



BYLAWS
DOWNSTATE MEDICAL CENTER CHAPTER
UNITED UNIVERSITY PROFESSIONS

Adopted October 15, 2018

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BY LAWS

**Downstate Medical Center Chapter
UNITED UNIVERSITY PROFESSIONS**

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**ARTICLE 1
NAME**

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The name of this organization shall be the Downstate Medical Center Chapter of United University Professions (hereinafter "UUP"), Local #2190 of the American Federation of Teachers, AFL-CIO (hereinafter, the "Downstate Medical Center Chapter" or "Chapter").

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**ARTICLE 2
PURPOSE**

The purpose of the Downstate Medical Center Chapter shall be to promote the aims of UUP, namely, to improve the terms and conditions of employment and to defend the civil, professional, and human rights of those it represents; to promote mutual assistance and cooperation among the members of UUP; to advance education in a democracy and democracy in education; to promote the principle of unity and collective bargaining in higher education. Its purpose is also to monitor local compliance with the Agreement between UUP and the State of New York. In addition, the Chapter will promote public higher education, academic excellence, and strive to strengthen the college and university community; organize and support activities associated with its campus responsibilities as a union; and will cooperate with other Chapters, UUP, UUP affiliates, and appropriate organizations in furtherance of these objectives.

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**ARTICLE 3
MEMBERSHIP**

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Section 3.1 - Classes of Membership:

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Classes and Categories of Membership shall be as set forth in the UUP Constitution.

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**ARTICLE 4
MEETINGS**

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Section 4.1 - Regular Meetings:

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There shall be at least one meeting of the membership each academic year. The President shall call all meetings of the membership. The President shall send a written announcement of a regular meeting to all members prior to the meeting. The announcement shall contain the date, time, and place of meeting and the agenda, notice may be provided by electronic means.

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Section 4.2 - Special Meetings:

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Special meetings of the membership may be called by the President, at the request of a majority of the Governing Board, or at the petition of at least 10% of the membership. The President shall send a written notice of a special meeting to all members prior to the meeting. The notice shall contain the date, time, and place of meeting and the agenda, notice may be provided by electronic means.

43 **Section 4.3 – Quorum:**

44 A quorum for meetings shall be a minimum of 25 members.

45 **Section 4.4 – Members Rights:**

46 4.4.1 Members shall have the right to attend meetings, to participate in deliberations, to vote
47 upon the business of such meetings, to nominate candidates, and to vote in elections or
48 referendums, subject to the UUP Constitution and these Bylaws.

49 4.4.2 The annual budget shall be approved by a majority vote of those present and voting.

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ARTICLE 5
OFFICERS

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53 **Section 5.1 - Officers:**

54 The officers shall include a President, a Vice President for Academics, a Vice President for
55 Professionals, a Secretary, a Treasurer, an Officer for Contingents/Part Time concerns, an
56 Officer for Retirees, and a Grievance Officer.

57 **Section 5.2 - Duties:**

58 5.2.1 The President shall:

- 59 a. serve as the administrative officer of the Chapter;
- 60 b. represent the Chapter to management, to the college community, and to the public;
- 61 c. maintain liaison with UUP;
- 62 d. be the Chapter's first delegate to the Delegate Assembly;
- 63 e. preside over meetings of the membership and the Governing Board;
- 64 f. be authorized to sign checks in the absence or incapacity of the Treasurer;
- 65 g. supervise any office staff;
- 66 h. appoint chairpersons and members of committees, subject to approval by the Governing
67 Board;
- 68 i. may appoint a parliamentarian to assist in the conduct of meetings. The parliamentarian shall
69 not be a member of the Governing Board;
- 70 j. perform such other duties assigned by the Governing Board or the membership; and
- 71 k. present UUP administered benefits and sign up new members during the new hire
72 orientation.

73 5.2.2 The Vice Presidents shall:

- 74 a. have as their primary duties the representation of the members of the categories they
75 represent;
- 76 b. working with the President develop and coordinate a Department Representative Structure
77 that assures every member is represented;
- 78 c. be delegates to the Delegate Assembly;

- 79 d. in the absence or disability of the President, the Vice President from the alternate
80 membership category shall automatically assume the duties of the President if that Vice
81 President is not willing to serve as President the Vice President from the same membership
82 category shall assume the duties to serve for the balance of the term.
- 83 e. present UUP administered benefits and sign up new members during the new hire
84 orientation; and
- 85 f. perform such other duties assigned by the President, the Governing Board, or the
86 membership.

87 5.2.3 The **Secretary** shall:

- 88 a. keep accurate minutes of the meetings of the membership, the Governing Board, and other
89 such meetings as deemed appropriate by the President and/or Governing Board;
- 90 b. assist in maintaining Chapter files and a roll of the membership;
- 91 c. in the absence of a Designated Election Official, assume the duties assigned to that position;
- 92 d. present UUP administered benefits and sign up new members during the new hire
93 orientation; and
- 94 e. perform such other duties assigned by the President, the Governing Board, or the
95 membership.

96 5.2.4 The **Treasurer** shall:

- 97 a. be responsible for the funds of the Chapter, depositing them in a checking or savings account
98 as appropriate;
- 99 b. keep accurate accounts of receipts and disbursements;
- 100 c. issue checks and make withdrawals and transfers as authorized by the President or Governing
101 Board;
- 102 d. report to each meeting of the Governing Board;
- 103 e. prepare an annual financial statement for publication and distribution to the membership and
104 to the statewide Secretary-Treasurer and statewide UUP Executive Board;
- 105 f. prepare a budget for submission to the Governing Board and membership with final
106 submission to the statewide Secretary-Treasurer;
- 107 g. submit timely audit packets to the statewide Accounting Department (three times/year);
- 108 h. keep the President and Governing Board informed of the financial condition of the Chapter;
- 109 i. present UUP administered benefits and sign up new members during the new hire
110 orientation; and
- 111 j. perform such other duties as assigned by the President, the Governing Board, or the
112 membership.

113 5.2.5 The **Officer for Contingents/ Part Time concerns** shall:

- 114 a. serve as chairperson of the Contingent Concerns Committee;
- 115 b. be responsible for monitoring the concerns of Contingent members;
- 116 c. report to the President, Governing Board, and membership;

- 117 d. present UUP administered benefits and sign up new members during the new hire
118 orientation;
- 119 e. be a delegate to the Delegate Assembly as per Article 7, 3.d of the Constitution; and
- 120 f. make recommendations to the Governing Board.

121 5.2.6 The **Officer for Retirees** shall:

- 122 a. work with leadership to facilitate in-district and statewide advocacy;
- 123 b. attend Governing Board meetings and report on activities relevant to engagement of the
124 Chapter's retired members;
- 125 c. serve as a conduit for information to/from membership, leadership and COARM (Committee
126 Of Active and Retired Members) ;
- 127 d. present UUP administered benefits and sign up new members during the new hire
128 orientation;
- 129 e. work with the President and Governing Board to schedule pre-retirement workshops, and
130 other events to involve retired members; and
- 131 f. coordinate with leadership to promote the benefits of being involved with active and retiree
132 activities.

133 5.2.7 The **Grievance Officer** shall:

- 134 a. serve as chairperson of the Grievance Committee;
- 135 b. be responsible for assisting members of the bargaining unit with the processing of
136 grievances;
- 137 c. report to the President, Governing Board, and membership, as appropriate make
138 recommendations to the Governing Board;
- 139 d. present the UUP administered benefits and sign up new members during the new hire
140 orientation; and
- 141 e. perform such other duties as assigned by the President, the Governing Board.

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ARTICLE 6
GOVERNING BOARD

145 **Section 6.1 – Composition:**

146 The Governing Board shall include the following voting and non-voting members:

147 6.1.1 Voting Members:

- 148 a. Chapter officers;
- 149 b. Members who received at least 5 votes in the election for the position of Academic or
150 Professional Delegate to the Delegate Assembly; and the Governing Board.
- 151 c. Members who serve as statewide officers of UUP or members of the statewide Executive
152 Board.

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- 156 6.1.2 Ex-officio Non-Voting Members:
- 157 a. Members who received fewer than 5 votes in the election for the position of Academic or
- 158 Professional Delegate to the Delegate Assembly; and
- 159 b. If appointed, the Designated Election Official; Outreach Chairperson; Membership
- 160 Chairperson; Newsletter Editor; and Safety and Health Chairperson shall be ex-officio
- 161 members without vote, unless they are otherwise voting members of the Governing Board as
- 162 defined in Articles 5.1 and 6.1.1.

163 **Section 6.2 - Duties:**

164 The Governing Board shall:

- 165 a. be the policy-implementing body;
- 166 b. be responsible for the administration of the Chapter and its activities;
- 167 c. arrange for such ancillary staff members and assistance as are necessary to attain the goals of
- 168 the Chapter;
- 169 d. appoint individuals to fill vacancies, in accordance with these Bylaws and the UUP
- 170 Constitution, or direct that the UUP Constitution and Governance Committee hold special
- 171 elections to fill vacancies;
- 172 e. approve appointments to committees;
- 173 f. define the duties of the Outreach Chairperson; Membership Chairperson; Newsletter Editor;
- 174 and Safety and Health Chairperson including if they should be voting, non-voting or ex-
- 175 officio Governing Board members;
- 176 g. approve a budget for submission to the membership;
- 177 h. approve all expenditures pursuant to the budget and authorize extraordinary expenditures;
- 178 i. vote on expenditures not included in the budget before payment;
- 179 j. carry out policies established by the membership and suggest policies for consideration by
- 180 the membership;
- 181 k. act on behalf of the membership in the absence of a membership policy and during periods of
- 182 time when meetings cannot be reasonably convened;
- 183 l. by a 3/5 vote or upon the petition of at 10% of the membership, initiate referenda subject to
- 184 the limitations outlined in the UUP Constitution, and adopt procedures for the conduct of
- 185 such referenda;
- 186 m. generally represent the interests of UUP and the Chapter on campus;
- 187 n. carry out such other duties as are reasonably associated with the Governing Board duties
- 188 outlined herein;
- 189 o. serve as Department Representatives in their own Departments;
- 190 p. Governing Board members who are retired will be appointed to the Chapter Outreach
- 191 Committee.
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194 **Section 6.3 - Term of Office:**

195 Except where otherwise specified, the term of office for elected and appointed positions of the
196 Governing Board shall coincide with the term of the elected officers.

197 **Section 6.4 - Meetings:**

198 6.4.1 The Governing Board shall meet at least monthly during the academic year. Meetings shall be
199 convened by the President or by a written request of 1/3 of the Governing Board or 10% of the
200 membership.

201 6.4.2 The President shall send a written announcement of meetings to members of the Board prior to
202 the meeting. The announcement will contain the date, time, and place of the meeting and the
203 proposed agenda. Such notice may be provided by electronic means.

204 6.4.3 Special meetings may be called by the President with written notice. Such notice may be
205 provided by electronic means.

206 6.4.4 Governing Board meetings, other than executive sessions, shall be open to the membership.

207 **Section 6.5 - Quorum:**

208 6.5.1 The quorum for meetings of the Governing Board shall be a majority of the voting members as
209 long as those members include half of the officers.

210 **Section 6.6 - Minutes:**

211 6.6.1 Approved minutes of Governing Board and Labor Management meetings shall be published and
212 distributed to the membership.

213 6.6.2 Board meeting minutes will be included in each audit packet submitted to the statewide
214 organization.

215 **Section 6.7 – Appointees**

216 **6.7.1. Appointee for Affirmative Action/ Diversity and Inclusion shall:**

- 217 a. serve as chairperson of the Affirmative Action/ Diversity and Inclusion Committee;
- 218 b. be responsible for monitoring campus Affirmative Action/ Diversity and Inclusion related
219 concerns;
- 220 c. report to the President, Governing Board, and membership; and
- 221 d. make recommendations to the Governing Board.

222 **6.7.2 Appointee for Membership Building shall:**

- 223 a. shall work in coordination with the Organizer on membership drives;
- 224 b. disseminate literature;
- 225 c. work with Officers and Organizer in membership recruitment;
- 226 d. present UUP administered benefits and sign up new members during the new hire
227 orientation;
- 228 e. perform such other duties as assigned by the President; and
- 229 f. report to the President.

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ARTICLE 7
DELEGATES TO THE UUP DELEGATE ASSEMBLY AND AFFILIATE CONVENTIONS

Section 7.1 - Election and Terms:

- Delegates to the UUP Delegate Assembly must be elected in accordance with the UUP Constitution as follows:
- a. The first delegate shall be the President.
 - b. The second delegate shall be the Vice President of the alternate membership category of the President.
 - c. The third delegate shall be the Vice President of the same membership category as the President, if the Chapter is entitled to an additional representative from that category.
 - d. The fourth delegate shall be the Officer for Contingents. The Officer for Contingents shall be an additional delegate regardless of category and shall not affect the delegate allocation for the Chapter.
 - e. Additional delegates shall be elected by and from the membership according to the provisions of the UUP Constitution.

Section 7.2 - Duties:

- Delegates to the UUP Delegate Assembly shall;
- a. represent the Chapter at the UUP Delegate Assembly;
 - b. analyze the business to be conducted at each Delegate Assembly and seek input from the membership on issues of importance to the union;
 - c. shall serve as Department Representatives in their own Departments;
 - d. Delegates, if retired, serve on the Chapter Outreach Committee;
 - e. report to the membership on actions taken.

Section 7.3 - Seating at the Delegate Assembly:

- 7.3.1 The number of Chapter representatives eligible for seating at the Delegate Assembly shall be determined in accordance with the UUP Constitution.
- 7.3.2 Prior to each Delegate Assembly the President shall ask Delegates, in rank order of their election, their intention to serve at that Delegate Assembly.
- 7.3.3 Delegates who do not confirm with the President at least 7 days prior to the Delegate Assembly shall be replaced by the next ranking Delegate who confirms their intention to serve.
- 7.3.4 If a Delegate is replaced, s/he shall not be eligible for seating in place of any confirmed Delegate who attends the Delegate Assembly.

Section 7.4 – Delegates to Affiliate Conventions:

Delegates to affiliate conventions must be elected in accordance with the UUP Constitution.

270 **Section 7.4.1 - Duties:**

271 Delegates to affiliate conventions shall:

- 272 a. assist in the dispersal of information;
- 273 b. advise the President and the Governing Board on the needs of the membership; and
- 274 c. attend Chapter and Department representative meetings.

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ARTICLE 8

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DEPARTMENT REPRESENTATIVE STRUCTURE

278 **Section 8.1 - Composition:**

279 8.1.1 The Governing Board working with the President both Vice Presidents shall develop and
280 coordinate a Department Representative Structure that assures every member is represented.

281 8.1.2. Governing Board and Delegates to the UUP Delegate Assembly who are not also Chapter
282 officers shall serve as Department Representatives in their own Departments.

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284 **Section 8.2 - Duties:**

285 Department Representatives shall:

286 assist in the recruiting of members;

287 a. assist in the dispersal of information;

288 b. mobilize the membership for action when necessary; and

289 c. advise the Governing Board on the needs of the membership;

290 d. Advocate the membership interest, members with contract and or disciplinary concerns
291 shall be referred to the Chapter leadership;

292 e. attend Chapter and Department representative meetings.

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ARTICLE 9

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COMMITTEES

295 **Section 9.1 - Labor Management Committee:**

296 9.1.1 Chapter officers shall constitute the UUP committee responsible for representing the Chapter at
297 Labor-Management meetings conducted pursuant to the Agreement between UUP and the State
298 of New York.

299 9.1.2 Agenda items shall be solicited from members of the Governing Board, Chapter members, and
300 Department representatives.

301 **Section 9.2 –Standing Committees**

302 9.2.1 **Affirmative Action / Diversity and Inclusion Committee:** The Affirmative Action/Diversity
303 and Inclusion Committee shall:

304 a. Assist the Appointee for Affirmative Action in monitoring campus Affirmative Action
305 programs and policies; and,

306 b. recommend actions designed to implement and enforce Affirmative Action goals.

307 9.2.2 **Contingent/ Part Time Employee Committee:** The Contingent Concerns/ Part time Committee
308 shall:

- 309 a. assist the Officer for Contingents/ Part Time to encourage and promote membership and
310 activity of contingent part/time employees; and
- 311 b. make recommendations with regard to organizational structures wherein contingent
312 employees work.

313 9.2.3 **Grievance Committee:** The Grievance Committee shall advise members of their rights under
314 the contract, represent them in grievance hearings, and assist the Grievance Officer in processing
315 grievances.

316 9.2.4 **Membership Committee:** The Membership Committee shall:

- 317 a. assist the Membership Chairperson in recruiting new members;
- 318 b. organize membership drives;
- 319 c. maintain up-to-date lists of members; and
- 320 d. disseminate literature to the membership.

321 9.2.5 **Outreach Committee:** The Outreach Committee shall:

- 322 a. assist the Outreach Chairperson in planning and coordinating activities that inform
323 legislators of Chapter and UUP needs;
- 324 b. educate the membership about legislation of interest to UUP;
- 325 c. coordinate activities with the statewide UUP Outreach Committee; and
- 326 d. coordinate the annual Vote/Cope campaign.

327 9.2.6 **Safety and Health Committee:** The Safety and Health Committee shall:

- 328 a. assist the Safety and Health Chairperson to identify and review safety-related issues affecting
329 employees and recommend plans for the correction of such matters.

330 9.2.7 **Bylaws Committee:** The Bylaws Committee shall:

- 331 a. Review and make recommendations to the President, Governing Board and membership for
332 proposed amendments to the bylaws.

333 9.2.8 **College Review Panel:** The College Review Panel shall:

- 334 a. function in accordance with the Memorandum of Understanding of A-28

335 9.2.9 **College Committee of Professional Evaluation:** The College Committee of Professional
336 Evaluation shall:

- 337 a. Function in accordance with Appendix A-28

338 **Section 9.3 - Ad Hoc Committees:**

339 The Governing Board may establish such ad hoc committees as may be necessary to perform
340 particular tasks, functions, or activities. Ad hoc committee charges shall be outlined by the
341 Governing Board when the committee is established.

342 **Section 9.4 – Other Committees:**

343 Additional Standing Committees may be established by amendment of these Bylaws.

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Section 9.5 - Appointment and Term:

- 9.5.1 Members of all committees shall be appointed by the Chapter President. The President shall serve as an ex officio member of all committees.
- 9.5.2 The term of office of Standing Committee members shall coincide with the terms of the elected officers.
- 9.5.3 The term of office of Ad Hoc Committee members shall expire upon the completion of their charge and/or the expiration of the term of the officers.

ARTICLE 10
ELECTIONS

Section 10.1 - Elections:

Elections, except those held to fill vacancies, shall be held every two years for each elective office, and be completed no later than May 1, unless extraordinary circumstances prevent meeting that deadline. Terms of office shall begin on June 1.

Section 10.2 - Conduct of Elections:

- 10.2.1 Elections shall be conducted in accordance with the UUP Constitution and Article 10 of these Bylaws.
- 10.2.2 A request that the UUP Constitution and Governance Committee conduct the Chapter election shall be made to the Statewide Secretary-Treasurer's office no later than December 1 of the year prior to the scheduled Chapter election.

Section 10.3 - Duties of the Designated Election Official:

Duties of the Designated Election Official shall be in accordance with the UUP Constitution. The Designated Election Official shall also develop procedures for the conduct of Chapter Referenda subject to approval by the Governing Board.

Section 10.4 - Election and Appointment of Officers:

- 10.4.1 The President, Vice President for Academics, Vice President for Professionals, Secretary, Treasurer, Officer for Contingents/ Part Time concerns, Officer for Retirees, and Grievance Officer, shall be elected by the membership in accordance with the provisions of the UUP Constitution.
- 10.4.2 The Vice-Presidents shall be elected by and from their respective membership categories.

Section 10.5 - Term of Office:

- 10.5.1 The term of office for elected and appointed officers shall be two years or until their successors are elected or appointed.

Section 10.6 - Vacancies:

- 10.6.1 Persons elected to fill vacancies shall take office at the time of election.
- 10.6.2 If there are no nominations or no write-ins willing to serve in the position, the office shall be declared vacant and shall be filled by appointment by the Chapter's Governing Board.

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ARTICLE 11
RECALL

Section 11.1 - Removal for Cause:

An officer, delegate, or member of the Governing Board may be removed from office for valid cause. Valid cause may include, but not be limited to, continued neglect or non-performance of the duties of the office, misuse of Chapter funds, and /or intentional misrepresentation of the organization.

Section 11.2 - Procedure:

- 11.2.1 Upon receipt of written charges and a petition of 10% of the membership, or 1/3 of the voting members of the Governing Board, the President shall appoint a Select Committee, subject to approval by the Governing Board, to conduct a confidential investigation.
- 11.2.2 The Select Committee shall be composed of not less than three and not more than five members.
- 11.2.3 If charges are raised against the President, the Select Committee shall be appointed by the Vice President of the alternate membership category.
- 11.2.4 The charges from such a petition shall be mailed registered or certified mail, return receipt requested, to the official address of the individual charged; and shall be given to the Select Committee.
- 11.2.5 An individual charged must indicate in writing, receipt of the charges and an interest in retaining the office in question. Failure to indicate such interest within two weeks of receipt of the charges shall be deemed to be a resignation, and the office shall be declared vacant. In such case, the Select Committee shall report the resignation and vacancy to the Governing Board, and the investigation shall be considered closed.
- 11.2.6 If a vacancy is declared, it shall be filled in accordance with the procedures in Section 10.5. If a vacancy is not declared, the Select Committee shall investigate the charges and provide an opportunity for the individual charged to respond. Such an investigation shall be conducted in accordance with the current edition of *Robert's Rules of Order Newly Revised*.
- 11.2.7 Following the conclusion of an investigation, the Select Committee shall report its findings to an executive session of the Governing Board. If the Governing Board concludes that there is merit to the charges, it shall call a special meeting of the membership according to procedures in Section 4.2. At the special membership meeting there shall be a full discussion of the charges and the individual charged shall have the right to present a defense.
- 11.2.8 A majority vote of those attending the special membership meeting shall be required to authorize a recall election.

Section 11.3 - Recall Vote (Removal):

11.3.1 A vote to remove an officer, delegate, or member of the Governing Board shall be conducted by either the Chapter or the Statewide Constitution and Governance Committee by mail to the official address of each member. Members shall have at least 14 calendar days to return their ballots.

424 11.3.2 A majority of those voting shall be necessary for removal. In the event a majority vote for
425 removal, removal from office shall be effective immediately.

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427 **Section 11.4 - Vacancies:**

428 If a vacancy is created as a result of a recall vote, that vacancy shall be filled by appointment by
429 the Chapter's Governing Board.

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ARTICLE 12
PARLIAMENTARY AUTHORITY

433 **Section 12.2 - Parliamentary Authority:**

434 Meetings shall be conducted in accordance with the rules contained in the current edition of
435 *Robert's Rules of Order Newly Revised* in all cases to which they are applicable and in which
436 they are not inconsistent with these Bylaws or the UUP Constitution or any special rules of order
437 which may have been adopted.

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ARTICLE 13
CONSTRUCTION AND SEVERABILITY

441 **Section 13.1 - Construction and Severability:**

442 13.1.1 If a provision of these Bylaws is discovered to be null and void because of a conflict with an
443 authority that must take precedence, the Governing Board shall have the authority to change the
444 provision to make it conform to all necessary policies/statements.

445 13.1.2 A decision by a competent agency invalidating a clause, phrase, or section of these Bylaws shall
446 not invalidate any other clause, phrase, or section.

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ARTICLE 14
AMENDMENT

450 **Section 14.1 - Amendment:**

451 14.1.1 Bylaw amendments may be proposed by the Governing Board or by written petition of 20% of
452 the membership.

453 14.1.2 The Chapter Bylaws Committee shall prepare a draft for amending these Bylaws. The Governing
454 Board shall approve these amendment(s).

455 14.1.3 At a Chapter meeting the proposed amendment(s) shall be presented to the membership, in
456 writing, with both the existing language and proposed change(s). During such meeting, a vote
457 shall be conducted.

458 14.1.4 Proposed Bylaw amendments shall be approved by a majority of the members present.

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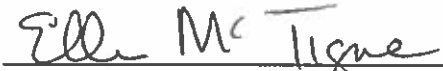
Section 14.2 - Ratification:

- 14.2.1 Amendments to these Bylaws shall go into effect immediately upon adoption unless otherwise specified in the balloting.
- 14.2.2 These Bylaws shall supersede all prior Bylaws. Upon ratification, a dated copy shall be published online on the Chapter website, and sent to the Statewide Secretary-Treasurer.

Adopted October 15, 2018



Rowena Blackman-Stroud, Chapter President



Ellen McTigue, Chapter Secretary