

PSU BOSTON CHAPTER BY-LAWS

PSUBMTA/NEA

Adopted September 13, 2006

Amended May 2, 2007

Amended October 13, 2015

****Changes in BOLD and strikethrough for vote on January 10, 2024****

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ARTICLE I: CHAPTER NAME

The name of the Chapter shall be the UMass Boston Professional Staff Union /MTA/NEA (PSUB) hereinafter referred to as “the Chapter.” The PSUB **includes members of the professional staff bargaining unit (Unit A) and the full-time coaches (Unit C), and** constitutes one Chapter of the Professional Staff Union/MTA/NEA, hereinafter referred to as “the Local” or “the JEC.” The PSU Joint Executive Council (JEC) is the overall governing body of the PSU, and these Chapter By-laws must conform to the JEC By-laws.

ARTICLE II: OBJECTIVES

We the members of this Chapter in order to fulfill our responsibilities to society and to our profession do hereby adopt the following:

- Section 1. General Objectives:
- a. To maintain and improve the quality of public education for all.
 - b. To uphold high professional standards and to advance the socio-economic well-being of educational employees.
- Section 2. Specific Objectives: The Chapter Board is authorized and directed to establish specific objectives within the framework of the general objectives in Section 1 above. These specific objectives shall be reviewed annually, revised if necessary, and published.

ARTICLE III: RIGHTS AND RESPONSIBILITIES OF MEMBERSHIP

The PSUB believes that an active and informed membership is essential to creation of a strong union. We believe it is in our collective interest that members know and exercise their rights as well as fulfill union related responsibilities. The following is not an exhaustive list, rather an enumeration of key principles we pledge to follow:

Members have the right to:

- 1) Be recognized and heard at any and all union meetings;
- 2) Timely and informed guidance on contract and employment matters;
- 3) Fiscal accountability concerning activities of the PSU;
- 4) Transparent proceedings;
- 5) Ability to appeal union decisions as outlined in the by-laws;

Members are responsible for:

- 1) Remaining in good standing by paying union dues
- 2) Engaging with the union by voting in elections and on other matters
- 3) Attending general membership meetings
- 4) Assisting the union in its outreach and organizing activities
- 5) Promoting a union-friendly environment and supporting fellow union members

ARTICLE IV: CHAPTER MEMBERSHIP

Section 1. Any person who is a member of the PSU/MTA/NEA and who is employed by UMass Boston is automatically a member of the PSUB Chapter. An “active member in good standing” is a PSU member who is up-to-date in the payment of membership dues. (See the JEC By-laws, Article II, for the definition of membership in the Local.)

Section 2. Only active members in good standing, as defined in Section 1 of this Article shall have the following privileges in the Chapter:

- a. holding an elected office or position (e.g. Chapter President, Treasurer, Negotiating Committee, etc.),
- b. being appointed to serve on a union committee,
- c. voting at membership meetings,
- d. voting in union elections.

ARTICLE V: CHAPTER OFFICERS

Section 1 The officers of the Chapter shall be the Chapter President, the Vice-President, the Treasurer, the Recording Secretary, ~~and~~ the Grievance Secretary, **and the Unit C Chair.**

Section 2 Power and Duties of Chapter Officers

- a. The Chapter President shall:
 - plan the agenda for all general membership meetings, with advice and assistance from the Chapter Board
 - plan the agenda for all Chapter Board meetings, with advice and assistance from the Chapter Board
 - preside at meetings of the Chapter Board and of the general membership
 - appoint the Chairperson and members of standing committees and special committees, with approval by the majority of the Chapter Board
 - be the Executive Officer of the chapter
 - supervise the operation of the office and its staff
 - serve as chief representative of the Chapter in matters of major concern to its membership, including maintaining liaison with representatives of the MTA
 - serve on the PSU Amherst/Boston Joint Executive Council, including being president of JEC in alternating years

- serve as a Delegate to the MTA
 - perform all other functions usually charged to this office
 - be bonded, and the premiums shall be paid by this Chapter
- b. The Vice-President shall:
- meet regularly with Committee Chairpersons to discuss committee activities
 - have regular contact with the Area Representatives
 - assist the President in all duties as assigned, including the supervision of office staff
 - serve as an alternate for the President
 - serve on the PSU Amherst/Boston Joint Executive Council
 - serve as a Delegate to the MTA
 - perform all other functions usually charged to this office
 - serve as Chapter President until the end of the term, should that office be vacated for any reason
 - be bonded, and the premiums shall be paid by this Chapter
- c. The Treasurer shall:
- hold the funds of the Chapter and disburse them in accordance with budgeted authorization
 - oversee the collection of all dues and transmit amounts due the MTA and the NEA; Payments shall be made in accordance with a mutually-agreed upon schedule between the MTA and the Chapter
 - maintain a roll of the members
 - keep accurate account of receipts and disbursements in a secure environment, and shall report to each meeting of the general membership
 - ensure that all disbursements over \$100 shall be counter-signed by the Chapter President
 - prepare an annual financial statement for publication to members as directed by the Chapter Board
 - assist with the preparation of the annual audit
 - keep the Chapter President and the Chapter Board informed of the financial condition of the Chapter and assist the Chapter Board in the drafting of the annual budget
 - carry out all duties in accordance with the MTA's accounting procedures
 - be bonded, and the premiums shall be paid by this Chapter
 - serve on the PSU Amherst/Boston Joint Executive Council
 - serve as a Delegate to the MTA
- d. The Recording Secretary shall:
- serve as the Chair of the Communications Committee
 - keep accurate and impartial minutes of all meetings of the Chapter Board and of the general membership meetings
 - be responsible for the scheduling of all regular and special meetings (including room reservations)

- be responsible for timely notification to the membership of all regular and special meetings
 - maintain official files in a secure environment and shall assist the President with the Chapter correspondence
 - ensure regular communication with membership concerning union issues
 - serve as a Delegate to the MTA
- e. The Grievance Secretary shall:
- serve as the Chair of the Grievance Committee
 - process and keep records of all grievances in a secure environment
 - educate stewards and members in the use of the grievance procedure
 - report on grievances filed and resolutions to Chapter Board
 - present a report on grievances filed and resolutions annually to the general membership
 - move grievances to Arbitration and seek decision from PSU Amherst/Boston Joint Executive Council as to final disposition toward arbitration
 - serve on the PSU Amherst/Boston Joint Executive Council
 - serve as a Delegate to the MTA
- f. **The Unit C Chair shall:**
- **represent the interests of Unit C members to the Chapter Board**
 - **organize the member of Unit C by serving as an Area Representative**
 - **set the agenda and preside over meetings exclusive to Unit C**
 - **appoint a Chief Steward from Unit C to assist with the handling of grievances specific to the unit and serve on the Grievance Committee**

Section 3 Terms and Succession

- a. All Chapter Officers shall serve 3 years and may run for re-election.
- b. Any officer may be removed from office for mis- or mal-conduct, or negligence, by majority vote of the active Chapter membership in good standing present at a duly called Chapter meeting. A petition stating the reason(s) for the recall, signed by 20% of the active membership in good standing and delivered to the Recording Secretary shall necessitate a recall election not less than twenty (20) working days or more than thirty (30) working days after the date on which the petition is delivered. The Recording Secretary shall make the necessary arrangements for the meeting, including distribution of the recall petition to all members not less than five (5) working days in advance of the meeting. If a recall petition should involve the Recording Secretary, the Chapter President shall discharge the duties of the Recording Secretary with respect to such petition and meeting.

Any Chapter Officer named in a recall petition shall have the right to self-defense, including the opportunity to confront and question the accusers, at the meetings for which the vote on recall is scheduled.

- c. If a Chapter Officer resigns, is recalled, or otherwise vacates his/her office during the first half of his/her term, a special election shall be scheduled not less than

twenty (20) working days or more than thirty (30) working days after the office is vacated. If an office is vacated during the second half of the term, the Chapter Board shall appoint a replacement to serve until the next election.

Section 4 Election of officers

- a. A Nominations & Elections Committee shall be established to oversee the election of Chapter Officers.
- b. Elections for all Chapter Officers shall be held no later than mid-June every three years. New Chapter Officers shall be installed on or before July 1 of the calendar year.
- c. All active members in good standing shall be eligible to be nominated and elected to Chapter office, **with the exception of the Unit C Chair which must also be a member of Unit C**. A member can only hold one Chapter office at a time.
- d. Nominations for Chapter Officers shall be solicited by the Nominations & Elections Committee via email to all active Chapter members in good standing. Nominations must be submitted in writing to the Nominations & Elections Committee by the established deadline in order for nominees to be included on the ballot.
- e. All Chapter Officers shall be elected at-large by the active Chapter membership in good standing, **with the exception of the Unit C Chair who shall be elected by vote of the active members of Unit C only**. The election shall be by secret ballot in mid-June. To be elected to any office, a candidate must receive a simple majority of the votes cast. In the event that no candidate receives such a majority, there shall be a run-off election between the two candidates for whom the largest number of votes was cast.
- f. In the event that no more than one nomination is received for a particular Chapter office, the Nominations & Elections Committee shall declare that nominee elected.

Section 5. Chapter Board meetings are open to all active members of the Chapter in good standing. The Chapter Board may vote at any time to go into Closed Sessions.

ARTICLE VI: CHAPTER BOARD

Section 1. The Chapter Board shall consist of the Chapter Officers plus four members elected at-large. It shall be the executive authority of the Chapter.

The Chapter shall apply the one-person, one-vote principle for representation on the Chapter Board and other governing bodies except that the Chapter shall take proactive steps to achieve ethnic-minority representation at least proportionate to its ethnic-minority membership.

Any active Chapter member serving in an office of the MTA or NEA may sit on the Chapter Board in a non-voting capacity.

Section 2. Powers and Duties of the Chapter Board

- a. Within policies established by the active Chapter membership, the Chapter Board shall be responsible for the management of the Chapter and shall carry out policies of the Chapter.
- b. It shall report its decisions to the general membership and suggest policies for consideration by them.
- c. It shall meet jointly with the Amherst Chapter Board in May annually to approve the Local's budget, as per JEC By-laws, Article 3.4.A.
- d. It shall adopt an annual budget for the operation of the Chapter and present the budget to the Chapter membership at a membership meeting before the start of each fiscal year. It shall ensure that Chapter accounts are included in all audits or oversight performed on the accounts of the Local Union.
- e. It shall establish committees and create policies governing them.

Section 3. Terms and Succession of Chapter Board members (non-officers)

- a. Chapter Board members shall serve 3 years and may run for re-election.
- b. Any Chapter Board member may be removed from office for mis- or mal-conduct, or negligence, by a majority vote of the active Chapter membership in good standing present at a duly called Chapter meeting.

Such a recall vote can be mandated in one of two ways:

1. A petition stating the reason(s) for the recall, signed by 20% of the active membership in good standing and delivered to the Recording Secretary shall necessitate a recall election not less than twenty (20) working days or more than thirty (30) working days after the date on which the petition is delivered.
 2. Whenever a majority of the Chapter Board agree that a Chapter Board member has been grossly negligent in her/his duties as defined in these Bylaws, it shall recommend immediately to the general membership that the Chapter Board member be recalled.
- c. The Recording Secretary shall make the necessary arrangements for the meeting at which the recall election shall take place, including distribution of the recall petition to all members not less than five (5) working days in advance of the meeting.
 - d. Any Chapter Board member named in a recall petition shall have the right to self-

defense, including the opportunity to confront and question the accusers, at the meetings for which the vote on recall is scheduled.

- e. If a Chapter Board member resigns, is recalled, or otherwise vacates his/her office during the first half of his/her term, a special election shall be scheduled not less than twenty (20) working days or more than thirty (30) working days after the office is vacated. If an office is vacated during the second half of the term, the Chapter Board shall appoint a replacement to serve until the next election.

Section 4. Election of Chapter Board members (non-officers)

- a. The established Nominations & Elections Committee shall oversee the elections of Chapter Board members.
- b. Elections for all Chapter Board members shall be held no later than mid-June every three years. New Chapter Board members shall be installed on or before July 1 of the calendar year.
- c. All active members in good standing shall be eligible to be nominated and elected to the Chapter Board. A member cannot serve as a Chapter Board member and as a Chapter Officer.
- d. Nominations for Chapter Board members shall be solicited by the Nominations & Elections Committee via email to all active Chapter members in good standing. Nominations must be submitted in writing to the Nominations & Elections Committee by the established deadline in order for nominees to be included on the ballot.
- e. All Chapter Board members shall be elected at large by the active Chapter membership in good standing. The election shall be by secret ballot in mid-June. The four candidates for Chapter Board who receive the most votes cast will be deemed elected.
- f. In the event that four or fewer nominations are received for the Chapter Board, the Nominations & Elections Committee shall declare those nominees elected.

ARTICLE VII: AREA REPRESENTATIVES

Section 1. The Chapter Board shall divide the Chapter membership into Areas of approximately 25 members each. Each Area shall elect an Area Representative for a term of 2 years. Area Representative elections shall be held during the first two weeks of March of each odd numbered year.

Section 2. The Area Representative shall be responsible for distributing Union communications to their members, for keeping their members informed, for relaying the concerns of their members to the Chapter Board, for introducing themselves to all new members, for getting union dues authorization cards signed and forwarding them to the Chapter

Board, for referring their members to the appropriate union officers or staff in case of problems, and for otherwise acting as liaison between their members and the Chapter Board.

- Section 3. a. Area Representatives shall attend the regular meetings of the general membership unless they receive prior excuses from the President.
- b. When an Area Representative needs to be absent from a general membership meeting, it is his/her responsibility to find another member who can attend in his/her place.
- c. A special election to replace a standing Area Representative may be called for by a two-thirds vote of the active members within an area. The Nominations & Election Committee shall be in charge of conducting the special election.
- d. The active Chapter members in an area may hold an election at any time to fill an Area Representative vacancy.

ARTICLE VIII: MEETINGS

Section 1. Chapter Board: The Chapter Board shall meet monthly on a schedule to be determined by the Chapter Board, except that up to two monthly meetings a year may be cancelled. Members shall be notified in advance of all regularly-scheduled Chapter Board meetings. Additional meetings shall be scheduled upon request of at least three members of the Chapter Board.

Section 2. General Membership Meetings: There shall be at least three general membership meetings each year which shall be determined by the Chapter Board. The Chapter Board shall prepare a tentative agenda for each meeting and shall circulate it to all members so that the members will have time to discuss it prior to the meeting.

Section 3. Special Meeting: Special meetings of the general membership may be held (1) when called for by a majority of the Chapter Board, or (2) upon written request to the Chapter Board from five per cent (5%) of the membership. Business to come before special meetings must be stated in the call, which shall be sent in writing to all active members. Business shall be confined to these items.

Section 4. Quorum

- a. The majority of the members shall be a quorum for the Chapter Board and Committees.
- b. A quorum for general membership meetings shall be 10% of the active members in good standing.

ARTICLE IX: COMMITTEES

Section 1 Grievance Committee

- a. A Grievance Committee shall be a standing committee of the chapter.
- b. The Grievance Committee shall consist of a chairperson, who shall be the Grievance Secretary, **the Chief Steward for Unit C**, and members of the Chapter approved by the Chapter Board. The term of membership on the Grievance Committee shall be two years with option for reappointment.
- c. The chairperson of the Grievance Committee shall convene all meetings of the committee. Meetings must be held at least once a semester and more often as necessary. The Chapter President shall be kept informed of the filing of complaints and the progress of all grievances. The chairperson shall also report to the Chapter Board, within the limits of confidentiality, the activities of the Grievance Committee.
- d. The Grievance Committee may file grievances on its own authority, though it must seek approval from the Chapter Board for (1) unit wide grievances, and/or (2) grievances for which the proposed remedy by the union is known to have a negative impact on some bargaining unit members. The chairperson shall report to the Chapter Board (and in summary fashion to the chapter membership) on the filing and disposition of grievances.
- e. The Grievance Committee may file policy grievances on behalf of the bargaining unit as a whole after receiving authorization to do so from the Chapter Board.
- f. The Grievance Committee may also, with the approval of the Chapter Board, recommend to the JEC that individual grievances be pursued to Arbitration. If the JEC decides not to pursue a grievance to Arbitration, the grievant may appeal that decision pursuant to the procedure outlined in the JEC By-laws.
- g. All grievance settlements must be signed by the Chapter President, Chapter Vice President, or Chapter Grievance Secretary.

Section 2 Communications Committee

- a. A Communications Committee shall be a standing committee of the chapter.
- b. The Communications Committee shall consist of a chairperson, who shall be the Recording Secretary, and other members of the Chapter approved by the Chapter Board. The term of membership on the Communications Committee shall be two years with option for reappointment.
- c. The charge of the Communications Committee shall be to establish an

appropriate forms of communication with the membership, either electronic or paper or both, and subsequently to publish and distribute communications to the members on a regular basis. Works produced by the Communications Committee shall be official communications of the Chapter, and as such shall be subject to the approval of the Chapter Board.

Section 3 Nominations & Elections Committee

- a. A Nominations and Elections Committee shall be a standing committee of the chapter. It shall consist of three members of the chapter appointed by the Chapter Board. Term of membership on the Nominations and Elections Committee shall be two years with option for reappointment.
- b. No member of the Chapter Board shall be eligible to serve on the Nominations and Elections Committee.
- c. The Nominations and Elections Committee shall be responsible for soliciting nominations for all elective offices, paying due care to the allocations by constituency specified in the bylaws if applicable. The Committee shall then present the slate of candidates for a vote by members of the chapter.
- d. Votes for Chapter officers, Chapter Board members, and Negotiating Committee members shall be conducted by secret ballot according to principles established by the Nominations and Elections Committee.
- e. Votes for Area Representatives may be held informally, by voice or show of hands, unless any member of the Area calls for secret ballot. In that case, a secret ballot vote shall be held.
- f. All policies and procedures established by the Nominations & Elections Committee must be approved by the Chapter Board.

Section 4. Negotiating Committee:

- a. PSUB's representatives on the Negotiating Committee shall be elected approximately nine (9) months before the termination of every collective bargaining agreement. These representatives shall consist of five members, or such other number as the JEC shall agree upon, and membership on it shall be open to all active members of the chapter in good standing. Term of membership on the Negotiating Committee shall be until ~~the~~ a 3-year successor collective bargaining agreement has been ratified and signed.
- b. **The Negotiating Committee for Unit C shall be elected approximately nine (9) months before the termination of every collective bargaining agreement. These representatives shall consist of one (1) PSU Boston chapter board member, and at least one (1) member from Unit C, or such other number as the members of Unit C shall agree upon, and membership on it shall be open to all active members of Unit C in good standing. Term of membership on the Negotiating Committee for Unit C shall be until a 3-year successor**

collective bargaining agreement has been ratified and signed.

Section 5. Other Committees: The Chapter Board may appoint such other Committees as they deem necessary or useful for the Chapter. All Committees should be clearly designated as either standing or *ad hoc* committees, and the term of office set in advance.

ARTICLE X: RULES AND PROCEDURES

Motions brought before membership bodies shall be considered under parliamentary procedure. Roberts' Rules of Order Revised shall be the reference text of authority of the Chapter. The Chair of the meeting shall be responsible for interpreting and upholding the rules.

ARTICLE XI: THE AMENDMENT PROCESS

These Bylaws may be amended by a two-thirds (2/3) vote of the active members in good standing present and voting at any regular meeting of the Chapter provided that copies of the proposed amendments have been sent to all members of the Chapter at least ten (10) working days in advance of the General Membership Meeting.

ARTICLE XII: CHANGES IN DUES

Section 1. As per Article IV of the JEC By-laws, any change in dues that is neither the implementation of a change in dues mandated by the MTA or NEA, nor the implementation of an increase in dues upon the implementation date of a negotiated salary increase (such an increase may not exceed the percentage of the salary increase and may only be applied to the portion of the dues not mandated by the MTA or NEA), may only be implemented after a majority vote of the active Chapter membership in good standing present at a duly called membership meeting. The membership must be notified of the proposal to increase dues 14 days prior to the membership meeting at which the vote is scheduled to be held.

Section 2. A complete and current list of all dues rates shall be maintained on the PSU website. A paper copy shall be available in the Chapter office and provided to new bargaining unit members at their orientation.

ARTICLE XIII: IMPLEMENTATION OF NEW BY-LAWS

Section 1. First election of Chapter Officers and Chapter Board members: The first election for Chapter Officers and Chapter Board members under these new by-laws will be held in October 2006.

The Chapter Officers and Chapter Board members in office as of the adoption of

these bylaws by the membership shall continue to serve in their positions until the first elections are held.

The Chapter Board shall appoint a Nominations & Elections Committee to oversee the first elections.

Duly elected Chapter Officers and Chapter Board members will begin their term of service two weeks following the election. Their terms will continue until new elections are held, as required by these by-laws, in June 2009.

Section 2. First elections for Area Representatives: The first elections for Area Representatives under these new by-laws will be held in March 2007.

The elected Area Representatives will begin their service immediately following the election in their area. Their terms will continue until new elections are held, as required by these by-laws, in March 2009.

ARTICLE XIV: DELEGATES TO THE MTA/NEA

The Nominations & Elections Committee shall inform all active Chapter members of the opportunity to serve as a delegate at the MTA's annual meeting. Such notification will be made a month prior to the MTA's annual meeting. Any active Chapter member in good standing may submit his/her own name for consideration as a delegate. If more members submit their names than there are delegate slots and alternate delegate slots available, then the Nominations & Elections Committee shall determine if an election is necessary and how that election should be conducted.

ARTICLE XV: SEPARABILITY

The parts of these by-laws which reference either the Local or the Local's executive body shall only go into effect once the JEC By-laws have been ratified by both Chapters.