

1 **BYLAWS**

2  
3 **BUFFALO STATE COLLEGE CHAPTER**  
4 **UNITED UNIVERSITY PROFESSIONS**  
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6 **ARTICLE 1**

7 **NAME**

8 The name of this organization shall be the Buffalo State College Chapter of United University  
9 Professions (hereinafter "UUP"), Local #2190 of the American Federation of Teachers, AFL-CIO  
10 (hereinafter, the "Buffalo State College Chapter" or "Chapter").  
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12 **ARTICLE 2**

13 **PURPOSE**

14 The purpose of the Buffalo State College Chapter shall be to promote the aims of UUP, namely, to  
15 improve the terms and conditions of employment and to defend the civil, professional, and human rights  
16 of those it represents; to promote mutual assistance and cooperation among the members of UUP; to  
17 advance education in a democracy and democracy in education; to promote the principle of unity and  
18 collective bargaining in higher education. Its purpose is also to monitor local compliance with the  
19 Agreement between UUP and the State of New York. In addition, the Chapter will promote public higher  
20 education, academic excellence, and strive to strengthen the college and university community; organize  
21 and support activities associated with its campus responsibilities as a union; and will cooperate with  
22 other Chapters, UUP, UUP affiliates, and appropriate organizations in furtherance of these objectives.  
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24 **ARTICLE 3**

25 **MEMBERSHIP**

26 **Section 3.1 - Classes of Membership:**

27 3.1.1 There shall be the following classes of membership, as defined by the UUP Constitution:  
28 Regular Membership; Special Membership, (either Retired or Sustaining); Associate  
29 Membership; and Honorary Membership

30 3.1.2 Regular membership shall be open to employees in the Professional Services Negotiating Unit  
31 (08) at the State University of New York, College at Buffalo.

32 a. Contingent membership shall extend from September 1 through August 31.

33 b. Membership in good standing shall be maintained through payment of dues as defined in  
34 Article III. Section 4. Dues. of the UUP Constitution and shall be on a continuing basis  
35 throughout the membership year.

36 3.1.3 Rights of all classes of members are defined by the UUP Constitution.

37 3.1.4 Membership in good standing shall be maintained through membership in UUP as specified in  
38 the UUP Constitution.  
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41 **Section 3.2 - Categories of Membership:**

42 Membership shall be of either of two categories, “academic” or “professional.”

43 a. “Academic” members shall be those persons with academic rank.

44 i. “Contingent” academic members shall be those persons appointed to any position which  
45 does not prescribe eligibility for continuing appointment.

46 b. “Professional” members shall be those persons with professional rank.

47 i. “Contingent” professional members shall be those persons appointed to any position  
48 which does not prescribe eligibility for permanent appointment.

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50 **ARTICLE 4**  
51 **MEETINGS**

52 **Section 4.1 - Regular Meetings:**

53 There shall be at least one meeting of the membership each academic year. The President shall  
54 call all meetings of the membership. The President shall send a written announcement of a  
55 regular meeting to all members at least 7 days prior to the meeting. The announcement shall  
56 contain the date, time, and place of meeting and the agenda.

57 **Section 4.2 - Special Meetings:**

58 Special meetings of the membership may be called by the President, at the request of a majority  
59 of the Executive Board, or at the petition of at least 10% of the membership. The President shall  
60 send a written notice of a special meeting to all members at least 7 days prior to the meeting. The  
61 notice shall contain the date, time, and place of meeting and the agenda.

62 **Section 4.3 – Quorum:**

63 A quorum for meetings shall be 1% of the membership as long as those members include four of  
64 the officers.

65 **Section 4.4 - Minutes:**

66 Approved minutes of Chapter meetings shall be published and distributed to the membership.

67 **Section 4.5 – Members Rights:**

68 4.5.1 Members shall have the right to attend meetings, to participate in deliberations, to vote  
69 upon the business of such meetings, to nominate candidates, and to vote in elections or  
70 referendums, subject to the UUP Constitution and these Bylaws.

71 4.5.2 The annual budget shall be approved by a majority vote of those present and voting.

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73 **ARTICLE 5**  
74 **OFFICERS**

75 **Section 5.1 - Officers:**

76 The officers shall include a President, a Vice President for Academics, a Vice President for  
77 Professionals, a Secretary, a Treasurer, an Officer for Contingents, an Officer for Retirees,  
78 Grievance Chairpersons, Steward Coordinators and a Designee for Affirmative Action.

**Section 5.2 - Duties:**

**5.2.1 The President shall:**

- a. serve as the administrative officer of the Chapter;
- b. represent the Chapter to management, to the college community, and to the public;
- c. maintain liaison with UUP;
- d. be the Chapter's first delegate to the Delegate Assembly.
- e. preside over meetings of the membership and the Executive Board;
- f. be authorized to sign checks in the absence or incapacity of the Treasurer;
- g. supervise any office staff;
- h. appoint chairpersons and members of committees, subject to approval by the Executive Board;
- i. may appoint a parliamentarian to assist in the conduct of meetings. The parliamentarian shall not be a member of the Executive Board;
- j. perform such other duties assigned by the Executive Board or the membership.

**5.2.2 The Vice Presidents shall:**

- a. have as their primary duties the representation of the members of the categories they represent; and
- b. develop and coordinate a Department Representative Structure that assures every member is represented;
- c. be delegates to the Delegate Assembly.
- d. in the absence or disability of the President, the Vice President from the alternate membership category shall automatically assume the duties of the President until such time as the Executive Board meets and appoints an Acting President or until a special election is held;
- e. perform such other duties assigned by the President, the Executive Board, or the membership.

**5.2.3 The Secretary shall:**

- a. keep accurate minutes of the meetings of the membership, the Executive Board, and other such meetings as deemed appropriate by the President and/or Executive Board;
- b. assist in maintaining Chapter files and a roll of the membership;
- c. in the absence of a Designated Election Official, assume the duties assigned to that position; and
- d. perform such other duties assigned by the President, the Executive Board, or the membership.

**5.2.4 The Treasurer shall:**

- a. be responsible for the funds of the Chapter, depositing them in a checking or savings account as appropriate;
- b. keep accurate accounts of receipts and disbursements;

- 117 c. issue checks and make withdrawals and transfers as authorized by the President or Executive  
118 Board;
- 119 d. report to each meeting of the Executive Board;
- 120 e. prepare an annual financial statement for publication and distribution to the membership and  
121 to the statewide Secretary-Treasurer and statewide UUP Executive Board;
- 122 f. prepare a budget for submission to the Executive Board and membership with final  
123 submission to the statewide Secretary-Treasurer;
- 124 g. submit timely audit packets to the statewide Accounting Department (three times/year);
- 125 h. keep the President and Executive Board informed of the financial condition of the Chapter;  
126 and
- 127 i. perform such other duties as assigned by the President, the Executive Board, or the  
128 membership.
- 129 5.2.5 The **Officer for Contingents** shall:
- 130 a. serve as chairperson of the Contingent Concerns Committee;
- 131 b. be responsible for monitoring the concerns of Contingent members;
- 132 c. report to the President, Executive Board, and membership;
- 133 d. be a delegate to the Delegate Assembly as per Article 7, 3.d of the Constitution; and
- 134 e. make recommendations to the Executive Board.
- 135 5.2.6 The **Officer for Retirees** shall:
- 136 a. work with leadership to facilitate in-district and statewide advocacy;
- 137 b. attend Executive Board meetings and report on activities relevant to engagement of the  
138 Chapter's retired members;
- 139 c. serve as a conduit for information to/from membership, leadership and the Committee on  
140 Active Retired Membership;
- 141 d. work with the President and Executive Board to schedule pre-retirement workshops, and  
142 other events to involve retired members; and
- 143 e. coordinate with leadership to promote the benefits of being involved with active and retiree  
144 activities.
- 145 5.2.7 The **Designee for Affirmative Action** shall:
- 146 a. serve as chairperson of an Affirmative Action Committee;
- 147 b. be responsible for monitoring Affirmative Action and related concerns;
- 148 c. report to the President, Executive Board, and membership; and
- 149 d. make recommendations to the Executive Board.
- 150 5.2.8 The **Grievance Chairpersons** shall:
- 151 a. serve as chairpersons of the Grievance Committee;
- 152 b. be responsible for assisting members of the bargaining unit with the processing of  
153 grievances;

- c. report to the President, Executive Board, and membership, as appropriate; and
- d. make recommendations to the Executive Board.

5.2.9 The **Steward Coordinators** shall:

- a. serve as chairpersons of the Membership Committee;
- b. assist in recruiting new members;
- c. report to the President, Executive Board, and membership; and
- d. make recommendations to the Executive Board.

## **ARTICLE 6**

### **EXECUTIVE BOARD**

#### **Section 6.1 – Composition:**

The Executive Board shall include the following voting and non-voting members:

6.1.1 Voting Members:

- a. Chapter officers;
- b. Members who received at least 5 votes in the election for the position of Academic or Professional Delegate to the Delegate Assembly; and
- c. Members who serve as statewide officers of UUP or members of the statewide Executive Board.

6.1.2 Ex-officio Non-Voting Members:

- a. Members who received fewer than 5 votes in the election for the position of Academic or Professional Delegate to the Delegate Assembly; and
- b. If appointed, the Designated Election Official; Outreach Chairperson; Membership Chairperson; Newsletter Editor; and Safety and Health Chairperson shall be ex-officio members without vote, unless they are otherwise voting members of the Executive Board as defined in Articles 5.1 and 6.1.1.

#### **Section 6.2 - Duties:**

The Executive Board shall:

- a. be the policy-implementing body;
- b. be responsible for the administration of the Chapter and its activities;
- c. arrange for such ancillary staff members and assistance as are necessary to attain the goals of the Chapter;
- d. appoint individuals to fill vacancies, in accordance with these Bylaws and the UUP Constitution, or direct that the UUP Constitution and Governance Committee hold special elections to fill vacancies;
- e. approve appointments to committees;
- f. define the duties of the Outreach Chairperson; Newsletter Editor; and Safety and Health Chairperson including if they should be voting, non-voting or ex-officio Executive Board members;

- g. approve a budget for submission to the membership;
- h. approve all expenditures pursuant to the budget and authorize extraordinary expenditures;
- i. any expenditures not included in the budget will be voted on before payment;
- j. carry out policies established by the membership and suggest policies for consideration by the membership;
- k. act on behalf of the membership in the absence of membership policy and during periods of time when meetings cannot be reasonably convened;
- l. by a 3/5 vote or upon the petition of at least 10% of the membership initiate referenda subject to the limitations outlined in the UUP Constitution, and adopt procedures for the conduct of such referenda;
- m. generally represent the interests of UUP and the Chapter on campus;
- n. carry out such other duties as are reasonably associated with the Executive Board duties outlined herein;

### **Section 6.3 - Term of Office:**

Except where otherwise specified, the term of office for elected and appointed positions of the Executive Board shall coincide with the term of the elected officers.

### **Section 6.4 - Meetings:**

6.4.1 The Executive Board shall meet at least monthly during the academic year. Meetings shall be convened by the President or by a written request of a majority of the Executive Board or at least 10% of the membership.

6.4.2 The President shall send a written announcement of meetings to members of the Board at least 7 days prior to the meeting. The announcement will contain the date, time, and place of the meeting and the proposed agenda. Such notice may be provided by electronic means.

6.4.3 Special meetings may be called by the President with 7 days' written notice. Such notice may be provided by electronic means.

6.4.4 Executive Board meetings, other than executive sessions, shall be open to the membership.

### **Section 6.5 - Quorum:**

6.5.1 The quorum for meetings of the Executive Board shall be a majority of the voting members as long as those members include four of the officers.

### **Section 6.6 - Minutes:**

6.6.1 Approved minutes of meetings shall be published and distributed to the membership.

6.6.2 Board meeting minutes will be included in each audit packet submitted to the statewide organization.

## **ARTICLE 7**

### **DELEGATES TO THE UUP DELEGATE ASSEMBLY AND AFFILIATE CONVENTIONS**

#### **Section 7.1 - Election and Terms:**

Delegates to the UUP Delegate Assembly must be elected in accordance with the UUP Constitution as follows:

- a. The first delegate shall be the President.
- b. The second delegate shall be the Vice President of the alternate membership category of the President.
- c. The third delegate shall be the Vice President of the same membership category as the President, if the Chapter is entitled to an additional representative from that category.
- d. The fourth delegate shall be the Officer for Contingents. The Officer for Contingents shall be an additional delegate regardless of category and shall not affect the delegate allocation for the Chapter.
- e. Additional delegates shall be elected by and from the membership according to the provisions of the UUP Constitution.

#### **Section 7.2 - Duties:**

Delegates to the UUP Delegate Assembly shall:

- a. represent the Chapter at the UUP Delegate Assembly;
- b. analyze the business to be conducted at each Delegate Assembly and seek input from the membership on issues of importance to the union; and
- c. report to the membership on actions taken.

#### **Section 7.3 - Seating at the Delegate Assembly:**

- 7.3.1 The number of Chapter representatives eligible for seating at the Delegate Assembly shall be determined, in accordance with the UUP Constitution.
- 7.3.2 Prior to each Delegate Assembly the President shall ask Delegates, in rank order of their election, their intention to serve at that Delegate Assembly.
- 7.3.3 Delegates who do not confirm with the President at least 7 days prior to the Delegate Assembly shall be replaced by the next ranking Delegate who confirms their intention to serve.
- 7.3.4 If a Delegate is replaced, s/he shall not be eligible for seating in place of any confirmed Delegate who attends the Delegate Assembly.

#### **Section 7.4 – Delegates to Affiliate Conventions:**

Delegates to affiliate conventions must be elected in accordance with the UUP Constitution.

### **ARTICLE 8**

#### **DEPARTMENT REPRESENTATIVE STRUCTURE**

##### **Section 8.1 - Composition:**

- 8.1.1 The Vice Presidents shall develop and coordinate a Department Representative Structure that assures every member is represented.
- 8.1.2 Delegates to the UUP Delegate Assembly who are not also chapter officers shall serve as Department Representatives in their own Departments. If more than one Delegate to the Delegate Assembly has been elected from a particular department, the Department Representative shall be selected from the Delegates in that department and appointed as provided in Section 8.3 below.
- 8.1.3 In the event that no Delegate to the Delegate Assembly has been elected from a particular Department, the Department Representative shall be appointed as provided in Section 8.3 below.

**Section 8.2 - Duties:**

Department Representatives shall:

- a. assist in the recruiting of members;
- b. assist in the dispersal of information;
- c. mobilize the membership for action when necessary; and
- d. advise the Executive Board on the needs of the membership.

**Section 8.3 - Appointment and Term:**

8.3.1 Department Representatives shall be appointed by the President, subject to approval by the Executive Board.

8.3.2 The term of office shall coincide with the term of the elected officers.

**ARTICLE 9**  
**COMMITTEES**

**Section 9.1 - Labor Management Committee:**

9.1.1 Chapter officers shall constitute the UUP committee responsible for representing the Chapter at Labor-Management meetings conducted pursuant to the Agreement between UUP and the State of New York.

9.1.2 Members of the Executive Board, Chapter members, and representatives or staff employees of UUP may be added to this group by the President.

**Section 9.2 - Standing Committees:**

9.2.1 Affirmative Action Committee: The Affirmative Action Committee if one should be appointed shall:

- a. assist the Designee for Affirmative Action in monitoring campus Affirmative Action programs and policies; and,
- b. recommend actions designed to implement and enforce Affirmative Action goals.

9.2.2 Contingent Employee Committee: The Contingent Concerns Committee if one should be appointed shall:

- a. assist the Officer for Contingents to encourage and promote membership and activity of contingent employees; and
- b. make recommendations with regard to organizational structures wherein contingent employees work.

9.2.3 Grievance Committee: The Grievance Committee if one should be appointed shall:

- a. advise members of their rights under the contract, represent them in grievance hearings, and
- b. assist the Grievance Chairperson in processing grievances.

9.2.4 Membership Committee: The Membership Committee if one should be appointed shall:

- a. assist the Membership Chairpersons in recruiting new members;
- b. organize membership drives;



- c. maintain up-to-date lists of members; and
- d. disseminate literature to the membership.

9.2.5 Outreach Committee: The Outreach Committee if one should be appointed shall:

- a. assist the Outreach Chairperson in planning and coordinating activities that inform legislators of Chapter and UUP needs;
- b. educate the membership about legislation of interest to UUP;
- c. coordinate activities with the statewide UUP Outreach Committee; and
- d. coordinate the annual Vote/Cope campaign.

9.2.6 Safety and Health Committee: The Safety and Health Committee if one should be appointed shall:

- a. assist the Safety and Health Chairperson to identify and review safety-related issues affecting employees and recommend plans for the correction of such matters.

### **Section 9.3 - Ad Hoc Committees:**

The Executive Board may establish such ad hoc committees as may be necessary to perform particular tasks, functions, or activities. Ad hoc committee charges shall be outlined by the Executive Board when the committee is established.

### **Section 9.2 – Other Committees:**

Additional Standing Committees may be established by amendment of these Bylaws.

### **Section 9.4 - Appointment and Term:**

9.4.3 Members of all committees shall be appointed by the President. The President shall serve as an ex officio member of all committees.

9.4.2 The term of office of Standing Committee members shall coincide with the terms of the elected officers.

9.4.3 The term of office of Ad hoc Committee members shall expire upon the completion of their charge and/or the expiration of the term of the officers.

## **ARTICLE 10 ELECTIONS**

### **Section 10.1 - Elections:**

Elections, except those held to fill vacancies, shall be held every two years for each elective office, and be completed no later than May 1, unless extraordinary circumstances prevent meeting that deadline. Terms of office shall begin on June 1.

### **Section 10.2 - Conduct of Elections:**

10.2.1 Elections shall be conducted in accordance with the UUP Constitution and Article 10 of these Bylaws.

10.2.2 A request that the UUP Constitution and Governance Committee conduct the Chapter election shall be made to the Statewide Secretary-Treasurer's office no later than December 1 of the year prior to the scheduled Chapter election.

**Section 10.3 - Duties of the Designated Election Official:**

Duties of the Designated Election Official shall be in accordance with the UUP Constitution. The Designated Election Official shall also develop procedures for the conduct of Chapter Referenda subject to approval by the Executive Board.

**Section 10.4 - Election and Appointment of Officers:**

10.4.1 The President, Vice President for Academics, Vice President for Professionals, Secretary, Treasurer, Officer for Contingents, Officer for Retirees, Designee for Affirmative Action, Grievance Chairperson, Steward Coordinators, and any officer positions designated in these Bylaws, shall be elected by the membership in accordance with the provisions of the UUP Constitution.

10.4.2 The Vice-Presidents shall be elected by and from their respective membership categories.

**Section 10.5 - Term of Office:**

10.5.1 The term of office for elected and appointed officers, shall be for two years or until their successors are elected or appointed.

**Section 10.6 - Vacancies:**

10.6.1 Persons elected to fill vacancies shall take office at the time of election.

10.6.2 If there are no nominations or no write-ins willing to serve in the position, the office shall be declared vacant and shall be filled by appointment by the Chapter's Executive Board.

**ARTICLE 11**  
**RECALL**

**Section 11.1 - Removal for Cause:**

An officer, delegate, or member of the Executive Board may be removed from office for valid cause. Valid cause may include, but not be limited to, continued neglect or non-performance of the duties of the office, misuse of Chapter funds, and /or intentional misrepresentation of the organization.

**Section 11.2 - Procedure:**

11.2.1 Upon receipt of written charges and a petition of 10% of the membership, or 1/3 of the voting members of the Executive Board, the President shall appoint a Select Committee, subject to approval by the Executive Board, to conduct a confidential investigation.

11.2.2 The Select Committee shall be composed of not less than three and not more than five members.

11.2.3 If charges are raised against the President, the Select Committee shall be appointed by the Vice President of the alternate membership category.

11.2.4 The charges from such a petition shall be mailed registered or certified mail, return receipt requested, to the official address of the individual charged; and shall be given to the Select Committee.

11.2.5 An individual charged must indicate in writing, receipt of the charges and an interest in retaining the office in question. Failure to indicate such interest within two weeks of receipt of the charges shall be deemed to be a resignation, and the office shall be declared vacant. In such case, the Select Committee shall report the resignation and vacancy to the Executive Board, and the investigation shall be considered closed.

11.2.6 If a vacancy is declared, it shall be filled in accordance with the procedures in Section 10.6. If a vacancy is not declared, the Select Committee shall investigate the charges and provide an opportunity for the individual charged to respond. Such an investigation shall be conducted in accordance with the current edition of *Robert's Rules of Order Newly Revised*.

11.2.7 Following the conclusion of an investigation, the Select Committee shall report its findings to an executive session of the Executive Board. If the Executive Board concludes that there is merit to the charges, it shall call a special meeting of the membership according to procedures in Section 4.2. At the special membership meeting there shall be a full discussion of the charges and the individual charged shall have the right to present a defense.

11.2.8 A majority vote of those attending the special membership meeting shall be required to authorize a recall election.

### **Section 11.3 - Recall Vote (Removal):**

11.3.1 A vote to remove an officer, delegate, or member of the Executive Board shall be conducted by either the Chapter or the Statewide Constitution and Governance Committee by mail to the official address of each member. Members shall have at least 14 calendar days to return their ballots.

11.3.2 A majority of those voting shall be necessary for removal. In the event a majority vote for removal, removal from office shall be effective immediately.

### **Section 11.4 - Vacancies:**

If a vacancy is created as a result of a recall vote, that vacancy shall be filled by appointment by the Chapter's Executive Board.

## **ARTICLE 12** **PARLIAMENTARY AUTHORITY**

### **Section 12.2 - Parliamentary Authority:**

Meetings shall be conducted in accordance with the rules contained in the current edition of *Robert's Rules of Order Newly Revised* in all cases to which they are applicable and in which they are not inconsistent with these Bylaws or the UUP Constitution or any special rules of order which may have been adopted.

## **ARTICLE 13** **CONSTRUCTION AND SEVERABILITY**

### **Section 13.1 - Construction and Severability:**

13.1.1 If a provision of these Bylaws is discovered to be null and void because of a conflict with an authority that must take precedence, the Executive Board shall have the authority to change the provision to make it conform to all necessary policies/statements.

13.1.2 A decision by a competent agency invalidating a clause, phrase, or section of these Bylaws shall not invalidate any other clause, phrase, or section.

## **ARTICLE 14** **AMENDMENT**

**Section 14.1 - Amendment:**

14.1.1 Bylaw amendments may be proposed by the Executive Board or by written petition of 10% of the membership.

14.1.2 A proposed amendment shall be submitted to the membership, in writing, with both the existing language and proposed change(s) at least 30 days prior to a regular or special meeting. Following such meeting, a vote shall be conducted by mail to all members. The mail vote shall be conducted by either the Chapter or the UUP Constitution and Governance Committee. Chapter members shall have no fewer than 14 calendar days to return their ballots.

14.1.3 Proposed Bylaw amendments shall be approved by a majority of the members voting.

**Section 14.2 - Ratification:**

14.2.1 Amendments to these Bylaws shall go into effect immediately upon adoption unless otherwise specified in the balloting.

14.2.2 These Bylaws shall supersede all prior Bylaws. Upon ratification, a dated copy shall be sent to all members, or published online on the Chapter website, and sent to the Statewide Secretary-Treasurer.

Adopted \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
Signature of the Chapter President

\_\_\_\_\_  
Signature of the Chapter Secretary