

CONSTITUTION OF AFT NEW JERSEY STATE FEDERATION

CORRECT AS OF APRIL 27, 2010

ARTICLE I - NAME AND AFFILIATIONS

Section 1 - This organization shall be known as AFT New Jersey State Federation, AFT, AFL-CIO.

Section 2 - This organization shall affiliate with the American Federation of Teachers and those organizations mandated by its constitution and by-laws.

ARTICLE II - OBJECTIVES

Section 1 - To promote state wide organization and unionization of public and private school teachers, paraprofessionals and other school-related personnel; higher education faculty and staff; other workers organized in conformity with this constitution; and other employees who may be members of any AFT New Jersey State Federation affiliate whose constitution so permits.

Section 2 - To obtain for AFT NJ members and other workers all the rights to which they are entitled as citizens and workers in a democracy and to protect these rights at all times.

Section 3 - To raise the standards of members' professions by securing conditions essential to the best professional service.

Section 4 - To secure for members a determining voice in the establishment and implementation of professional standards.

Section 5 – To remain vigilant and proactive on social justice issues impacting the quality of and access to education (PreK-postsecondary) throughout the State of New Jersey..

Section 6 – To defend members against intimidation, interference, or discrimination based upon race/ethnicity, gender, age, sexual orientation, disability, national origin, and/or religion.

Section 7 – To organize all educational staff into AFT New Jersey State Federation, in private, public and charter schools; higher education and other fields.

Section 8 - To support and cooperate with organized labor and to promote within autonomous affiliates of AFT New Jersey State Federation policies and procedures consistent with the goals of organized labor.

ARTICLE III - MEMBERSHIP

Section 1 - AFT New Jersey State Federation shall be open to all affiliates of the AFT in the State of New Jersey. These affiliates must be in good standing with AFT New

Jersey State Federation and the AFT and comply with the constitutions of both the AFT New Jersey State Federation and AFT.

Section 2 - In jurisdictions where there is no affiliate, employees may be admitted as an Associate Member without AFT New Jersey State Federation voting rights but with rights to participate in benefit programs such as insurance, travel, and discount buying programs. The dues for Associate Members under this section shall be determined by the AFT New Jersey State Federation Executive Committee.

Section 3 - Affiliates may establish special classes of members which may consist of retired employees, employees on unpaid leave, or laid-off employees. Such affiliates shall pay per-capita for such members at the rate of \$1.00 per month. Such members shall be entitled to receive full benefits of membership; however, in determining the delegate strength of the affiliate at meetings of the AFT New Jersey State Federation Executive Council/Convention, that affiliate's representation shall be in proportion to the rate of dues paid. Any local may choose to pay full per capita tax on members in this category and be entitled to full delegate representation.

Section 4 -Affiliates may permit prospective teachers who are students in colleges/universities to be student associate members. Annual dues of \$5.00 shall be paid to the AFT New Jersey State Federation and annual dues of \$5.00 shall be paid to the AFT for each student associate member. Student associate members shall have only visitors' privileges at conventions. A student teacher may also be accepted as a member-at-large of AFT New Jersey State Federation.

ARTICLE IV - DUES AND FINANCIAL REGULATIONS

Section 1 - An affiliate whose dues are three (3) months in arrears verified by both AFT New Jersey State Federation and AFT treasurers shall be considered to be in bad standing. Such an affiliate is to be notified of its bad standing by registered letter and a notice is to be sent to the AFT of this bad standing. An affiliate must have paid both AFT New Jersey State Federation and AFT per capita payments to be in good standing. Affiliates are automatically restored to good standing upon payment in full of all past per capita dues. Any existing agreements with locals in effect prior to May 19, 1989 shall be honored.

Section 2 - Only affiliates in good standing shall have their delegates accredited or seated at AFT New Jersey State Federation conventions.

ARTICLE V - OFFICERS

Section 1 - All officers of AFT New Jersey State Federation shall be members of affiliates in good standing of AFT New Jersey State Federation and AFT. Officers may not be associate members. If the affiliate of which an officer is a member goes into bad

standing for sixty (60) days, the office which he/she holds is declared vacant.

Section 2 - The Executive Officers of AFT New Jersey State Federation will consist of a President, two (2) Executive Vice-Presidents (each shall lead the Higher Education Division and PreK-12 Divisions, respectively), a Secretary and a Treasurer.

Section 3- Twelve Vice-Presidents for each division (Higher Education and PreK-12) for a total of twenty four (24) Vice Presidents will be elected and will join the executive officers to form the Executive Committee of AFT New Jersey State Federation .,

Section 4 - All officers will be elected at the AFT New Jersey State Federation Convention in the even numbered years. Duly elected officers will serve a two (2) year term commencing July 1 succeeding the convention and will serve until June 30 of the next even numbered year.

Section 5 - Executive Officers may serve as *ex officio* members on any committee of AFT New Jersey State Federation

Section 6 - The President's responsibilities will include:

- a To serve as Chief Executive Officer of AFT New Jersey State Federation; to administer the affairs of the AFT New Jersey State Federation; serve as chair of the AFT New Jersey State Federation Convention; to execute policies established by the Convention and the AFT New Jersey State Federation Delegate Assembly; to report specifically on his/her activities at each meeting of the Delegate Assembly.
- b With the approval of the Executive Committee, appoint all committees named in the bylaws and all ad-hoc committees except the Budget Committee. The Budget Committee will be selected by the Executive Committee from the ranks of the Delegate Assembly at the first meeting of the year.
- c Appoint all staff with the recommendation of the Executive Officers and with the approval of the Executive Committee.
- d Direct the employees of AFT New Jersey State Federation and be responsible for upholding the terms and conditions of the employees' contracts.
- e Submit to the Treasurer and a monthly report on a form provided by AFT New Jersey State Federation. Examination of the monthly reports by any member of the Delegate Assembly shall be permitted within ten (10) days of such request.
- f Conduct all meetings of AFT New Jersey State Federation in accordance with Robert's Rules of Order Newly Revised.
- g Hold meetings of AFT New Jersey State Federation Executive Committee, consisting of all elected officers, prior to each meeting of the Delegate Assembly. The agenda for the Delegate Assembly meeting shall be presented at such meetings.
- h Meet with the Executive Vice Presidents at least six (6) times a year to discuss programs and policies of each division and to help coordinate the activities of the divisions.
- i The President will appoint representative(s) to the New Jersey AFL-CIO with the approval of the Delegate Assembly.
- j The President will be a delegate to the Convention of the American Federation of

Teachers and meetings or conventions of its affiliated bodies.

- k The President along with the Executive Vice Presidents and/or their designees will represent the organization before the public, community groups, the news media, executive and legislative officials.
- l The President of AFT New Jersey State Federation may conduct an investigation of an affiliate either upon request of the President and/or Executive Board of that affiliate. If the matter is not resolved he/she will forward his/her findings to the national leadership of the AFT for action. Upon conclusion of the investigation, he/she will report his/her findings to that affiliate and the Delegate Assembly of AFT New Jersey State Federation.

Section 7 - The Executive Vice-Presidents will perform the following duties:_

- a Assist the President in the performance of his/her duties.
- b Create and chair his/her Divisional Policy and Planning Committee and develop programs for the affiliates in his/her division. These committees shall meet a minimum of three (3) times a year Represent his/her division in the state legislative process and develop policy proposals within his/her division through studies, conferences and other programs when appropriate.
- c Each Executive Vice President shall serve as Legislative Chair for their division and work with the President and COPE to determine recommendations for legislative and political action.
- d Each Executive Vice President would be eligible, but not obligated, to serve as a delegate to the convention of AFT and meetings or conventions of its affiliated bodies, e
- e Each Executive Vice President will have the opportunity to attend any meetings that affect his/her division

Section 8 Divisional Vice-Presidents

Each Vice President will perform the following duties:

- a Act as the liaison officer with affiliates in his/her division as assigned by the Executive Vice Presidents and attend at least three (3) meetings of the division.
- b Assist affiliate presidents with specific and immediate problems when requested.
- c Help organize eligible workers into AFT New Jersey State Federation.
- d Serve on the Policy and Planning Committee of his/her division Section 9 - The Treasurer and all signatories will be bonded and such bond is to be purchased by AFT New Jersey State Federation. The Treasurer will be responsible for all monies within the guidelines of Budget Committee decisions as approved by the Delegate Assembly.

Section 9 - The Secretary will be responsible for maintaining the non-financial files and records of the organization and for taking the minutes of the Executive Committee and Delegate Assembly meetings, as well as the Convention. He/she shall maintain permanent record of the attendance and actions of the delegates at each meeting He/she shall keep an up-to-date copy of the AFT New Jersey State Federation Constitution and have this available at each meeting of the Executive Committee and Delegate Assembly. He/she will oversee the work of and receive reports from the

Elections Committee.

Section 10

The duties and responsibilities of the Treasurer include

- a. To receive, record, and deposit all dues monies and other income in the name of the organization
- b. Maintain accurate membership records
- c. Issue receipts and notices of delinquency
- d. Serve as chairperson of the Budget and Finance Committee
- e. Make a report at each regular meeting of the Delegate Assembly regarding the State Federation's income, expenses, and cash balance.
- f. Be one of the responsible financial officers of the organization and make regular and usual disbursements of funds
- g. Maintain all financial records of the organization.
- h. Submit a written financial statement, including a statement of assets, liabilities, income and expenses, to the State Federation by the 15th day of the fifth month after the end of the State Federation's fiscal year.
- i. Perform other duties as assigned by the President or assigned by the Officers Group
- j. Effectively communicate with the President about the Local's finances and members' financial interests.
- k. Perform duties of the office as required by the Labor-Management Reporting and Disclosure Act, and the guidelines developed by the AFT

Section 11 - Officers who do not attend 3 consecutive meetings of the Executive Committee without being excused by the Executive Committee shall be notified ten days prior to the next regular Executive Committee meeting by certified or registered mail with return receipt requested and allowed to be present and have a hearing at this meeting. He/she may be removed at said meeting upon motion, second, and a majority vote of the Executive Committee present.

Section 12 VACANCIES –

a. Vacancies in any other elective office except the Presidency shall be filled by selection of the Delegate Assembly at its next regular meeting after due notice to all member affiliates. The President may appoint a member of the Delegate Assembly to fill said vacancy until the next meeting of the Delegate Assembly.

b. In case of a permanent vacancy of the office of President, the Treasurer will serve as the Acting President and must convene a special meeting of the Executive Committee within fourteen (14) days of the vacancy to appoint a new President from among the remaining Executive Officers to serve out the remainder of the term.

Section 13 - No officer may use his/her AFT New Jersey State Federation title for the

purpose of endorsing any political candidate or political issue who/that has not received the endorsement of the Delegate Assembly.

Section 14 - Except as specified in Article V, Section 5 i, no officer of AFT New Jersey State Federation shall interfere or participate in the internal elections of any affiliate other than the local of which he/she is a member.

Section 15 - The Delegate Assembly shall meet upon call of the President following the filing of a written petition of one-third of the total members of the Delegate Assembly to consider the removal of an elected officer for just cause as defined in the constitution of AFT. The Officer shall have the right to be heard or represented on his/her own behalf following timely notice of said meeting. The Delegate Assembly may remove the officer from office by a roll call vote requiring two-thirds of those delegates present and voting.

ARTICLE VI - THE DELEGATE ASSEMBLY

Section 1 - The Delegate Assembly of AFT New Jersey State Federation shall consist of the elected officers and elected delegates and alternates from each local in good standing.

Section 2 - Representation to the Delegate Assembly from each affiliate in good standing shall be based on the following:

Number of Members	Number of Delegates
1-50	1
51-250	2
251-500	3
501-750	4
751-1000	5

Plus one (1) additional delegate for each additional 250 members, or fraction thereof.

Membership shall mean the average number on which per capita has been paid during the three month period prior to the Delegate Assembly meeting.

In case of newly chartered affiliate, the average shall be computed on the number of months of affiliation.

Section 3 - Not later than September 30 of each year, each affiliate of AFT New Jersey State Federation shall submit to the Secretary an official list of duly elected delegates and alternates who are to serve in the Delegate Assembly for the ensuing year. Affiliates failing to meet this requirement shall not have their delegates seated.

The Secretary shall also be notified by the affiliate president (in writing) of any changes

to the affiliate's representation in the Delegate Assembly prior to the meeting at which such a change is to take effect.

No delegates shall be seated unless the written notification has been received by the Secretary of AFT New Jersey State Federation.

Section 4 - Delegate Assembly has the following responsibilities:

- a Have charge of all business delegated to it by the Convention.
- b Be responsible for the financial requirements of AFT New Jersey State Federation.
- c To act upon all the Resolutions of the Convention.
- d. To receive reports from the various committees.
- e To receive detailed quarterly reports on all outstanding debts from the Treasurer and the Budget Committee.
- f To approve terms and conditions of the employment of officers and staff.
- g To approve the annual budgets of the PreK-12 and Higher Education divisions
- h The Delegate Assembly is the highest decision making body in AFT New Jersey State Federation between conventions.
- i The Delegate Assembly shall initiate activities and arrange affiliations consistent with the objectives of the organization.
- j Recommendations concerning candidates or referendum questions in public elections shall be voted on by the Delegate Assembly after due notification to all affiliates prior to the meeting at which the vote is to be taken. The written notice for each candidate should state the background and qualifications for approval of AFT New Jersey State Federation.
- k Rule on an affiliate's request for ½ per cap dues payment in conjunction with Article II., Section 6 of the By-laws.

Section 5 - In all matters decided by the Delegate Assembly each member of the Assembly shall be entitled to one vote; no proxy voting shall be permitted.

Section 6 - The Delegate Assembly shall meet at least quarterly. Special sessions may be called by the President or by a majority of elected officers or 40% of the members of the Delegate Assembly by petition.

Every member of the Delegate Assembly shall be notified in writing of each meeting of the Assembly at least five (5) days prior to each meeting. The tentative agenda for each meeting shall be included in this notification.

Section 7 - A quorum of the Delegate Assembly necessary to conduct business at its meeting shall consist of 10% of delegates from affiliates in good standing representing a minimum of two (2) affiliates in each division. No delegates from affiliates in bad standing can be seated, heard, or vote at the Delegate Assembly meeting.

ARTICLE VII – STANDING COMMITTEES

Section 1 – The Standing Committees of AFT New Jersey State Federation shall be:

- a. The Elections Committee shall conduct the elections and roll-call votes of the Convention in accordance with the Constitution and applicable law.
- b. The Budget Committee shall assist the Treasurer in the preparation of the Budget of AFT New Jersey State Federation and in financial operations and reporting. The committee shall review the audit of AFT New Jersey State Federation's finances
- c. The Constitution Committee shall periodically review the constitution and shall propose to the Convention any changes required by applicable law or by the AFT National Constitution. The Committee shall also review all proposed amendments submitted in accordance with Article X and shall advise the Convention delegates as to the legality of the proposals and any other changes to the Constitution required by the amendments submitted.

Section 2 – Standing Committees shall be appointed by the President with the approval of the Delegate Assembly with the exception of the Budget Committee.

ARTICLE VIII - CONVENTION

Section 1 - A convention of AFT New Jersey State Federation shall be held during March or April of every even numbered year. The exact time and place of the convention shall be determined by the Delegate Assembly.

Section 2 - Each affiliate of AFT New Jersey State Federation shall receive written notice of the time and place of the convention. This notice shall be received at least sixty (60) days prior to the opening date of the convention.

Section 3 - No later than twenty (20) days prior to the convention all delegates will be sent the convention call which will include the convention program and any other items as set forth by the Delegate Assembly.

Section 4 - One delegate to the AFT New Jersey State Federation Convention may be elected by each affiliate in good standing having a membership of 50 or less. For each additional 50 members or major fraction thereof, one additional delegate may be elected. Therefore, each affiliate would have representation as follows:

50 or less	1 delegate	301 - 350	7 delegates
51 - 100	2 delegates	351 - 400	8 delegates
101 - 150	3 delegates	401 - 450	9 delegates
151 - 200	4 delegates	451 - 500	10 delegates
201 - 250	5 delegates	501 - 550	11 delegates
251 - 300	6 delegates		etc.

Section 5 - No later than thirty (30) days prior to the convention each local shall provide to the AFT New Jersey State Federation office a list of their delegates and alternates.

Section 6 - Each elected officer of the AFT New Jersey State Federation from affiliates in good standing shall be a delegate and shall be entitled to a vote at the convention.

Section 7 - For the election of the officers and on all roll call votes in the biennial convention each affiliate represented shall be entitled to delegate voting strength commensurate with the average number of members for whom per capita payments are paid to AFT New Jersey State Federation within the Twelve (12) month period immediately preceding the convention. All affiliates with a delegate or delegates properly credentialed and present will vote their delegate strength. The votes of an affiliate shall be distributed as evenly as possible among its delegates present at the time of the voting, but votes shall not be fractionated. No affiliate may vote by proxy for another affiliate.

Section 8 - The first order of business after the opening of the convention shall be the report of the Credentials Committee which shall have been appointed by the President prior to the opening of the convention. Delegates will be officially seated following the acceptance of the report of the Credentials Committee, and the list of accredited delegates shall be made available to the delegates.

Section 9 - The second order of business after the opening of the convention shall be the report of the Rules Committee, which shall have been appointed by the president prior to the opening of the convention. The Rules Committee shall read the regulations as set forth in the convention call and by the Delegate Assembly. Such rules shall be in effect for the convention immediately upon adoption of the Rules Committee Report, except that any changes from previous convention procedures shall require a two-thirds vote of the accredited delegates present and voting at the convention.

Section 10 - The convention shall not be adjourned until all the business of the convention has been conducted and results of the balloting for officers shall have been announced.

Section 11 - The convention shall be a delegated body and all locals in good standing shall send delegates in accordance with regulations promulgated by the Delegate Assembly and set forth in the convention call.

Section 12 - A roll call vote shall be ordered by the Chairperson of the convention at the request of ten (10) delegates from at least three different affiliates.

Section 13 - Additional resolutions may be presented on the floor of the convention after the Resolutions Committee's report, but such action shall require a two-thirds vote of the delegates present and voting.

Section 14 - All decisions of the convention and its committees shall be by majority vote, except where otherwise provided.

Section 15 - Unless otherwise provided in this constitution, the procedures of the convention and its committees shall be according to Robert's Rules of Order, Newly

Revised.

Section 16 - The Chairperson of the convention shall have the right to appoint a parliamentarian to rule on dispute points of procedure.

ARTICLE IX - NOMINATION AND ELECTION OF OFFICERS

Section 1 - Nominations of officers shall be made by petitions signed by least twenty-five (25) members from an affiliate or affiliates in good standing. Such petitions shall be filed with the Elections Committee at the AFT New Jersey State Federation office at least thirty (30) days before the start of the convention. No later than February 10 an election notice will be sent to all affiliates explaining the nomination procedure and including a blank nomination petition.

Section 2 - Balloting for the election of officers shall be conducted at the convention by an Election Committee appointed by the president, and approved by the Delegate Assembly. Such balloting shall take place at least one hour before the time set for the close of the business sessions of convention.

Section 3 - Voting strength for the election of officers shall be as described in Article VII, Section 7.

ARTICLE X - AMENDMENTS TO THE CONSTITUTION AND CHANGES IN BY-LAWS

Section 1 - Amendments to this constitution and changes in the by-laws may be proposed by any affiliate in good standing of AFT New Jersey State Federation, for action at the convention, provided that such amendments and changes have been submitted in writing to all affiliates at least one month prior to the opening date of the convention.

Section 2 - Amendments to the constitution shall require a two-thirds vote of the delegates present and voting at the convention. By-law changes shall require a majority vote of the delegates present and voting.

Section 3 - Between conventions, amendments to the constitution and changes in the by-laws may be proposed by petition of a majority of the Executive Officers or three (3) affiliates in good standing or two-thirds vote of the Delegate Assembly. Each affiliate of AFT New Jersey State Federation shall be furnished by mail with an exact copy of the proposed amendments or changes within one week after their presentation before the Delegate Assembly.

Section 4 - Amendments and changes proposed under the terms of Article X, Section 3, shall be voted upon by the Delegate Assembly at the next meeting after initial presentation. A favorable vote of two-thirds of the Delegate Assembly present and voting shall be required for the adoption between conventions of a constitutional amendment. A change in the by-laws may be voted by a majority of the Delegate

Assembly present and voting.