairperson to the Faculty Board for a chief spokesperson for the bargaining team. Appointment of the recommended candidate will require approval by a majority of the Association membership.

Article IV.2

Professional Relations Committee (PRC)

- A. The PRC is responsible for insuring due process and assisting faculty members in pursuing grievances. Members shall be selected by the PRC chairperson, in consultation with the Association president. To the fullest extent possible, its membership shall provide a wide representation of the variety of faculty positions that exist across campus. The membership shall also change sufficiently each year to provide an opportunity for new faculty to participate.
- B. Normally, legal representation is not necessary in the grievance process. Should faculty members want legal representation in carrying a personal grievance forward, it generally will be at their own expense.
- C. If the grievance is in direct violation of the negotiated contract, as determined by the Faculty Board's legal counsel, the Faculty Association will pay the costs of defending the violated provisions of the contract through the arbitrations procedure.
- D. If a labor dispute results in the filing of an unfair labor charge on an issue not covered by the negotiated contract, the Faculty Board, on the recommendations

of the PRC, will seek approval of the majority of the Association membership for the necessary expenditure of funds.

Article IV.3

Professional Relations Committee (PRC)

A. Should a faculty member want legal representation in carrying a personal grievance forward, the cost of such legal representation shall be the sole responsibility of the faculty member, unless otherwise provided in this Constitution or in the By-laws.

B. If the grievance is in direct violation of the negotiated contract, as determined by the Faculty Board's legal counsel, the Professional Relations Committee may, in its sole discretion, obligate the Association to pay the costs of defending the violated provisions of the contract.

Article IV.4

Ad Hoc Committees

The Association president and the Faculty Board are each authorized to establish such *ad hoc* committees as are

reasonably necessary to further the interests of the Association.

Article V.1

Association Meetings

- A. Regular meetings of the Association will be held at least monthly during fall, winter, and spring terms. Notification will be in writing at least one week in advance of all regular meetings.
- B. Special meetings may be called by the Faculty Board or by petition filed with the secretary by fifteen percent (15%) of the members. Notification will be in writing no less than 48 hours in advance of such meetings.

Article V.2

Faculty Board Meetings

- Meetings of the Faculty Board shall be held before each regular Association meeting or as called by the president of the Association.

Article VI

Quorum

- A quorum for all meetings of the Association shall consist of one-fourth (1/4) of the members.
- For matters on which action must be taken at a particular meeting although a quorum is lacking, a motion may still be made, seconded, debated, and voted upon.
- If the motion is passed, written notification of the action will be sent to all Association members within three working days.
- If disapproval of the action is indicated in writing to the president of the Association by no less than one-fourth (1/4) of the membership within an additional seven working days, the action in question will be voided and the issue will be raised at the next regularly scheduled Association meeting.
- A quorum for the Faculty Board and all other committees shall consist of a majority of the members of said board or committee.

Article VII

Constitutional Amendments

Section 1:

Amendments to the Constitution shall be proposed by a majority of the Faculty Board or by an initiative submitted under the signatures of no less than fifteen percent (15%) of the Association membership.

Section 2:

Proposed amendments to the Constitution may be presented at any regular meeting of the Association, provided that the amendments is filed with the secretary ten days in advance of such meeting. Substantive changes to the amendment may be made at that meeting. A second regular meeting must then occur for editorial changes and final consideration of the amendment.

Section 3:

The amendment shall be stated in full on a secret ballot and voting shall take place within ten days of the second meeting. The voting date shall be set by the president at the second meeting.

Section 4:

A committee shall be appointed by the president to establish the method of voting, including provisions for absentee ballots, and to announce the results of the voting.

Section 5:

A majority vote of the Faculty Association membership shall be required for approval of the amendment.

By-Laws
to the
Constitution of the
Linn-Benton Community College
Faculty Association

(Revised, February 14, 2003)

Article I. 1
Rate of Annual Dues

- The rate of annual dues for members for the coming school year shall be determined by the Association at its last meeting of the school year. A change in the amount of dues may be proposed at any future meeting, but may not be voted upon until the meeting following the introduction of the proposed change.

Article I.2

Dues Prorated

- Persons who are eligible to be members of the LBCC Faculty Association and are employed less than one school year shall have their dues prorated during that school year.

Article II

Meetings

- **Section 1. Parliamentary Procedure**
Robert's Rules of Order, Revised, will be the authority on parliamentary procedure in all meetings of the Association.
- **Section 2. Attendance.**
Attendance at Association meetings shall be limited to members or to others by invitation of the Faculty Board.

Article III

Expenditures

With the exception of expenditures properly approved and budgeted by the Association, any expenditure in excess of \$200.00 shall require approval by a majority vote of the members present at a regularly scheduled faculty meeting.

Article IV

President's Release Time

The Association shall reimburse the president quarterly, including summer quarter, in a dollar amount equal to three (3) credits at the maximum overload compensation level. The Association shall reimburse the treasurer annually, at the end of winter quarter, in a dollar amount equal to 1 credit at the maximum overload compensation level. Treasurer's reimbursement is contingent upon twelve (12) months in the treasurer's position.

Article V

Ratification of Faculty Association Contract

A majority of the members of the LBCC faculty bargaining unit must approve the Faculty Association contract before it is valid.

Article VI

Amendments to By-Laws

Amendments to these by-laws shall be proposed by the Faculty Board or by an initiative submitted under the signature of no less than fifteen percent (15%) of the Association membership.

Amendments to the by-laws may be presented at any regular meeting of the Association, provided that the proposed amendment is filed with the secretary at least ten days in advance of such meeting and that the proposed by-law amendment is stated in full on the agenda for such meeting. A second regular meeting must then occur for final consideration of the amendment.

Passage of the amendment will require a two-thirds (2/3) vote of the members present at the second meeting