

AFMSU Constitution and Bylaws

as adopted on October 19, 2009

Organizational Structure Overview:

The Associated Faculty of Montana State University Bozeman (AFMSU) is operated according to its:

1. Constitution
2. Bylaws
3. Standing rules (made by committees or other Executive Committee)

The constitution can only be changed by a 2/3rds vote of members voting and only after due notice. The bylaws can be changed by a majority vote of the members of the AFMSU and only after due notice. The standing rules can be changed by a majority vote of the Executive Committee that created them. .

The governing bodies of the AFMSU are the:

1. Membership,
2. Executive Committee consisting of the officers,
3. Representative Assemblies (one for tenure track [TT] faculty and one for non-tenure track [NTT] faculty).

The membership of the AFMSU has the final say on union issues and will participate regularly in elections of officers, approval of union business, approval of contracts and activities related to bargaining, and the review of union matters.

The Executive Committee of the AFMSU carries out the policy and actions of the union, in accordance with the decisions of the membership and the Representative Assemblies. The Executive Committee is expected to propose policies and actions to the membership and to create committees and appoint members as needed to ensure broad representation and balance.

Separate Representative Assemblies of TT faculty and NTT faculty comprised of respective officers and departmental representatives, is responsible for building union membership, communicating and soliciting opinions from all faculty in the AFMSU bargaining units, and working on union rules and policies.

Standing committees of AFMSU are expected to include (but are not limited to) a Bargaining Committee, a Grievance Committee, an Organizing Committee, and a Nominations and Elections Committee.

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CONSTITUTION

Article 1. Name

The name of this faculty union shall be the Associated Faculty of Montana State University Bozeman (AFMSU).

Article 2. Affiliation

AFMSU shall be affiliated with MEA-MFT.

Article 3. Compliance

If any provision of this constitution, in part or in whole, is found to be in violation of federal or state law, MEA-MFT or NEA and AFT governing documents, it shall be null and void.

Article 4. Purpose

AFMSU shall represent and advocate for all TT and NTT faculty employed by Montana State University Bozeman and organized for collective bargaining purposes.

Article 5. Affirmative Action

Pursuant to federal and state law, MEA-MFT and NEA and AFT governing documents, AFMSU shall attempt to provide minority and gender balance in governance and programs.

Article 6. Membership

A. Categories

AFMSU membership shall be open to TT and NTT Montana State University faculty who are members of the recognized bargaining unit and who pay membership dues to AFMSU, MEA-MFT, NEA and AFT.

B. Membership Year

The membership year shall be September 1 through August 31.

C. Continuing Membership

Membership shall be continuous from year to year unless revoked in writing to the MEA-MFT President during the annual termination period August 1 through September 30 annually.

D. Unified Membership

Membership shall be unified – AFMSU, MEA-MFT, and NEA and AFT.

E. Governance Rights

AFMSU members shall have full governance rights including

1. The right to be nominated and run for an AFMSU for office.
2. The right to vote in elections as outlined in this constitution.
3. The right to vote in any contract ratification.
4. The opportunity to be nominated, appointed, elected, or confirmed for AFMSU committees or Representative Assemblies.

Article 7. Fiscal Year

The fiscal year shall be September 1 - August 31.

Article 8. Dues and Assessments

A. Local Dues

1. Local dues will be set annually by a majority vote at the spring member assembly, open to all AFMSU members in good standing.
2. Any member assembly may require special assessments.
3. Changes
 - a. Proposed changes in dues shall be presented in writing to the Co-Presidents of AFMSU at least 30 calendar days before the spring meeting of the member assembly.
 - b. The Co-Presidents shall notify members of proposed changes in dues at least 15 calendar days before the spring meeting of the member assembly.

B. MEA-MFT, NEA and AFT Dues

AFMSU shall collect and transmit state and national affiliate dues to MEA-MFT.

Article 9. Officers

A. Number

There shall be six officers: 2 Co-Presidents (one representing and elected by tenure track faculty and the other representing and elected by non-tenure track faculty), 2 Co-Vice Presidents (one representing and elected by tenure track faculty and the other representing and elected by non-tenure track faculty), a Secretary, and a Treasurer.

B. Nomination, Election, and Terms of Office

A Nominations and Election Committee of four members not seeking office will be formed at least 60 days before an election. The Nominations Committee shall oversee nominations and elections in accordance with the bylaws. Beginning spring 2011, members shall be nominated at the spring member assembly in odd numbered years.

1. Officers shall serve two-year terms beginning May 1 and ending April 30.
2. There shall be no limit on the number of terms.
3. Contested races shall be conducted by secret ballot. Candidates in uncontested races may be elected by acclamation at Member Assemblies
4. Non-tenure track faculty members only shall nominate and vote for NTT President and Vice President.
5. Tenure track faculty members only shall nominate and vote for TT President and Vice President.
6. All members may nominate and vote for Secretary and Treasurer.
7. An officer may be relieved of his/her title and duties for failing to perform the duties of their jobs as defined in the Bylaws.
8. Any member in good standing may submit a petition to the Executive Committee to remove someone from office.

9. The Executive Committee will notify the officer being petitioned for removal at least 14 days before a meeting of the appropriate Representative Assembly, where s/he will have the opportunity to address the Representative Assembly before the Assembly votes on the petition.
10. Petitions to remove the TT President or Vice President will be voted on by the TT Representative Assembly. Petitions to remove the NTT President or Vice President will be voted on by the NTT Representative Assembly. Petitions to remove either the Secretary or Treasurer will be voted on by both Representative Assemblies.

Article 10. Executive Committee

A. Composition

AFMSU officers, elected as set forth in Article 9 of the Constitution and the Bylaws, shall constitute the Executive Committee. A quorum shall be 4 officers present.

B. Duties

The Executive Committee shall

1. Be the committee through which the general administrative and executive functions of the AFMSU shall be carried out.
2. Perform specific duties provided in the Bylaws.
3. Fill officer vacancies as follows: a) if the office of TT President becomes vacant, the TT Vice President will assume those duties; b) if the office of NTT President becomes vacant, the NTT Vice President will assume those duties; c) if any other office becomes vacant, then if six months or more remain in the term, the office will be filled by a special election; and if less than six months remain in the term the office will be filled by appointment of the Executive Committee.
4. Create and dissolve committees; appoint liaisons and spokespersons as necessary; convene Representative Assemblies (including joint meetings of the Representative Assemblies).

C. Votes

Officers shall have one vote each.

Article 11. Representative Assemblies

A. Composition

There will be two Representative Assemblies. The Tenure Track (TT) Representative Assembly will be comprised of the TT President and Vice President, as well as tenure track representatives from each department, including each of the four options in the College of Business (Accounting, Finance, Management, and Marketing), each school in the College of Arts and Architecture, and each campus branch of the College of Nursing (Billings, Bozeman, Great Falls, and Missoula).

The Non-Tenure Track (NTT) Representative Assembly will be comprised of the NTT President and Vice President, as well as NTT representatives from department, including

each of the four options in the College of Business (Accounting, Finance, Management, and Marketing), each school in the College of Arts and Architecture, and each campus branch of the College of Nursing (Billings, Bozeman, Great Falls, and Missoula).

Tenure track members in each department may nominate and elect one from among them to serve as a representative to the TT Representative Assembly. Any department with more than 15 TT union members may elect an additional representative.

NTT members in each department may nominate and elect one from among them to serve as a representative to the NTT Representative Assembly. Departments with more than 15 NTT union members may elect an additional representative. Membership will be counted at the Spring Member Assembly for the purpose of determining additional representatives for the following academic year.

B. Duties

The Representative Assemblies shall

1. Facilitate communication between all members of their respective bargaining units and the Executive Committee or other standing committees.
2. Perform the specific duties provided in the Bylaws.
3. Create and dissolve subcommittees as needed.

C. Votes

Officers and representatives shall have one vote each.

D. Meetings

1. TT Representative Assembly will be chaired by the TT President.
NTT Representative Assembly will be chaired by the NTT President.
2. Each Representative Assembly will meet as needed, but no fewer than two times each academic year.
3. The Representative Assembly Chairs may call for joint meetings as needed.

Article 12. Member Assembly

A. Composition

The member assembly shall be composed of officers and members of AFMSU in good standing.

B. Duties

The member assembly shall

1. Amend this constitution.

2. Serve as the final authority in governance matters.
3. Adopt policies, positions, and programs consistent with this constitution.
4. Nominate and elect officers.
5. Annually adopt a budget and dues to support the budget.
6. Create and dissolve committees.
7. Hear and resolve member and local disputes.

C. Vote

Members shall have one vote each.

D. Meetings

1. The member assembly shall meet twice annually – fall and spring.
2. Each year, at the spring meeting, members will adopt local dues and approve a budget. In odd-numbered years, members will nominate and elect officers.
3. The Executive Committee may convene a special member assembly.

Article 13. Committees

A. Creation

The Executive Committee may create committees to advise AFMSU on policies, positions, and programs.

B. Accountability

Committees are directly accountable to, and supervised by, the Executive Committee of AFMSU.

Article 14. Dispute Resolution

A. Executive Committee

Should a dispute arise over the interpretation of this constitution, an officer election, or other matter of interest to AFMSU, a member may seek resolution at the next meeting of the Executive Committee.

B. Representative Assemblies

If not satisfied at the Executive Committee meeting, the member may seek resolution at the next meeting of the TT or NTT Representative Assembly.

C. Member Assembly

If not satisfied at the Representative Assembly meeting, the member may seek resolution at the next meeting of the Member Assembly.

D. MEA-MFT

If not satisfied at the member assembly, the member may seek resolution from MEA-MFT.

Article 15. Parliamentary Procedure

A. Self-Governance

The Executive Committee and member assembly shall adopt rules of procedure consistent with this constitution and MEA-MFT, NEA and AFT governing documents.

B. Roberts' Rules of Order -- Latest Edition

In the absence of adopted rules of procedure, Roberts' Rules of Order -- Latest Edition shall govern AFMSU meetings.

Article 16. Amendments

- A. The member assembly may amend this constitution by a 2/3rds vote of members voting.
- B. Any member or the Executive Committee may propose amendments in writing.
- C. Proposed amendments shall be presented in writing to the Co-Presidents of AFMSU at least 30 calendar days before the next member assembly.
- D. The Co-Presidents of AFMSU shall notify members of proposed amendments at least 15 calendar days before the next member assembly.

Article 17. Official Communication

When members are to be notified, (1) postings on the AFMSU website, (2) emails sent by AFMSU listserv, and (3) mailings to home or office addresses will all be acceptable official methods of communication.

Bylaws

Article 1. Constitution

These Bylaws are subordinate to the Constitution of Associated Faculty of Montana State University (AFMSU).

Article 2. Dues, Fees, and Assessments

- A. The AFMSU may collect fees or dues established through bargaining, and may receive services or financial assistance through its affiliations.
- B. AFMSU members shall pay local and affiliate dues.

Article 3. Meetings.

A. Executive Committee Meetings

1. There shall be at least nine Executive Committee meetings during the academic terms. The Co-Presidents shall call all meetings with at least seven days written notice or by a majority vote of the Executive Committee. Electronic written notice is an acceptable form of this communication.
2. Regular Executive Committee meetings shall be open to all AFMSU members in good standing and members in attendance may address the Executive Committee upon recognition by the presiding officer. The Executive Committee reserves the right to hold closed meetings for issues concerning personnel, grievances, and bargaining.
3. The Executive Committee shall announce all open Executive Committee meetings at least seven days in advance of each meeting, except emergency special meetings (e.g., explosion, flood, university closure).
4. The Executive Committee may, by a majority vote, hold unannounced meetings to deal with emergencies. Such meetings will be limited in their decisions to dealing with the emergency (e.g., explosion, flood, university closure).

B. Representative Assembly Meetings

1. Each Representative Assembly will meet a minimum of twice a academic year (or once a semester). The Representative Assembly chairs may request additional meetings for either Representative Assembly.
2. The Representative Assembly Chairs shall call all meetings with at least seven days written notice or by a majority vote of the appropriate Representative Assembly. Electronic written notice is an acceptable form of this communication.

C. Member Assembly Meetings

1. The Executive Committee shall call at least two (2) Member Assembly meetings each year. One shall be in the fall semester with an agenda that includes adoption of the budget, and another shall be in the spring with an agenda that includes the nomination of officers and representatives during spring of odd numbered years, with elections to follow.
2. All items on which a vote will be taken shall be listed on the agenda. Every effort will be made to make these meeting as accessible to all members.
3. The Executive Committee may call special meetings of the membership.
4. A written notice to each member shall announce all Member Assemblies at least thirty days before the meeting.

D. Methods of Participation

The methods of participation in meetings shall be set by the Executive Committee as long as each meeting is conducted through some reasonable means of communication, including but not limited to face-to-face discussion, telephone, email, or video conferencing, so that all committee members participating in the meeting may simultaneously communicate with one another during the meeting.

Article 4. Duties of Officers

A. Co-President Duties

The Co-Presidents shall jointly

1. Serve as the official representatives of and spokespersons for the union.
2. Chair the Executive Committee, Representative Assemblies, and Member Assembly meetings and perform such duties as are customarily associated with office.
3. Prepare agendas for the Executive Committee, Representative Assemblies, and Member Assembly meetings.
4. Nominate respective bargaining committee members and submit the recommended teams to respective Representative Assemblies for confirmation. Nominations shall endeavor to assure broad representation and balance.
5. Serve as ex-officio, non-voting members of all standing and special committees.
6. Call special meetings of the Executive Committee, Representative Assemblies, and Member Assembly.
7. Serve as delegates to the member assembly and MEA-MFT representative assembly.
8. Direct and supervise compliance with MEA-MFT and NEA and AFT standards of affiliation.
9. Once AFMSU achieves at least 326 members, alternately serve as chair of the AFMSU/MEA-MFT district council and director on the MEA-MFT Executive Committee.
10. Coordinate with department representatives to promote AFMSU membership.
11. Shall be authorized to sign checks, along with the treasurer.

B. Co-Vice President Duties

The Co-Vice Presidents shall jointly

1. Assist the Presidents as needed.
2. Assume the duties of the President in case of a vacancy as stipulated by the Constitution.
3. Serve as ex-officio, non-voting members of all standing and special committees.
4. Serve on the Executive Committee and TT or NTT Representative Assembly.
5. Serve as delegates to the member assembly and MEA-MFT representative assembly.
6. Coordinate with department representatives to promote AFMSU membership.
7. Perform other duties as assigned by the Presidents.
8. Shall be authorized to sign checks.

C. Secretary - Duties

The Secretary shall

1. Distribute and maintain copies of minutes of all meetings of the Executive Committee and member assembly. Distribute copies of Executive Committee minutes to Executive Members following meetings and distribute minutes of general membership meetings to all members within thirty days.
2. Notify the members as to the time and place of meetings of the Executive Committee, Representative Assemblies, and Member Assembly within the time limits set forth in the Constitution and Bylaws.

3. Maintain official files of correspondence, reports, and other union documents, including this Constitution and Bylaws.
4. Serve as a delegate to the member assembly and MEA-MFT representative assembly.
5. Coordinate with department representatives to promote AFMSU membership.
6. Perform other duties as assigned by the Presidents.
7. Shall be authorized to sign checks.

D. Treasurer – Duties

The treasurer shall

1. Oversee the collection, transmittal, and disbursement of dues; deposit all monies in a bank in the name of the AFMSU; notify the AFMSU of the name of the bank in which dues are deposited.
2. Hold AFMSU funds and disburse them upon the submission of vouchers and authorization of the Executive Committee.
3. Sign checks with the at least one additional authorized signer.
4. Maintain membership records.
5. Remit MEA-MFT and NEA and AFT dues to MEA-MFT.
6. Keep an accurate account of receipts and disbursements.
7. Prepare financial reports for the Executive Committee and member assembly.
8. Assist the Executive Committee in drafting an annual budget and dues to support the budget.
9. Advise the Executive Committee on all matters pertaining to compliance with MEA-MFT and NEA/AFT standards of affiliation.
10. File necessary reports with state and federal agencies.
11. Serve as a delegate to the member assembly and MEA-MFT Representative Assembly.
12. Coordinate with department representatives to promote AFMSU membership.
13. Perform other duties as assigned by the Presidents.
14. Shall be authorized to sign checks

Article 5. Duties of the Executive Committee.

1. Promote the goal of building membership.
2. Implement actions of the member assembly.
3. Make recommendations to the member assembly.
4. Recommend dues and budget to the member assembly.
5. Adopt policies, positions, and programs consistent with this constitution and actions of the member assembly.

6. Implement actions of the Representative Assemblies.
7. Make recommendations to the Representative Assemblies.
8. Periodically engage an independent audit or audit review of financial affairs no less than once every two years.
9. Elect successors to complete vacancies in offices as stipulated by the Constitution.
10. Establish rules and procedures for the election of department representatives.
11. Hear and attempt to resolve member disputes.
12. Create and dissolve committees.

Article 6. Duties of the Representative Assemblies

1. The Co-Presidents shall chair their respective Representative Assembly.
2. Organize and oversee the enrollment of union members including conducting new member orientation, meeting with potential members, providing information about AFMSU, collecting membership forms, and conducting leadership development campaigns.
3. Communicate and solicit opinions from the faculty (all those in the AFMSU bargaining unit).
4. Communicate information from committees to department members.
5. Advise and assist the Executive Committee, Representative Assemblies, and Member Assembly on union issues.
6. Make recommendations to the Executive Committee and Member Assembly.
7. Confirm committee appointments to assure broad representation and balance.
8. Provide input and support to Bargaining Committee and other committees as needed.

Article 7. Elections

For October 2009

1. A Nominations and Elections Committee comprised of four AFMSU members not running for office will organize the process for nominations and elections, with procedures and rules that promote democracy and fairness.
2. The Nominations Committee shall begin accepting nominations up to 30 days prior to the election. In addition, nominations from the floor shall be called for and received at the October 19th, 2009 member assembly meeting. Each nominee must be a member in good standing and give his/her consent to appear on the ballot. Nominations shall be closed at the member assembly.

In Odd-numbered Springs, starting Spring 2011

1. The Co-Presidents with the approval by the Executive Committee shall, in a timely manner, appoint a Nominations and Elections Committee comprised of four AFMSU members not running for office to organize the process for nominations and elections.
2. The Nominations and Elections Committee will recommend the time and place of the election (as consistent with the AFMSU Constitution and Bylaws) and an election procedure that promotes democracy and fairness.
3. The Nominations Committee shall begin accepting nominations up to 30 days prior to the election. In addition, nominations from the floor shall be called for and received at the member assembly meeting. Each nominee must be a member in good standing and give his/her consent to appear on the ballot. Nominations shall be closed at the member assembly.
4. The Executive Committee shall approve the time and place of elections and ensure that they are convenient for the greatest possible attendance and/or participation by all members. Contested races shall be conducted by secret ballot, observing the one-person, one-vote principle. Candidates in uncontested races may be elected

by acclamation at Member Assemblies.

Article 8. Committees

1. Both standing and ad hoc committees are authorized by the Bylaws. The Executive Committee may establish ad hoc committees. The Executive Committee shall appoint committee members with confirmation by the Representative Assemblies.
2. Standing committees may include but shall not be limited to:
 - a. Bargaining Teams
 - b. Grievance Committee
 - c. Nominations and Elections Committee
 - d. Organizing Committee
3. Each committee may establish its own standing rules for the conduct or operation of the committee, provided that the rules comply with these Bylaws.
4. Minutes of the proceedings of each committee shall be filed with the Secretary of the Executive Committee. The Secretary shall provide copies of the minutes of all committees to the committee chairpersons for the ensuing year. All committees shall report to the membership as directed by the Chair of the Executive Committee.

Article 9. Membership and Fiscal Year

The membership and fiscal year shall be September 1 through August 31.

Article 10. Ratification of Agreements

1. The co-Presidents and the Bargaining Teams shall be authorized to sign a legal, binding, yearly or multi-year agreement with the Board of Regents or its delegated representatives only after completion of the following procedure at a general membership meeting:
 - a. a report and recommendation by the Bargaining Team,
 - b. a report and recommendation by the Executive Committee,
 - c. a written digest, and full copy on request, of the proposed agreement or changes, provided to all members in advance of the ratification meeting,
 - d. a discussion by the membership, and
 - e. Affirmative vote by secret ballot by a majority of those members voting within the voting deadline.
2. Ratification of interim agreements such as a memorandum of understanding shall occur at an Executive Committee meeting.
3. A seventy-two (72) hour written notice of the ratification meeting is required. The notice shall specify the date, time, place and purpose of the meeting. The committee will work to inform members one week in advance if possible.

Article 11. Amendments

Proposals to amend these Bylaws may be made by the Executive Committee or by petition of ten (10) percent of the membership. These Bylaws shall be amended by a majority vote of the members voting. Notice of this election and the proposed amendment(s) shall have been delivered to each member at least twenty (20) days in advance. At the discretion of the Executive Committee, voting may be part of an annual or special meeting or through other established election procedures. Amendments shall become effective immediately unless otherwise provided.