

**CONSTITUTION
OF THE
PORTLAND FEDERATION OF TEACHERS
AND CLASSIFIED EMPLOYEES**

ARTICLE I NAME

This organization shall be known as the Portland Federation of Teachers and Classified Employees, (hereinafter called PFTCE) Local 111, of the American Federation of Teachers, AFL-CIO, and may be referred to as a union, local, federation or organization.

ARTICLE II OBJECT

The objective of this organization shall be:

Section 1. To provide an effective collective bargaining representative and to bring certified and classified personnel into relations of mutual assistance and cooperation.

Section 2. To bring the local into relations of mutual assistance with the American Federation of Teachers its State Federation and locals.

Section 3. To fight all forms of bias in education employment and education delivery due to race, creed, sex, age, sexual preference, social, political or economic status or national origin.

Section 4. To organize all education employees in Oregon into one united organization for the benefit of the entire education community.

Section 5. To work for passage and retention of just laws which will improve the climate for students and educational employees.

ARTICLE III MEMBERSHIP

Section 1. Eligibility: Certified and Classified Employees of School District No. 1, Portland School District, Multnomah County, Portland, Oregon (hereinafter known as active members), as described in this Constitution and the By-Laws, shall be eligible for regular membership in this organization.

Section 2. PFTCE members in good standing who have retired from employment with the Portland Public School District may join PFTCE as Retired Associates.

Section 3. Admission: Persons desiring to become members of the Local shall submit their application.

ARTICLE IV **DUES**

Dues shall consist of the amount set by the local that remains with the Local, the monthly per capita fees of all affiliate organizations as defined in Article XX, and the monthly cost of any group insurance programs in which the Local participates. Dues are payable monthly by payroll deductions or cash.

Section 1. Setting the Dues: Local dues may increase automatically each fiscal year to generate an income of 2.5% of the total income from the previous year. At the September meeting, local dues amounts, membership dues amounts budget and program will be approved for the current school year.

Section 2. Other Dues: Should an emergency occur or the membership directs additional programs requiring additional funding, a separate local dues increase may be recommended to the membership by the Executive Board.

Section 3. Fair Share: Fair Share contributors shall be proportionate with membership dues. Rules governing Fair-Share contributors are stated in Article VIII of the By-Laws.

ARTICLE V **OFFICERS**

Section 1. The officers of this organization, who make up the Executive Board herein after known as the Board shall be elected by ballot to serve two year terms. The term of office shall begin July 1st. The following officers shall be elected each odd-numbered year: (1) President, (2) Treasurer, (3) Communications Vice President, (4) one Vice President. The following offices shall be elected each even-numbered year: (5) Executive Vice President, (6) Secretary, (7) Political Education Vice President, (9) two Vice Presidents. These officers shall perform the duties prescribed by the Constitution, the By-Laws, the Guidelines for executive Board Officers, Standing Rules and the parliamentary authority adopted by this Constitution.

Section 2. Building Representatives shall be elected by PFTCE members in the various worksites by October 30 of each school year as prescribed in VIII of the By-Laws. Building Representatives shall perform duties as prescribed in the By-Laws or this organization. The Field Representative is authorized to appoint an Interim Building Representative if the October 30 deadline cannot be met. The Interim shall not serve beyond December 20 of that year.

ARTICLE VI **NOMINATIONS OF OFFICERS**

Nominations for office shall be at the March meeting. Nominations will be made from the floor. Candidates need not be present to be nominated but have indicated, in writing, their willingness to serve.

Section 1. Eligibility for Office: Candidates for the Executive Board must have been PFTCE members in good standing for at least six (6) months. Candidates for President must have been members in good standing for at least one (1) year. No member may hold more than one PFTCE Board position at a time.

Section 2. Nominating Schedule:

A. In the February Federation Forum a list of positions to be filled in the May election will be published. Nominations from the floor will be permitted only at the March meeting. The duties of each office shall be available at the March meeting.

B. A list of the nominees will be published in the April Federation Forum.

ARTICLE VII **ELECTIONS**

All full members in good standing who hold voting privileges as prescribed in this Constitution and By-Laws shall have one vote in all elections. All officers, shall be elected by a vote of active members.

Section 1. Voting:

A. The Executive Board Secretary will prepare ballots for all elections.

B. A Committee of not less than five (5) persons will be elected by the Building Representatives at the November meeting and will be known

as the Election Committee. Committee members must be full members of the Union in good standing, may not be candidates for office or officers of the organization. They will review guidelines for campaigns and elections of officers, verify membership, issue ballots, tally votes and report the results to the membership.

- C. Delegates for conventions shall be voted on by secret ballot at the January membership meeting. Ballots will be sealed in an envelope, certified by the elections committee, opened and counted by the elections committee not later than February 1.
- D. Ballots for election of Executive Board members shall be mailed to members' homes. Included shall be a ballot, secrecy envelope and signature/return envelope. If there are no contested races, the body may designate, at the nomination meeting, that election be held by secret ballot at the May general meeting or other designated site(s).
- E. The candidate receiving a plurality of at least forty percent (40%) of the votes cast shall be declared elected. If the plurality of forty percent (40%) is not obtained, a run-off election of the two candidates receiving the most votes shall be held within fifteen (15) working days.
- F. Ballots are to be sealed in an envelope with the date of the election and signatures of the participating committee members, and held in security at the PFTCE office for a period of three (3) years.
- G. Drawing of straws shall be an accepted tie-breaker method.

ARTICLE VIII

REMOVAL OF OFFICERS AND APPEAL

Section 1.

Removal and Appeal: The President, upon informing the Board of the cause for removal, may ask for the removal of an officer by a two-thirds affirmative vote of all of the members of the Board. The President shall notify the officer and that officer may appeal the decision at the next Board meeting. Failure to appeal the vote will result in the filling of the office by interim appointment. If the decision for removal is appealed and is upheld by a second vote of the Board, the membership shall be notified and the removal shall be placed on the agenda for the next scheduled meeting. If the removed officer so wishes, the officer may appear and present his/her case at that time. A two-thirds vote of Building Representatives present will decide the question.

Notice of the election must appear in the Federation Forum at least once before the scheduled election.

Section 2. Misconduct: The Board, by a two-thirds vote of all members may remove any officer, including salaried, contractual officers, for reason of neglect of official duties, embezzlement, illegal acts or violation of this Constitution and By-Laws, provided a written complaint has been presented to the Board and that the officer has been notified in writing at least ten (10) days prior to the meeting and that an opportunity has been given for that officer to present a defense of the misconduct at a Board meeting.

Section 3. The Ballot: A vote on removal of officers at a meeting shall be by secret ballot presided over by the Election Committee as prescribed in the Constitution and By-Laws.

ARTICLE IX **THE EXECUTIVE BOARD**

The officers of the organization shall constitute the Executive Board. Health and Welfare Trustee(s) shall serve as non-voting member(s) of the Executive Board.

Section 1. The Board shall administer the policy of this organization as set at regular meetings. It shall have the power to act for the good of the organization in emergency situations where the policy cannot be set by the membership.

Section 2. The Board shall oversee the administration of the budget; monitor grant-monies; approve expenditures as set forth in the By-Laws and Standing Rules; have the power to approve or deny liabilities and contracts, written or verbal, and investment of funds; and to approve or deny employment of clerical staff and other persons on a full-time or part-time basis as determined by the needs and finances of the organization.

Section 3. Unless otherwise ordered by the Board, regular meetings of the Board shall be held on the third Wednesday of each month. Special meetings can be called by the President, or upon the written request, of three (3) members of the Board.

Section 4. The Board shall appoint ad hoc Committees as it deems necessary. These committees shall report directly to the Board. Any action taken shall be consistent with the Constitution and By-Laws.

Section 5. Board Members are expected to attend meetings and Executive Board meetings. If a board member misses three (3) or more Board meetings per year without notifying the President, the President may ask for removal of the member from office. The President will inform the Board of absentees at Executive Board meetings for the purpose of inclusion in the minutes.

Section 6. Executive Board Members, elected by secret ballot to their Executive Board positions may also be voting delegates to state, national and international conventions.

ARTICLE X **EXECUTIVE BOARD VACANCIES**

Resignations of Board members shall be submitted to the president.

Vacancies created by resignation or removal of Board members shall be filled as follows:

- A. The resignation is read to the Board at its first meeting after it is received. The Board may vote to accept or reject.
- B. The President shall appoint a person to fill the vacancy with the approval of the Board if less than 12 months exist before the expiration of the term of office. A vote of the membership is not required. If more than 12 months exist, the President shall appoint a person to fill the vacancy with the approval of the board until an election is held.
- C. Notice of the vacant position and election information will be published in the next issue of the Federation Forum following the vacancy.
- D. At the following meeting, the President will offer the name of the interim board member and accept further nominations from the floor. The Building Representatives will then vote by secret ballot and the Board position will be filled by the outcome of that election. A majority vote of the Building Representatives present is required. Contested Elections shall be conducted by mail ballot.

ARTICLE XI **BUILDING REPRESENTATIVE COUNCIL**

Section 1. Subject to the final authority of the membership, the general governing body of the union shall be the Building Representative Council, the members of which shall be members of the union in good standing, elected by vote of their constituent union members.

Section 2. The Council shall formulate the policies of the union; it shall consider and act upon any matter which it regards as pertinent to the purposes and activities of the union; and it shall have the power to adopt, amend, or rescind actions of the Board and the President.

Section 3.

At each regular meeting of the Council it shall hear and, at its discretion, act upon reports from the officers of the Union, from the Board, from union committees, from delegates, and from any other sources whose presentation is duly authorized. It shall also hear and may act upon pertinent matters brought before it by any of its members.

The council may vote to refer any agenda item to the membership for a worksite election. Such elections will be held in accordance with Election Committee Guidelines which must have prior approval of the Council.

Also, any action of the Council may be referred to the membership by the referendum procedure as outlined in Article XV of the By-Laws.

Section 4.

The Council may establish committees as it deems necessary in addition to those standing committees specified in Article X of the By-Laws following the procedures outlined in Article XI of the By-Laws.

ARTICLE XII

MEETINGS

Section 1.

The Building Representatives shall meet regularly on the first Wednesday of every other calendar month during the school year, September through May, and June. In establishing the time and place for such meetings, the Board shall not give less than five (5) days notice thereof by mailing to members' home or school address, by posting upon school bulletin boards, or by publication in the PFTCE Federation Forum. The Council or the Board may set a different date for a particular meeting.

The following will be standard meetings:

September - The regular meeting in September shall be the Annual Business Meeting and shall be for the purpose of reviewing and implementing the budget and program for the fiscal year and for the President's 'State of the Union' message, which shall be available for distribution upon request.

November - The meeting in November shall address the election of the election committee.

January - The regular meeting in January shall be for the nomination and election of Convention delegates and for the appointment of the Budget and Contract Committee member(s).

March - The regular meeting in March shall be the Nominating Meeting.

May - The regular meeting in May shall be for the purpose of electing officers and other business as needed.

June - The regular meeting in June shall be for the installation of officers and awards.

Section 2.

- A. The meetings shall be presided over by the President of the Union. When the President is absent, the Executive Board members will assume the chair in the following sequences: Executive Vice President, Secretary, then Treasurer. The Members of the Board shall be ex-officio, voting members of the Council and shall attend its meetings. Staff employed by this by this union may attend meetings of the Council, but shall speak only at the discretion of the President.
- B. Any Classified Employee may attend the meetings. Only Elected Building Representatives may vote.

Section 3. At all meetings the agenda shall consist of the following items: Recording Secretary's report, Treasurers report, report from the Board by the President, other officer's reports, reports of committees, reports of delegates, unfinished business and new business. The presiding officer shall have the privilege of presenting the agenda in the most expedient order.

Any meeting may adopt, by majority vote, without debate, any specified order of business for that meeting or for any part thereof, provided that, except as By-Laws require otherwise, the meeting shall be governed by Robert's Rules of Order, Revised.

Section 4. Any member at a regular meeting may bring to the floor any matter which is relevant to the purposes of the Union. If the Members so desire, the matter may be immediately referred to the appropriate committee, which shall bring a report to the next regular meeting.

Section 5. With the consent of the Board, the President may call a special meeting. A special meeting must be called upon receiving a written petition of more than twenty percent (20%) of the Building Representatives, provided that such petition shall specify the purpose of the meeting. Every call for a special meeting shall specify the purpose of the meeting, and no business other than that specified in the call may be transacted at that meeting except by unanimous consent.

Section 6. Special Meetings: Special meetings of the union membership can be called by the President or the Board or the Council. They shall be held upon the written request of at least twenty-five (25) members of the organization, representing at least five (5) different worksites. The purpose of the meeting shall be stated in the call for the meeting and shall constitute the entire agenda. However, in the case of an emergency, business not on the agenda may be brought before the meeting by the presiding officer. At least ten (10) days notice shall be given for special meetings of the membership.

ARTICLE XIII **THE PRESIDENT**

Section 1. The President shall be a full-time contractual employee of this organization, elected by a majority of the vote of the membership as prescribed by the Constitution and By-Laws, whose salary is negotiated by a three (3) member Contract Committee chaired by the Treasurer.

Section 2. The President shall be responsible for the daily activities of the organization; partake in negotiations and grievances; conduct organizing drives; the construction and administration of the budget and program; supervision of salaried employees; professional and business contracts; preservation of the fiscal integrity of the organization; promotion of the welfare of the members of this local; maintain a good relationship with the general public, the employees of the District and the Administration of the District; conduct meetings and workshops; and other duties as may be required of this office and those duties described on the Guidelines of PFTCE Executive Board Officers. In addition, the President shall be an ex-officio member of all committees, except the Contract Committee, and Election Committee; shall be the chief delegate to all conventions of the American Federation of Teachers, AFT-Oregon, and Oregon AFL-CIO; and shall make a report to the membership at least once a year summarizing the accomplishments of the Federation and outlining plans for the next year.

Section 3. The President shall be subject to all rules prescribed in this Constitution, By-Laws and Standing Rules, and shall be a member in good standing of this organization.

ARTICLE XIV **SALARIED STAFF**

The Board shall have the power to ask the Contract Committee to negotiate contracts for other salaried staff as deemed necessary for the function of this organization and in accord with finances of this organization. The Board shall instruct the Contract Committee as to the

need and the term of contract. Contracts and agreements must not be in conflict with the Constitution and By-Laws. Should a Contract Committee, for any reason, not be able to complete negotiations with a salaried employee within six months of the start of good-faith bargaining, the Board shall appoint a new committee at the request of the parties involved.

ARTICLE XV **COMMITTEES**

Section 1. Standing, board, or special committee assignments are listed in the By-Laws. Committee member lists shall be submitted to the Secretary and approved by the Council and the President.

Section 2. Board members may appoint committees as needed to assist them with their duties. Committee members shall be members in good standing of this Local.

Section 3. Special Committees shall be appointed by the President at the direction of the Board, the membership, or the Council.

Section 4. Committee members will elect a chairperson and a person to take minutes and notify members of the meetings. Special Committees shall have a specific purpose and a termination date

Section 5. Standing or Board Committees will submit an annual budget to the budget to the Financial Committee for inclusion in the annual budget of this organization. Monies remaining in the committee budget at the end of the fiscal year will be placed in the general fund.

ARTICLE XVI **TRAVEL**

Union related travel shall be permitted within the limitations of the By-Laws.

ARTICLE XVII **QUORUM**

Twenty-five (25) Building Representatives of this organization shall constitute a quorum. Should a quorum not be present at any published meeting, business shall be conducted as usual but with the understanding that action taken at the meeting shall be published in a timely manner with the stipulation that Building Representatives not present at the meeting have the right to call for a quorum vote on the action at the next meeting, and with all Building Representatives notified in a timely manner of the action to be taken. That second vote shall be considered a final and valid vote.

ARTICLE XVIII **AFFILIATIONS**

This local shall maintain affiliation with and whenever possible send delegates to the following organizations: the Northwest Oregon Labor Council, Oregon AFL-CIO, American Federation of Teachers, AFT-Oregon, District Council of Unions and with other organizations as may be decided upon by a vote of this membership. Per capita payments to the American Federation of Teachers, AFT-Oregon, Northwest Oregon Labor Council, Oregon AFL-CIO and DCU shall be levied on members as a part of their regular dues in accordance with a prescribed schedule.

In accordance with the Trust Agreement between the Portland Public Schools and the Health and Welfare Trust, two (2) Trustees and one (1) alternate shall be maintained to serve on the Trust. Appointment shall be made by the President with approval by the Executive Board.

Special assessment or dues levied on a one-time basis by one of our affiliates shall be **1)** referred to the Building Representative Council for approval before a per member assessment is imposed, or **2)** paid from monies in the Contingency Fund, or **3)** paid for by a fund raising event, or **4)** referred to our attorney for a legal opinion.

ARTICLE XIX **DUES PASS THROUGH**

Section 1. The monthly membership dues shall consist of the local dues, plus the monthly per capita fees for all affiliate organizations, plus the monthly cost of any group insurance programs in which the Local participates. Notification of any dues increase will be announced in the Federation Forum or by special mailing thirty (30) days before it is levied.

Section 2. The local may obtain additional finances through grants, donations, contributions or other funding activities.

ARTICLE XX **PARLIAMENTARY AUTHORITY**

Section 1. Robert's Rules of Order, Newly Revised, shall govern the organization in all cases not covered by this Constitution or by the By-Laws of this Local.

Section 2. The President shall have a Parliamentarian present at all Board and Council meetings.

ARTICLE XXI **AMENDMENT OF CONSTITUTION**

This Constitution may be amended at any regular meeting by a two-thirds vote of Building Representatives present. The membership shall be notified in writing that discussion is

scheduled at two regular meetings prior to the vote. The vote may be taken following discussion at the second meeting.

ARTICLE XXII **ARTICLES OF ORGANIZATION**

The Articles of Organization shall consist of the Constitution, the By-Laws, and the Standing Rules. and the Guidelines for PFTCE Executive Board Officials.

ARTICLE XXIII **AVAILABILITY OF CONSTITUTION**

Section 1. Three copies of this Constitution and any By-Laws and all future amendments shall be submitted to the National Office of the American Federation of Teachers. One copy of this Constitution and all future amendments shall be submitted to the State office of the AFT-Oregon.

Section 2. Copies of this Constitution shall be made available to other affiliated organizations upon request.

Section 3. Copies of this Constitution shall be submitted to all Executive Board Members and Building Representatives and shall be available for any member of this local upon request to the Secretary.