### UPI Local 4100

# Constitution

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Article I: NAME AND AFFILIATIONS

**Section 1.** The name of this organization shall be the University Professionals of Illinois Local 4100 of the American Federation of Teachers.

**Section 2.** It shall maintain direct affiliation with the American Federation of Teachers, the Illinois Federation of Teachers, the AFL-CIO, and the Illinois State Federation of Labor.

Article II: OBJECTIVES

The purposes of this organization will be:

**Section 1.** To utilize collective bargaining and other appropriate means to develop mutual assistance and cooperation for faculty, academic professionals, and other staff of Illinois public universities.

**Section 2.** To obtain for faculty, academic professionals, and other staff the rights to which they are entitled.

**Section 3.** To secure and protect academic freedom, tenure, and faculty governance.

**Section 4.** To secure the conditions essential to the best professional growth and service.

**Section 5.** To promote the welfare of the students in the public universities of Illinois by providing progressively better educational opportunity.

Article III: MEMBERSHIP

**Section 1.** Membership shall be open to all faculty and other personnel designated as eligible in the Bylaws.

**Section 2.** No member or applicant for membership may be discriminated against because of race, creed, sex, political beliefs, national origin, sexual orientation, veteran status, or handicapped status.

**Section 3.** No member may be expelled from the UPI except for non-payment of dues.

**Section 4.** Special membership or delegate conventions may be called by a two-thirds vote of the UPI Executive Board.

Article IV: GOVERNING STRUCTURE

**Section 1.** The governing structure of the University Professionals of Illinois (UPI) shall include the following:

1. UPI Executive Board;
2. UPI Officers;
3. House of Delegates;
4. Chapter Executive Boards;
5. UPI University Chapter Officers.

Article V: UPI Local OFFICERS

**Section 1.** The officers of the UPI shall be:

1. President;
2. Executive Vice-President;
3. Secretary-Treasurer;
4. Recording Secretary;

e. Vice-President from each UPI Chapter. The duly elected President of each Chapter shall serve as the UPI Vice-President from that Chapter unless he/she has been elected to a UPI office specified in a., b., c, or d above.

In the event that a Chapter President is elected to UPI office and thus cannot serve as a UPI Local Vice-President, the Chapter Vice-President who received the largest number of votes shall assume his/her place on the UPI Executive Board.

**Section 2.** The President, Executive Vice-President, Secretary-Treasurer, and Recording Secretary shall be elected by the entire UPI membership to a three-year term of office.

**Section 3**.The powers and responsibilities of the respective officers shall be as follows:

**a. President**: The President shall be the Chief Executive Officer of UPI. The principal functions of the President shall be to provide leadership for the organization, in consultation with the Executive Board, execute its established policies, serve as an ex-officio member without vote on standing committees, and supervise the operation of the various constituted bodies of UPI. The President shall preside at all meetings of UPI, recommend appointments to offices and committees unless otherwise provided by this Constitution, and act as the official spokesperson for UPI.

**b. Executive Vice-President**: The Executive Vice-President shall perform such duties as assigned by the UPI President or by the Executive Board. In the event of the absence of the UPI President, the Executive Vice-President shall assume the duties of the President on an interim basis. Traditionally, the Vice-President serves as the Local Grievance Chair, or Local Legislative Chair, or other significant duty.

**c. Secretary-Treasurer**: The Secretary-Treasurer shall supervise the administrative work of the UPI, including responsibility for the UPI office, record-keeping, and membership services. The Secretary-Treasurer shall be responsible for the payroll for UPI local, chapter and clerical employees. He or she shall pay all bills as authorized by the Executive Board, shall keep accurate accounts of receipts, expenditures, and all financial transactions, and shall prepare regular financial reports as required by the Executive Board. The Secretary-Treasurer shall be an ex-officio member of the Trustees Committee.

The Secretary-Treasurer shall be responsible for the monthly reconciliation of all accounts, and for all required federal and state reports.The Secretary-Treasurer shall be responsible for arranging an annual audit.

**d. Recording Secretary**: The Recording Secretary shall be responsible for the minutes and records of the Executive Board and for the House of Delegates meetings.

**Section** **4.** Any vacancy in the offices of President, Executive Vice-President, Secretary-Treasurer, or Recording Secretary shall be filled by appointment by the Executive Board until the next regularly scheduled election if the vacancy is six months or less. If more than six months, a special election shall be called according to election policy.

**Section 5.** Any member of UPI in good standing is eligible to run for UPI office.

**Section 6.** All salaried staff positions to be filled, excluding clerical and secretarial help, must be advertised in a special bulletin mailed to each Chapter President and should be posted to the Local 4100 Web site before any recommendation to hire shall be made to the Executive Board.

## Article VI: THE EXECUTIVE BOARD

**Section 1.** Voting members of the UPI Executive Board shall be the Local UPI officers, UPI Vice-Presidents, and one additional Executive Board representative from the Retirees Chapter and from any campus represented by a single Chapter. Non-voting members of the Executive Board shall be the Chairs of the Standing Executive Board Committees, who are ex officio members of the committee. These chairs are appointed by the President subject to the approval of the UPI Executive Board.

**Section 2.** The Executive Board shall have the following powers and responsibilities:

1. To formulate, approve and ensure the execution of the policies of UPI based on continuing advice from the University Chapters both through the Executive Board and through UPI committees;

ii. To implement the resolutions of the membership or delegate conventions so as to most effectively accomplish the goals of UPI; to sign contracts with the officers of the Local and professional employees and make and provide such adjustments in their salaries and working conditions as the Executive Board deems proper and necessary;

iii. To supervise the work of UPI committees and officers, hear regular reports of their work, and act on those reports and on recommendations of the committee and officers;

iv. To approve appointments as specified by this Constitution;

v. To appoint special committees of UPI where necessary to carry out the work of UPI;

vi. To supervise the preparation of the annual budget, and approve it;

vii. To supervise the expenditures of funds by the UPI Secretary-Treasurer within the guidelines established by the UPI budget;

viii. To authorize unusually large expenditures of funds which go beyond the limits established by the UPI budget in the event that such expenditures are necessary and financially responsible;

ix. To establish and supervise official publications of UPI.

**Section 3.** The UPI Executive Board shall have an Executive Committee consisting of the four UPI officers. In the event that an issue urgently requires action before a UPI Executive Board meeting can be held, the Executive Committee shall propose a course of action. The UPI Local 4100 President shall then contact, if at all possible, every Chapter President. The approval of the majority of the group consisting of the executive committee and those Chapter Presidents who can be reached shall be required before any proposed action is executed. The UPI President shall report the action taken and the rationale for it at the next UPI Executive Board meeting.

**Section 4.** The Executive Board shall normally convene for face to face meetings 4 times per year. Additional meetings, whether face to face or through phone/video conferencing will be scheduled if deemed necessary.

**Section 5.** The President or one-third of the members of the Executive Board shall be empowered to call a special meeting.

**Section 6.** One-half of the membership of the UPI Executive Board shall constitute a quorum for that body.

**Section 7.** Vacancies on the Executive Board in a position filled by a representative from a given Chapter shall be filled by appointment by the UPI Executive Board on the recommendation of the Chapter’s Executive Board or by election by the Chapter’s membership until the next regularly scheduled election.

**Section 8.** It is the responsibility of those Executive Board members representing a Chapter to regularly inform their Chapter constituency concerning Executive Board business, and to specifically solicit Chapter advice on such significant Executive Board decisions as UPI political commitments, policy decisions concerning the public universities, annual budget, or other issues of importance.

**Section 9**. There shall be five standing UPI committees, as described below:

**a. Grievance**

1. Subject to Executive Board prior approval, the UPI President shall appoint a UPI Grievance Chairperson who shall coordinate all grievance and defense work for UPI. The Grievance Chairperson shall report to the UPI Executive Board as a non-voting member and, when appropriate, recommend specific actions to be taken.
2. The UPI Grievance Chairperson shall consult regularly with Chapter Grievance Chairpersons, and shall assist them in their work. Chapter Grievance Chairs shall be members of the UPI Grievance Committee.
3. It shall be the responsibility of the UPI Grievance Chairperson~~s~~ and the Chapter Grievance Chairperson and committees to provide maximum possible protection for faculty and staff rights and due process through the available grievance mechanisms.

**b. Legislative/Advocacy**

1. Subject to Executive Board prior approval, the UPI President shall appoint a UPI Legislative Director who shall investigate and recommend programs and priorities concerning legislative and political action matters to the UPI Executive Board as a non-voting member and who shall, where appropriate, recommend specific actions on those matters.
2. The Legislative Director shall coordinate and supervise the work of the Chapter Legislative Chairpersons, and shall consult with them in developing the recommendations referred to in 1 above. Chapter Legislative Chairs shall be members of the UPI Legislative Committee.
3. It shall be the responsibility of the Chapter Legislative Chairpersons and committees to make and maintain regular contact with all district legislators on all legislative matters of UPI concern, and to carry out programs of education, lobbying, or other related legislative or political action as determined by the Executive Board.

**c. Trustees/Audit Committee**

1. Subject to Executive Board’s (prior) approval and after consultation with the chapter president/chapter executive board, the Local President shall appoint or reappoint a Chair and six members to the Trustees/Audit committee. The committee shall be comprised of a representative from each of the following institutions: Chicago State University, Eastern Illinois University, Governors State University, Northeastern Illinois University, Northern Illinois University, University of Illinois-Springfield, and Western Illinois University). Their charge is to:

* review UPI's financial matters,
* approve all audits, long-term leases and major office equipment purchases,
* review all payroll matters.
* establish guidelines, timetables, and procedures for the conduct of local and chapter elections as well as establish procedures to adjudicate election challenges.

1. All members of the Board of Trustees will serve staggered **four**-year terms. Should a Trustee’s position need to be replaced, replacement members will serve the remainder of the predecessor’s term.
2. In order to avoid any perception of a conflict of interest, a Trustee may not simultaneously hold another office within UPI, except for that of delegate to the HOD, IFT or AFT, nor actively participate in an election unless the Trustee recuses him/herself from any judgment involving that election.
3. Trustees may be subject to recall by 3/5 majority vote of the Local Executive Board for violating their official duties.

5. The Chairperson will be a non-voting member of the UPI Executive Board.

**d. Academic Excellence/Educational Issues**

1. Subject to Executive Board prior approval, the President shall appoint a UPI Academic Excellence/Educational Issues Chairperson who shall be responsible for the development and presentation of all academic excellence workshops, conferences, communications, etc.
2. The Chairperson shall sit on the UPI Executive Board as a non-voting member and shall report and make recommendations to the Board on any and all programs relating to academic affairs.

**e. Council of Presidents**

1. The Council shall consist of each Chapter's President. It shall meet as needed to consider and coordinate matters of common concern. It shall issue recommendations to the UPI Executive Board and UPI President.
2. It shall meet as directed by the UPI President, the UPI Executive Board or one third of its members.

**Section 10.** Each committee shall operate in accordance with *Robert’s Rules of Order* to facilitate open and honest discussion, collective decision making, and the equal and democratic participation of all committee members.

**Section 11.** The UPI President or her/his designee shall be an ex-officio member of the UPI standing committees.

##### Article VII: HOUSE OF DELEGATES

**Section 1.** The House of Delegates shall be comprised of the elected members of the UPI Executive Board plus delegates elected by each UPI Chapter according to the ratio of one delegate per 25 Chapter members or major fraction thereof. The Retirees board of representatives and Retirees elected chapter officers will also be Delegates.

**Section 2.** Delegates shall be elected to a three-year term of office, which shall coincide with the terms of office of UPI Local and Chapter officers.

If an elected delegate should retire or leave the union, that delegate will be replaced by the next highest vote getter in the election. If there were no other candidates, a new delegate will be chosen in accordance with chapter election policy for the remainder of the 3 year term.

If a chapter did not have enough candidates to elect its assigned number of delegates as allotted per Section 1, those unfilled delegate seats may be filled in accordance with chapter election policy for the remainder of the 3 year term.

**Section 3.** The UPI President will call and conduct meetings of the UPI House of Delegates. A two-thirds vote of the UPI Executive Board or a 15% petition by the delegates can also call a meeting.

**Section 4.** Regular meetings of the House of Delegates shall be held at least once a year. The agenda for each meeting shall be furnished to delegates one week in advance of regular meetings.

**Section 5.** The House of Delegates may make recommendations to the Executive Board regarding the establishment of general UPI policy. In the event that the Executive Board votes against a House of Delegates recommendation, the Local President will report to the members of the House of Delegates with an explanation within three weeks of the action. It will also hear reports from the officers on the affairs of the UPI.

###### Article VIII: UPI CHAPTERS

**Section 1.** Chapters shall be established by the UPI Executive Board and shall meet at least once per academic term. In accordance with this Constitution and applicable by-laws, each Chapter shall have exclusive authority over all policy matters including collective bargaining specific to the relationship between it and its university's governing board. The Chapter President shall, with the approval of the Chapter Executive Board and the UPI Executive Board appoints a Chief Negotiator, negotiating team and Chapter Committee Chairs.

**Section 2.** The officers of each Chapter shall include but not be restricted to a Chapter President, Chapter Vice-President, and a Treasurer.

**Section 3.** Chapter officers shall be elected by the membership of each Chapter to a three-year term of office at the same time as election of the Local officers.

Should an elected officer, other than the Chapter President be unable to fulfill his/her three-year term of office, a special election should be held by the Chapter to fill their position(s). Should the Chapter President be unable to fulfill his/her three-year term of office, the Vice-President should assume their office. However, if the Vice-President is unable to fulfill this position, a special election should be held by the Chapter to fill his/her position.

Should an elected officer take a temporary leave of absence (e.g., sabbatical, medical leave, etc.) of no more than six months, members of the Chapter Executive Board shall fulfill their duties.

**Section 4.** The powers and responsibilities of the respective Chapter officers shall include, but not be limited to, the following:

1. **Chapter President**. The Chapter President shall conduct meetings of the Chapter and be generally responsible for conducting Chapter business. She/he shall serve as the link between the entire UPI and the Chapter, with particular responsibility for effectively communicating Chapter concerns to the entire UPI through membership on the Executive Board, and also for effectively communicating common UPI concerns and specific concerns of other Chapters to the Chapter membership. It is his/her specific responsibility to insure that the Chapter members are kept informed of Executive Board business and are consulted on important questions, or to expressly delegate that responsibility to the second Chapter representative on the Executive Board.
2. **Chapter Vice-President**. The Chapter Vice-President shall function as acting Chapter President in the absence or incapacity of the Chapter President, and shall from time to time carry out such tasks as she/he is assigned by the Chapter President.
3. **Chapter Treasurer**. The Chapter Treasurer shall cooperate with the UPI Secretary-Treasurer in maintaining membership and financial records. The Chapter Treasurer shall submit written financial reports to the Chapter and to the Local Treasurer as specified in UPI Policies and Procedures.

**Section 5.** The Chapter House of Delegates shall be composed of the UPI House of Delegates from a UPI Chapter, the elected UPI Executive Board members from that chapter and the UPI President. In addition, others may be selected by procedures established by the Chapter Executive Board and the UPI Executive Board. It shall meet as a Chapter House of Delegates to establish collective bargaining policy or other matters specific to the chapter. In addition, it may recommend policies to the UPI House of Delegates and Executive Board. Any such meeting may be called by the UPI President, the Chapter President, a two-thirds vote of the Chapter Executive Board, or by a 15% petition of the delegates from the chapter.

**Section 6.** The Chapter shall keep records of Chapter meetings, send necessary notices, carry out Chapter correspondence, and publish a Chapter newsletter.

**Section 7.** Each Chapter shall have a Chapter Executive Board, which shall include all Chapter officers. The Chapter Executive Board is responsible for making Chapter policy decisions within the limits established by this Constitution and by Chapter Bylaws, for monitoring Chapter functioning, and for insuring the healthful state of UPI Chapter communication and cooperation.

**Section 8.** Chapter committees shall include but not be limited to the following:

**a**. **Grievance**.

1. This committee shall be responsible for gathering information about faculty/staff grievances, assessing possible ways of resolving them, and for taking action to that end. It shall be headed by the Chapter Grievance Chairperson, who shall communicate regularly, work with UPI Grievance Chairperson, and provide information about the grievance mechanism.

**b. Legislative.**

1. This committee shall be responsible for implementing UPI legislative and political priorities at the campus level. Additionally, it shall be responsible for making and maintaining regular contacts with labor leaders and local legislators. It shall be headed by the Chapter Legislative Chairperson, who shall work in close coordination with the UPI Legislative Director.

**Section 9.** Each Chapter Executive Board shall appoint with the approval of the UPI Executive Board a committee of at least three members to conduct such balloting as the business of the UPI, the Council, or the Chapter requires. Such balloting shall be conducted in accordance with the guidelines established by the Constitution.

###### Article IX: ELECTIONS AND NOMINATIONS

**Section 1.** All UPI elections shall be by secret ballot. All members in good standing shall be entitled to vote.

**Section 2.** Regular elections for UPI officers, members of the UPI House of Delegates, Chapter officers and Chapter representatives on the UPI Executive Board shall take place every three years in April, with the specific date(s) and timetables to be published at least two months in advance by the UPI Executive Board. Terms of office, with a duration of three years, begin no later than September 1.

**Section 3**. Elections for officers of the University of Illinois Graduate Assistants shall be held every two years in April, with the specific date(s) and timetables to be published at least two months in advance by the UPI Executive Board. Terms of office, with a duration of two years, begin no later than September 1.

**Section 4.** Special election: Should the need occur for a special election, all deadlines must be posted by the nominations committee on the UPI Local website in accordance with the timelines. The procedure should include an announcement inviting any interested parties to observe the counting of the ballots.

**Section 5.** Nomination for UPI office, Chapter officer, House of Delegates and AFT/IFT convention delegate shall be by Chapter nomination committee, by nomination from the floor at a Chapter membership meeting, or by petition.

**Section 6.** The Chapter nominating committee shall be appointed by the Chapter Executive Board, and shall solicit recommendations from the Chapter membership at least two weeks before the Chapter membership meeting at which nominations are to be made, and shall report its nominations to that same Chapter meeting. The Chapter membership meeting shall take place at least two weeks before ballots are distributed.

**Section 7.** Petitions for Chapter office and House of Delegates shall be signed by no fewer than ten percent of the chapter members, and shall be due at the same Chapter meeting. Petitions for UPI office and UPI convention delegate shall be signed by no fewer than fifty UPI members from one or more Chapters, and shall be due in the UPI office at least two weeks before ballots are distributed.

**Section 8.** Delegates to the American Federation of Teachers and Illinois Federation of Teachers conventions shall be elected in conjunction with Local and Chapter elections in the month of April every three years. Each Chapter shall be entitled to at least one delegate provided that at least one candidate is properly nominated. The Local President, Executive Vice-President, Secretary-Treasurer, Recording Secretary, and UPI Local Vice-Presidents are automatically delegates to the American Federation of Teachers national convention, Illinois Federation of Teachers convention and to the Illinois AFL-CIO convention. The terms of office of the AFT/IFT/Illinois AFL-CIO delegates shall be three years and will begin with the start of the next academic year.

**Section 9.** A majority of those voting for elected officers will determine the winner. In the event that no candidate receives a majority, a run-off election will be conducted in the appropriate constituency between the two candidates receiving the largest number of votes as soon as possible.

**Section 10.** The UPI shall comply with any reasonable request of a candidate for UPI Local or Chapter office, House of Delegates or UPI convention delegate to distribute by mail or otherwise at the candidate's expense campaign literature in aid of such person's candidacy to all members in good standing in UPI.

#### Article X: AMENDMENTS, REFERENDA AND RECALL

**Section 1.** Any question, including amendments to this Constitution, shall, on recommendation of the UPI Executive Board or on petition of five percent of the UPI membership, be decided by referendum of the full members of the UPI. A majority of the members voting will decide the issue except in cases of a Constitutional amendment, where two-thirds of those voting shall be necessary to decide the outcome. Voting on the issue must take place no more than forty-five days after the question has been submitted except in summer months (June, July and August). Issues submitted after April 15 must be put to a vote no later than October 1.

**Section 2.** Recall of elected officers shall be submitted to a recall vote by petition of one-third of the membership of the appropriate constituency as verified by the Local, or by resolution of the Executive Boards of at least one-half of the Chapters in the Local or by at least one-half of the Local UPI Executive Board, as appropriate. Full opportunity shall be given for a full discussion of pro and con arguments at a Chapter membership meeting on each of the affected campuses. The vote shall be conducted by secret ballot, with a majority of those full members voting determining the outcome.

#### Article XI: RULES OF ORDER

**Section 1.** Roberts Rules of Order, most recent edition, shall govern in all cases not covered by this Constitution or by the Bylaws.