ASSOCIATION REPRESENTING TEACHING STAFF AT MANHATTAN SCHOOL OF MUSIC

CONSTITUTION

I. ORGANIZATION NAME

This organization shall be known as Association Representing Teaching Staff at Manhattan School of Music (ARTS-MSM)

II. PURPOSES

The purposes of this organization shall be:

- 1. To advance the standards of our profession;
- 2. To secure the conditions necessary to provide the greatest rewards for our members in their work environment;
- 3. To promote the best interests of our members in the operational decisions affecting their employment;
- 4. To support the well-being of our members and the artistic and educational needs of our students;
- 5. To promote mutual assistance and cooperation with other organizations with which it is associated;
- 6. To promote fairness, equity, and transparency in managerial practices which affect the employment of our membership;
- 7. To expose and fight discrimination based on race, gender, religion, sexual orientation, age, disability, and all other illegal forms of discrimination under EEOC laws.

III. AFFILIATIONS

This organization is an affiliate of the New York State United Teachers (NYSUT) and its national affiliates.

IV. MEMBERSHIP

1. Membership shall be obtained through the filing of relevant paperwork, which shall be made available to all current MSM Precollege employees covered by this agreement by

e-mail and regular mail, as well as to all future hires at the commencement of their employment.

2. Members shall be in good standing only through the timely payment of all required dues.

V. DUES

- 1. Dues shall be \$5 for the 2014 Fall Semester for Precollege faculty employed as of the ratification of the first collective bargaining agreement, who become ARTS-MSM members **before** the end of the 2014 Spring Semester.
- 2. Dues shall be \$10 for the 2014 Fall Semester for Precollege faculty employed as of the ratification of the first collective bargaining agreement, who become ARTS-MSM members **after** the end of the 2014 Spring Semester.
- 3. As of the 2015 Spring Semester, dues shall be seventy-five cents per hour of Precollege Division work for Precollege faculty employed as of the ratification of the first collective bargaining agreement.
- 4. As of September 1, 2014, dues shall be 1.5% of Precollege Division earnings for faculty hired subsequent to the ratification of the first collective bargaining agreement.
- 5. No dues shall be assessed during the 2014 Spring Semester.
- 6. Any changes in dues rates must be approved by a majority of the membership.

VI. OFFICERS

The officers of ARTS-MSM shall be a President, Vice President, Secretary, and Treasurer.

VII. DEPARTMENT REPRESENATIVES

- 1. Duly elected officers shall seek recommendations for department representatives from the membership.
- 2. The officers may designate as many department representatives as they deem appropriate, making an effort to ensure participation by as many departments of the Precollege as possible.

VIII. EXECUTIVE COMMITTEE

The Executive Committee shall be composed of the duly elected officers and department representatives.

IX. DELEGATES TO NYSUT AND OTHER AFFILIATES

Delegates to the NYSUT Representative Assembly, the American Federation of Teachers, the National Education Association and other affiliates shall be elected by secret ballot in a manner consistent with the Constitution and By-laws of the appropriate state and national organizations and with the Landrum-Griffin Act.

X. LABOR-MANAGEMENT COMMITTEE

The Executive Committee shall designate members in good standing to serve on a Labor-Management Committee, following a general call for volunteers. Executive Committee Members shall be ex-officio members of the Labor-Management Committee, and may invite additional members to serve on said committee on an ad-hoc basis. The Labor-Management Committee will meet with MSM's President or his/her designee on a semesterly basis, in accordance with terms set forth in the collective bargaining agreement.

XI. GENERAL MEMBERSHIP MEETINGS

Meetings of the general membership may be called by the president, by a majority of the Executive Committee or by petition of twenty (20) percent of the membership. Membership meetings shall be held no less than one time per year. All members shall receive notice of the time and place of the meeting.

XII. PROTECTION OF RIGHTS OF MEMBERS

- 1. Every member of this organization shall have equal rights and privileges to:
 - a. nominate candidates to hold office,
 - b. vote in elections or referenda,
 - c. attend membership meetings,
 - d. participate in deliberations and voting upon the business of the organization.
- 2. No member may be fined, suspended, expelled, or otherwise disciplined (except for nonpayment of dues) by this organization unless such member has been served with written specific charges and given a reasonable time to prepare a defense and afforded a full and fair hearing.

3. This organization shall show no discrimination toward any individual or group of individuals on the basis of sex, creed, color, race, religion, national origin or political activities and beliefs.

XIII. RATIFICATION OF COLLECTIVE BARGAINING AGREEMENTS

Approval or disapproval of any collective bargaining agreement with the employer shall be determined by a majority vote of the members of this organization, from the unit to which the collective bargaining agreement applies.

XIV. AMENDMENTS

- 1. An amendment to this constitution may be proposed by:
 - a. A majority of the Executive Committee.
 - b. No fewer than twenty (20) percent of the membership.
- 2. A proposed amendment must be distributed to the faculty folder of each ARTS-MSM member and/or e-mailed to each member at least five (5) days before the ratification vote.
- 3. An amendment to the constitution must be ratified by a majority vote of the membership.

XV. PARLIAMENTARY AUTHORITY

Meetings of all duly constituted bodies of this organization shall be governed by Roberts' Rules of Order, Newly Revised, except as otherwise provided in the By-Laws.

ARTS-MSM BYLAWS

I. OFFICERS

- 1. Duties of the President
 - a. Be chief executive officer of ARTS-MSM;
 - b. Administer all affairs and execute all policies of the organization;
 - c. Preside at all meetings of the Executive Committee and general membership;
 - d. Represent the organization with all external groups;
 - e. Appoint and establish the function of all committees with the approval of the Executive Committee:

- f. Call regular and special meetings of the Executive Committee and general membership;
- g. Along with the other elected officers, seek out members to serve as department representatives;
- h. Fulfill such other duties as the office requires and as are consistent with these bylaws.
- 2. Duties of the Vice President: The Vice President shall assume the duties and responsibilities of the president in his/her absence and shall perform such other duties as the president may designate.
- 3. Duties of the Secretary and Treasurer: The Secretary and Treasurer shall perform those duties usual to those offices and such other duties as may be required by the president or the Executive Committee.

4. Nominations

- a. Each member in good standing shall be offered a reasonable opportunity to nominate candidates for office;
- b. Notice of the offices to be filled, the right to make nominations, and the time, place, and proper form for submission of nominations will be e-mailed to all members. Nomination procedures shall be determined by the Executive Committee and shall be in compliance with the requirements of the Laudrum-Griffin Act;
- c. Any member in good standing is eligible for nomination for office. Self-nominations are permitted;
- d. No members shall hold more than one office at a time.

5. Elections

- a. Written notice announcing the time and place of elections shall be e-mailed to each member in good standing at least fifteen (15) days prior to the election, and may be combined with notices for nominations;
- b. Election shall be by secret ballot:
- c. At least two non-MSM affiliated individuals shall be designated to count the ballots;
- d. The results of the election shall be e-mailed to all members;
- e. The Secretary shall preserve all election records, including ballots, for a period of one (1) year.
- 6. Terms of Office: Duly elected officers and department representatives shall serve a three-year term commencing January 1. In the case of officers associated with ARTS-MSM's first contract, their term shall commence immediately upon certification of election results and terminate on January 1, 2017. Each officer shall remain in office until his/her successor assumes the office.

7. Vacancies

- a. If the office of president becomes vacant the Vice President shall assume the office of president;
- b. If any other office becomes vacant, it shall be filled by election by the Executive Committee until the next election is held by the general membership.

II. DEPARTMENT REPRESENTATIVES

1. There shall be as many department representatives as the Executive Council deems appropriate.

2. Duties:

- a. Keep members informed of the activities of the Union and act as a liaison to the Executive Council;
- b. Recruit new members to the Union;
- c. Inform the President and Vice President of all issues brought to his/her attention as potential grievances and, when appropriate, assist in representing bargaining unit members in the processing of grievances;
- d. Perform other such duties as may be required by the Executive Committee.

III. EXECUTIVE COMMITTE

1 Duties:

- a. Approve an annual budget;
- b. Act upon expenditures as may be required;
- c. Interpret the Bylaws;
- d. Act on policy matters for the organization between the meetings of the general membership:
- e. Make policy recommendations to the membership for their consideration;
- f. Represent members as needed in disciplinary interviews in accordance with their Weingarten Rights;
- g. Solicit members to serve on standing and ad-hoc committees, which may include a negotiating committee, a membership committee, an election committee, a grievance committee, a labor-management committee, and a liaison to parents committee;
- h. Ensure that an annual financial report is presented to the membership, and that an audit/review is conducted annually by an independent accounting firm or, in lieu of that, an annual internal financial review is conducted by a committee of no less than three members who do not sit on the Executive Committee.
- 2. Meetings: The Executive Committee shall meet at least once per semester or immediately prior to the start of each semester. Special meetings may be called by the president or by petition of a majority of the Executive Committee

IV. QUORUMS

- 3. At least ten (10) members in good standing must be present in order to call a general membership meeting to session.
- 4. A majority of the Executive Committee must be present in order to call one of the committee's required semesterly meetings to order.

V. STRIKES

- 7. A majority of the Executive Committee is required to call upon the membership for strike authorization.
- 8. Strike authorization can be provided only by a majority of the membership.
- 9. Once strike authorization has been granted, the Executive Committee is empowered to call the membership out on strike.

VI. AMENDMENTS

- 1. An amendment to these Bylaws may be proposed by:
 - a. A majority of the Executive Committee; or
 - b. A petition from no fewer than twenty (20) percent of the membership.
- 2. A proposed amendment must be distributed to each member at least five (5) days before the vote or its adoption.
- 3. An amendment may be adopted by a majority vote of members in good standing.

VII. PARLIAMENTARY AUTHORITY

Meetings of all duly constituted bodies of this organization shall be conducted in accordance with *Robert's Rules of Order Newly Revised*, except as otherwise specified in these Bylaws.