

# BYLAWS

## Palo Verde Community College Association CTA/NEA

### I. Name and Location

- A. The official name of this Association shall be the Palo Verde Community College Association, CTA/NEA in Riverside County.

### II. Purposes

- A. The primary purpose of this Association shall be:
  - 1. To represent its members in their relations with their employer, and to serve as the exclusive representative of appropriate units of certificated employees in matters relating to employment conditions and employer-employee relations including, but not limited to, wages, hours, and other terms and conditions of employment;
  - 2. To function as a representative body capable of developing group opinion on professional matters, and to speak with authority for members;
  - 3. To provide an opportunity for continuous study and action on problems of the profession;
  - 4. To raise the standards for education support professionals;
  - 5. To provide a means of representation for its ethnic-minority members;
  - 6. To promote professional attitudes and ethical conduct among members;
  - 7. To encourage cooperation and communication between the profession and the community; and
  - 8. To foster good fellowship among members.

### III. Affiliation with CTA/NEA

- A. The Palo Verde Community College Association shall be a chartered chapter of the California Teachers Association (CTA).
- B. The Palo Verde Community College Association shall be a chartered chapter of the National Education Association (NEA).

### IV. Membership

- A. Categories of Membership. There shall be one category of membership in the Association: Active.
- B. Active membership shall be open to any person who is engaged in or who is on limited leave of absence from professional educational work, is an employee of the Palo Verde Community College district, and whose primary assignment is such as not to hold supervisory responsibility over other employees to such an extent as not to be represented in the negotiations process by the bargaining unit.
- C. Membership may be granted on initiation of payroll deduction or upon payment of annual Association/CTA/NEA dues.
- D. The right to vote and hold elective office or appointive position within the Association shall be limited to Active members.
- E. Active members shall be eligible to vote in all elections, hold elective office or appointive position, receive special services, obtain assistance in the protection of professional and civil right, and receive reports and publications of the Association.

- F. An individual who is serving as a negotiator for a public school employer shall not be eligible for membership in the Association.
  - G. Active members shall adhere to The Code of Ethics of the Education Profession.
  - H. The rights to and privileges of membership shall not be abridged in any way because of age, sex, race, color, ethnic group, marital status, national origin, or sexual orientation.
  - I. No member of the Association may be disciplined without a due process hearing, which shall include the established appellate procedure.
  - J. The membership year shall be that period of time from September 1 of any given calendar year through August 31 of the following calendar year, inclusive.
  - K. Unless otherwise expressly provided by law, persons who tender agency fees shall have no rights or privileges within this Association.
- V. Dues, Fees, and Assessments
- A. The basic annual dues level for Active members, and representation fee for non-members represented in the bargaining unit, shall be sufficient to cover the operation expenses of the Association, the dues of CTA, and the dues of NEA.
  - B. The Association's portion of the basic annual dues, and the representation fee for non-members, shall be established by the active membership of the Association at the last regular meeting of the school year.
  - C. The Association shall apportion any negotiated representation fee or organizational security fee on the same percentage basis as the full Association/CTA/NEA dues.
  - D. Membership shall be continuous after initial enrollment until delinquent or until a change in professional status shall make the member ineligible for membership. If by October 31, an active or prospective member has not made satisfactory arrangements for payment of the established annual membership dues for the current academic year, then that person's payment shall be considered delinquent and his/her name dropped from the rolls. For spring semester new-hires, the deadline shall be March 1.
    - 1. If an individual does not meet the enrollment deadline, the individual must wait until the next academic year to enroll, or
    - 2. If an individual does not meet the enrollment deadline, the individual may enroll within the current year provided the individual pays the outstanding dues (local, state, and national) of months prior to enrollment. The remaining balance of dues will be deducted from the monthly payroll.
      - a. The individual shall not be an active member until all outstanding dues have been paid in full.
    - 3. If a member discontinues membership within the current year, the member may reapply for membership provided that all outstanding dues are paid in full.
- VI. Policy-Making Body
- A. The policy-making body of the Association shall be the general Active membership.
  - B. The Association shall meet a minimum of five times a year, the time and place of such meetings to be decided by the Executive Board.
  - C. Special meetings of the Association may be called by the President or by petition containing the signatures of twenty percent (20%) of the Active membership.
  - D. Special meetings of the Association shall be called for a specific purpose and no business other than that for which the meeting is called may be transacted.
  - E. Notices and agendas for all meetings shall be distributed to the membership at least five days prior to the date of the meeting.

- F. For emergency meetings during crisis situations, the Executive Board shall adopt procedures to notify members of the meeting dates, places, and times.
- G. A quorum for all meetings of the Association shall consist of 50% (rounded up if necessary) of all Active members.
- H. The budget of the Association shall be adopted by the Active membership on or before the first regular meeting of the school year.
- I. Grievance procedures shall be approved by the Active membership.

VII. Officers

- A. The officers of the Association shall be a President, a Vice-President, a Secretary, and a Treasurer, and shall comprise the Executive Board.
- B. These officers shall be and remain currently paid-up local, state, and national (Active) members as a condition for nomination to and service in their respective positions during their terms of office.
- C. These officers shall be elected by and from the membership of the Association. Such election shall be by open nominations and secret ballot.
- D. These officers shall be elected for a term of one year, commencing on August 1<sup>st</sup> of any calendar year.
- E. A vacancy shall be deemed to exist in the case of death, resignation, or inability to serve in any of the offices of the Association. In the event a vacancy occurs in the office of the President, the Vice-President shall assume the office. In the event a vacancy occurs in the other offices, a special meeting of the Association shall be called to elect a successor.
- F. The President shall be the chief executive officer of the Association and its policy leader.  
The President shall:
  - 1. Preside at all meetings of the Association and the Executive Board;
  - 2. Prepare the agenda for the meetings of the Association and the Executive Board;
  - 3. Be the official spokesperson for the Association;
  - 4. Be familiar with the governance documents of the Association, CTA, and NEA;
  - 5. Nominate all chairpersons, members of committees, and members of the bargaining team, to be approved by the executive board and the general membership at the first meeting of each school year;
  - 6. Call meetings of the Association and the Executive Board;
  - 7. Propose the procedures for grievance processing for ratification by the Executive Board and the Active membership of the Association;
  - 8. Suggest policies, plans and activities for the Association and be held responsible for the progress and work of the Association;
  - 9. Attend meetings of the Service Center Council of which the Association is a part;
  - 10. Co-sign checks in the absence of either the Secretary or the Treasurer, drawn upon the Treasury;
  - 11. Attend meetings of the Service Center Council of which the Association is a part; and
  - 12. Attend CTA/NEA meetings as directed by the membership
- G. The Vice-President shall:
  - 1. Serve as assistant to the President in all duties of the President;
  - 2. Assume the duties of the President in the absence of the President;
  - 3. Be responsible for the formation and distribution of the Association's calendar of activities; and
  - 4. Serve as coordinator of committee activities at the direction of the President.
- H. The Secretary shall:

1. Keep a careful and accurate record of the proceedings of each meeting, regular or special, of the Association and the Executive Board;
2. Be responsible for the distribution of minutes, notice of meetings, and agendas for all meetings to the members;
3. Maintain an accurate roster of the membership of the Association and of all committees; and
4. Carry on the correspondence pertaining to the affairs of the Association as directed by the President.

I. The Treasurer shall:

1. Receive all funds belonging to the Association and be responsible for their safekeeping and accounting;
2. Pay out such funds upon orders of the President;
3. Provide a written report on the financial status of the Association at each Association and at each Executive Board meeting;
4. Be responsible for an annual audit of the books of the Association and distribute a summary of this audit to the membership; and
5. Be responsible for submitting membership and financial reports to CTA, NEA, and other agencies as required by law.

VIII. The Executive Board

- A. The Executive Board shall be composed of the elected officers of the Association and shall include one member elected at large from the Active membership, as long as this complies with the "one-person – one-vote" rule.
- B. All members of the Executive Board shall be and remain currently paid-up local, state, and national (Active) members as a condition for nomination to and service in this position.
- C. The at-large member of the Executive Board shall be elected with open nominations and by secret ballot.
- D. The at-large member of the Executive Board shall be elected for a term of one year, commencing on August 1 of any calendar year.
- E. Vacancies in the position of at-large members of the Executive Board shall be deemed to exist in the case of death, resignation, or inability to serve in this position. If there is a vacancy occurring in this position, a special election to fill the vacancy shall be held within thirty days.
- F. The Executive Board shall meet prior to each regular meeting of the Association and at such other times, as the President may deem necessary, or upon written petition of a majority of the members of the Executive Board, to conduct the business of the Association between meetings of the general membership.
- G. The duties and responsibilities of the Executive Board are:
  1. Coordinate the activities of the Association;
  2. Recommend a budget for the Association to the membership;
  3. Direct the bargaining activities of the Association, subject to the policies established by the Active membership;
  4. Approve all appointments to and removal (by majority vote) of committees, including chairpersons;
  5. Approve appointment and removal (by 2/3 vote) of bargaining team members;
  6. Adopt grievance procedure;
  7. Direct the grievance activities of the Association;
  8. Adopt the Standing Rules for the Association; and

9. Exercise all the business and organizational powers and duties for the Association as prescribed by law and these bylaws, subject to any restrictions that may be imposed by the general membership.

- H. The Executive Board shall convene on at least five occasions during the regular academic year.
- I. The Board shall provide the membership with an agenda before each of its scheduled meetings and, following these meetings, with minutes.
- J. Any member of the Association shall have the right to address the Executive Board.
- K. A quorum for meetings of the Executive Board consists of a majority of the elected members of that body.

IX. Bargaining Team

- A. The President shall nominate all members and the chairperson of the Bargaining Team to be approved by the general membership.
- B. Vacancies created by resignation or inability to serve shall be filled by the Executive Board.
- C. The Executive Board, by a two-thirds (2/3) majority, may remove a member of the Bargaining Team.
- D. The Bargaining Team shall be under the direction of the Executive Board, and shall report its activities to the Executive Board, as the Board requires.
- E. The Bargaining Team is empowered to reach tentative agreements with the district, subject to approval from the Executive Board and ratification by the membership.
- F. The duties of the Bargaining Team are to represent and to bargain for the bargaining unit(s).
- G. Responsibility and authority for directing the bargaining process on behalf of the Association are vested in the Executive Board subject to policies established by the membership.
- H. Employees in each appropriate bargaining unit shall be surveyed to determine contents of the proposed contract demands, and the contract proposal for each appropriate unit shall be approved by Association members in that unit.
- I. The Executive Board shall, in a timely manner, provide for the dissemination of information regarding bargaining and the activities of the Bargaining Team to the membership.
- J. Agreements reached between the Bargaining Team and the district or its representatives shall be considered tentative and not binding upon the Association until such agreements have been ratified by the membership in the appropriate unit(s) unless such ratification shall have been specifically waived or otherwise delegated by the active membership.

X. Grievance Committee

- A. The President shall nominate three tenured members of the Association to serve as a Grievance Committee to be approved by the membership.
- B. No member may be required to serve as any part of the Grievance Committee.
- C. The Executive Board shall adopt with the approval of the General Membership the procedures for grievance processing.
- D. These procedures shall include, but not be limited to, the following:
  - 1. Providing representation to assist all members of the bargaining unit(s) in processing grievances;
  - 2. Training for handling grievances; and
  - 3. Evaluating the Association's grievance policies and procedures.
- E. The Grievance Committee shall hear complaints of possible Contract violations brought by individual members, and by general constituencies within the membership.
- F. The Grievance Committee shall provide advice concerning the validity of the grievance.
- G. The Grievance Committee shall appoint one of its members to serve as a Grievance Officer for

- H. Faculty members retain the right to appeal the Committee's decisions to the membership as a whole, which may overturn these decisions by a majority vote at a scheduled meeting.
- I. Faculty members retain the right to pursue their own grievance despite the advice of the Grievance Committee and the vote of the membership as a whole.
- J. The Grievance Committee shall develop specific guidelines and rules for the evaluation and pursuit of complaints and grievances, and regularly submit these guidelines and rules to the membership as a whole for approval.
- K. The Grievance Committee shall have the responsibility of educating the membership in the nature of grievances, the processes of handling grievances, and a grievant's best practices in the pursuit of a grievance.
- L. The Grievance Committee shall provide the Association's members with a year-end report regarding outcomes of grievances; such reports shall respect each grievant's confidentiality.

#### XI. Nominations and Elections

The chapter president must provide Active members an opportunity to vote in all elections.

Chapter presidents do not have the option of deciding that such elections shall not be held, except for NEA-RA Local Delegate elections where, following a period of open nominations, voting may be waived if the number of candidates is equal to or less than the number of positions to be filled, and the affiliate has adopted a governing provision, or election policy allowing such a practice.

- A. There shall be an appointed Elections Committee, nominated by the President and approved by the Active membership.
- B. Election of the officers of the Association shall occur between May 1 and May 30.
- C. Elections shall be conducted with:
  1. Open nomination procedure;
  2. Secret ballot;
  3. All Active members vote;
  4. Record of voters receiving or casting ballots; and
  5. Majority vote, unless otherwise specified.
- D. State Council Representative elections shall be conducted in accordance with CTA guidelines after the chapter or service center council has been notified to do so by the CTA Elections Committee.
- E. NEA State Delegate elections shall be conducted in accordance with CTA guidelines.
- F. NEA Local Delegate elections shall be conducted in accordance with CTA/NEA guidelines.
- G. The duties of the Elections Committee shall be to:
  1. Ensure that all Association/CTA/NEA election codes and timelines are followed;
  2. Establish election timelines;
  3. Develop and carry out timelines and procedures;
  4. Prepare ballots for election of officers and such other elections as may be necessary;
  5. Count the ballots and certify the results;
  6. Handle initial challenges; and
  7. Announce election results, including ballot counts, to the membership.

#### XII. Parliamentary Authority

- A. Robert's Rules of Order, newly revised, latest edition, shall be followed at all meetings of the Association.

#### XIII. Amendments

- A. These Bylaws may be amended by a two-thirds (2/3) vote of the Active members at any regular or special meeting of the Association, provided notice in writing of a proposed bylaw amendment shall have been submitted to the Secretary, and made available to all Active members at the meeting preceding the one at which it is to be voted upon.