## Constitution of BOCES United Professionals

**Article I –Name**

The name of the organization shall be BOCES United Professionals (BUP), which is affiliated with New York State United Teachers (NYSUT) and its national affiliates.

## Article II – Objectives

The purpose of this organization shall be to:

1. Promote the welfare of its members;
2. Secure the conditions necessary to identify and maintain the greatest efficiency of members, supportive personnel, and educational programs;
3. Support each member in the implementation of their professional standards and/or code of ethics;
4. Promote the unity and strength of the organization;
5. Promote the best interests of the students and education at the Board of Cooperative Education Services #1, Monroe County;
6. Promote mutual assistance and cooperation with other local organizations with which it is associated:
7. Promote the aims and objectives of the New York State United Teachers, and the United Federation of Teachers.

## Article III – Membership

Section 1 – Included

**Included**: Regularly employed full time and part time professional staff who are required to be licensed or certified, and whose job title appears on the BUP Staff Job Title list updated annually by the Human Resources Office, hereafter referred to as bargaining unit members. The updated list shall be appended to this contract annually.

Section 2 – Excluded

**Excluded**: District Superintendent of School, Assistant/Associate Superintendents, Directors/Coordinators, Principals/Supervisors, All other Employees requiring Certification as an Administrator, Adult and Continuing Education Teacher, Interpreters, per diem Substitutes (other than Long Term Substitutes), Casual and Temporary Employees, Summer School Staff that are Not Regularly Employed by BOCES during the School Year. Those individuals, who are members of other professional unions within Monroe #1 BOCES.

Section 3 – Categories of Membership

1. **Active:**  All full-time and part-time professional employees of Monroe #1 BOCES identified in Section 1 upon signing their membership form and having dues current and paid in full.
2. **Associate**: Associate membership shall be open to professional employees on business or personal leave.
3. **Retiree:** Members of the affiliated organization BOCES United Retired Professionals.
4. **Suspended:**

1. A person has not completed enrollment into the union.

2. The person enrolled into the union and has taken action to withdraw membership from the union

3. A person who is in suspended status and, after a reasonable period of time has refused to bring their dues arears up to date.

1. **Non-Member**: A person who is employed or newly hired into a bargaining unit member position and to one of the following applies.
   1. Has yet to return a completed application.
   2. Has turned down an application for membership
   3. Has by choice withdrawn from the organization

Members who have withdrawn may reapply for membership. The organization or its affiliates will not provide legal representation in any matter that occurred during a lapse in membership.

Section 4 – Notice of Non-Discrimination

No discrimination shall ever be shown toward individual members or applicants for membership because of sex, race, national origin, religious faith, political belief or sexual orientation or gender identity.

Section 5 – Loss of Membership

A member may be expelled for acts deemed detrimental to the organization upon presentation of written charges signed by at least one quarter (1/4) of the total membership and approved by three quarters (3/4) of the executive committee. The member shall have the right to appeal the decision to the membership at a General Membership meeting held on the next scheduled Delegate Assembly meeting date and shall be reinstated with full rights if a majority of the members present vote to reinstate.

Section 6-Access to Documentation

All bargaining unit members shall be provided with digital access to a copy of the Collective Bargaining Agreement. All active members shall be provided with digital access to a copy of this Constitution and By-Laws online.

## Article IV – Officers

Section 1

The officers of the organization shall be Co-Presidents (2,) Vice President, Secretary, Treasurer.

Section 2

Officers of the organization shall be in attendance at regularly scheduled Executive Committee meetings no less than seventy five percent (75%) of the time in order to receive their stipend. Exceptions can made for officers who are conducting Union business approved by the Executive Committee or Delegate’s Assembly.

Section 3

Officers shall serve a three-year term commencing July 1 and are elected by secret ballot per Election Policies and Guidelines and the Landrum-Griffin Act.

## Article V – Executive Committee

Section 1

The Executive Committee shall be composed of the Co-Presidents, Vice President, Treasurer, and Secretary.

Section 2

The Executive Committee shall:

1. Administer the constitution and by-laws of BUP;
2. Act on policy matters in place of the Representative Delegates under emergency situations;
3. Make contracts and incur liabilities appropriate to the accomplishment of BUP purposes;
4. Provide an annual report to the Representative Delegate assembly and membership;
5. Act on expenditures as required by the budget and establish annual dues;
6. Make policy recommendations to the Representative Delegate Assembly;
7. Present the budget to the membership;
8. Attend meetings and trainings as needed to support union membership and to remain current;

Section 3

Representative delegates shall serve a two-year term commencing July 1 and are elected per Elections Policies and Guidelines.

## Article VI - Delegate Assembly

Section 1

The Delegate Assembly shall be composed of the Officers, Chairpersons of Standing Committees, Retirement Representative Delegates, and Delegates from each department. Meetings of the Delegate Assembly shall be open to all members.

## Article VII – Meetings

1. The Executive Committee shall meet regularly during the school year. Special meetings may be called by the Co-Presidents, or by a majority of the Executive Committee.
2. The Delegate Assembly shall meet a minimum of eight (8) times a year. Delegate Assembly meetings shall be scheduled by the Co-Presidents. Quorum shall be defined as 50% plus one, of the Delegate Assembly membership.
3. Meetings of the general membership will be called by the Co-Presidents, by a majority of the Delegate Assembly, or by petition of ten percent (10%) of the General Membership.
4. There will be an annual membership meeting at least once a year.
5. A quorum at a general membership meeting shall consist of twenty percent of the total membership on record at that time.

**Article VIII-Standing Committees**

Standing Committees shall consist of the following, committee members shall receive a stipend as determined by the annual budget

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* 1. Grievance Committee – This committee shall be responsible for the processing of all grievances that may arise.
  2. Negotiations Committee – This committee shall formulate proposals to improve the terms and conditions of employment/ the proposals shall be approved by the executive committee.
  3. Elections Committee – This committee shall be responsible for conducting fair and equitable nominations, election, and recall procedures for the organization.
  4. Audit Committee – This committee shall perform an annual financial audit of the organization and present a written report to the Representative Delegate Assembly.
  5. Membership Committee – This committee shall be responsible for keeping an accurate and up to date record of BUP members, member dues, and the BOCES BUP email list.
  6. Endowment Committee – This committee shall be responsible for managing and monitoring the investment and disbursement of the endowment.
  7. Financial Review Committee (FRC) – This committee shall meet to review the financial documents of the BUP, provide an annual report to the Delegates’ Assembly, and contract with a CPA for an external financial review or audit every three years or when a new treasurer is elected.  The FRC shall retain the right to call an executive session without the Treasurer present.
  8. Political Action -
  9. Social Committee -
  10. Constitution - This committee shall be responsible for the maintaining and proposal of amending of the Constitution and By-Laws.
  11. Vote-Cope
  12. Committee members shall receive a stipend as determined by the annual budget.

## Article IX – Fiscal Year

The fiscal year shall be July 1 to June 30.

## Article X – Amendments

A. A proposed amendment to this constitution may be brought forward for ratification to the general membership by either (i) a majority of the full membership of the Delegate Assembly or (ii) A petition by at least 10% of the current general membership on record.

B. Prior to ratification an amendment shall be presented to the membership in writing or electronically a minimum of ten day before a vote. It shall also be presented at two General Membership meetings prior to the vote.

C. After the second meeting a vote by secret ballot shall be held. A vote of 66% in the affirmative is required for ratification.

## Article XI – Parliamentary Authority

*Roberts Rules of Order, Revised* shall be the parliamentary authority for the organizations on all questions not covered by this Constitution and such standing rules as the organization may adopt.

## Article XII – Ratification Procedures

Once a tentative agreement has been reached; a General Membership meeting will be called by the Co-Presidents to present the Proposed Collective Bargaining Agreement to the Membership. Ballots from the membership must be returned within 2 school days.

## Article XII – Representative Delegates

Section 1

Each department is entitled to one representative for each thirty (30) members or major fraction thereof based within the department. The Departments shall be determined by the Executive Committee.