

# **UFF**

## **Governance Documents**



### **Constitution & Bylaws**

**As amended and approved on February 26, 2021.**

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# UNITED FACULTY OF FLORIDA CONSTITUTION AND BYLAWS

## CONSTITUTION

### PREAMBLE

We, the members of the United Faculty of Florida, have established this union in order to achieve certain objectives that are paramount to our individual and collective interests. Accordingly, the membership body shall be sovereign in all areas of organizational concern. Authority to represent member interests shall be delegated to the Senate and Steering Committee, which shall constitute the union's official governing units.

### ARTICLE I. NAME

**Section 1.** This organization shall be known as the United Faculty of Florida (UFF), which shall be an affiliate of the Florida Education Association (FEA), the National Education Association (NEA), the American Federation of Teachers (AFT), and the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO).

### ARTICLE II. OBJECTIVES

**Section 1.** To bring faculty, professional employees and employed graduate students, of Florida's colleges and universities into mutual assistance and cooperation in order to obtain for them the rights and privileges to which they are entitled.

**Section 2.** To take appropriate action in order to safeguard rights guaranteed under the Constitutions of the United States of America and the State of Florida and to take appropriate political action that will promote the passage of progressive legislation, thereby improving the political, economic, and educational conditions of society.

**Section 3.** To promote a democratization of the colleges and universities of Florida that will enable members to better serve the people of the State of Florida.

**Section 4.** To achieve and safeguard due process and academic freedom.

**Section 5.** To combat all forms of discrimination based on sex, age, disability, gender identity or expression, marital status, national origin, immigration status, political belief, race, color, religion, or sexual orientation in the colleges and universities of Florida and society.

**Section 6.** To promote academic excellence in teaching, research, and community service in Florida's institutions of higher education.

**Section 7.** To strengthen the well-being of the people of Florida through research, teaching, and community service in Florida's institutions of higher education.

## ARTICLE III. MEMBERSHIP

**Section 1.** Faculty, professional employees, employed graduate students, and staff in the public and private colleges and universities of the State of Florida, who are members of a UFF bargaining unit, shall be eligible for active membership in UFF except as otherwise provided in this Constitution and Bylaws. The right to vote and to hold elected office shall be limited to active members except as otherwise provided in the Constitution and Bylaws.

**Section 2.** No discrimination shall ever be shown toward members or applicants for membership because of sex, age, disability, gender identity or expression, marital status, national origin, immigration status, political belief, race, color, religion, or sexual orientation.

**Section 3.** UFF members shall be unified dues members of the FEA, NEA, AFT, and AFL-CIO.

**Section 4.** At-large membership shall be open to any person who is employed in higher education in Florida but who is not a member of a UFF collective bargaining unit. At-large members shall be eligible for all the benefits of membership, excluding holding elected office.<sup>1</sup>

**Section 5.** Members who retire and who wish to retain their affiliation shall be eligible for retiree membership. Retiree members shall be eligible for all the benefits of membership, excluding holding elected office.<sup>2</sup>

**Section 6.** A member may only be removed from the rolls for failure to pay dues

## ARTICLE IV. CHAPTERS AND BARGAINING COUNCILS

**Section 1.** The UFF Senate shall establish Chapters and Bargaining Councils.

**Section 2.** Each Chapter may adopt Constitution and Bylaws that are in addition to, but in conformity with, the Constitution and Bylaws of the United Faculty of Florida. Chapter officers shall be elected annually unless another term of office is specified in the Chapter Bylaws.

**Section 3.** Senators shall be organized into appropriate Councils as set forth in the Bylaws.

## ARTICLE V. OFFICERS

**Section 1.** The membership shall elect biennially by open nomination and secret ballot a president and a first vice-president.

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<sup>1</sup> Defines at-large membership more clearly. Moved up.

<sup>2</sup> Defines retiree membership more clearly.

**Section 2.** Each Bargaining Council shall annually elect a vice-president by open nomination and secret ballot, who may, but need not, be already a member of the UFF Senate. The appropriate Council shall fill vacancies.

## ARTICLE VI. UFF SENATE

**Section 1.** The UFF Senate shall be the union's official legislative body and shall consist of the president, the first vice-president, chapter presidents, and senators elected in a manner presented in the Bylaws. Senators shall serve their terms as per their chapter bylaws. The Senate shall be apportioned on the basis of the total number of members in good standing at each Chapter.<sup>3</sup> Composition of the senate should reflect the diversity of the membership of the union.<sup>4</sup>

**Section 2.** The UFF Senate shall adopt a budget.

**Section 3.** The UFF Senate shall have the power to interpret and enforce this Constitution and to make rules not in conflict with this Constitution.

**Section 4.** The UFF Senate shall appoint such committees as it deems appropriate and not inconsistent with the Constitution.

**Section 5.** The UFF Senate shall have the power to carry out all business affairs of the United Faculty of Florida.

**Section 6.** The UFF Senate shall establish procedures for periodically evaluating the union's goals and redirecting the resources of the union to achieve these goals.

**Section 7.** The UFF Senate shall meet at its discretion or upon call by the president at least once a year.

## ARTICLE VII. UFF STEERING COMMITTEE

**Section 1.** The UFF Steering Committee shall consist of the president, the first vice-president, the vice-president of each bargaining council, the chairpersons of the Contract Enforcement, Government Relations, Diversity and Leadership Committee, and Membership Committees, and the UFF members of the FEA Governing Board. The Chair of the Contract Enforcement Committee shall not vote on appeals from denial of arbitration. Composition of the Steering Committee should reflect the diversity of the membership of the union.

**Section 2.** The Steering Committee shall prepare a budget for submission to the UFF Senate.

**Section 3.** The Steering Committee shall be the UniServ Coordinating Council.

**Section 4.** The Steering Committee shall have the authority to approve employment of staff.<sup>5</sup>

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<sup>3</sup> Rewritten to conform to current practice

<sup>4</sup> Revised to make this more aspirational, as we do not have a mechanism for enforcing this – and we don't want to be in violation of our own constitution

<sup>5</sup> Rewritten to conform to current practice.

**Section 5.** The Steering Committee shall have the authority to act for the UFF Senate between meetings of the Senate and shall report all actions to the Senate.

**Section 6.** The President shall have the duty, authority and responsibility to investigate claims of chapter dysfunction. The Steering Committee shall have the authority based upon evidence presented to place chapters in trusteeship for violation of the UFF Constitution and Bylaws; the Chapter's Bylaws; Florida Statutes, Chapter 447; the Federal Landrum-Griffin Act, Subchapter V, Section 481 (Terms of Office and Election Procedures); Subchapter VI, Section 501 (Fiduciary Responsibility of Officers of Labor Organizations); and/or for the purpose of assuring faithful and consistent performance of collective bargaining obligations and other duties as bargaining agent.

**Section 7.** The Steering Committee shall meet at least once a quarter.

## ARTICLE VIII. RECALL AND CONSTITUTIONAL AMENDMENTS

**Section 1.** The recall of elected statewide officers shall be submitted to a vote by Senate action, by request of at least 20 percent of the UFF membership, by request of chapters representing at least three-fourths of UFF membership, or by at least one-half of the chapters. The UFF Senate shall ensure that ample opportunity be given for pro and con arguments to be presented to the membership and shall ensure that the membership has the opportunity to vote by a fair and secret ballot. A simple majority of those voting shall prevail.

**Section 2.** Constitutional amendments shall be adopted by two-thirds vote of the Senate. Proposed amendments shall be mailed to all senators at least 30 days prior to the Senate meeting at which proposed action is to be taken.

## BYLAWS

### ARTICLE I. PARLIAMENTARY AUTHORITY

**Section 1.** The rules contained in *Robert's Rules of Order Newly Revised* shall govern in all cases not covered by the Constitution and Bylaws.

### ARTICLE II. CHAPTERS, BARGAINING COUNCILS AND PRESIDENTS' COUNCILS

**Section 1.** Chapters shall be established by the UFF Senate.

**Section 2.** Bargaining Councils of senators shall be established by the UFF Senate. Bargaining Councils shall set legislative, bargaining, and other priorities in the area under their jurisdiction.

**Section 3.** The Senate shall establish a Presidents' Council for each Bargaining Council, made up of the chapter presidents in that Council, or those chapter presidents' representatives, to facilitate dialogue on issues and matters confronting the union and its chapters. The vice presidents of the Bargaining Councils shall chair meetings of their respective Presidents' Council. The president of UFF shall chair collective meetings of the Presidents' Councils.

**Section 4.** Presidents' Councils shall meet at least twice a year. They prepare the agenda for their respective Bargaining Council meetings, shall work with the state leadership in establishing union priorities, and shall review union progress in the areas of membership, political action, contract enforcement, and other relevant areas.<sup>6</sup>

**Section 5.** The Presidents' Council shall have the authority to act for their respective Bargaining Councils between meetings of the Bargaining Councils and shall report all actions to the Bargaining Councils.

### ARTICLE III. DELEGATE SELECTION TO AFFILIATE ORGANIZATIONS

**Section 1.** The president and president-elect and first vice-president and first vice- president-elect shall be delegates to the NEA Representative Assembly and the AFT convention. All other delegates to the NEA Representative Assembly and the AFT convention shall be elected biennially to two-year terms, in accordance with NEA and AFT Bylaws, respectively.

**Section 2.** The president, president-elect, first vice president and first vice president-elect shall be delegates to the FEA Delegate Assembly. Remaining delegates shall be elected annually through elections in each chapter with the number of delegate seats to be elected by members of each chapter and by the at-large members determined by the membership count as of January 15. The delegate election process shall provide for open nominations and be conducted by secret ballot. The members receiving the highest numbers of votes shall be elected as delegates. Remaining nominees may serve as alternate delegates. Candidates for UFF senator or alternate senator may run concurrently for FEA delegate or alternate delegate. The number of FEA delegates per chapter shall be fixed at one for each 50 members or major portion thereof. The number of FEA alternate delegates shall be limited to the number

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<sup>6</sup> Rewritten to conform to current practice.

of FEA delegates. In the event a chapter cannot send its allotted delegation to the FEA Delegate Assembly, alternate delegates from other chapters shall be selected by the UFF president, from the same bargaining council, if possible. FEA delegates and alternates must be elected and reported to UFF at least 30 days prior to the convening of the first session of the annual FEA Delegate Assembly. The UFF President shall select at-large alternate delegates to reflect the diversity of the membership.

**Section 3.** UFF members of the FEA Governance Board shall be elected in conjunction with the election of UFF officers. FEA Governance Board members shall be elected to two-year terms commencing on July 1 of odd-numbered years.<sup>7</sup>

**Section 4.** In the event of a vacancy on the FEA Governance Board, a successor will be nominated and elected by the Steering Committee from the membership of the Senate prior to the next FEA Governance Board meeting. The person elected will serve for the period remaining in the existing term.

## ARTICLE IV. DUTIES AND ELECTION OF OFFICERS

**Section 1.** The president shall preside at all meetings of the UFF Senate and of the UFF Steering Committee. The president shall be an ex officio member of all committees, shall sign all necessary documents and papers, shall represent the organization, shall coordinate and oversee the organization's programs and policies, as determined by the UFF Senate, shall make an annual report to the members, and shall convene special meetings of committees, councils, and Senates. The president shall be a member of the FEA Governance Board. In the event only one candidate has been nominated by the published nomination deadline, then that candidate shall be deemed elected by acclamation and no election by secret ballot of the membership is required.

**Section 2.** The first vice-president shall represent the president when the president cannot be present and shall carry out the duties assigned by the president or the Senate. In the event of a vacancy in the office of the president, the first vice-president shall serve as the president for the period remaining in the existing term.

**Section 3.** In the event of a vacancy in the office of first vice-president, a successor will be nominated and elected by the Steering Committee among Bargaining Council vice-presidents. The Senate will then confirm or elect the successor at its next regularly scheduled meeting. The person elected will serve for the period remaining in the existing term. In the event of a vacancy on the Bargaining Council vice-president, a successor will be nominated and elected by the Steering Committee. The Senate will then confirm or elect the successor at its next regularly scheduled meeting. The person elected will serve for the period remaining in the existing term.

**Section 4.** The vice-presidents selected by the Bargaining Councils shall preside at meetings of their respective Bargaining and Presidents' councils.

**Section 5.** By April 1 in odd-numbered years, the president and first vice-president shall be elected by open nomination and secret mail ballots of the UFF membership to congruent two-year terms commencing on July 1. The vice-presidents selected by the Bargaining Councils shall be elected by open

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<sup>7</sup> Rewritten to conform to current practice.



nomination and secret ballot at the first meeting of the Bargaining Council after March 1 of each year and shall take office immediately upon election.

**Section 6.** Chapter presidents shall preside at all meetings of their respective chapters. They shall be ex officio members of all committees of their chapters and members of their respective Presidents' Council, shall sign all necessary documents and papers of their chapters, and shall represent their chapters within UFF.

**Section 7.** Elections for all statewide UFF offices and all delegates to the FEA Representative Assembly, the NEA Representative Assembly, and the AFT convention shall be by plurality vote.

**Section 8.** For each UFF Senate Meeting, the UFF President shall submit a report of their activities since the last senate session, as part of the overall senate leadership packet.

**Section 9.** Prior to the Fall UFF Senate Meeting each year, the Steering Committee shall collectively write a brief evaluation (1-2 pages) on the performance of the UFF President and the UFF Executive Director, to be sent to all UFF membership in advance of the Senate Meeting, as part of the Senate Leadership packet.

**Section 10.** The UFF President's term shall not last more than 2 years, and a single President may not serve more than 3 full terms in total.

**Section 11.** If the UFF budgetary reserves fall below 50% of the anticipated income for the year, then the position of full-release-time UFF President shall be reconsidered for recommendation by the Budget Subcommittee for the next fiscal year.

**Section 12.** The full-release-time UFF President shall be limited to teaching a maximum of one overload course per semester, beyond the negotiated release, in addition to their union duties. Additionally, the full-release-time UFF President shall report to the Steering Committee all employment-related activities beyond union and home institution responsibilities.<sup>8</sup>

## ARTICLE V. EXECUTIVE DIRECTOR

**Section 1.** The UFF Executive Director shall be the chief administrative officer of the United Faculty of Florida and shall implement and carry out the union program of activities as determined by the UFF Senate and president.

**Section 2.** The contract to pay for release time from a UFF President's home institution shall be written and negotiated by the UFF Executive Director and presented for approval to the UFF Steering Committee. Additionally, this agreement shall be included in the UFF Senate leadership packet provided before each UFF Senate meeting during the President's tenure.<sup>9</sup>

## ARTICLE VI. UFF SENATE

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<sup>8</sup> Sections 8 -12 were added and approved by UFF Steering Committee and Senate on February 26,2021

<sup>9</sup> Article V. Section 2. were added and approved by UFF Steering Committee and Senate on February 26,2021.

**Section 1.** The number of senators shall be fixed at one for each 25 members or a major portion thereof for each chapter, including the chapter president, who shall be a senator. The number of senators shall be determined by the membership on file as of January 15. Senators shall be elected by April 15 and shall take office by September 1. Every chapter shall have at least two senators regardless of membership.

**Section 2.** Each voting member of the Senate may carry the proxy of up to two other members of the Senate, provided that the members are from the same chapter.<sup>10</sup>

**Section 3.** Each chapter of UFF may elect as many alternates as senators and may send alternates to replace senators who do not attend.<sup>11</sup>

## ARTICLE VII. UNION STANDING COMMITTEES AND COUNCILS

**Section 1.** The following shall comprise the union's Standing Committees:

Contract Enforcement  
Government Relations  
Membership  
Diversity and Leadership<sup>12</sup>  
Credentials and Elections<sup>13</sup>

**Section 2.** Committee chairs and members shall be nominated by the president and confirmed by the Senate biennially. In the event of a vacancy on any standing or special committees, the president will appoint an interim chair or members as needed. The senate will then confirm or elect successors at its next regularly scheduled meeting.

**Section 3.** The president may appoint special (ad-hoc) committees when needed.

**Section 4.** The Senate shall set forth the functions of all committees and councils and shall establish policies and procedures governing their operations.

**Section 5.** The UFF Senate shall be charged with ensuring that the committees are representative of the different regions of the state and represent university, college, and graduate assistant members. Composition of these committees should reflect the diversity of the membership of the union.

## ARTICLE VIII. MEETINGS

**Section 1.** The time and place of the Senate meetings shall be fixed by the Senate. All policy resolutions shall be referred to the Senate for consideration.

**Section 2.** Special Senate meetings of the UFF may be called by the president, by a majority of senators, or by a majority of the Steering Committee.

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<sup>10</sup> Moved to Article VIII: Meetings

<sup>11</sup> deleted to conform to current practice

<sup>12</sup> Mandated by Senate vote

<sup>13</sup> Legal requirement

**Section 3.** The Steering Committee shall have the authority to act for the UFF Senate between meetings of the Senate and shall report all actions to the Senate. Where such actions materially or economically affect the UFF membership or relate to the Senate's authority to carry on all business affairs of the United Faculty of Florida as expressed in Article VI, Section 5 of the UFF Constitution, the Steering Committee shall refer, where reasonable and practicable, such policies and decisions to the UFF Senate for consideration prior to implementation.

**Section 4.** Bargaining Council meetings may be called by a majority of the senators composing the Council, by the bargaining council vice presidents, or by the UFF president.

**Section 5.** Presidents' Councils shall meet in conformity with Article II, Section 4, of the Bylaws.

**Section 6.** Except when personnel matters and grievances are being considered, every member shall have the right to attend and participate in any meeting, including Senate, council, chapter, and Steering Committee meetings. Voting rights and rules of participation shall be in accordance with the Constitution and Bylaws and the recognized rules set forth in the manual of parliamentary procedure.<sup>14</sup>

## ARTICLE IX. DUE PROCESS AND APPEALS

**Section 1.** All subordinate bodies of the United Faculty of Florida (such as chapters, councils, etc.) and members thereof, shall be entitled to the right of appeal.

**Section 2.** An initial appeal goes to the membership of the appropriate chapter or council for decision, to be taken at a membership meeting, in the case of a chapter.

**Section 3.** If the appellant is dissatisfied with the decision rendered on the initial appeal, a written appeal may be filed within 30 days to the Steering Committee through the president. The Steering Committee also has the authority to take jurisdiction over an initial appeal that is not acted upon within 45 days after it has been submitted.

**Section 4.** If the appellant is dissatisfied with the decision of the Steering Committee, it may be appealed to the UFF Senate whose decision shall be final and binding upon all parties of interest.

**Section 5.** Only the chapter from which the grievance is filed may appeal to the UFF Steering Committee a decision by the Contract Enforcement Committee to not arbitrate a case. The Steering Committee decision shall be final.

## ARTICLE X. AFFIRMATIVE ACTION

**Section 1.** To carry out its commitment to affirmative action within the internal governance structures of the union, the UFF urges all members to commit themselves to selecting balanced representation, with due regard to proportional representation of minorities and women.

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<sup>14</sup> edited to clarify members' rights

## ARTICLE XI. DUES

**Section 1.** Regular dues shall be one percent of regular salary for members of those chapters that are bargaining agents or part of larger units for which the United Faculty of Florida is the bargaining agent or for those members serving as executive officers of UFF, FEA, AFT or NEA. Regular dues shall include the dues of FEA, AFT, and NEA.

**Section 2.** Dues for members of UFF who are not members of bargaining units shall be \$45 plus the cost of FEA, AFT, and NEA dues. This amount shall be raised each year by the average increase in salary for UFF members as determined by the UFF Senate. Dues for Life UFF Retired members shall be \$100 plus FEA, AFT, and NEA life dues.

## ARTICLE XII. AMENDMENT

**Section 1.** Proposed amendments shall be mailed to all senators at least 30 days prior to the Senate meeting at which proposed action is to be taken. A majority of the membership as represented by the senators voting shall be sufficient to adopt the amendment.

-End of Governing Document-