

1 ARTICLE III. MEMBERSHIP

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3 Section 1. Membership is open to all full-time and part-time faculty,
4 professional staff, and librarians at Montclair State University.

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6 Section 2. There shall be no discrimination toward applicants on the basis of
7 gender, race, ethnicity, national origin, religion, sexual orientation,
8 age, disability, or political belief.

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10 Section 3. Any member who willfully fails to pay dues for one year shall be
11 dropped from the rolls and his or her name removed from the
12 membership records.

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14 Section 4. Excluded are all those who are in positions that are not included
15 in the bargaining unit.

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18 ARTICLE IV. OFFICERS AND ELECTIONS

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20 Section 1. MSUFT, Local 1904 shall have the following elected officers: a
21 president, a vice president for internal affairs, a vice president for
22 external affairs, associate vice president(s) for personnel affairs, a
23 treasurer, a secretary, a negotiations coordinator, professional staff
24 and librarian negotiations leaders, a professional staff coordinator,
25 and a librarian coordinator.

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27 Section 2. The term of office for each elected officer shall be two years. The
28 Officers shall begin their term of office on May 1 after their election
29 and shall serve until the 30th day of April after the next election
30 unless they have resigned or have been recalled.

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32 Section 3. Officers shall be elected by a majority vote of the members in a
33 secret ballot conducted in even-numbered years during the Spring
34 semester. For any office, if no majority is obtained on a first-ballot,
35 a run-off election shall be held between the two candidates with the
36 highest vote. Such run-off elections shall be conducted by secret
37 ballot.

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39 Section 4. The Elections Committee, consisting of five members and approved
40 by the Executive Board, shall conduct elections of all officers. A
41 Nominating Committee appointed by the President, shall present a
42 slate of candidates, one for each office. The Nominating Committee
43 shall present its slate of candidates at the March general union

1 meeting of even-numbered years. Nominations from the floor may
 2 also be made at the general union meeting at which the Nominating
 3 committee presents its nominations. Ballots shall contain spaces for
 4 write-in candidates.

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 6 Section 5. If an officer or representative resigns or retires during her/his term of
 7 office, a replacement shall be elected by timely election by following
 8 a procedure similar to that described in Section 4.

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 10 Section 6. Election to MSUFT, Local 1904 office: All nominees for office must
 11 be members of MSUFT, Local 1904 in good standing, their dues
 12 currently paid at the time of nomination.

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 16 ARTICLE V. DUTIES OF OFFICERS

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 19 Section 1. The President shall preside at meetings of MSUFT, Local 1904 and
 20 its Executive Board and shall be an ex-officio member of all
 21 committees. The President shall appoint members to all committees
 22 subject to approval by the Executive Board. The President shall
 23 represent MSUFT, Local 1904 in all matters unless otherwise
 24 directed by the membership. The President shall have the authority
 25 to appoint representatives for MSUFT, Local 1904 when necessary
 26 with the consent of the Executive Board. The President may appoint
 27 substitutes drawn from the Executive Board for the State Council
 28 delegates and all other committee members when they cannot attend.
 29 The MSUFT, Local 1904 President is automatically a delegate to the
 30 State Council.

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 32 Section 2. There shall be two vice presidents: a Vice President for Internal
 33 Affairs and a Vice President for External Affairs.
 34 a. The Vice President for Internal Affairs shall be
 35 responsible for matters pertaining to this campus, other
 36 than those pertaining to grievance. The Vice President
 37 for Internal Affairs shall perform the duties of the
 38 president in the absence of that officer and shall
 39 perform other duties as assigned by the president.
 40 b. The Vice President for External Affairs shall be
 41 responsible for all matters pertaining to Council of
 42 New Jersey State College Locals, state, and national
 43 affairs.

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3 Section 3. There shall be one Associate Vice President for Personnel Affairs:
4 The Associate Vice President for Personnel Affairs shall be
5 responsible for all personnel matters of the membership. This
6 Associate Vice President shall serve as the Chairperson of the
7 Grievance Committee.
8

9 Section 4. The Secretary shall record and disseminate the deliberations of
10 MSUFT, Local 1904 meetings and shall communicate with outside
11 agencies.
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13 Section 5. The Treasurer shall collect and record all dues, income, and
14 disbursements, render quarterly reports on the financial status of
15 MSUFT, Local 1904.
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17 Section 6. The Negotiations Coordinator shall be responsible for organizing,
18 coordinating, and overseeing Local negotiations.
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20 Section 7. The Professional Staff Negotiations Leader shall be responsible for
21 organizing and presenting Local negotiation items pertaining to
22 professional staff.
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24 Section 8. The Librarian Negotiations Leader shall be responsible for
25 organizing and presenting Local negotiation items pertaining to
26 librarians.
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28 Section 9. The Professional Staff Coordinator shall be responsible for
29 coordinating and maintaining sub committees on Professional Staff
30 issues, for chairing Professional Staff meetings and for representing
31 Professional Staff on matters other than grievances.
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33 Section 10. The Librarian Coordinator shall be responsible for coordinating and
34 maintaining sub committees on Librarian issues, for chairing
35 Librarian Local meetings and for representing Librarians on matters
36 other than grievances.
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39 ARTICLE VI. COMMITTEES
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41 Section 1. The following shall be the Standing Committees of MSUFT, Local
42 1904: Council Delegate Committee, Grievance Committee,
43 Legislative Committee and Nominating Committee. Other standing

1 committees may be created by MSUFT, Local 1904 by majority vote
2 at two successive meetings.

3
4 Section 2. All members of MSUFT, Local 1904 are eligible to serve on
5 committees. The President, subject to approval by the Executive
6 Board, shall appoint chairpersons of committees.

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8 Section 3. Delegates to the Council of New Jersey State College Locals shall
9 be elected at the same election as all the officers above. The number shall
10 be based on membership as prescribed by the Constitution of the Council
11 of New Jersey State College Locals.

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13 ARTICLE VII. THE EXECUTIVE BOARD

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15 Section 1. The Executive Board shall consist of Officer delegates, State
16 Council delegates, Negotiation Team members, and other selected
17 representatives. The President with the approval of the extant
18 Executive Board shall appoint other Executive Board members.

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20 Section 2. The Executive Board shall administer the policies of MSUFT, Local
21 1904 as set by the membership at regular meetings. It shall have the
22 power to act in emergency situations where the policy cannot be set
23 by the membership.

24
25 Section 3. The chairperson of the Executive Board shall be the MSUFT, Local
26 1904 President of the Federation.

27
28 Section 4. The Executive Board shall have the power to expend funds and
29 employ all personnel, including an executive secretary, clerical help,
30 and any other full or part-time personnel.

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32 Section 5. The Executive Board shall report its activities at the regular
33 membership meeting.

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36 ARTICLE VIII. MEETINGS

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38 Section 1. The President shall determine the time and place of meetings.

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40 Section 2. There shall be at least four regular membership and four Executive
41 Board meetings during the regular academic year.

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1 ARTICLE IX. AFFILIATIONS

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3 Section 1. This Federation shall maintain affiliation with the following
4 organizations:

- 5 a. The American Federation of Teachers: all delegates
6 and alternates to the National Convention of the AFT
7 shall be elected by majority vote at the April election.
8 Notice of election shall be made at the previous
9 membership meeting and mailed to each member at
10 least ten days prior to the election. The President and
11 Secretary shall certify the election and forward the
12 credentials of all elected delegates and alternates to the
13 National Office as soon as possible, but not later than
14 ten days before the convening of the National
15 Convention. The delegates shall confer with the
16 Treasurer to make sure the AFT per **capita** through
17 June has been sent to the National Office at least
18 fifteen days before the convening of the National
19 Convention.
- 20 b. The Council of New Jersey State College Locals
21 (CNJSCL), AFL-CIO.
- 22 c. The Essex-West Hudson Labor Council
- 23 d. The New Jersey AFL-CIO
- 24 e. Other organizations, as deemed appropriate by the
25 Executive Board.

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27 Section 2. Every reasonable effort shall be made by MSUFT, Local 1904 to
28 pay the expenses of delegates to meetings and conventions of
29 affiliated organizations.

30
31 Section 3. Delegates to affiliated organizations shall be members of MSUFT,
32 Local 1904 in good standing.

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35 ARTICLE X. FINANCE

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37 Section 1. Any change in the dues structure shall be established through a
38 majority vote of members present at a regular meeting provided such
39 a vote has been announced at the previous meeting.

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41 Section 2. Additional finances may be obtained by various fund-raising
42 activities.

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1 Section 3. Non-member Agency Shop Fee. All members of the bargaining unit
2 who elect not to join MSUFT, Local 1904 must make service fee
3 payments to MSUFT, Local 1904 in lieu of dues under the Agency
4 Shop Provision of the Union's collective bargaining agreement.
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7 ARTICLE XI. AMENDMENTS
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9 Section 1. The Executive Board or any member in good standing at a regular
10 MSUFT, Local 1904 meeting shall initiate amendments to this
11 Constitution. The proposed amendment shall be approved by a
12 majority of members present and voting. The proposed amendment
13 shall be resubmitted to each member by mail. A two-thirds majority
14 vote of all members voting by secret ballot shall be sufficient for
15 adoption.
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18 ARTICLE XII. AGENCY SHOP PROCEDURES
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20 Section 1. Political Objections by Dissenters:
21 Any person making dues payments, or service fee payments to the
22 Union in lieu of dues under Agency Shop provisions in the Union's
23 collective bargaining agreement, shall have the right to object to the
24 expenditure of his/her portion of such payments for activities or
25 causes of a political nature or involving controversial issues of
26 public importance only incidentally related to wages, hours and
27 conditions of employment. Such objections shall be made, if at all,
28 by the objector individually notifying the MSUFT, Local 1904
29 President and Treasurer of his/her objection by registered or certified
30 mail, during the period between September 1-15 of each year. Such
31 objection, if any, shall be renewed each year in the same period in
32 the same manner.
33 The approximate proportion of dues and service fees spent by the
34 MSUFT, Local 1904 for such purposes shall be determined annually,
35 by MSUFT, Local 1904 officers. A rebate *of the* pro-rated portion of
36 his/her dues or service fees corresponding to such proportion shall
37 thereafter be made to each individual who has timely filed a notice
38 of objection, as provided above.
39

40 Section 2. Appeals
41 If an objector is dissatisfied with a specific allocation, an appeal may
42 be made by that person to the Executive Board within thirty days
43 following receipt of such rebate or receipt of notice of such

1 allocation. The MSUFT, Local 1904 Executive Board shall render a
2 decision on such appeal within thirty days following its receipt.

3
4 If the objector remains dissatisfied, he/she may file an appeal to the
5 American Arbitration Association. An arbitrator will be appointed
6 to resolve all challenges to the representation fee in lieu of dues. All
7 challenges will be consolidated into a single proceeding. MSUFT,
8 Local 1904 shall have the burden of establishing the amount of the
9 representation fee in lieu of dues and the accuracy of the underlying
10 calculation of chargeable expenses. The challenger(s) shall be
11 afforded the opportunity to participate in the proceedings and submit
12 evidence in support of their challenge(s). The arbitrator will render
13 a written decision, which shall be served upon each nonmember who
14 has revised a challenge. Proceedings under the demand and return
15 system shall be completed after the commencement of payroll
16 deductions of representation fees in lieu of dues for the current dues
17 year.

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19 If the demand and return system proceedings result in a
20 determination that the amount charged to the objector was in excess
21 of the amount allowed by statute, the amount in excess shall be
22 stated in the written decision. MSUFT, Local 1904 shall then
23 reimburse the objector with the specified amount in 30 days.