

**CONSTITUTION AND BYLAWS OF THE
UNITED FACULTY OF FLORIDA
SEMINOLE STATE COLLEGE OF FLORIDA CHAPTER**

ARTICLE I - NAME

This organization will be known as the United Faculty of Florida - Seminole State College of Florida (hereinafter sometimes referred to as “UFF-SSC” or the “Association”), an affiliate of the Florida Education Association (FEA), the National Education Association (NEA), and the American Federation of Teachers (AFT), AFL-CIO.

ARTICLE II - PURPOSES

Section 1. To bring faculty of Seminole State College of Florida (hereinafter sometimes referred to as “Seminole State College” or “SSC”) into a relationship of mutual assistance and cooperation in order to obtain for them the rights and privileges to which they are entitled.

Section 2. To represent faculty of Seminole State College in the collective bargaining process.

Section 3. To promote a democratization of the colleges and universities of Florida that will enable members to better serve the people of the State of Florida.

Section 4. To achieve and safeguard due process and academic freedom.

Section 5. To combat all forms of discrimination based on age, disability, gender, marital status, national origin, political belief, race, religion, or sexual orientation in the colleges and universities of Florida and society.

Section 6. To promote academic excellence in teaching, research, and community service in Florida's institutions of higher education.

Section 7. To strengthen the well-being of the people of Florida through research, teaching, and community service in Florida's institutions of higher education.

Section 8. To take appropriate action in order to safeguard rights guaranteed under the Constitutions of the United States of America and the State of Florida and to encourage the promotion of legislative action that will improve the economic and educational conditions of society.

Section 9. To adopt or promote such other lawful purpose or purposes as the Association shall from time to time determine, and which shall not be inconsistent with the foregoing specified purposes or the purposes of the Association's parent organizations.

ARTICLE III - MEMBERSHIP

Section 1. Unless otherwise stated, the term "member" will mean "active member."

- A.** Those eligible for active membership will be all faculty members employed by Seminole State College who meet the unit determination as established by the Florida Public Employees Relations Commission. Membership classes will conform to the UFF Constitution.
- B.** Membership shall be continuous until the member ceases to be employed by Seminole State College, resigns from the Association, no longer meets the qualifications of paragraph **A** above, or fails to pay membership dues in accordance with **Article IX** of these Bylaws. Membership may begin at any time during the year upon completion of a membership application and either payment of dues or payroll deduction of dues. Membership may be terminated with thirty (30) days written notice to the UFF-SSC and the Seminole State College Human Resources Department.
- C.** Membership will not be terminated while a member is involved in a process of dismissal or non-renewal of contract. The Florida Education Association requires members to maintain membership throughout the grievance, arbitration, and/or appeal process to receive representation.

Section 2. Persons may be permitted classes of membership other than active by a majority vote of the Executive Council, subject to ratification by a majority of the membership voting, and provided such membership class is in accordance with the UFF Constitution.

Section 3. No discrimination shall ever be shown toward members or applicants for membership because of age, disability, gender, marital status, national origin, political belief, race, religion, or sexual orientation.

Section 4. UFF-SSC members shall, by their membership in UFF-SSC, also be members of the Florida Education Association, the National Education Association, the American Federation of Teachers, and the AFL-CIO.

Section 5. The Association will be obliged to provide full benefits of membership to members only. The scope of benefits may be expanded to include non-members by a majority vote of the Executive Council, if conformable with NEA, AFT, and UFF constitutions and regulations. The Association shall not be required to extend benefits of membership or defend a member for actions prior to membership.

Section 6. Members will be entitled to the privilege of the floor and the right to vote on all matters considered at general membership meetings, to attend Executive Council meetings, and to be granted the floor there in accordance with the Bylaws of the Association as adopted and modified from time to time.

Section 7. As provided hereinbelow, for purposes of certain elections of members to a variety of positions and offices, members will conduct such elections and votes per campus location, as provided immediately below in Article IV. As such, only members who are stationed or assigned, or primarily stationed or assigned to a particular campus location by Seminole State College of Florida may participate in that location's voting and elections. In the event, however, that a member spends an equal amount of working time in two or more locations such that no location could be identified as his or her primary worksite, then that member's primary campus location shall be deemed to be that location at which he or she serves that has the lowest number of members compared to any other location at which the member may serve.

ARTICLE IV – THE EXECUTIVE COUNCIL

The Association shall have a governing body which shall be named "The Executive Council" (hereinafter referred to as the "Council"). Each campus location (currently Sanford/Lake Mary, Oviedo, Altamonte, and Heathrow) which has at least one, but not more than 15 Association members will be permitted one representative on the Council. Another Council representative shall

be permitted from each such campus location for each bloc of fifteen members of the Association, or major portion thereof, who are primarily stationed or assigned to such campus location, in addition to the first fifteen members at that campus location. Officers of the Association shall also be members of the Council as provided hereunder.

ARTICLE V – COUNCIL REPRESENTATIVES

Section 1. Each Council representative shall be an active member of the Association.

- A.** Each member of the Association shall be eligible to be elected to a seat on the Council upon presentation of a document, in form and content acceptable to the Council and signed by the person seeking election to the Council, which document shall state that the person seeking election will comply with the Constitution and By-Laws of the United Faculty of Florida and UFF-SSC and expects to be and remain a member of the Association for the entire term of the Council seat for which the person shall seek election.
- B.** Council representatives from a campus location shall be elected by the Association members primarily serving or stationed at that location.

Section 2. Except as specifically provided hereunder, council elections shall be held annually during the first week of February. All locations will elect their Council representatives during the same period in February, except in the case of filling a vacancy or vacancies on the Council created by any reason, including those created by recall. Council members will take office the following August 1. Elections will be conducted by the Association members at their respective locations under the supervision of the Council or those members delegated by the Council to conduct such elections. Notwithstanding the foregoing, however, an interim council shall be elected at the first organizational meeting of the Association, to serve as such until the first annual election of council representatives, to be held during the first week of the first February following said organizational meeting. The interim council shall have the same composition and qualifications as otherwise provided herein.

- A.** Council representative vacancies shall be filled by a special election between and among the

members of the Association who primarily serve at or are assigned to the location involved, which special election shall be held and conducted within 15 working days from the date the vacancy is created. Should a location fail to elect a representative to fill any vacancy within such fifteen working days, the Council may, by a majority vote, appoint a member to fill the vacancy. Appointees shall be selected from among the members who primarily serve or are assigned to the affected location. If no member from such location is willing, able or available to serve as such, then the council may, in its discretion, appoint any otherwise qualified member to fill such vacancy, irrespective of the campus location such appointee primarily serves or is assigned.

- B.** When a vacancy is filled, the new Council representative will serve out the remainder of the vacated term of office.
- C.** Any location may recall its Council representative(s) by presenting to the Council a recall affidavit signed by at least 60 per cent of the Council representative's member-constituents. The location will hold an election (and run-off, if necessary) within a 15 working day period from the date of the recall to choose a replacement Council representative, who shall be seated immediately upon being elected as that location's duly elected Council representative.
- D.** All successor Council representatives shall comply with the requirements of Article V(1)(A).
- E.** The Council may dismiss a representative who does not attend three consecutive meetings of the Council and who has been given due notice of the possibility of such dismissal. Any such dismissal shall be by majority vote of the Council. The election of a successor Council representative shall be governed by Article V(2)(C), above.

ARTICIE VI – OFFICERS OF THE ASSOCIATION

Section 1. The elected officers of the Association will be a president, vice president, secretary and treasurer, all of whom will be elected annually by the membership at large no later than March 15 and will take office the following August 1. Notwithstanding the foregoing, however, interim

officers shall be elected at the first organizational meeting of the Association, to serve as such until the first annual election of officers, to be held on or before the March 1st immediately following the organizational meeting of the Association. The interim officers shall have the same duties, rights and responsibilities and the same qualifications as otherwise provided herein for the officers of the Association.

- A.** Each officer must be a member of the Association.
- B.** Each member of the Association will be eligible to run for elective office upon presentation of the proper form to the Council by the end of the month preceding the elections. This will be a signed statement that the member will comply with the Constitution and Bylaws of the United Faculty of Florida and the Association and expects to be a member of the Association for the term of the position sought.
- C.** Any candidate for president and vice-president must have tenure and at least three academic years of full-time employment in higher education, one year of which must be at Seminole State College.
- D.** A member will not be eligible for election to a third consecutive term as president of the Association.
- E.** The term of an officer will be for two years. No member may simultaneously hold a Council seat and a position of elected officer.
- F.** Vacancies will be filled by holding a special election not more than one month after the vacancy occurs.
- G.** Any officer may be removed from office by a 60 per cent majority of the Council representatives who vote on the issue of such removal, if such removal vote is sustained by a majority vote of the membership of the Association. No officer shall be removed from office without being allowed a hearing before the Council prior to the Council's vote. The officer's statements shall be recorded in the minutes of the hearing.
- H.** The Association will hold an election (and run-off if needed) within 15 working days after any such removal or recall to choose a successor for any office made vacant by recall or

removal. The replacement officer will assume the remainder of the unexpired term as soon as election results are certified by the Council.

- I.** The names of the officers will be submitted to UFF within fifteen days of their election/appointment.
- J.** The immediate past president, if a member of the Association and not elected or appointed to an office or seat on the Council, shall serve as an *ex officio* member of the Council for a period of one year after leaving office.
- K.** The officers will have only those powers granted by the UFF Constitution and these Bylaws.

ARTICLE VII - UFF SENATORS

Section 1. The number of UFF senators shall be set in accordance with UFF Bylaws as they may exist from time to time (currently one senator for each twenty-five members or portion thereof as determined by the membership roll on file with UFF on January 15th of each year; plus one additional senate seat for the then current President of the Association).

- A.** Except for the Senate seat to be held by the President of the Association, Senators shall be elected at large by the membership of the Association annually during the first week of February and shall take office on March 1 of each year.
- B.** Senators who expect to be absent from a UFF senate meeting will submit a UFF proxy to the Association president at least twenty-four hours in advance of the meeting.
- C.** Two alternates for Senate positions shall be elected at the time of Senate elections. In the case of recall, removal or any vacancy in any senatorial seat, an alternate shall be appointed by the President of the Association to fill the unexpired term which appointment shall be approved by a majority vote of the Council representatives voting. In the event no elected alternate shall be available for such appointment, the President shall appoint a member to fill the unexpired term, which appointment shall be approved by majority vote of the Council representatives voting.

ARTICLE VIII – INITIATIVE AND REFERENDUM

Any member of the Association may appear before the Council to speak in reference to an initiative or referendum, upon which the member wishes the Council to take action. If the appearing member is not satisfied with the action of the Council, the member may then petition for a general membership meeting to act on the matter, provided that such petition is signed by at least 10 per cent of the members at each location. The initiative or referendum will be enacted by a "yes" vote of at least 60 per cent of the members who vote.

ARTICLE IX - DUES

- A.** Dues are set in accordance with the UFF Constitution.
- B.** Full payment of dues each year prior to the seventh month of the fiscal year of the Association is a necessary condition for membership as set forth in **Article III** of these Bylaws.
- C.** The fiscal and membership year for the Association will be from September 1 through August 31.

ARTICLE X - QUORUM

- A.** A quorum for Council meetings will be a majority of its voting members.
- B.** A quorum for general membership meetings will be the number of members present at the meeting. Voting at such meetings will be governed by **ARTICLE XII**.

ARTICLE XI - MEETINGS

- A.** The President will call a meeting of the Council at least twice each Fall and Spring semester. Upon the request of all of the Council members at any location, the President will call a Council meeting. Minutes will be taken at all meetings and contain at least the essence of all matters considered at the meeting, all motions made, and the outcome on each

matter upon which a vote was taken. The Secretary shall deliver a copy of the minutes of each meeting as soon as reasonably practicable after each meeting to each Council representative and officer, each of whom shall make them available to Association members upon request.

- B.** There shall be a regular meeting of the general membership, called by the Council with at least a five-school-days' notice, at least twice during each academic year. Such meeting will be held only at those times when at least a majority of the members at each location are not kept from attending by other college responsibilities where attendance is required. Minutes will be taken and preserved. The Secretary shall deliver a copy of the minutes of each such meeting as soon as reasonably practicable after each meeting to each Council representative and officer, who shall make them available to Association members upon request.
- C.** The Council may use mail or electronic balloting for the purposes of voting on any singular issue, rather than calling a general membership meeting. In mail or electronic balloting, the issue to be voted on will be explained, in an accompanying letter, in such a manner that intelligent decisions can be made therefrom.
- D.** Special meetings of the general membership shall be called, as needed, by the President or the Council, on such notice as shall be reasonably practicable. Such notice of special meeting shall specify the purpose(s) for which the meeting shall have been called.
- E.** Notice of all such meetings shall be delivered by mail or electronically.

ARTICLE XII - VOTING

- A.** Motions at any general membership meeting held during the academic year may be decided by a majority vote of those members voting unless a different vote is provided for elsewhere in these Bylaws. When mailed balloting is used, the ballots will be distributed at the locations by the Council and returned within five working days after distribution. The return date will be specified on the ballot.

- B.** Elections of the Association will be decided by a majority of those voting. If there is no candidate receiving a majority vote, only one run-off for each elective position will be held. The run-off election will be held between the two candidates receiving the greatest number of votes cast; provided, however, that in the case of ties, all candidates tied will be included in the run-off election, notwithstanding that there may be more than two candidates tied. Any person receiving less than 5 per cent of the votes cast in the election will be deemed to have lost the election and if such vote shall have been the second highest vote, then the person receiving the highest number of votes shall be deemed to have won the election. The winner of the run-off election will be the person receiving the greatest number of votes cast in the run-off election. In case of a tie in the run-off election, the Council will decide the winner by secret ballot of Council representatives.
- C.** Matters at Council meetings will be decided by majority vote of the voting members present unless a different vote is required by these Bylaws. Voting members of the Council shall include all elected Council representatives and their successors who have been elected or appointed to fill an unexpired term. All other members of the Council shall be *ex officio* members, except that the president may vote in Council for the sole purpose of breaking a tie vote or deadlock.
- D.** All Association elections shall be conducted by secret ballot.
- E.** A member may vote by proxy, so long as a signed, written proxy from that member shall be delivered to the Secretary, at or before the meeting at which such proxy vote is to be cast. A member may give only another member his proxy to vote for him at any vote to be taken.

ARTICLE XIII – DUTIES OF OFFICERS

- A.** The president will preside over meetings of the Council and meetings of the general membership. The president may select volunteers for committees. All selections are subject to approval of the Council by a majority vote. The president will represent the Association before the public either personally or by delegating this authority to a Council

representative or other duly authorized designees. However, the president may not enter into an agreement on any policy or any contract which is binding on the Association without a majority vote of the Council.

- B.** The vice president will assume the duties of the president during the president's absence or inability to serve. The vice president may be given assignments by the president or the Council, including serving as a non-voting Council representative for locations with no Association members.
- C.** The secretary will be responsible for taking, preparing, and preserving the minutes, and other records of the Association, keeping and distributing the agenda, and preparing the correspondence of the Association. The secretary may participate in discussions of the Council but will not have a vote on Council matters, unless the secretary has been duly elected to the Council as a campus representative.
- D.** The treasurer will be bonded at the discretion of the Council. The treasurer will be responsible for all funds of the Association, will keep regular accounts thereof, and will report thereon to the Council at its meetings and when requested at other times by the president. Funds of this Association will, upon receipt, be deposited in a bank selected by a majority vote of the Council and will be withdrawn as directed by a majority of the Council. Withdrawals will be by check and will require the signature of the treasurer and either the president, or vice president if the president is unavailable and payment cannot be delayed. All expenditures of Association funds will be reported by the treasurer for the approval of the Council by majority vote unless previously approved as part of the budget adoption process. Those single items in excess of \$2,000 (two thousand dollars USA) will also require approval by a majority vote of the members of the Association. The treasurer may participate in discussions of the Council but will not have a vote on Council matters, unless the treasurer has been duly elected to the Council as a campus representative. The treasurer will transmit to UFF dues currently as required by the UFF. The Council may order an audit of the Association's accounts prior to the beginning of each fiscal year.

ARTICLE XIV – POWERS OF THE COUNCIL

- A.** The Council will be responsible for the management and governance of the Association, approving expenditures for single items less than \$2,000 (two thousand dollars USA) not previously approved within the budget adoption process, carrying out policies established by the membership at large, reporting its transactions and policies for consideration at meetings of the general membership, and exercising the right to approve or invalidate membership in accordance with **Article III**. The Council will approve an annual budget, to be submitted to the UFF by the treasurer as required by the UFF. Individual expenses approved by the Council pursuant to the budget adoption process will not require further approval by Council.
- B.** The Council and the president will have the power to create special committees comprised of volunteers. These committees will report to the Council, and any actions recommended or desired will be subject to a majority vote of the Council before being put into effect.
- C.** The Bylaws may be amended at the suggestion of the Council or the general membership through the Council. An approving vote of at least 60 per cent of the members voting (with the special campus requirements) will be necessary for adoption, as per **Article XVIII**.
- D.** The Bylaws will be reviewed periodically and revised as the need arises, as per **Article XIV**, paragraph **C** and **Article XVIII**. A copy of the Bylaws will be submitted annually to UFF.
- E.** A brief outline indicating the methods of internal communications used by the Association will be submitted to UFF annually unless there has been no change.
- F.** The Association will comply with UFF, FEA, NEA, and AFT guidelines and standards for governance as set forth in the UFF, FEA, NEA, and AFT governing documents. Where compliance is contrary to essential aspects of the Association's local constituency, exceptions will be requested from UFF, FEA, NEA, and/or AFT.
- G.** The Council will provide for membership evaluation of the Association and its progress

once every five years. Results will be sent to UFF.

- H.** The Association cannot make a merger requiring affiliation with any labor union or organization unless requested by UFF, FEA, NEA, or AFT.

ARTICLE XV – ARBITRATION BOARD

- A.** The Association will have an Arbitration Board as the final arbiter of differences of opinion that arise with respect to the interpretation of these Bylaws. Any member of the Association may petition the Board for consideration of such matters. Petitions will be in writing, signed by each petitioner, and submitted to the Arbitration Board (hereinafter the “Board”). The Board will decide within three working days if the matter falls within its jurisdiction. In order to be reviewed, a matter must be approved for consideration by at least two Board members. Any matter referred to the Board by a majority vote of the Council must be considered by the Board. The Board is limited to making decisions on matters where petitioned or required by the Council and cannot intervene in matters otherwise.
- B.** Each location recognized by the Bylaws will be allowed to have one Board member. The Board members will be elected from recognized locations by the members at that location and will be subject to recall by a majority vote of the same members. Board members must be members of the Association. If a location has no members, the Council will elect an Association member to represent that location. No Board member may simultaneously hold any other office in the Association, including the office of Council representative, or be a candidate for any office.
- C.** The Board will establish its own procedural rules; however, an advocate on each side will usually be expected to present arguments and evidence. Board members must not be approached by anyone except the advocates during the hearing stage. Board members wrongly approached or discovering a possible vested interest must reveal this to the Board and disqualify themselves or allow the Board to decide on their removal from judgment in the case at hand. Decisions will be based on the evidence presented tempered by the

extensive educational experience of the Board members.

- D.** A majority of the Board participating must have ruled in favor in order that any matter become binding on the Association and its members. A ruling that rescinds any matter will render the matter null and void until any changes recommended by the Board are approved by vote of the Council. Actions already taken in such matters as the Board has ruled against will be rescinded so far as may be possible. Questions as to the possibility of rescission will be decided by the Board. Actions related to matters before the Board will be held in abeyance until a decision can be made, unless the Board allows an exception.

ARTICLE XVI – ROBERT’S RULES OF ORDER

- A.** Robert's Rules of Order Newly Revised will be the parliamentary authority for the conduct of the Council and general membership meetings. A parliamentarian may be appointed by the president subject to a majority vote of the Council.
- B.** Motions of substance at a Council meeting will not require a second unless reintroduced.

ARTICLE XVII – BARGAINING TEAM

- A.** The Council will serve as the Bargaining Team for the Association under the Florida collective bargaining statutes; those Council representatives who do not wish to serve may decline upon their election to the Council. The president may appoint additional members to the team subject to the approval of the Council.
- B.** The Council, acting as the Bargaining Team, will elect a chief negotiator by majority vote to serve for the duration of the negotiations and of the Agreement so negotiated. The chief negotiator may name a co-chief negotiator unless two-thirds of the Council refuse consent.
- C.** The president of UFF-SSC may not act as negotiator on the Bargaining Team or vote in its deliberations. The president may attend all bargaining sessions, planning meetings, and caucuses called by the Bargaining Team.
- D.** Two copies of all current master agreements and/or contracts will be submitted annually to

UFF.

ARTICLE XVIII - AMENDMENTS

- A.** The Council may propose amendments to these Bylaws by a majority vote. The proposed amendment must be ratified by an affirmative vote of at least 60 per cent of the voting members; however, 60 percent of those members voting at each and every location which has at least fifteen members must also have voted in the affirmative for the ratification to be complete. The ratification vote will be made by ballot or at a general membership meeting having a quorum of at least 60 per cent of the membership of the Association. Ratification must be accomplished within ninety days from the mailing of the ballots.
- B.** Any member of the Association may request that Council propose an amendment to these Bylaws through the procedures established in **Article XIV**.

ARTICLE XIX - DISSOLUTION

With at least 60 per cent of the membership present at a meeting of the general membership called for the sole purpose of considering dissolution of the Association, the Association may be dissolved by an affirmative vote of at least 51 percent of the entire membership. The dissolution will not become effective until at least one year has elapsed from the time of the dissolution vote.

ARTICLE XX - ADOPTION

The provisions of these Bylaws will become effective immediately upon their approval by the membership of the Association.

Interim bylaws approved by majority vote of the membership present at an organizing membership meeting October 23, 2009.