

**C O N S T I T U T I O N**

**A N D**

**B Y - L A W S**

**Rhode Island Federation of Teachers  
And Health Professionals, AFT, AFL-CIO**

**AS AMENDED  
AT THE BIENNIAL CONVENTION OF  
OCTOBER 2008**

## **ARTICLE I - NAME**

This Organization shall be known as the Rhode Island Federation of Teachers and Health Professionals.

## **ARTICLE II - OBJECTIVES**

The Objectives of this Organization shall be:

- Section 1. To bring Rhode Island locals chartered by the American Federation of Teachers into relations of mutual assistance and cooperation with each other, the American Federation of Teachers, and with organized labor.
- Section 2. To actively support the organizing of new AFT locals.
- Section 3. To raise the standards of the teaching, health care, and public employee professions by securing the conditions essential to provide the best professional services.
- Section 4. To promote such democratization of the schools as will enable them better to equip their pupils to take their places in the industrial, social, and political life in the community.
- Section 5. To promote the welfare of the children of the nation by providing progressively better educational opportunity for all.
- Section 6. To improve the quality of patient care and the most effective delivery of health care for consumers in the Rhode Island health care environment.

## **ARTICLE III - MEMBERSHIP**

- Section 1. This Organization shall consist of locals of the American Federation of Teachers in Rhode Island in good standing and complying with the Constitution and Bylaws of the Rhode Island Federation of Teachers and Health Professionals, American Federation of Teachers, and state and local AFL-CIO units.
- Section 2. The Rhode Island Federation of Teachers and Health Professionals shall maintain an AT-LARGE local. Individuals shall be eligible for membership in the Rhode Island Federation of Teachers and Health Professionals AT-LARGE local if his/her place of employment does not have a local affiliated with the American Federation of Teachers. Membership in the AT-LARGE local is also available to substitute teachers not otherwise eligible for membership in an AFT local.
- Section 3. The AT-LARGE local shall have all rights and privileges of other affiliated locals, and its members shall have all the rights and privileges of the members of other affiliated locals.
- Section 4. The Rhode Island Federation of Teachers and Health Professionals shall establish and maintain a Retired Members' Chapter.

## ARTICLE IV - OFFICERS

- Section 1. The Officers of the Rhode Island Federation of Teachers and Health Professionals shall be a president, an executive vice president when deemed necessary by the Executive Council, six (6) vice presidents, a recording secretary, a corresponding secretary, a treasurer and an assistant treasurer. At least one of the six vice president positions shall be designated as a vice president from the Rhode Island Federation of Teachers and Health Professionals/Federation of Nurses and Health Professionals, and one vice president may be designated by the President as Vice President for Political Action. The President of the R. I. AFT/Retirees shall serve on the Executive Council *ex-officio*.
- Section 2. The Officers shall be elected for a term of two years by roll call ballot at the Biennial Convention.
- Section 3. A majority of the ballots cast shall be required to elect officers of the Rhode Island Federation of Teachers and Health Professionals. In the event that the Elections Committee shall report that no majority has been obtained, a runoff election between the candidates receiving the highest number of votes shall be conducted by roll call ballot.
- Section 4.(a) The President shall be the chief executive officer. It shall be his/her duty to administer the affairs of the Federation and the Executive Council. He/she or his/her designee shall appoint all committees. His/her position shall be on a full-time basis commencing July 1, 1972. The salary, fringe benefits, and expenses of this office shall be incorporated in a memorandum of agreement effective July 1, 1972, and annually thereafter. The President shall hold office through the month following the election of a new president at the Biennial Convention.
- (b) The Executive Vice President shall assist the President in the performance of his/her duties and shall be responsible to the President for designated Federation activities. This position shall be a full-time position filled at the discretion of the Executive Council. The position shall be filled by an election at the Biennial Convention or by a roll call vote of the Executive Council between conventions. A majority of the ballots cast shall be required to elect the Executive Vice President. The salary, fringe benefits, and expenses of this office shall be incorporated in a memorandum of agreement effective upon date of hire and annually thereafter.
- (c) The Vice Presidents shall assist the President in the performance of his/her duties and shall be responsible to the President for designated Federation activities.
- (d) The Treasurer will be responsible for all monies. The books of the Treasurer will be submitted to an accountant licensed by the State of Rhode Island for audit within one month after the end of the fiscal year.

- (e) The duties of all other officers shall be those duties usual to their respective offices, excepting the Assistant Treasurer, whose sole duty it shall be to assume the duties of the Treasurer in his temporary absence at the direction of the President.

Section 5. No more than two elected officers shall be from the same local.

Section 6. No person may be nominated or elected to office unless it can be shown by written declaration or by witnessed verbal assent that he/she will accept the nomination or election.

Section 7. The President, or Vice President designated by the Executive Council if the President cannot serve, shall be the delegate to the American Federation of Teachers National Convention. An alternate may be elected by the Executive Council.

Section 8. Vacancies in any elective office shall be filled by election by the Executive Council at its next regular meeting after due notice to all member locals.

Section 9. An officer who misses three consecutive meetings of the Executive Council, without being excused by said Council, shall be notified by registered mail with return receipt and allowed to be present and have a hearing at the next regular Executive Council Meeting. He/she may be removed at said meeting upon a motion, seconded, and a majority vote of the Executive Council.

Section 10. With the exception of Article 4, Section 9, recall of any of the officers listed in Article 4 may be proposed under the provisions of Article XI of this Constitution.

## **ARTICLE V - BIENNIAL CONVENTION**

Section 1. The Biennial Convention shall be the supreme governing body of the Federation, and except as otherwise provided in this Constitution, its decisions shall be by a majority vote.

Section 2. One delegate to the Biennial Convention may be elected by each affiliated local having a membership of twenty-five members or less. For each additional twenty-five members, an additional delegate may be elected.

Section 3.(a) For the purpose of this Article, membership shall mean the average number on which the per capita tax has been paid to the Rhode Island Federation of Teachers and Health Professionals for the twelve month period immediately preceding June 30th of the year in which the Biennial Convention meets.

- (b) In the case of locals which have been chartered during the year preceding the Convention, the average shall be computed on the basis of the number of months of affiliation, the minimum for such computation to be two.

Section 4(a) The Corresponding Secretary shall notify each local president not less than sixty (60) days prior to the Biennial Convention, designating the time and place of said Convention, and shall furnish each local with a credential form in duplicate for the

number of delegates and alternates to which the local is authorized in accordance with the provisions of this Constitution.

- (b) The original credential form, properly executed, shall be returned to the Credentials Committee at least twenty (20) days prior to the convening of the Convention.
- (c) The duplicate credential form shall be retained by the delegate for registration with the Credentials Committee at the Convention.

Section 5. Each local shall elect delegates to the Biennial Convention in accordance with the provisions of its Constitution.

Section 6. To be represented at the Biennial Convention, all locals must have paid their dues to the Rhode Island Federation of Teachers and Health Professionals and to national through September.

Section 7. The rules and order of business governing the proceedings of the Convention shall be the first order of business at the Convention.

#### **ARTICLE VI - EXECUTIVE COUNCIL**

Section 1. Each officer on the Executive Council shall cast one vote; however, members of the Executive Council who are presidents of locals, or their designees, shall be designated as an officer of the Federation.

Section 2. Each officer on the Executive Council shall cast one vote; however, members of the Executive Council who are presidents of locals, or their designees, shall cast the proportionate voting strength of their local based on current membership.

Section 3. Regular meetings of the Executive Council shall be held monthly except during the months of July and August.

Section 4. Special meetings of the Executive Council shall be called by the Corresponding Secretary at the request of the President or at the request of one-third of the members of the Executive Council.

Section 5. The Executive Council shall transact the business of the Rhode Island Federation of Teachers and Health Professionals between Biennial Conventions.

Section 6. In the event of a permanent vacancy in the office of President between Conventions, the Executive Council shall elect a President to fill the unexpired term.

Section 7. The presence of at least one-third of the Executive Council shall be necessary to conduct business. Locals must be in good standing for the Presidents or their designees to be counted as present.

Section 8. A local shall be given a hearing by the Executive Council provided that a written request is submitted to the Council.

## ARTICLE VII - REVENUE

Section 1. Effective ~~January 1, 2007~~, January 1, 2009, all affiliated locals shall pay to the Rhode Island Federation of Teachers and Health Professionals the sum of ~~\$180.00~~ \$192.00 per year per member to be paid monthly on or before the first of each month. Twenty-five (\$.25) cents of the above amount per month shall be allocated to the Rhode Island Federation of Teachers and Health Professionals COPE account. For the purpose of this Article, membership shall mean the average number of members in the local for each quarter immediately preceding the due date for which said local paid national.

Effective ~~January 1, 2008~~, January 1, 2010, all affiliated locals shall pay to the Rhode Island Federation of Teachers and Health Professionals the sum of ~~\$186.00~~ \$198.00 per year per member to be paid monthly on or before the first of each month. Twenty-five (\$.25) cents of the above amount per month shall be allocated to the Rhode Island Federation of Teachers and Health Professionals COPE account. For the purpose of this Article, membership shall mean the average number of members in the local for each quarter immediately preceding the due date for which said local paid national.

Section 2. Locals that represent contingent employees, such as adjunct instructors, making less than \$10,000 per year in circumstances where it can be demonstrated that the payment of one-quarter AFT per capita would be an actual hardship for both the employees and the local, the local may apply for a reduction in per capita below the one-quarter rate. Applications for such reduction may be made on behalf of a bargaining unit or other clearly identified group within a local. The Executive Council shall adopt guidelines to govern the filing and consideration of such applications. Where appropriate, the Executive Council may grant a reduction from the otherwise required per capita for a period not to exceed four years. Locals that qualify for the exemption shall pay per-capita tax for the covered members at the rate of \$1.00 per member per month.

Such members shall be entitled to receive full benefits of membership.

Section 3. Additional revenue may be derived from a direct per capita tax on affiliated locals providing that such a tax be authorized by a majority of those votes responding to a referendum.

Section 4. No local more than three (3) months in arrears shall be considered in good standing.

Section 5. Locals in arrears shall pay back all dues and assessments based upon membership during the last quarter of affiliation, or the quarter immediately preceding the date of application for reinstatement, whichever is the lesser amount. Upon payment, they shall automatically be in good standing.

Section 6(a) Any local that has members within a unit where the bargaining rights have been won by another teacher organization and where the organization has obtained an agency shop clause in the contract shall pay per capita tax at one-quarter (1/4)

the regular rate on those members required to pay agency fees to another organization.

- (b) Where a local receives fees from nonmembers for representing them under an agency shop agreement, it shall pay to the Rhode Island Federation of Teachers and Health Professionals a sum equal to the per capita tax of the Rhode Island Federation of Teachers and Health Professionals for all such nonmembers.

Section 7. The Executive Council, with at least sixty (60) days advance notice to all locals, may adopt a staff assistance program for locals who employ staff.

Section 8. Employee(s) paying service or agency fee payments in lieu of dues shall have the right to object to the expenditure of his/her portion of such payments for activities or causes of a political nature only incidentally related to collective bargaining, and for activities or causes involving controversial issues of public importance only incidentally related to collective bargaining. Employee(s) may not object to expenditures of his/her portion of such payments used for collective bargaining including, but not limited to, negotiating, organizing, servicing, educational research, and union administration.

After notification and explanation of the basis of agency fee payments, an objector shall make any objections to the agency fee charged between September 1, and September 30 by registered/certified mail to the Rhode Island Federation of Teachers and Health Professionals. All challenges filed within this period shall be consolidated into one (1) proceeding to be held within thirty (30) days after September 30 before a neutral arbitrator. The Rhode Island Federation of Teachers and Health Professionals Executive Council shall adopt rules and procedures from time to time to implement the above.

#### **ARTICLE VIII - FISCAL YEAR**

The fiscal year shall be from July 1st to June 30th.

#### **ARTICLE IX - AMENDMENTS**

Section 1. Proposed amendments shall be submitted to the Recording Secretary in writing at least thirty days prior to the Biennial Convention. Amendments may be submitted by request of the Executive Council or at the request of a local. The Corresponding Secretary shall communicate such proposed amendments to all delegates ten (10) days before said Convention.

Section 2. The Constitution and Bylaws shall be amended by two-thirds (2/3) of the votes cast at the Convention.

#### **ARTICLE X - REFERENDA**

Section 1. Proposed actions, including amendments to the Constitution, and the action of the Convention shall be submitted to a referendum vote by order of the Convention or of the Executive Council or by request of five (5) or more locals.

Section 2. The Executive Council shall have the power to adopt such rules and regulations governing referenda as it shall deem necessary.

#### **ARTICLE XI - PARLIAMENTARY AUTHORITY**

Section 1. The Executive Council shall be empowered to call special Rhode Island Federation of Teachers and Health Professionals Conventions after the Biennial Convention has adjourned. In order to issue such a call, a two-thirds vote of the Executive Council must be attained, or a petition signed by fifty percent (50%) of the state locals representing fifty percent (50%) of the Rhode Island Federation of Teachers and Health Professionals' membership, or locals representing fifty percent (50%) of the Rhode Island Federation of Teachers and Health Professionals' membership must be submitted to the Executive Council.

Section 2. Those delegates and alternates elected to serve at the Biennial Convention shall stand for all special conventions of the Rhode Island Federation of Teachers and Health Professionals prior to the next Biennial Convention. Fourteen (14) days' notice must be given to all serving at the Special Convention.

Section 3. The business of the Convention shall be only that for which the Convention has been called as per the motion and/or petition. The motion and/or petition for a Special Convention must contain the specific call of the Convention.

Section 4. For the purpose of recall of any officer, a two-thirds (2/3) plus one (1) majority vote shall be necessary in order to take effect.

## BYLAWS

### ARTICLE I - GENERAL CONVENTION PROCEDURE

- Section 1. The Biennial Convention shall be held between October 1 and November 30 at a place designated by the Executive Council.
- Section 2. Resolutions to be considered by the Convention shall be submitted to the Recording Secretary no less than ten (10) days prior to the opening of the Convention or in accordance with the rules adopted for the conduct of said Convention.
- Section 3. The President shall appoint, with Executive Council approval, at least twenty (20) days prior to the opening of the Convention, such committees as are necessary to conduct the affairs of the Convention. Such committees may meet prior to the Convention to conduct their business and shall report to the Convention.

### ARTICLE II - AMENDMENT OF BYLAWS

The Bylaws may be amended by the same procedure as in Article IX, Section 1, of the Constitution. All such amendments shall require a majority vote for their adoption except those relating to Bylaws which themselves require more than a majority vote, in which case the same vote shall be required to adopt the amendment as required by the Bylaws to be amended.

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