

Okeechobee County Education Association

OCEA Local 1604

Affiliated with FEA, NEA, AFT, AFL-CIO

CONSTITUTION



Adopted/Amended
Month day, 2013

ARTICLE I
NAME

This organization shall be known as the Okeechobee County Education Association, Local Union No. 1604, AFT, NEA, AFL-CIO, FEA.

ARTICLE II
OBJECTIVES

The purpose of this organization shall be:

Section 1: To bring associations of teachers and education support personnel into relations of mutual assistance and cooperation.

Section 2: To obtain for teachers and education support personnel the rights to which they are entitled.

Section 3: To raise standards by securing the conditions essential to the best professional service provided by teachers and education support personnel.

Section 4: To promote the welfare of children by providing progressively better educational opportunities for all.

ARTICLE III
MEMBERSHIP

The rules for membership in this organization shall be:

Section 1: Currently employed certified school personnel, including all teachers, librarians, and counselors as defined in an appropriate bargaining unit, are eligible for membership in this organization.

Section 2: Currently employed noncertified school personnel, including all eligible education support personnel as defined in an appropriate bargaining unit, are eligible for membership in this organization.

Section 3: All members of this organization are guaranteed full membership rights, benefits, and privileges, including the right to vote and the right to hold office upon receipt of the first month's dues.

Section 4: Supervisory personnel with the rank of assistant principal or above shall not obtain membership. Members who are promoted to a position with the rank of assistant principal or above are automatically removed from membership on the effective date of the promotion.

Section 5: School personnel in public or private institutions outside the jurisdiction of this organization may be admitted to membership until such time as an organization is chartered in their jurisdiction.

Section 6: No discrimination shall ever be shown toward individual members or applicants for membership because of age, race, creed, sex, sexual orientation, social, political or economic status, or national origin.

Section 7: A member may be expelled for acts detrimental to the organization upon presentation of written charges signed by at least one-fourth of the total membership and approved by at least three-fourths of the Executive Council. The member shall have the right to appeal the decision to the membership at the following membership meeting and shall be reinstated with full rights if a majority of the members present vote to reinstate.

Section 8: Any member who fails to pay dues upon their expiration, plus a 30-day grace period, shall be dropped from the rolls and his/her name removed from the records at the National and State offices. The member may be reinstated upon submitting a new application

Section 9: All members may attend any Executive Council meeting as a non-voting observer.

ARTICLE IV
ELECTION OF OFFICERS &
BUILDING REPRESENTATIVES

The election procedures for officers and building representatives for the organization shall be:

Section 1: The following officers shall be elected by this organization for a two year term:

- a. President
- b. Secretary
- c. Treasurer

Section 2: Two Building Representatives shall be elected every two years at each school worksite. At school sites, the representatives shall be one teacher and one education support person.

Section 3: Nominations for office shall be made at a regular *second semester general membership meeting*. Notice shall be provided to each member at least 15 days prior to the meeting that nominations will be in order. Nominations and elections for Building Representatives shall be made at each school or worksite prior to that second semester general membership meeting. **One Building Representative slot will assigned to each site for every 10 members for instructional and classified staff.**

Section 4: Ballots for the election of officers shall be prepared and mailed to each member in

good standing within 15 days following the nomination meeting. The ballots shall be returned to the Election Committee no later than 15 days from the date originally sent to members. The candidate receiving a plurality of the votes cast shall be declared elected. When only one candidate is running for each office and Article IV, Section 3 has been followed; ballots do not have to be mailed. Only offices with more than one candidate running will be included on mailed ballots.

Section 5: Officers shall be installed at the meeting immediately following the election.

Section 6: When a building representative vacancy occurs, the president may appoint an interim building representative until such time as a worksite election can be held. Vacancy in any officer position shall be filled by the Executive Council until an election can be held.

ARTICLE V COMMITTEES

Section 1: Committees (appointed as needed)

- a) Negotiating committee
- b) Budget Committee
- c) Audit Committee
- d) Election Committee
- e) Grievance Committee

Any other special committees may be formed as they become necessary.

Section 2: All committees shall be appointed by the President with the approval of a majority of the Executive Council.

ARTICLE VI

THE EXECUTIVE COUNCIL

The function of the Executive Council shall be:

Section 1: The Executive Council of this organization shall consist of the following:

- a) All elected officers
- b) Building Representatives

Section 2: The Executive Council shall administer the policies of this organization as set by the membership at regular meetings. It shall have the power to act for the good of the organization in emergency situations where the policy cannot be set by the membership.

Section 3: The chairman of the Executive Council shall be the President of the Organization.

Section 4: The Executive Council shall meet at least once a month, except in July.

Section 5: The Executive Council shall report its activities at each general membership meeting.

Section 6: If the Executive Council is deadlocked on any decision, the matter must be presented to the next general membership meeting for resolution.

Section 7: A quorum shall consist of one more than half of the regular executive council members.

ARTICLE
VII AFFILIATIONS

This organization's affiliates shall be:

Section 1. This organization shall maintain affiliation with and, whenever possible, send delegates to the following organizations:

- a) The American Federation of Teachers. The Executive Council may decide to send delegates to the National Convention of the AFT and/or NEA. All delegates and alternates to the National Convention of the AFT shall be elected by majority vote at the April membership meeting. Notice of election shall be made at the previous membership meeting and mailed to each member at least 15 days prior to the election. The President and Secretary shall certify the election and forward the credentials of all elected delegates and alternates to the National office as soon as possible but not later than ten days before the convening of the National Convention. The delegates shall confer with the treasurer to make sure the AFT per capita through June has been sent to the National Office at least 15 days before the convening of the National Convention
- b) The National Education Association. The Executive Council may decide to send delegates to the National Convention in accordance with the NEA's rules and regulations.
- c) The Florida Education Association. The Executive Council may decide to send delegates to the Delegate Assembly of the FEA. Delegates shall be elected at least one month before the State Convention at a **regular** meeting.
- d) The Florida AFL - CIO. The Executive Council may decide to send delegates to the National Convention of the Florida AFL-CIO. Delegates shall be elected at least one month before the state labor convention at a regular meeting.

- e) Retired OCEA employees who are members of FEA-R and NEA may maintain an affiliation with the organization. The executive council shall develop guidelines governing this affiliation.
- f) ~~Treasure Coast Service Unit. OCEA will adhere to the constitution and bylaws of the TCSU. The organization shall enter into agreements with a Service Unit as deemed necessary.~~ The executive council shall determine who, in addition to the President and treasurer, will represent the organization with the TCSU.

Section 2: All delegates shall make reports to the Executive Council on meetings attended.

Section 3: Reasonable effort shall be made by the executive council to pay the expenses of delegates to meetings and conventions of affiliated organizations.

Section 4: The organization to the best of its ability shall be active in the affairs of affiliated organizations.

Section 5: Any delegate to affiliated organizations must be a member in good standing of the organization.

ARTICLE VIII DUTIES OF OFFICERS

The duties of the officers shall be:

Section 1: The President shall preside at all meetings of the organization and of the Executive Council. He shall be an ex-officio member of all committees, except the audit and election committees, shall sign all necessary papers and documents, including checks and deposits ~~in the absence of the treasurer~~ when one of the other officer positions is vacant, and represent the local when and where necessary. She/ He shall make a report to the membership at least once each year, summarizing the accomplishments of the organization and outlining plans for the next year. The president is responsible for setting the agenda for general membership meetings with input from the officers. The president will follow OCEA financial policies as established by the executive council.

Section 2: The Secretary shall perform all duties of the President in the absence of the President. The secretary shall issue all notices, shall answer correspondence at the direction of the President, and shall report outside correspondence to the President and the Executive Council. She/He shall be the custodian of the seal and charter of the organization. The secretary shall record the minutes of the Executive Council and of general membership meetings and distribute them to the membership at least one week prior to the next scheduled meeting. In addition, the Secretary shall attend various meetings held throughout the year and assist the President and other officers of the Okeechobee County Education Association. The Secretary will maintain the current member roll.

Section 3: The duties of the Treasurer shall be:

- a) To receive, record, and deposit in the name of the organization all monies from dues and all other sources and issue receipts
- b) To work with the Secretary to keep the membership roll and verify the district per capita report against the organization's list.
- c) To forward all per capita dues and current membership lists to the appropriate affiliated organization to keep this organization in good standing at all times.
- d) To be chairman of the Budget Committee. She/He shall present a written financial report at a general membership meeting once each year.
- e) To keep adequate records available at all times for the Executive Council, the Audit Committee, local union members, and the Florida Public Employees Relations Commission (PERC)
- f) To pay all bills authorized by the adopted budget, retaining voucher or invoice for same, as approved by the Executive Council. Expenses not authorized in the budget must be presented to the Executive Council for authorization.
- g) To submit annual income tax exemption reports to Internal Revenue Service.
- h) To submit annual reports to the Florida Public Employees Relations Commission (PERC), and to the State Department of Labor and Employment Security (SDL), and to other public agencies as required.
- i) To serve as Business Agent for submission of reports and service of process as deemed necessary.
- j) To attend various meetings held throughout the year and shall assist the President and other officers of the OCEA.

Section 4: All officers will make a reasonable effort to attend Executive Council, General Membership, School Board meetings, and contract negotiations sessions.

ARTICLE IX DUTIES OF STANDING COMMITTEES

Section 1: General requirements of all Standing Committees:

- a) Each committee shall have members from at least three different school buildings/work sites in the County, whenever possible.
- b) Each committee shall meet as necessary or as directed by the chairman.
- c) Each committee chairman shall submit a report at the regular Executive Council meeting.
- d) Members of each committee shall be appointed by the committee chairman

and approved by a majority of the Executive Council.

- e) Additionally, the Grievance Committee in the absence of the Treasure Coast Service Unit Director position shall facilitate grievances. The decision on whether a grievance goes to arbitration shall be made by Executive Council.

ARTICLE X DUTIES OF SPECIAL COMMITTEES

The procedures for special committees shall be:

Section 1: The Budget Committee shall prepare a budget for adoption by the Membership at a **first semester** general membership meeting. The fiscal year shall be **September 1** through **August 31**.

Section 2: The Audit Committee shall audit the Treasurer's books and yearly Treasurer's Report **in accordance with AFT policies**. They shall present their yearly report to the membership at a **second semester** general membership meeting.

Section 3: The Election Committee shall prepare and mail secret ballots, for election of officers, to all members in good standing within 15 days following the annual nomination meeting **during second semester**. The committee members shall count and tabulate all ballots and report the results of the election to the Executive Council and the candidates at least 1 day prior to the annual installation of officers.

Section 4: The Negotiation/Legislation Report Committee

- a) Shall draft proposals to be submitted to the administration and/or Board of Public Instruction. These proposals shall be submitted to the organization for consideration, approval, and/or revision at the next regular membership meeting each year.
- b) The committee members shall function as representatives in meetings with the administration and/or Board of Public Instruction. Attendance requirements may be set by the Executive Council.
- c) Proposals may be submitted to the administration and/or Board of Public Instruction each year. Reports of all meetings with the administration and/or Board of Public Instruction shall be made to the Committee. All tentative agreements negotiated with the School Board shall be submitted to all members of the bargaining unit as required by the Florida Public Employees Relations committee (PERC).

ARTICLE XI
GENERAL MEMBERSHIP MEETINGS

The guidelines for general membership meetings shall be:

Section 1: The **date**, time and place of regular and special general membership meetings shall be fixed by the Executive Council at the **August** meeting.

Section 2: There shall be at least four general membership meetings during the year, **two in each semester**. Other general membership meetings will be set by the Executive Council on an as needed basis.

Section 3: A quorum shall consist of the members present.

Section 4: Members shall be notified by the Executive Council of all regular and special general membership meetings at least four days prior to the date of the meeting.

ARTICLE XII
FINANCE

The procedures for monitoring finances shall be:

Section 1: Regular dues shall be fixed by majority vote of the members present at any regular general membership meeting, provided notice of any contemplated increase has been announced.

Section 2: Additional finances may be obtained by various fund-raising activities as approved by Executive Council.

Section 3: The fiscal year shall be from **September 1** through **August 31**.

Section 4: Membership dues may be paid by payroll deduction through the School Board or personal check of one (1) annual payment due by September 30. Receipt for payment of dues by personal check shall be issued by the Treasurer to the member upon payment.

Section 5: To compensate for increases in national, state, or **Service Unit** per capita, dues in this organization shall be increased proportionately and automatically, rounded up to the nearest dollar amount, as these increases may occur. Any other dues increases shall be subject to majority vote of the members, as stated in Section 1 of this Article.

ARTICLE XIII
RULES OF
ORDER

Robert's Rules of Order, Revised, shall govern in all cases not covered by the Constitution of this local union.

ARTICLE XIV AMENDMENTS

Section 1: This Constitution may be amended as follows:

Constitutional amendments may be submitted to the Executive Council. The Executive Council may initiate amendments. After having received a majority vote of the Executive Council, the amendment shall be submitted to each member. A majority vote by secret ballot of all local union members present in a regular general membership meeting shall be sufficient for adoption.

Section 2: This Constitution must be reviewed for possible amendments at least once every three years.

ARTICLE XV AVAILABILITY OF CONSTITUTION

The Constitution shall be made available as follows:

Section 1: Three copies of this Constitution and all future amendments shall be submitted to the National Office of the American Federation of Teachers and to the State Office of the Florida Education Association.

Section 2: Copies shall be made available to the other affiliated organizations upon request.

Section 3: Copies shall be made available to all members of this organization.

Section 4: Copies shall be made available to PERC and other public agencies as required.

ARTICLE XVI IMPLEMENTATION OF CONSTITUTION

Section 1: This Constitution shall be in effect from the date of final adoption.

Section 2: If any part of this Constitution is found to be in conflict with the State or National Constitutions of affiliates, all other parts of this Constitution shall remain in effect.