

CONSTITUTION & BY-LAWS

December 8, 2011

ARTICLE I

Name

This organization shall be known as the United Teachers of Lowell, Local 495 of the American Federation of Teachers, AFTMA, AFL-CIO.

ARTICLE II

Objectives

The purpose of this organization shall be:

- Section 1: To bring all members into relations of mutual assistance and cooperation.
- Section 2: To obtain and preserve for them the rights to which they are entitled.
- Section 3: To raise the standards of the teaching profession by securing the conditions essential to the best professional service.
- Section 4: To promote such a democratization of the schools as will better enable our members to equip their pupils to take their places in the industrial, social, and political life of the community.

ARTICLE III

Membership

- Section 1: Employees of the public school district including but not limited to teachers, permanent substitutes, coaches and advisors are eligible for membership.
- Section 2: Retired members and members on leaves may also retain membership in the United Teachers of Lowell.
- Section 3: Other educational support employees including but not limited to paraprofessionals, custodians, security guards and food services employees, are eligible for membership.
- Section 4: Supervisory personnel shall not obtain membership. Members who are

- promoted to supervisory positions are automatically removed from membership on the effective date of the promotion.
- Section 5: Teachers in public or private institutions outside the jurisdiction of this Local may be admitted to membership until such a time as a Local is chartered in their jurisdiction.
- Section 6: No discrimination shall ever be shown toward individual members or applicants for membership because of race, religious faith, political activities or belief, sex, sexual orientation, marital status, nationality or age.
- Section 7: A member may be expelled for acts detrimental to the United Teachers of Lowell upon presentation of written charges signed by at least one-fourth of the total membership and approved by at least three-fourths of the Executive Board. The member shall have the right to appeal the decision to the membership at the following membership meeting and shall be reinstated with full rights if a majority of the members present vote to reinstate.

ARTICLE IV

Officers

- Section 1: The following officers shall be elected biennially by the United Teachers of Lowell:
1. President
 2. Executive Vice President
 3. Vice President, Secondary (9-12) Officer must currently be teaching at secondary level
 4. Vice President, Middle School (5-8) Officer must currently be teaching at middle school level
 5. —Vice President, Elementary (preK-6) Officer must currently be teaching at elementary level
 6. Recording Secretary-Historian
 7. Corresponding Secretary
 8. Treasurer
 9. Custodian/Security Guard Unit Chair
 10. Cafeteria Staff Unit Chair
 11. Professional Development Chair
- Section 2: Membership in good standing for at least one year is required to hold an elected office.

Section 3: Officers shall be installed at the July Executive Board meeting or at a special July meeting held for this purpose.

Section 4: Vacancies in any office shall be appointed by the President with the approval of the Executive Board.

ARTICLE V

Duties of the Officers

Section 1: The President shall preside at all meetings of the United Teachers of Lowell and of the Executive Board. This officer shall be ex-officio member of all committees, shall sign all necessary papers and documents, and represent the Local as a delegate to all affiliated conventions and at other times when and where necessary. This officer shall present at the monthly Executive Board meetings a report of his/her activities. The President shall make a report to the membership at least once each year summarizing the accomplishments of the United Teachers of Lowell and outlining plans for the next year.

Section 2: The Executive Vice-President shall perform all duties of the President in the absence of that officer. This officer shall assist the President in the regular affairs of the union. In addition, this officer shall represent the Local as a delegate to all affiliated conventions and at other times when and where necessary. This officer shall be in charge of publicity, the coordination of building representatives, and will conduct the building representatives' meetings. This officer shall also serve as Chairperson of the Education Development Committee, a joint administration/union oversight committee.

Section 3: The Vice-President, Secondary shall coordinate all concerns and grievance matters at the grade levels nine through twelve. This officer shall contribute to the working operation of the union office on a weekly basis to coordinate all concerns from the high school level in collaboration with the staff representative and provide assistance with the follow up of issues. This officer will meet monthly with the building representatives from the level to learn of and respond to questions and concerns.

Section 4: The Vice-President, Middle, shall coordinate all concerns and grievance matters at the grade level five through eight. This officer shall contribute to the working operation of the union office on a weekly basis to coordinate all concerns from the middle school level in collaboration with the staff representative and provide assistance with the follow up of issues. This

officer will meet monthly with the building representatives from the level to learn of and respond to questions and concerns.

Section 5: The Vice-President, Elementary shall coordinate all concerns and grievance matters at the grade levels pre-school through four. This officer shall contribute to the working operation of the union office on a weekly basis to coordinate all concerns from the middle school level in collaboration with the staff representative and provide assistance with the follow up of issues. This officer will meet monthly with the building representatives from the level to learn of and respond to questions and concerns.

Section 6: The Recording Secretary shall be the custodian of the seal and charter of the United Teachers of Lowell. The recording secretary shall record the minutes of all UTL meetings and shall keep an accurate historical record of this union. In addition, this officer shall contribute to the working operation of the union office.

Section 7: The Corresponding Secretary shall issue all notices including flyers, newsletters, and other related materials. This officer shall answer correspondence at the direction of the President and Executive Board. In addition, this officer shall contribute to the working operation of the union office.

Section 8: The duties of the Treasurer shall be:

- a. To receive, record, and deposit in the name of the United Teachers of Lowell all monies from dues and all other sources.
- b. To issue receipts and delinquent notices.
- c. To forward all per capita dues and current membership lists to the National Office of the American Federation of Teachers and to other affiliated organizations to keep the local in good standing at all times.
- d. To keep accurate records available at all times for review by the membership.
- e. To have the accounts audited by an outside agency on an annual basis.
- f. To pay all bills authorized by the adopted budget, retaining voucher or invoice for the same. Expenses not authorized in the budget must be presented to the Executive Board or membership for authorization.
- g. To pay officers and chairpersons of standing committees by the following formula:
 - 20% of the local dues/fees {10% } = compensation to be paid
 - Of the compensation to be paid, the President will receive 23%, the Executive Vice President 16.25%, the Treasurer 16.25%, the Vice-Presidents of Grievance 6.5% each, the Corresponding

Secretary 6.5%, the Paraprofessional Chair 6.5%, the Recording Secretary 3%, the Membership Chair 3%, Ways and Means/COPE Chair 3%, Retiree Issues Chair 3%, the Professional Development Chair 3%, the Custodian/Security Guard Chair 6.5%, and the Cafeteria Worker Chair 6.5%. The Chairpersons of Standing Committees shall each receive 1.5%.

- All payments for part of a fiscal year shall be made on a pro-rata basis. Payment shall be received in a lump sum at the end of the fiscal year or at the end of the officer's/chairperson's term of office, whichever comes first. Officers shall have the option of receiving the stipend in four quarterly installments.

ARTICLE VI

Committees

- Section 1: The following standing committees shall be active in the United Teachers of Lowell.
1. Membership Committee
 2. Educational Issues Committee
 3. COPE/Ways & Means Committee
 4. Social Committee
 5. Paraprofessional Unit Chair—elected as per Paraprofessional Unit Constitution and By-Laws
 6. Education Development Committee
 7. Insurance Advisory Committee
 8. Retiree Issues Committee
 9. Central Labor Council Committee
- Section 2: The following special committees shall be established:
1. Collective Bargaining/Negotiating Committee
 2. Election Committee
- Section 3: The Chairperson of each standing committee and of all special committees shall serve with the approval of the majority of the Executive Board.
- Section 4: Members of each committee shall be sought from the general membership by the respective chairperson and serve with the consent of the majority of the Executive Board.

ARTICLE VII

Duties of Standing Committees

- Section 1: The Membership Committee shall plan and execute a dynamic program to insure growth and vitality of the United Teachers of Lowell. The Chairperson of this Committee shall maintain an accurate membership roll and shall present a monthly report to the Executive Board. The Membership Chairperson shall assist the Treasurer in preparation of the monthly per capita reports.
- Section 2: The Education Committee shall report on educational issues as addressed by the School Administration, the School Committee, the Citywide Parent Council, and other organizations concerned with curricula. The Chairperson shall give a monthly report at the Executive Board meetings and may prepare a monthly newsletter article. The Educational Issues Chair will coordinate coverage of School Committee meetings to insure UTL representation.
- Section 3: The COPE Committee shall consider recommendations of the AFT, AFT-Massachusetts, and the Local pertaining to all levels of government. It shall study proposed legislation which may affect the local and the schools. It may initiate recommendations. This Committee shall be responsible for coordinating activities concerned with the endorsement and election of local, state, and national officials. It will follow the dictates of the COPE Constitution. The Chairperson shall give a monthly report at the Executive Board meetings and may prepare a monthly newsletter article.
- Section 4: The Social Committee shall arrange such programs and entertainment and perform such duties as the Executive Board may direct. Such activities may include the Back-to-School Breakfast, the Seniors' Awards Ceremony, holiday celebrations, social functions, retiree recognition party, and other activities. The Chairperson shall give a monthly report at the Executive Board meetings and may prepare a monthly newsletter article.
- Section 5: The Ways & Means Committee shall arrange fundraising projects as deemed necessary by the majority of the Executive Board. The Chairperson of this Committee shall present an active and ongoing plan of fundraising activities for the betterment of the union. The Chairperson shall give a monthly report at the Executive Board meetings and may prepare a monthly newsletter article.
- Section 6: The Central Labor Council Committee shall attend the monthly meetings

of the Greater Lowell Central Labor Council as representatives of the UTL. The Chairperson will keep the union informed of all AFL-CIO interests and concerns. This Chairperson will serve as an official delegate to the Massachusetts AFL-CIO Convention. The Chairperson shall give a monthly report at the Executive Board meetings and may prepare a monthly newsletter article.

- Section 7: In addition to the duties listed above, all standing committee chairpersons shall contribute to the working operation of the union office. They are expected to attend all Executive Board meetings and all building representative meetings.
- Section 8: Any member of the Executive Board, or a committee, may be removed for just cause by a two-thirds vote of the Executive Board, subject to Robert's Rules of Order, Newly Revised.
- Section 9: The Education Development Committee is a joint union/administration committee which meets to discuss and resolve issues when possible, before they reach the grievance stage. The Executive Vice-President serves as Chairperson, and the members are representative of the different class levels.
- Section 10: The Insurance Advisory Committee shall monitor all insurance issues of relevance to the membership at large. Members of this committee will attend all Citywide Insurance Advisory Committee meetings. The Chairperson of this Committee will advise the Executive Board on insurance matters and act as a liaison between the United Teachers of Lowell and the AFT-Massachusetts to assure that concerns of the membership are addressed.
- Section 11: The Professional Development Chair shall oversee and report on all professional development issues of relevance to the membership at large. This chair will advise the Executive Board on all matters related to professional development including the Lowell Teacher Academy, Mentors, the Lowell Program, AFT's Center for School Improvement Institutes, Licensure, AFT Teach Conferences. The Professional Development Chair shall also serve as the UTL's Local Site Coordinator for the AFT Educational Research & Dissemination (ER&D) program as

well as the Labor/Management Professional Development Committee Liaison.

ARTICLE VIII

Duties of Special Committees

- Section 1: The Collective Bargaining/Negotiating Committee shall include the President and members sought from the general membership to prepare salary schedules and other contract proposals. It shall negotiate contract proposals with the employer and submit the negotiated agreement to the membership for ratification.
- Section 2: The Election Committee shall be appointed by the majority of the Executive Board to oversee all election activities.

ARTICLE IX

The Executive Board

- Section 1: The Executive Board of the United Teachers of Lowell shall consist of the following:
1. All elected officers
 2. Chairpersons of standing committees
 3. Elected Chairpersons from each local affiliated unit of the UTL
- Section 2: The Executive Board shall administer the policy of this local as set by the membership at regular meetings. It shall have the power to act for the good of the local in emergency situations where the policy cannot be set by the membership.
- Section 3: The chairperson of the Executive Board shall be the President of the local.
- Section 4: The time and place of the Executive Board meetings shall be set by the Executive Board and announced at the previous Board meeting.
- Section 5: The Executive Board shall have the power to employ all personnel, including but not limited to an office manager and staff representative on a full or part time basis as may be determined by needs and finances of the local.
- Section 6: The Executive Board shall have the power to:
- a. Make contracts and incur liabilities which may be appropriate to enable the Board to accomplish any or all of its purposes;

- b. Borrow money for the local's purposes at such rates of interest and terms of conditions as they may determine;
- c. To issue notes, bonds, and other obligations be mortgage, pledge, or deed of trust of all or any of its property and income.

ARTICLE X

Duties of Building Representatives

- Section 1: Building Representatives shall consist of one building representative per twenty-five teachers.
- Section 2: The elected building representative will receive a monthly stipend to be determined by the Executive Board and announced prior to the yearly election. The stipend will to be paid at the close of the fiscal year based on attendance at the monthly building representative meetings. The calendar of these meeting dates will be established by the Executive Board at the beginning of the school year. In the event that the elected building representative cannot attend a monthly meeting s/he shall appoint a designated alternate from his/her building.
- Section 3: Membership in good standing is required for a candidate to run for a building representative position. The candidate must submit a letter of intent to run prior to or at the March membership meeting.
- Section 4: Building representatives will be elected at the same time as regular UTL elections. A special election may be held at any time by the Executive Board within a specific school if a vacancy exists. The candidate(s) receiving the most votes shall be declared elected in accordance with the number of representative positions established in Section 1 of this article.
- Section 5: It shall be the function of the Building Representative to:
- a. Act as a liaison person between his/her building personnel and the UTL Executive Board.
 - b. Function as a representative of the UTL in matters of grievance procedures within his/her designated building.
 - c. Promote the quality educational experiences happening within the Lowell schools by bringing them to the attention of the UTL Executive Board. The Board will in turn publicize these programs through the printed media, radio, and television.

ARTICLE XI

Membership Meetings

- Section 1: The specific time and place of meetings shall be fixed by the Executive Board.
- Section 2: There shall be at least two (2) membership meetings per academic year.
- Section 3: A quorum at any membership meeting shall consist of five (5%) percent of the total membership.

ARTICLE XII

Union Spokesperson/s

- Section 1: Publicity releases from the union must result from a vote of the majority of the Executive Board. Personal opinions shall not be stated publicly by union officials on union matters on which the Union has acted or chosen not to act. Only the President, the Executive Vice-President, or their designees shall be empowered to present union views as expressed in positions already taken by the majority of the Executive Board.
- Positions or interviews relating to contract negotiations shall be handled in the same fashion.
- Section 2: All materials to be distributed in fact sheets or other periodicals coming officially from the union must receive approval by a majority of the following: the President, the Executive Vice-President, and the Corresponding Secretary. Any rejection of submitted materials may be appealed for review to the Executive Board.
- Section 3: Reports of the Executive Board and General Membership Meetings shall be placed on file as union records within 30 days after action is completed.
- Section 4: No individual union member, officer, or Executive Board member shall have the power to be spokesperson for the union, or any part of the union, unless authorized by a vote of the majority of the Executive Board.

ARTICLE XIII

Affiliation

- Section 1: The United Teachers of Lowell shall maintain affiliation with and send delegates whenever possible to the following organizations:

- a. The American Federation of Teachers—all delegates and alternates to the National Convention of the AFT shall be elected for a two-year term. Timely NOTICE of the election shall be circulated to all members.

The President and Secretary shall certify the election and forward the credentials for all elected delegates and alternates to the national office as soon as possible but not later than two days before the convening of the National Convention. The delegates shall confer with the treasurer to make sure the AFT per capita through June has been sent to the National Office at least 15 days before the convening of the National Convention.

- b. The American Federation of Teachers Massachusetts—delegates shall be elected for a two-year term.
- c. The Massachusetts AFL-CIO—delegates shall be elected for a two-year term.

Section 2: All delegates shall make reports to the Executive Board on meetings attended.

Section 3: Every reasonable effort shall be made by this Local to pay a stipend toward the legitimate expenses of delegates to meetings and conventions of affiliated organizations.

Section 4: The Local, to the best of its ability, shall be active in affairs of affiliated organizations.

Section 5: Delegates to affiliated organizations shall meet the same eligibility requirements as the officers of this Local.

ARTICLE XIV

Finances

Section 1: Finances over and above dues/fees may be obtained by various fundraising activities.

ARTICLE XV

Rules of Order

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

ARTICLE XVI

Amendments

- Section 1: This constitution may be amended as follows:
- a. Proposed amendment is submitted to the Executive Board. The Executive Board may initiate amendments.
 - b. After having received a majority vote of the Executive Board, the amendment shall be submitted to each member.
 - c. A majority vote of all members present at a General Membership meeting shall be sufficient for adoption.

ARTICLE XVII

Availability of Constitution

- Section 1: Three copies of this Constitution and all future amendments shall be submitted to the National Office of the American Federation of Teachers.
- Section 2: Copies shall be made available to other affiliated organizations upon request.
- Section 3: Copies shall be made available for any member of the United Teachers of Lowell upon request to the Secretary.

ARTICLE XVIII

Election Procedures

- Section 1: All elections will be under the supervision of the UTL Election Committee as set out in Article VIII, Section 3.
- Section 2: This article covers the bi-annual election of officers and election of delegates to affiliate organizations. Delegates to the AFT-MA and Massachusetts AFL-CIO conventions shall be elected for two-year terms.
- Section 3: Notice of elections and nomination procedure shall be provided to each member, via US Mail, the UTL Newsletter, and bulletin board posting in each school by the second Friday in January. Nomination forms will be available at the UTL office on the first school day in February and must be returned to the UTL office by the close of business on the second Friday of

February. Valid nomination petitions shall contain at least ten (10) signatures of members in good standing supporting the petitioner's candidacy.

- Section 4: The election shall take place by US Mail. Ballots will be mailed to members in good standing no later than the first Friday in March. Ballots must be returned via US Mail to a US postal box no later than the fourth Tuesday in March. The Election Committee shall pick up the ballots at the US postal box at 4pm on the fourth Tuesday in March and shall open and count all returned valid ballots beginning at 5pm. Members in good standing may observe the counting of the ballots. All members in good standing as of March 1st shall be eligible to vote.
- Section 5: In delegate elections, the nomination and election notice shall contain the convention date(s), number of delegate positions, and the elected delegates convention allowance, determined by the UTL Executive Board. Candidates who are not elected as delegates shall be elected as alternates to the maximum allowed for the convention, in the order of their finish in the election. In the case of a tie among candidates for either delegate or alternate positions, ranking order shall be determined by the drawing of lots.

BY-LAWS
of
THE UNITED TEACHERS OF LOWELL
AFT, AFTMA, AFL-CIO

- Section 1: The dues of the United Teachers of Lowell shall be a sum equal to .7 of one percent of the salary of the master's degree minimum plus all affiliated dues.
- Section 2: Members who work one half the regular work week or less, and teachers on leaves, shall pay 1/2 the regular dues with all privileges of full membership. All members who earn between 35%-75% of a first year teacher's salary with a master's degree shall pay 1/2 the regular dues with all the privileges of full membership. All members who earn less than 35% of a first year teacher's salary with a master's degree shall pay 1/4 the regular dues with all privileges of full membership as will all retirees who wish to retain full membership.
- Section 3: The dues year shall be from September 1 through August 31.

Section 4: Dues may be paid directly to the Treasurer or by dues check off: Salary deduction.

ARTICLE II

Executive Board Meetings

Section 1: The specific time and place of meetings shall be fixed by the Executive Board.

Section 2: The Executive Board shall meet at least once a month throughout the calendar year.

Section 3: A quorum at any Executive Board meeting shall consist of 50 percent plus 1 of the total Executive Board.

ARTICLE III

Amendment

Section 1: In any year where there is not a current contract in place by the first day of school, a General Membership meeting will be held within three days of the start of the school year.

Section 2: The By-laws may be amended as follows:

- a. The proposed amendment shall be submitted to the Executive Board. The Executive Board may initiate amendments.
- b. After having received a majority vote of the Executive Board, the amendment shall be submitted to each member.
- c. A majority vote of all members present shall be sufficient for adoption.

ARTICLE IV

Section 1: Contracts shall be ratified by a majority vote of the membership present and voting at a special meeting called for that purpose. Each member shall be provided a written copy of the document which is to be considered for ratification at least 72 hours before the ratification meeting.