



CMU faculty association

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established 1969

# **CONSTITUTION AND BYLAWS**

**OF THE  
CENTRAL MICHIGAN UNIVERSITY  
FACULTY ASSOCIATION/MEA/NEA**

**WITH ALL REVISIONS AS OF**  
September 9, 2020

# CONSTITUTION

## Central Michigan University Faculty Association

### Article I Name

The business of this organization shall be conducted under the title of the "Central Michigan University Faculty Association (CMUFA) MEA-NEA," a local-affiliated unit of the Michigan and National Education Associations. The Association shall be a non-profit corporation organized in accordance with the laws of Michigan.

### Article II Purpose

The purpose of this organization shall be: to represent the professional concerns of its members; to improve education and advance the interests of education and of educators; and to assist in interpreting the role and function of higher education in the state and in the community.

### Article III Membership

- Section 1. Active and voting membership in the organization shall consist of those persons who are members in good standing of the MAHE and MEA-NEA and who are defined as members of the bargaining unit by the most recently signed contract and who pay dues and assessments as provided in the By-laws.
- A. Active members who meet the requirements established by the MEA in the dues transmittal policy for the payment of dues shall be considered active members in good standing and shall be entitled to the rights, privileges and benefits of membership.
- Section 2. The organization may bestow honorary memberships upon persons as may merit such an award.
- Section 3. No member shall be censured, suspended or expelled without a due process hearing. The hearing shall be conducted by the CMUFA Board of Directors. An appeal may be made to the MEA Board of Reference.
- Section 4. An individual's membership shall begin on the enrollment date listed on the signed membership application submitted to and accepted by the CMUFA.

**Article IV  
Officers**

- Section 1. The officers of the organization shall consist of a President, Past-president, Vice-President, Secretary, Treasurer, Membership Officer and Grievance Officer(s).
- Section 2. Terms of office shall be for a three-year period, effective from July 1 to the succeeding June 30 unless otherwise specified in the By-laws.
- Section 3. Region Council/Coordinating Council/MEA Representative Assembly Delegates. The term of the office for the MEA Representative Assembly Delegates and alternate shall be three (3) years commencing on September 1. Election shall be held prior to June 1.
- Section 4. NEA Representative Assembly Delegates. The term of the office for the NEA representative Assembly delegates and alternate shall be three (3) years commencing on September 1. Election shall be held prior to April 1.
- Section 5. No person shall be a candidate for office or position or hold office or position, whether elected or appointed, in the Association unless he or she is an active member in good standing. Any office or position holder, whether elected or appointed, of the Association that does not maintain active membership in good standing shall be removed from office after notice and opportunity to return to good standing within 30 days.

**Article V  
Board of Directors**

- Section 1. The normal business of the organization shall be conducted by the Board of Directors.
- Section 2. Membership: The Board of Directors shall consist of the President, Past-president, Vice-President, Secretary, Treasurer, Membership Officer, Grievance Officer(s), Action Officer, MAHE/NEA Representatives, Region Council/Coordinating Council/MEA/NEA Representatives, Parliamentarian, and Representatives elected from each college or from a unit composed of members who do not have college designation. Each college or unit shall be entitled to elect one Representative for each sixty (60) faculty members or a major fraction thereof, provided that in every case a college or unit shall be entitled to at least one Representative. A person must be a member in good standing of the CMUFA to be eligible to serve on the Board of Directors.
- Section 3. Representation of Minority Persons 3-1G: The ethnic representation shall be in compliance with the Constitutions and By-laws of the NEA and the MEA. In event that the ethnic representation is less than required by the Constitutions and By-laws of the MEA and NEA, rules and procedures shall be established for an at-large election to ensure proportionate ethnic minority representation.

- Section 4. Meetings: Meetings of the Board of Directors shall be called by the President or upon request of one-third of the members of the Board.
- Section 5: Specific Responsibilities: The Board of Directors shall be responsible for
- A. Periodic surveys of the membership to determine the membership's opinions regarding contract issues and procedures and other matters of interest;
  - B. Final selection of bargaining teams;
  - C. Providing input to the bargaining team; and
  - D. Approval or rejection of tentative contract proposals: Four (4) options exist: approval of a tentative contract with positive recommendation to the FA membership, submission of a tentative contract with neutral recommendation to the FA membership, submission of a tentative contract with negative recommendation to the FA membership, and rejection of a tentative contract. Notwithstanding, the bargaining team shall be given full authority to negotiate the contract using faculty survey data and input from the Board of Directors.
- Section 6. Replacement: For any member of the Board of Directors who is absent from three consecutive regularly scheduled meetings of the Board, for reasons other than conducting Board business, their position may be declared vacant by a majority vote of the Board and they shall no longer be considered a member of the Board of Directors. Vacancies in office shall be filled according to procedures provided in the By-laws.
- A. Change of employment to a system outside of the region shall disqualify the Board member from further service and the office shall be declared vacant.
  - B. Persons on leave of absence, sabbatical, or lay-off from employment must retain active membership in good standing status in order to remain eligible for the Board of Directors.
- Section 7. Equal opportunity: The CMUFA subscribes to the policies of equal opportunity and affirmative action.

## **Article VI Direct Legislation**

Initiative, Referendum, and Recall: The rights of popular initiative, referendum, and recall shall rest with the membership in good standing of the Association. Upon receipt of a petition signed by 15% of the membership in good standing of the Association, the Secretary shall announce a general election or ballot as indicated on the petition within 15 calendar days for the purposes presented in the petition. A majority of the total membership in good standing shall be required for its adoption, which shall take effect thirty days later. Delegates to the MEA Representative Assembly may be recalled only for just cause.

**Article VII**  
**Membership Year**

The membership and fiscal year shall be from September 1 through August 31. The membership year shall be the basis for the calculation of dues and assessments.

**Article VIII**  
**Amendments**

Amendments to this Constitution may be introduced by the Board of Directors or by petition of one-third of the membership presented to the Board of Directors. They will be publicized to the general membership at least thirty (30) days prior to the time they are to be acted upon. A majority vote of the membership, or two-thirds of those voting shall be required for the ratification of an amendment. Amendments shall become effective immediately upon ratification.

**Article IX**  
**Dissolution**

Upon dissolution of the Association, any assets remaining after the payment of all expenses shall be distributed to its successor so long as the successor is affiliated with the Michigan Education Association. If there is no successor affiliated with the Michigan Education Association, then any assets remaining shall be distributed to the CMU FA Scholarship Fund.

Revised: 09/09/2020

# **B Y - L A W S**

## **Central Michigan University Faculty Association**

### **Article I Rules of Order**

The latest version of Robert's Rules of Order Newly Revised shall be the authority concerning all questions of procedure not specified in the Constitution and By-laws.

### **Article II Meetings**

- Section 1. One general meeting of the membership in good standing shall be held each semester. Ten days' notice of each general meeting shall be given to the membership. The first general meeting of the membership in good standing shall occur within 30 days of the beginning of the fall semester.
- Section 2. All FA Board and general membership meetings shall have the parliamentarian present. When the elected parliamentarian is unavailable, an appropriate designee shall be selected by the President.
- Section 3. Other special meetings of the membership in good standing may be called at the discretion of the Board of Directors following two (2) working days' notice to the membership. The Board of Directors shall meet monthly during the academic year or in accordance with the calendar adopted by the Board of Directors. After establishment of a calendar, the membership in good standing shall be notified of the dates, times and location of meetings. Except as specified in MEA Administrative policies, meetings shall be open to all members in good standing and members in good standing shall be permitted to address the meetings.
- Section 4. A special meeting of the membership in good standing shall be called within ten (10) calendar days upon presentation of a signed petition to the Secretary of no less than one-third ( $\frac{1}{3}$ ) of the membership in good standing. The petition shall state the reason for the meeting and that shall be the only business before the membership in good standing.
- Section 5. Minutes shall be recorded for each meeting by the Secretary. A draft of the minutes must be distributed for approval at the following Board of Directors, general or special meeting – whichever occurs first. Once approved, the minutes will be available for membership inspection.
- Section 6. Any action of the Board of Directors may be rescinded by a majority of the voting membership or by two-thirds ( $\frac{2}{3}$ ) of those present at a general or special meeting.

- Section 7. Ratification Meetings: When the Association is considering entering into a legal and binding Agreement with CMU, the President of the Association and the members of the bargaining team are authorized to sign such an Agreement on behalf of the membership in good standing upon completion of the following procedures.
- A. A general meeting of the membership in good standing shall be called in accordance with Sections 1, 2, or 3 above. Only a proposed contract tentatively agreed to by an officially impaneled bargaining team may be submitted to a membership for ratification vote.
  - B. At that meeting, the agenda shall include the following:
    - 1. A written digest of the proposed Agreement shall be presented;
    - 2. A report and recommendation by the bargaining team shall be presented;
    - 3. A report and recommendation by the Board of Directors shall be presented;
    - 4. A determination by the members in attendance, by the majority vote, of the method of ratification of the proposed Agreement. Only members in good standing may vote on ratification.

### **Article III Quorum**

A quorum at a general membership meeting shall consist of those members in good standing who attend the meeting. The quorum for transacting business at a meeting of the Board of Directors shall be a majority of the members of the Board.

### **Article IV Duties of Officers and Representatives**

- Section 1. The President shall preside at all meetings of the organization and shall perform such other functions required for the Association to operate on a daily basis. In addition, the President shall:
- A. Recommend to the Board of Directors the names of individuals to fill committee vacancies and prepare and update the roster of committee appointments including the term of such appointments;
  - B. Prepare a letter of appointment for all appointees confirmed by the Board;
  - C. Serve as an ex-officio member of all committees, with the exception of the Nominating Committee and the Election Committee.
  - D. Attend scheduled Article VII meetings.
  - E. Serve as a liaison between the Board and the Bargaining Team during contract negotiations. Fulfilling this function shall not require or preclude serving as a member of the Bargaining Team.
- Section 2. The Vice-President shall act in the absence or disability of the President. The Vice-President shall automatically become the President, if the president resigns/removed prior to the completion of a term and will hold the position for the remainder of the term, unless an absolute majority of the voting membership by secret ballot at a

membership meeting vote otherwise. The Vice-President shall also assume the following duties:

- A. Be responsible for the organization of the Faculty Association Department Representatives during periods of time when contract proposals are being prepared and/or negotiated or as otherwise specified by the Board;
- B. Serve as chairperson of the Departmental Representatives and report their activities to the Board;
- C. Recommend to the President the names of individuals to fill committee vacancies;
- D. Serve as a member of the Grievance Committee.
- E. Attend scheduled Article VII meetings.
- F. Organize and oversee the Nomination Committee as prescribed under Article VII of the By-laws;
- G. Organize and oversee the Election Committee;
- H. Perform such other duties as may be requested by the President.

Section 3. The Secretary shall be responsible for:

- A. Recording the minutes of the Board of Directors and membership meetings;
- B. Maintaining all records and files for the Association;
- C. Making minutes available for membership inspection;
- D. Assisting the President with Association correspondence.

Section 4. The Treasurer shall be responsible for:

- A. The collection of dues and assessments;
- B. Preparation of an annual budget;
- C. Payment of all bills;
- D. Preparing a written statement or chart showing the receipt and disbursement of funds by major categories which will be presented at one general membership meeting each year and made available to the entire membership;
- E. Providing reports to the Board of Directors at each scheduled Board meeting;
- F. Posting and retaining a record of all income and disbursements of the Association;
- G. Submission of financial records for an annual audit.

The Treasurer shall be bonded.

Section 5. The Membership Officer shall be responsible for:

- A. Enrolling new bargaining unit members in the CMUFA;
- B. Maintaining records of CMUFA membership;
- C. Coordinating the work of the membership correspondent, who shall be responsible for communications regarding membership with MEA/NEA

Section 6. The chairperson/co-chairs of the Grievance Committee shall serve as the Grievance Officer(s). The Grievance Officer(s) shall be responsible for:

- A. Coordinating the work of the Grievance Committee;
- B. Keeping the Board of Directors informed on the status of grievances;
- C. Responding to inquiries from bargaining unit members concerning application of the contract and possible violations or improper application of its provisions;



- D. The representation of the CMUFA in grievances and in other discussions with CMU about the interpretation of the contract.
- E. There shall be no more than three (3) co-chairs.

- Section 7. The Action Officer.
- A. Shall be the representative for Affirmative Action concerns and disputes between bargaining unit members.
  - B. Shall work on behalf of the Association to increase representation and participation of minorities at CMU and in the CMUFA.
  - C. Shall serve as the CMUFA representative on affirmative action councils and committees and as the CMUFA affirmative action representative in MEA and NEA assemblies.
  - D. Shall work on behalf of the Association to address concerns of members in good standing regarding disputes between bargaining unit members, including but not limited to addressing any mediation requests.
  - E. Shall serve as a link to the Mount Pleasant Area Diversity Group and other related organizations.

- Section 8. The MAHE/NEA Representatives shall represent the Association at the following meetings and at other meetings deemed relevant by the Board of Directors:
- A. Michigan Association for Higher Education (MAHE) meetings;
  - B. Michigan Education Association Representative Assemblies.
  - C. National Education Association Representative Assemblies;
  - D. National Education Association - National Council for Higher Education annual meetings.

- Section 9. The MEA/NEA Representatives shall represent the Association at the following meetings, and at other meetings deemed relevant by the Board of Directors:
- A. Michigan Education Association - Region 12 Coordinating Council meetings;
  - B. Michigan Education Association - Region 12 meetings;
  - C. Michigan Education Association - Representative Assemblies;
  - D. National Education Association - Representative Assemblies;
  - E. National Education Association - National Council for Higher Education annual meetings.

- Section 10. The college and unit Representatives shall serve as conduits for information to and from the Board of Directors and the membership of their respective units.

- Section 11. The parliamentarian shall be present at all Board and general membership meetings, ensure adherence to Robert's Rules of Order, and provide clarification to attendees as needed.

## **Article V**

### **Powers of Board of Directors**

Upon the Board of Directors shall rest the duties, responsibilities and final authority for conduct of the Association in all matters except as provided in the Constitution and By-laws; the Board may at any time refer matters to the general membership for consideration.

## **Article VI Committees**

- Section 1. The standing committees of the Association shall be:
- A. Grievance Committee - manages, on behalf of the Association and its membership, the implementation of grievance procedures;
  - B. Bargaining Issues Committee - conducts continuous assessment of the contract, identifies issues of concern for future negotiations, provides continuity between past and future bargaining teams and manages negotiation preparations, including membership surveys;
  - C. Communications Committee - assists the President in publication of the Courier and other activities to provide effective links between members, the Board, the University and the larger community;
  - D. Audit Review Committee - conducts an annual internal review of the Association's financial records and assists the Treasurer in preparing for the annual audit and recommending an annual operating budget for the Association;
  - E. Membership Service Committee - assists the Membership Officer in activities to guide and counsel members regarding contractual issues and otherwise responds to members' queries and concerns.
- Section 2. The President shall appoint such ad hoc committees as the Board of Directors, the membership or the Constitution and By-laws direct.
- Section 3. Nomination for service on a committee may be made by any member of the Board of Directors. Membership and Chairpersons of the above-named committees and of ad hoc committees shall be approved by the Board of Directors.

## **Article VII Nominations and Elections**

- Section 1. Nominations
- A. The Vice-President of the Association shall appoint, by the start of spring semester, a Nominating Committee of at least four (4) persons representing recruited from the FA College Representative and including at least one member of the Board of Directors.
  - B. Every active member in good standing is eligible to nominate or be nominated for an open position.
  - C. Members of the Nominating Committee may not be nominated for any office for which the Nominating Committee is to provide nominations.
  - D. The Nominating Committee shall prepare, with the consent of the nominees, a slate of candidates for the office of Vice-President, Secretary, Treasurer, Membership Officer, and Action Officer, College/Unit Representatives, MAHE/NEA Representatives and MEA/NEA Representatives that will become vacant at the end of the year. When three (3) or more delegates are eligible to serve as a MEA/NEA Representative, at least one delegate must serve as the representative for minority persons, 3-1G. If possible, the slate shall contain at least two names for each position. The slate shall be presented

to the Board of Directors who may accept it or add to it. The slate shall then be presented to the membership in good standing at a general meeting held no later than March 18 at which time additional nominations may be made from the floor, with consent of the nominees. In the event there is only one candidate for an office after open nominations, the candidate shall be declared elected by acclamation. The full election slate shall be announced at that meeting and be made public thereafter.

Section 2. Elections

- A. After the general membership meeting has received the full slate of nominations, the membership in good standing, by majority vote at that meeting, shall set an election date at least one week from the date of the meeting, but no later than the last day of the semester.
- B. The Vice-President shall appoint an Election Committee of at least two members in good standing, none of whom may be a candidate for any position in the election or a member of the Nominations Committee, to prepare ballots and conduct the election. The Elections Committee shall establish procedures guaranteeing that all elections shall provide for secret ballot and/or secure on-line voting procedures to be available for all members in good standing.
- C. The election shall be by secret ballot and/or secure on-line voting in the manner and on the day or days set for the election in accordance with Section 1. The election committee shall certify the results of the election to the President, Vice-President, Secretary, Treasurer and Membership Officer. The President shall publish the results. Official reports of elections must be filed with MEA within thirty (30) days after the election. Official reports to identify elected representative assembly delegates shall be filed with MEA within ten (10) days after the election.
- D. The President, Vice-President, Secretary, Treasurer, Membership Officer, Representative for Affirmative Action Concerns, MAHE/NEA Representatives and Region Council/Coordinating Council/MEA/NEA Representatives shall be elected by secret ballot by a plurality of all votes cast in a duly called election. College and unit representatives shall be elected by a plurality of the votes cast by members of their constituencies in a duly called election. See the exception for acclamation provided in Article VII, Section 1, paragraph C.
- E. Every active member in good standing shall have the opportunity to vote. All elections shall take place following the one member/one vote principle.
- F. Ballots shall be preserved for one (1) year and shall be kept in the custody of the President of the Association.
- G. The Election Committee shall follow operating procedures that are in compliance with the policies and procedures of the CMUFA, the MEA, the Labor Management and Disclosure Act, and any other applicable local, state and national laws.

Option for paper ballots or secure on-line voting:

- A. Members may access the online system to vote or may vote on an alternate paper ballot, which must be received by the CMU FA Elections Committee by the close of online voting.
- B. In the event a member votes both online and by a paper ballot, the paper ballot shall not be counted.

Section 3. Terms of Office

- A. The terms of office shall be as follows:
  - 1. The President, Vice-President, Secretary, Treasurer, Membership officer, and Action Officer shall hold office for a period of three (3) years;
  - 2. All officer positions shall be elected in staggered terms.
  - 3. Any Board position that become vacant shall be filled for the remainder of the existing term, by appointment, except for a Region Council/Coordinating Council/MEA/NEA Representative Assembly delegate(s).
  - 4. Standing committee appointments shall be for terms not to exceed three (3) years.
  - 5. The Region Council/Coordinating Council/MEA/NEA Representative Assembly delegate(s) will hold office for a period of three (3) years. Any vacancy must be filled by a duly elected alternate for the remainder of the term.
- B. Beginning date for terms of office shall be as follows:
  - 1. Terms for the president, president-elect, secretary, treasurer, membership officer, and action officer shall begin on July 1 following the election.
  - 2. Terms for the Region Council/Coordinating Council/MEA/NEA Representative Assembly delegate(s), including any representative of minority persons, 3-1G, shall begin on September 1 following the election.
  - 3. During contract negotiations and ratification, the current President and Vice-President shall continue to hold position until such time as the contract is ratified. Upon contract ratification, any newly elected President or Vice-President will assume the elected position.

Section 4. In the event of any Board vacancy not filled during the regular elections process, except the MEA or NEA Representative Assembly Delegate positions, the Board of Directors shall, whenever possible, nominate at least two (2) persons for the unexpired term. The election shall be by secret mail or electronic ballot of the respective constituents. See the exception for acclamation provided in Article VII, Section 1, paragraph C. The results of the election will be certified by the Board of Directors at the Board meeting following the election, after which the elected person will immediately assume his or her position on the Board. In the event of a vacancy in a position for MEA or NEA Representative Assembly delegate, the duly elected alternate shall fill the vacant position.

A vacancy in the office of Past-president shall not require an election. The Board may appoint any previous President of the Association to this position or may leave the position unfilled.

- Section 5. Absentee ballots: Absentee ballots shall be available as follows:
- A. For elections of officers (as specified in Section 2 above) provided that a request for an absentee ballot is received by the President of the Association at least three days prior to the date(s) of the election. Such ballots must be returned on or before the date(s) of the election.
  - B. For ratification elections, provided that the membership meeting that establishes the method of ratification votes to permit absentee ballots and establishes the deadlines for requesting and returning the ballots.
  - C. For any other election, unless the Board of Directors votes not to permit absentee ballots.

### **Article VIII**

#### **Dues, Fees, and Assessments**

Dues of the Association shall consist of the total amount of local, state, and national dues. Local dues and assessments shall be as determined by the Board of Directors, provided that any assessment shall require a majority concurrence of the membership in good standing. Bargaining unit members who do not join the Association and pay the required dues shall be responsible for paying a service fee to the Association as specified in the current contract.

### **Article IX**

#### **Amendment of By-laws**

- Section 1. The By-laws shall be consistent with the Constitution.
- Section 2. The Board of Directors may amend the By-laws according to the procedures given in Section 3 below. Amendments may include changes in the existing By-laws or additions to them.
- Section 3. Procedures for amending the By-laws
- A. Amendments to the By-laws may be proposed by a member of the Board of Directors, a committee of the Association, or any group of five or more members in good standing of the Association.
  - B. The text of the proposed change must be presented in writing to the President. It shall be placed on the agenda for the next Board meeting and distributed to all Board members with that meeting's agenda. A two-thirds ( $\frac{2}{3}$ ) majority of those present shall be required to approve the proposed amendment.
  - C. Upon approval by the Board, a copy of the amendment will be distributed to all members in good standing of the Association and a vote scheduled for the next general membership meeting. Amendments to the By-laws shall take effect immediately after they have been approved by majority vote at a general membership meeting.

Revised: April 1973, March 1974; 5/5/75, 5/80; 4/8/81; 9/24/81 (Board action on 3/26/81), 4/7/83 (3/3/83), 5/4/83, 6/4/87 (2/12/87), 2/1/89 (10/6/88), Spring 1993, 4/8/97(10/8/96), 4/21/99 (10/1/98 and 3/4/99), 4/1/2003; update 7/14/04 (editorial, formatting); 3/21/07; 3/19/08; 3/25/15; and 09/09/2020.