

ART CENTER FACULTY FEDERATION CONSTITUTION

DRAFT FOR MEMBER RATIFICATION

October 2, 2024

ARTICLE I NAME

This organization shall be known as ArtCenter Faculty Federation (ACFF), Local 5648, CFT, AFT, AFL-CIO.

ARTICLE II OBJECTIVES

The purpose of this organization shall be:

Section 1. To secure full trade union rights, including the rights to exclusive recognition and collective bargaining, for all employees who are eligible for membership.

Section 2. To advance the economic, social, and political well-being of the membership. Section 3.

To promote the improvement of standards in the employment situation of the membership. Section 4.

To encourage mutual understanding and cooperation among the membership. Section 5. To promote

the interests of citizens who are served by the membership. Section 6. To promote the effectiveness

and quality of the institution in which our members work. Section 7. To promote democracy, equality,

and trade unionism in the society at large.

ARTICLE III MEMBERSHIP

Section 1. All Faculty employees of ArtCenter College of Design (who have taught at least one class in the previous two years / six semesters) and who are not supervisors or managers of other faculty members, as defined by the NLRA, are eligible for membership in this organization.

Section 2. No person shall be denied membership, nor shall this organization ever discriminate against individual members or applicants for membership on the basis of race, creed, sex, sexual orientation, disability, social, political, or economic status, or national origin.

Section 3. A member in good standing is defined as: a member who is current in payment of dues to the organization. A member who is delinquent in dues payment shall be considered to be a member in bad standing, and shall be promptly notified of such status. A member shall be removed from membership in this organization, with notice, following three months of dues nonpayment, unless a plan to pay back dues is made and approved by both the Officers and the member.

Section 4. Members of ACFF in good standing whose job status is changed by the College through revocation of all course assignments may remain members in good standing until they no longer qualify for membership as described in Section 1, and may keep their positions and responsibilities within the organization.

Section 5. The Officers shall establish guidelines for retiree membership, dues, and participation in the local in the form of a retiree chapter, in accordance with AFT guidelines.

ARTICLE IV ELECTION OF OFFICERS

Section 1. Elections shall be conducted in accordance with the AFT Constitution and the standards set out by the Labor-Management Reporting and Disclosure Act (LMRDA).

Section 2. Officers shall be elected in February of even years. Terms of office shall be two years. The organization will elect the following officers:

- a. President
- b. Executive Vice President
- c. Secretary
- d. Treasurer
- e. Vice President for Full-Time and PTX Faculty
- f. Vice President for Part Time Faculty
- g. Vice President for Art Center Extension (ACX) Faculty

Section 3. Eligibility for Office

a. To be eligible for office a person must be a member in good standing of the ACFF for a period of six months prior to the date of the election, except with respect to those participating in the first election of Officers to ACFF, which will only require that the nominee be a member in good standing.

b. To be eligible for office as a Vice President, a person must meet all other qualifications for office under this Article and must be employed in the constituency area for which he or she is seeking office as Vice President.

Section 4. The Elections Committee shall conduct all general and special elections and referenda of the organization.

a. The Elections Committee shall consist of five members in good standing selected by the Representative Assembly at its first meeting of the year (operating year determined by the Officers).

b. Any member of the Elections Committee nominated for or seeking office must vacate their position and be replaced by a member in good standing selected by the Representative Assembly.

Section 5. Nominations

a. Sixty (60) days prior to the date of the election, the Elections Committee shall notify all members of the opening of nominations for officers, the offices to be filled and of the date of the election by first class U.S. Mail to the members' last known home address.

b. Any member in good standing may nominate any member in good standing of the union by informing the elections committee within 30 days of the notice of the opening of nominations. Nominations may also be made from the floor at any general membership meeting between the opening of nominations and the notification of members of the slate of candidates. Nominations for the office of Vice President must be made by a member of the constituency area for which the Vice President serves.

c. Members nominated to run for office must affirmatively communicate their acceptance of their nomination to the Elections Committee. Said acceptance of nomination must be submitted no later than thirty (30) days following the notice of the opening of nominations.

d. The Election Committee shall determine whether the nominations were timely and if the nominees are eligible for office.

Section 6. At least fifteen (15) days prior to the election, the Election Committee shall notify all members of the election date and the candidates for offices.

Section 7. Any office that receives only one nomination shall be deemed elected by acclamation and will not need to stand for election. They shall assume office as specified in Section 13.

Section 8. The Elections Committee shall prepare and send ballots by U.S. Mail to all members in good standing for the proceeding sixty (60) days (except for the initial election of officers, which only requires eligible voters be members in good standing), in such a manner as to ensure the secrecy of the ballot, no later than ten (10) days following the close of nominations. The period between the mailing and return date for the ballots shall be no fewer than twenty (20) calendar days.

Section 9. Candidates for the office of Vice President shall be elected by the membership from the constituency area in which they serve. No member may cast a vote for a vice presidential candidate from another constituency area.

Section 10. The ballots shall be tabulated by the Elections Committee, and a majority of the ballots cast shall determine the outcome of the election. In the absence of a majority, the Elections Committee shall conduct a run-off election between the two candidates who have received the most votes for the office in question. The Elections Committee shall prepare and send run-off ballots by first-class U.S. Mail to the last known home address of all members who were eligible to vote in the initial election, in such a manner as to ensure the secrecy of the ballot. The period between the mailing and return date for the ballot shall be no less than twenty (20) calendar days.

Section 11. Challenges and objections to the election must be submitted in writing, with a statement of supporting reasons that includes specific facts as well as any documentation, to the Elections Committee within five (5) days of the count. The Elections Committee shall issue its written opinion regarding the objections no later than ten (10) days after receipt of such objections.

Section 12. The election results will be published and distributed to the membership within thirty (30) days of the count. All election materials, including the ballots, will be kept in a secure location for one

(1) year.

Section 13. Successful candidates shall assume office within thirty (30) days of the conclusion of the election.

Section 14. The Representative Assembly will have the power to fill vacancies of all Officers until the next general election of officers.

Section 15. A petition signed by forty-five percent (45%) of the membership, and alleging constitutional violations, fiduciary breaches or acts clearly detrimental to the union, shall be sufficient to require Officers to vote on whether to conduct a recall election of the officer identified in the petition. The officer subject to recall and any Officer signing the petition shall not vote on the question of a recall election. If a majority of the Officers approves a recall election, the Elections Committee shall supervise the recall election.

ARTICLE V

DUTIES OF OFFICERS

Section 1. The President shall:

- a. be the presiding officer at all meetings of the full membership, Officers and the Representative Assembly;
- b. shall be an ex-officio member of all standing committees except the Elections Committee;
- c. shall be the principal executive officer of the organization;
- d. shall receive and report correspondence of the organization, signing correspondence when legally necessary
- e. shall supervise all employees of the organization, as applicable.
- f. shall be one of the responsible financial officers of the organization and shall be authorized to co-sign financial instruments and make regular and usual disbursements of funds; g. shall represent the organization before bodies of the employer, executive and legislative officials h. shall represent the organization before the public, community organizations, and the news media; i. shall be, by office, a delegate to the Central Labor Council, and the state AFL-CIO body; j. shall be, by office, a delegate to the convention of the American Federation of Teachers and meetings or conventions of its affiliated bodies;
- k. shall make an annual report to the organization's membership; and
- l. shall be able to delegate these responsibilities of the office except where otherwise specified by the Constitution.

Section 2. The Executive Vice President shall:

- a. assume the duties of the President in the event of the absence, illness, or death of the President;
- b. oversee and assist the Representatives in their duties;
- c. shall oversee the work of and receive regular reports from the Organizing and Leadership Development Committees;
- d. perform other duties as delegated by the President or assigned by the Officers; and
- e. cosign financial instruments in the absence of the President or Treasurer.

Section 3. The Secretary shall:

- a. maintain the non-financial files and records of the organization;
- b. be the custodian of the seal and charter of the organization;

- c. record and keep accurate minutes of meetings of the membership, the Officers and the Representative Assembly;
- d. assist the President in handling the correspondence of the organization;
- e. oversee the work of, and receive and certify the reports of, the Elections Committee;
- f. perform other duties as delegated by the President, or assigned by the Officers; g. perform duties of the office as required by the Labor-Management Reporting and Disclosure Act.

Section 4. The Treasurer shall:

- a. receive record and deposit all dues monies and other income in the name of the organization;
- b. maintain accurate membership records;
- c. issue membership cards and notices of delinquency;
- d. be one of the responsible financial officers of the organization and be authorized to co-sign financial instruments and make regular and usual disbursements of funds;
- e. maintain all financial records of the organization;
- f. arrange for an independent audit of the finances of the organization annually and make same available to the Officers, Representative Assembly and membership;
- g. transmit per-capita payments on a regular basis to the Secretary Treasurer of the American Federation of Teachers and similar officers of all other bodies with which the organization is affiliated;
- h. oversee the work of and receive reports from the Finance Committee;
- i. perform other duties as delegated by the President or assigned by the Officers; j. perform duties of the office as required by the Labor-Management Reporting and Disclosure Act, and the guidelines developed by the AFT; and

Section 5. Each Vice President shall serve their own constituency area and the general interest of the union as follows:

a. The Vice President for Full-Time and Part Time Extended (PTX) Faculty shall represent: (i) Faculty categorized as Full-Time and those categorized as Part-Time Extended (PTX) Faculty) by ArtCenter College of Design and; (ii) perform other duties as delegated by the President or assigned by the Officers.

a. The Vice President for Part-Time Faculty shall represent: (i) Faculty categorized as Part-Time Faculty (not including Part-Time Extended (PTX) Faculty) by ArtCenter College of Design and; (ii) perform other duties as delegated by the President or assigned by the Officers.

b. The Vice President for Art Center Extension (ACX) Faculty shall represent: (i) Faculty categorized as ArtCenter Extension (ACX) Faculty (not including faculty otherwise categorized as Full-Time, Part-Time Extended, or Part Time); by ArtCenter College of Design and; (ii) perform other duties as delegated by the President or assigned by the Officers.

Section 6. All shall serve as members of the Officers Committee.

Section 7. If the seat of a Vice President becomes vacant for any reason, he or she must be replaced by a member from the same constituency.

ARTICLE VI

OFFICERS COMMITTEE

Section 1. The Officers Committee shall meet monthly, or at the call of the President, or at the call of two (2) or more of their members, or at the call of the Representative Assembly, for the purpose of initiating, overseeing or revising the program of the organization and to conduct other business of the organization that is within its authority. A quorum of Officers shall be a simple majority.

Section 2. The Officers Committee shall prepare and present for approval to the Representative Assembly an annual budget in the month prior to the beginning of the fiscal year, which shall be established by the Officers Committee.

Section 4. The Officers Committee shall establish the salary, benefits and expense guidelines of any staff who is employed by the organization as stated in the annual budget.

Section 5. The Officers Committee shall be empowered to make contracts and incur liabilities including the purchase of services, equipment and real property, to borrow money, to secure such obligations by mortgage or other instrument, and to otherwise engage in financial transactions to the extent permitted by applicable law or statute. The Officers Committee shall have the power to sue, complain and defend on behalf of the ACFF membership.

Section 7. The Officers Committee shall be responsible for adherence to and enforcement of the Constitution of the organization.

Section 8. The Officers Committee shall issue regular reports, at least once per semester, and including an annual report, to the Representative Assembly and the membership.

Section 9. Three unexcused absences from an Officers Committee meeting within a year, counted from the date of assumption of office, shall be grounds for an Officer's suspension and/or replacement. Pursuant to Article IV, Section 12, the Officers Committee shall have the authority to appoint a member to take the seat of an Officer who was suspended or replaced under the terms of this Section.

ARTICLE VII

REPRESENTATIVE ASSEMBLY

Section 1. The decision-making power of the organization shall be vested in the Representative Assembly, except as delegated to the Officers as stated above. The Representative Assembly is composed of Department Representatives, Alternate Department Representatives, and Officers.

a. There shall be one Representative and one Alternate Representative for each specific department elected by the members of that department; members who teach in multiple departments may vote for a Representative in each department in which they teach. Representatives shall be elected in February of even years. Terms of office shall be two years. Members not assigned to a specific department shall be represented by and shall vote for the Integrated Studies Department Representative.

Section 2. The Representative Assembly shall meet monthly for the purpose of establishing the policies

of the organization: receive and review the reports of the President, Officers and Committees; review and approve the budget submitted by the Officers, taking appropriate action as specified in the Constitution; and initiate and take other such actions as the body deems necessary. A majority of its members shall be a quorum for the Representative Assembly. Decisions shall be made by a simple majority vote.

Section 3. The Representative Assembly may be called into Special Session at the discretion of the Officers or upon the presentation of a valid petition of twenty-five (25) percent of the Representatives to the Secretary of this organization.

Section 5. Officers shall be ex-officio members of the Representative Assembly.

Section 4. The President shall be the presiding officer of the Representative Assembly but may vote only in the event of a tie.

ARTICLE VIII

DUTIES OF REPRESENTATIVES

Section 1. Department Representatives shall:

- a. attend all regular and special meetings of the Representative Assembly and all meetings of the general membership;
- b. Make themselves available to / meet with members in their department for the purpose of discussing workplace and organizational concerns, receiving instruction from the membership, and other activities as may be required;
- c. recruit eligible persons to membership;
- d. receive and record grievances and pass the detailed and specific information to the Grievance Committee for follow-up ; and
- e. consult with the employer's management personnel regarding matters of interest to the union membership.

Section 2. Alternate Department Reps shall:

- a. attend all regular and special meetings of the Representative Assembly;
- b. assist the Department Rep as needed and as agreed between the two; and
- c. serve in place of the Representative in the event of illness or absence.

ARTICLE IX

STEWARDS

Section 1. Stewards are members in good standing who may participate in the work of the union as non-voting participants. Stewards may be nominated by any faculty member and are approved by the Assembly.

Section 2. Stewards shall:

- a. Attend all regular meetings of the Representative Assembly. It is suggested but not required that they shall attend special meetings as well.

- b. Take on specific and clearly delineated tasks aligned with their interests and skills, approved by the appropriate committee or the Officers. Responsibilities may include but are not limited to the following:
- i. Communications, such as sharing information with members on union issues, talking with members regularly to learn what issues are important to members, and maintaining social media and other internet information resources for the union.
 - ii. Union engagement, such as welcoming new members, encouraging faculty to become members, and encouraging participation in union activities.
 - iii. Other tasks as mutually agreed upon.
- c. Report their progress and outcomes to the Secretary five business days before a scheduled regular meeting so that important information may be added to the agenda.

ARTICLE X COMMITTEES

Section 1. The standing committees of the organization shall be:

- a. Contract Negotiation
- b. Elections;
- c. Finance;
- d. Grievance;
- e. Organizing & Membership;
- f. Communication
- g. ACCD/ACFF Labor Management Committee, article VIII in CBA, including the Diversity Subcommittee
- h. Academic Promotions Committee, article XV C in the CBA

Section 2. The Officers, either on their own initiative, or at the direction of the Representative Assembly, may establish additional, special committees.

Section 3. Members of any committee may be Department Representatives or Stewards. To become a member of the committee, they may self-nominate or be nominated by anyone in the Representative Assembly, and will be confirmed by the Assembly and Officers together by simple majority, each with an equal vote.

Section 4. Chairs of each committee will be chosen from their membership, by their membership.

Section 5. Within 30 days of formation, each committee shall present its choice of Chair, operating protocols specific to its function (or revision of these if needed over time), and its annual program of action to the Officers and the Representative Assembly.

Section 6. The Contract Negotiation Committee shall conduct research, surveys, hearings and other activities that assist the organization in its collective bargaining, or similar, programs.

Section 7. The Elections Committee shall conduct and supervise all elections of the organization. The Elections Committee shall:

- (i) notify members of vacancies in Department Representative positions; (ii) receive nominations no later than thirty (30) days following the opening of nominations;

(iii) prepare and distribute ballots to all members in good standing and conduct elections so as to ensure the secrecy of the ballot;

(iv) count the valid ballots; the majority of ballots cast shall determine the outcome of the election; in the absence of a majority for any candidate, the Elections Committee shall conduct a run-off election in accordance with subsection (iii);

(v) settle challenges and objections according to the procedures outlined in Article IV, Section 8;

(vi) direct successful candidates to assume office within thirty (30) days of the conclusion of the election; and

(vii) conduct recall elections according to the terms of Article IV, Section 13 of this Constitution.

Section 7. The Finance Committee shall assist the Officers in the preparation of the annual budget and shall identify and, with the approval of the Officers, pursue activities to generate revenues for the good and welfare of the organization.

Section 8. The Grievance Committee shall receive and gather information from ACFF members to support resolution of contractual and non-contractual disputes in the workplace; shall maintain records of grievances and their disposition; and shall be responsible for the processing of grievances and disputes beyond the immediate work location. The first/initial Grievance Committee in consultation with Officers shall develop and adopt a policy that governs how it shall approach grievances not referred to arbitration, as well as other litigation and/or administrative appeals. Officers will ratify the committee recommendation. The Grievance Committee shall follow this policy.

The Grievance Committee shall: Convene with the Officers Committee, to determine whether or not ACFF will use its resources to pursue grievances, arbitrations, litigations, etc. on behalf of any member/s or ACFF itself. The determination by ACFF to pursue such matters will be based on the merits of any particular case presented. The final determination as to whether or not ACFF will pursue grievances, arbitration, litigations, etc. shall be made by the decision of the majority of Grievance Committee members and Officers who have convened to consider a particular case at the request of the President.

Section 9. The Organizing and Membership Committee shall assist the Representative Assembly in developing programs and activities that shall cause all eligible persons to join and participate in the organization.

Section 10. The Communication Committee shall design, produce and distribute regular communication to the membership; a regular bulletin for officers, Representatives and committee chairs; and other material for the organization as necessary.

Section 11. ACCD/ACFF Committee ("Labor-Management Committee") (article VIII of the CBA) a) Two of the four members shall also be members of the Grievance Committee. b) The other two shall be members of the Subcommittee on Faculty Diversity of the ACCD/ACFF Committee (article VIII in CBA).

Section 12. Academic Promotions Committee (article XV C of the CBA)

ARTICLE XI

MEMBERSHIP MEETINGS

Section 1. General membership meetings shall take place as a regular part of Representative Assembly meetings every other month.

Section 2. Special meetings of the membership may be called by:

- a. the Representative Assembly, or
- b. the petition of thirty percent (30%) of the members.

ARTICLE XII REVENUES

Section 1. The dues of this organization shall initially be 1.75 % of gross regular wages, including the prevailing per capita amounts for the AFT, State Federation, and AFL-CIO local and state affiliates, and insurance premiums. The dues rate shall be reviewed at least annually in conjunction with the development of the annual budget by the Officers Committee and confirmed by the Representative Assembly. Whenever the dues of a required affiliate increases, the dues of the local shall automatically and simultaneously increase by the same amount.

Section 2. Special assessments for specific purposes may be levied by the Officers provided that the actions required for a referendum have not been initiated within thirty (30) days of the decision of the Officers.

Section 3. The local union will be responsible for collecting agency fees and shall adopt procedures consistent with local, state and federal law and Article VIII, Sections 1 (a) – (d) of the AFT By-Laws.

ARTICLE XII DISCIPLINE OF MEMBERS

Section 1. A member may be disciplined by the organization for actions contrary to this Constitution or to the interests of the union or its membership. Such action may only be initiated by the bringing of written and signed charges to the Officers by two or more members of the local; these charges must include a specific and detailed accounting, including any documentation, of the allegations against the member.

Section 2. Upon the receipt of such charges, the Officers shall cause a preliminary investigation to be conducted in order to determine whether the charges against the member have merit. In addition, at this time, the Officers shall give a copy of the charges to the accused member.

Section 3. Following the preliminary investigation, the Officers shall vote on the question of whether a disciplinary hearing should be held. If a majority of the Officers votes to hold a hearing, the member shall be given at least ten (10) days written notice of the hearing.

Section 4. At a disciplinary hearing, the accused member shall have the right to be represented by a person of his or her choice, and shall have the right to question the charges and present evidence and witnesses to support their defense. At the conclusion of the hearing, a two-thirds (2/3) vote of the Officers shall be required for discipline. If a member of the Officers has brought the charges against the member, that Board member shall recuse him/herself from the vote.

Section 5. A disciplined member may appeal the decision of the Officers to the membership by requesting a vote at the next regular meeting. A simple majority of the members voting shall be sufficient to overrule the decision of the Officers to discipline. Discipline may include Censure, removal from office, up to and including suspension or discharge from union membership, as commensurate with the findings of the Officers.

ARTICLE XIII

AFFILIATIONS

This organization shall maintain affiliation with the following organizations:

- a. The American Federation of Teachers, AFL-CIO. Whenever possible, (organization name) will send delegates to the AFT's convention. The delegates will be elected by procedures consistent with Article IV of this Constitution.
- b. The CFT, the state federation of the American Federation of Teachers, AFL-CIO. Whenever possible, the union will send delegates to the state federation's convention. Delegates will be elected by procedures consistent with Article IV of this Constitution.
- c. The California Labor Federation, the state affiliate of the American Federation of Labor-Congress of Industrial Organizations (AFL-CIO).
- d. The LA County Federation of Labor, the Central Labor Council of the AFL-CIO.

ARTICLE XIV

RULES OF ORDER

Robert's Rules of Order Newly Revised shall govern this organization and all of its subordinate bodies in all matters not expressly covered by this Constitution or the By-Laws of this organization.

ARTICLE XV

AMENDMENT

Section 1. Thirty percent (30%) of the membership, or Assembly Representatives of 30% thereof, may present, by petition, a proposed amendment to this Constitution to the Secretary, who shall notify the Assembly Representatives of the proposed amendment no later than thirty (30) days prior to the next meeting of the Representative Assembly. Alternatively, a majority of the Officers may vote to present a proposed amendment to the Assembly Representatives at the next meeting of the Representative Assembly. A copy of the proposed amendment, along with an explanation of said amendment, shall be distributed to all Assembly Representatives a reasonable time prior to the Representative Assembly meeting at which the amendment will be introduced and discussed.

Section 2. A quorum for any meeting of the Representative Assembly at which constitutional amendments are to be considered and adopted shall consist of assembly representatives of forty (40) percent of the membership of the organization.

Section 3. The Representative Assembly shall vote on all amendments to the Constitution.

- a. Following the meeting of the Representative Assembly at which the proposed amendment was introduced, the Election Committee will hold a (secret ballot) vote on the amendment at the next meeting of the Representative Assembly.

b. In the alternative, following the meeting of the Representative Assembly at which the proposed amendment was introduced, a special Representative Assembly meeting for the purpose of voting on the proposed amendment may be called by the Executive Board. The special meeting shall be conducted in accordance with the terms of Article VIII, Section 3.

c. The Elections Committee will tally the results. Two-thirds (2/3) of the Assembly Representatives present shall be required for passage of the amendment.

ARTICLE XVI

AVAILABILITY OF THE CONSTITUTION

Section 1. Digital copies of this Constitution and all subsequent amendments shall be submitted to the office of the Secretary-Treasurer of the American Federation of Teachers.

Section 2. Digital copies shall be sent to the similar officer of each organization with which this organization is affiliated.

Section 3. The Secretary shall make available upon request a digital copy to any member of the organization.

This constitution was adopted by the membership on _____, 20____; *(date)*
(and last amended on _____, 20____).
(date)

Signed: _____ *(local name) (president)*

(SEAL) Attest: _____ *(secretary)*