

United Educators of Pittsfield
By-Laws
Last Revised 5/26/16

Article I
Mission Statement

The United Educators of Pittsfield (UEP) believes that supporting students to learn and reach their fullest potential in all areas of their lives should be at the center of everything we do. Furthermore, we will be a member-driven organization dedicated to protecting employee rights, advancing the economic well being of our members, upholding high professional standards, increasing student academic achievement, and improving the quality of public education as a whole.

The United Educators of Pittsfield will represent, organize, and mobilize all of its members with equal vigor to improve the quality of their economic and professional lives. We will continue to advance and improve the professional lives of our members through the collective bargaining process. At the local level, the UEP will work proactively with administration to resolve conflicts at the school and district level. On state and national issues, the UEP will maintain a visible presence in our schools and community in order to educate our members and the community at large regarding their impact on our public schools. Furthermore, the UEP will develop coalitions for the purposes of advancing the interests of our members and public education in general.

Article II
Affiliates

The UEP shall be affiliated with the Massachusetts Teachers Association (MTA) and the National Education Association (NEA) and shall comply with their regulations for affiliation.

Article III
Membership

- A. Any member represented by the UEP shall become an active member upon signing a dues deduction form.
- B. None but active members may attend business meetings, sign nomination papers, vote, or hold office in the UEP.
- C. Active members of the UEP shall also be members of the Massachusetts Teachers Association and the National Education Association.
- D. Active membership shall be continuous until the member leaves, resigns from the association or fails to pay membership dues.

- E. Membership shall be continued from year to year until death, retirement, resignation, or the member cancels membership in writing to the President and Membership Chair with a 60-day notice. Membership lists will be updated periodically throughout the year.
- F. Individuals who fall under the recognition clause, such as athletic coaches, but are not dues paying members in their capacity as a teacher will be given the option to join the UEP by paying the local dues amount for local representation or by paying full NEA/MTA/UEP membership with all the rights and privileges of an active member.
- G. UEP members in good standing who retire shall become a lifetime non-voting member of the organization.

Article IV
Executive Officers

Section 1: Officers

- A. The officers of the UEP shall be as follows: President, Vice-President, Secretary, Grievance Level Representatives (3: Elementary, Middle, and High School), Membership Chair, Community Outreach, and Treasurer.
- B. The Executive Officers will meet once a month and/or as needed.

Section 2: Eligibility

- A. Any member in good standing is eligible to run for office.
- B. Candidates for President, Vice-President, Secretary, Grievance Level Representatives (3: Elementary, Middle, and High School), Membership Chair, Community Outreach, and Treasurer must have professional teaching status to run for office.
- C. Grievance Level Representatives to the Executive Board must be from the level in which they represent.

Section 3: Powers and Duties of Officers

- A. President:
 - 1. The President shall be the Chief Executive Officer and sole spokesperson of the UEP. The President or their designate shall represent the UEP before the public and school department administration.
 - 2. The President or their designee shall set the agenda and preside over meetings of the Executive Board and the general membership.

3. The President or designee shall serve as a member of the Pittsfield Public Employee Committee (PEC).

B. Vice-President:

1. The Vice President shall assume the office of the President upon death, resignation, or removal from office of the President for the remaining unexpired term.
2. The Vice President shall be a member of the Grievance Committee.
3. The Vice President shall be a member of the Joint Labor Management Committee (JLMC).

C. Secretary:

1. A Secretary shall keep a full and accurate account of all UEP business transacted during the meetings of the Executive Officers, Executive Board, and General Membership meetings.
2. The Secretary shall be responsible for the distribution of the minutes of the Executive Board meetings to the Executive Officers.
3. The Secretary shall be responsible for the distribution of the minutes of the Building Representative meetings to the building representatives and the Members Only area of the UEP Website.

D. Treasurer:

1. The Treasurer shall hold the funds of the UEP and disburse them in accordance with budgeted authorization.
2. The Treasurer shall bill the membership for all annual dues and transmit amounts due the Massachusetts Teachers Association and the National Education Association.
3. The Treasurer shall keep accurate accounts of receipts and disbursements and shall submit a written report to each meeting of the Executive Board (the report is available to any member who makes a written request to the treasurer).
4. No money shall be expended for other than budgeted UEP purposes except by vote of the Executive Board.
5. The Treasurer shall keep the President and the Executive Board informed of the financial condition of the UEP.
6. The Treasurer shall be bonded through the MTA.

E. Membership Chairperson:

1. The Membership Chair shall work with the Treasurer to maintain a roll of the members as required by the MTA.
2. The Membership Chair shall report to the Executive Board on status of the membership roll.
3. The Membership Chair shall be the chair of the Social Committee and organize UEP events at the direction of the President and/or Executive Board.

F. Grievance Chairperson:

1. The Grievance Chair shall be elected annually from the Grievance Level Representatives at a vote of the Grievance Committee. In the event of a tie for Grievance Chair the President will cast the tie breaking vote.
2. The Grievance Chair shall meet with members as needed to discuss possible grievances.
3. The Grievance Chair shall file grievances with administration and attempt to settle disputes between administration and UEP members.
4. The Grievance Chair shall keep a log of current issues and keep the Executive Board informed of any grievances being pursued.
5. The Grievance Chair shall consult with the Executive Board before moving forward to a Level IV grievance (arbitration).

G. Elementary, Middle, and High School Representatives

1. Level Representatives will serve on the Grievance Committee.
2. Level Representatives shall meet with members at their level to discuss contract issues.
3. Level Representatives may write and present grievances for members at their level to the Grievance Committee for recommendation.

Article V
Elections and Terms

Section 1: Election of Officers

- A. The election of new officers will take place prior to May 31st.
- B. On or before April 15th the UEP President will announce which two-year positions are up for election.
- C. Elections for the following UEP officer positions shall occur in odd years (ex. 2015, 2017, etc.): President, Vice-President, Secretary, Community Outreach, Membership Chair and Elementary Representative.
- D. Elections for the following UEP officer positions shall occur in even years (ex. 2014, 2016, etc.): Middle School Representative, High School Representative, and Treasurer.
- E. Any member in good standing with professional status must let the President know about their interest in a position on the Executive Board by May 1st.
- F. Each candidate for office will provide a biographical sketch to be provided to the membership at least two weeks before the election.
- G. If only one candidate runs for a position an election for said position will not occur.
- H. If more than two candidates run for a position and no candidate has 50% or more of the vote a run off election will be held between the two candidates with the highest percentage of votes.

Section 2: Terms of Office

- A. All officers shall serve a two (2) year term, or until their successor is elected, and may run for re-election.
- B. Newly elected officers shall assume office on July 1st of each calendar year.
- C. Where a vacancy in any office other than President exists, the President shall appoint a qualified replacement for the unexpired term with the approval of the majority of members of the Executive Board present and voting.
- D. A member in good standing may not run for more than one position in an election; however, if a vacancy arises, a member may serve in two positions by a majority vote of the Executive Board. The stipend for serving in two positions will be prorated as determined by the Executive Board.

- E. If a person who serves in a executive officer position wins an election for another position they must step down from their current position.

**Article VI
Officer Stipends**

- A. The stipend of the President shall be 12 times annual membership dues.
- B. The stipend of the Vice President shall be 5 times annual membership dues.
- C. The stipend of the Secretary shall be 4 times annual membership dues.
- D. The stipend of the Treasurer shall be 6 times annual membership dues.
- E. The stipend of the Grievance Chair shall be 8 times annual membership dues.
- F. The stipend of the Membership Chair shall be 4 times annual membership dues.
- G. The stipend of the Level Representatives, except the elected Grievance Chair, shall be 5 times annual membership dues.
- H. The stipend of the Community Outreach Chair shall be 3 times annual membership dues.
- I. The stipend of the building representatives will be \$30 per meeting.

**Article VII
Executive Board**

Section 1: Membership of the Executive Board

- A. The Executive Board of the UEP shall consist of the Executive Officers.
- B. A dues paying member may be invited by the Executive Board to attend Executive Board meetings as a non-voting participant.

Section 2: Powers and Duties of the Executive Board

- A. The Executive Board shall direct and manage the affairs of the UEP.
- B. The Executive Board shall adopt an annual budget for the UEP.
- C. The Executive Board shall have the power to expend funds only for matters consistent with the objectives of the UEP.

- D. The Executive Board shall cause the UEP accounts to be reviewed and/or audited annually.
- E. The Executive Board shall make recommendations of policy to the UEP members and be held responsible for executing said policies adopted by the UEP.
- F. The Executive Board shall establish committees (as needed) and create policies governing them.
- G. Whenever two or more members of the Executive Board shall agree that an officer is incapacitated or has been grossly negligent in the duties of that office as defined in these Bylaws, it shall recommend to the Executive Board that the office be declared vacant. If a majority of the Executive Board present upholds the recommendation of the Executive Board, the office shall be declared vacant.

Article VIII Building Representatives

Section 1: Building Representatives

- A. Each school/building should have one (1) Faculty Representative for every ten (10) members or part thereof. Each school building should have at least two (2) faculty representatives.
- B. If necessary, building representatives will be elected by elections held in their schools in September of each school year.
- C. Each interested member should notify the President by the second Thursday of September of their intent to serve as a Building Representative.
- D. The Secretary of the UEP will post the names of Building Reps and their corresponding schools to the UEP News Group by October 1st.

Section 2: Duties of Building Representatives

- A. The Building Representatives must attend an annual training.
- B. The Building Representative is the representative of the UEP in their school building.
- C. The Building Representatives shall be responsible for distributing association communications to Unit A / UEP members in their buildings, for keeping members informed and shall further act as liaison in their buildings to their appropriate Level Representative and the Executive Board.
- D. Building Representatives shall assist in the formulation and processing of grievances.
- E. Building Representatives shall attend meetings and notify members of general meetings and other UEP activities.

F. Building Representatives shall maintain a bulletin board in their building.

Article IX Meetings

Section 1: Executive Board Meetings

- A. The Executive Board shall meet on the first Monday of each month during the school year, except in September. The September meeting will be held on the second Monday.
- B. A special or emergency meeting of the Executive Board may be called by the President or upon written request of two (2) members of the Executive Board.
- C. Five members of the Executive Board shall constitute a quorum for the transaction of business of the Executive Board.

Section 2: General Membership Meetings

- A. An Annual meeting of the general membership shall be held in May.
- B. An agenda will be sent to the UEP News group and posted in the Members Only area of the UEP website.
- C. Fifty (50) members of the UEP plus the President, or his/her designee, shall constitute a quorum for the transaction of business at meetings of the general membership.

Section 3: Special Meetings of the General Membership

- A. Special meetings of the general membership may be held at the call of the President or upon written request of four members of the Executive Board. Business to come before special meetings of the general membership must be stated in the call, which shall be sent to the UEP News group and posted to the Member Only area of the UEP website by the UEP Secretary at least forty-eight (48) hours prior to the meeting. Business shall be confined to these items.
- B. Fifty (50) members of the UEP plus the President, or his/her designee, shall constitute a quorum for the transaction of business at meetings of the general membership.

Article X Committees

Section 1: Organization

- A. There shall be the following committees: Contract Negotiations, Joint Labor Management, Social, Evaluation, Sick Leave, DDM, and Professional Development.
- B. Sub committees may be created by a majority vote of the Executive Board.

Section 2: Meetings and Reports

- A. Each committee shall establish a meeting schedule according to the needs of that particular committee at its first meeting. Attendance and minutes shall be taken.
- B. The chairperson of each committee shall submit a written report to the president and the Executive Board or attend an Executive Board meeting to submit a report verbally

Section 3: Titles and Duties of Committees

- A. Contract Negotiations Committee:
 - 1. The Contract Negotiations Committee shall consist of the President and up to two other members of the Executive Board. In addition, a member from each level (3: Elementary, Middle, and High) and a Specialist (1) shall be selected from interested members with PTS in good standing who can commit to the time required of the committee. The President will make a final Contract Negotiations Committee recommendation to the Executive Board for approval.
 - 2. The Contract Negotiations Committee shall serve for the life of the contract.
 - 3. The Contract Negotiations Committee shall negotiate with the School Committee on hours, wages, and working conditions.
 - 4. The Contract Negotiations Committee shall prepare and solicit proposals from the membership.
 - 5. Upon reaching a tentative agreement on all matters under negotiation, the Contract Negotiations Committee shall prepare and submit its report and recommendations to the members of their unit at an informational meeting. Procedures for ratification of an agreement shall be developed by the Executive Board upon recommendation of the President/Contract Negotiations Committee prior to the negotiations.
 - 6. Under severe negotiating conditions, the Executive Board may recommend to the membership that a stipend be given to the members of the negotiating team. A

general membership vote will be held to determine if the Executive Board's recommendation passes.

B. Grievance Committee:

1. The Grievance Committee for teachers shall ensure enforcement of the contract through the proper use of the grievance procedure.
2. The Grievance Committee shall consist of four members. A representative from each level (Elementary, Middle, and High School) and the Vice President.
3. The Grievance Committee will establish a monthly meeting schedule at their first meeting.
4. The Grievance Committee will share the updated log with the President.
5. The President may attend Grievance Committee meetings and will vote on committee recommendations in the event of a tie.

**Article XI
Finances**

Section 1: Finances and Dues

- A. The fiscal year shall be from July 1 to June 30th.
- B. All UEP members are required to pay the full NEA/MTA/UEP universal dues. The NEA and MTA set their annual dues. The NEA sets its annual dues at the NEA Representative Assembly in July of each year and the MTA sets its annual dues at the Annual Meeting of Delegates in May of each year.
- C. The annual UEP dues for all members shall be thirteen percent (13%) of NEA/MTA dues (rounded to the next high dollar) for general purposes of the UEP unless otherwise determined by the UEP Executive Board at their June board meeting.

Section 2: Reimbursement

- A. Union activities will be reimbursed in accordance to Executive Board guidelines.
- B. Receipts must be submitted to the treasurer in order to be reimbursed.

Article XII
Rule and Procedures

Section 1: Procedures

- A. Robert's Rules of Order Revised, when not inconsistent with these bylaws, shall govern the proceedings of the UEP.
- B. The Executive Board will determine the location and times of votes. These are to be sent to the UEP News group and posted in the Members Only area of the UEP website at least one week ahead of a scheduled vote.

Section 2: Member Conduct

- A. Adherence to the current MTA policy shall be a condition of continuing membership. The Executive Board may suspend from membership or expel any member who has been found in violation of the Code of Ethics of the MTA.
- B. Complaints of one member against another member must be submitted to President or any member of the Executive board in writing and signed on the Member to Member Complaint Form - Appendix A (No anonymous complaint will be acted upon). The complaint shall be brought to the Executive board's attention and investigated.
- C. The subject of the complaint shall receive a written notification of the complaint and be informed that an investigation is taking place. A subcommittee of the Executive Board shall convene and hold a hearing inviting the members involved with the goal of resolving the issue. The outcome of the complaint hearing will be issued in writing.

Article XIII
Amendment Process

- A. The UEP Bylaws may be amended by a two-thirds (2/3) vote of the members present and voting at any meeting of the General Membership.
- B. The UEP Executive Board will provide copies of the proposed bylaws changes to all members of the UEP at least ten (10) days in advance of the General Membership meeting.

UEP MEMBER TO MEMBER COMPLAINT FORM

UEP ByLaws

Article XII - Rules and Procedures

Section 2: Member Conduct

- A. Adherence to the current MTA policy shall be a condition of continuing membership. The Executive Board may suspend from membership or expel any member who has been found in violation of the Code of Ethics of the MTA.
- B. Complaints of one member against another member must be submitted to President or any member of the Executive board in writing and signed on the Member to Member Complaint Form - Appendix A (No anonymous complaint will be acted upon). The complaint shall be brought to the Executive board's attention and investigated.

Complainant Name: _____

Complainant School: _____

Defendant Name: _____

Defendant School: _____

Date(s) of Incident:

Nature of Complaint (attach additional pages as needed):

Possible contract, MTA Code of Ethics, policy or Evaluation Violation(s):

Complainant Signature: _____ **Date:** _____

Receiving Executive Board Member Signature: _____ **Date:** _____

UEP STUDENT DISCIPLINARY INCIDENT DOCUMENTATION FORM

NOTE: There is a discipline appeal process written in the *Agreement between the Pittsfield School Committee and the United Educators of Pittsfield*. The UEP asks that members exercise their rights under this process as written in Article 11, Section 2 of the contract. (page 61) **before** filling out this form.

MEMBER NAME: _____ **School:** _____ **Date of Incident:** _____

*Please summarize the incident in question. State exactly what happened as you remember it. Include relevant details and use language and terminology that is objective and neutral in tone. Please do not use student names... Also include objective information as to how this situation was handled by administration. (Feel free to attach extra sheets if needed.)

***INCIDENT REPORT:** _____

***ADMINISTRATIVE RESPONSE, SUPPORT and/or CONSEQUENCES FOR STUDENT:** _____

PLEASE CHECK THE BOX IF YOU FEEL THE ADMINISTRATIVE RESPONSE WAS INSUFFICIENT OR UNFITTING.

UEP Grievance Reporting Form

Name: _____ **Date:** _____

Building / Program: _____ **Position:** _____

Description of Possible Grievance: _____

Contract Article(s) Violated : _____

Remedy Sought: _____

Please return this completed form to your Building Rep or Grievance Level Representative.