

CONSTITUTION AND BYLAWS
OF THE
MICHIGAN STATE UNIVERSITY
UNION of TENURE SYSTEM FACULTY (UTSF-MEA/NEA)

CONSTITUTION

UNION of TENURE SYSTEM FACULTY-Michigan State University

Preamble

We, the tenure-system faculty and librarians of Michigan State University, believing that we must institute our own self-government and secure proper recognition and responsibility for the well-being of our members, adopt this Constitution.

Article I Name

The business of this organization shall be conducted under the title of the “Union of Tenure System Faculty of Michigan State University (UTSF-MSU) MEA-NEA,” a local-affiliated unit of the Michigan and National Education Associations. The union shall be a not-for-profit corporation organized in accordance with the laws of the state of Michigan.

Article II Purpose

The purposes of this organization shall be to represent the professional concerns and advance the professional interests of its members; to defend the integrity of our mission of research, teaching, service, and outreach; and to advocate for policy decisions that strengthen the role and function of higher education.

UTSF embraces our diversity and strives for equitable working conditions for all, supports the centrality of faculty voice in decision-making, and envisions an inclusive university in which all workers are treated with respect and dignity.

Together we work to protect academic freedom, prevent the erosion of tenure, ensure due process, and promote transparency and accountability across the university.

Article III Membership

Section 1. Regular membership in the organization shall consist of those persons who are members in good standing of the MAHE and MEA-NEA and who are defined as members of the bargaining unit by the most recently signed

contract and who pay dues and assessments as provided in the Bylaws . Regular members of this organization shall also be members of the Michigan Education Association and the National Education Association.

All regular members in good standing (referred to as “members” or “regular members” below) shall be entitled to the rights, privileges, and benefits of membership and are automatically eligible for elected offices and to be members or chairs of committees.

- Section 2. Retired members whose last affiliated MEA membership rests with UTSF, and who have membership as an MEA retired member (MEA-R), may serve on committees (referred to as “retired members” below). Retired members shall not chair a standing committee, nor can they vote on any matter reserved for the full body of regular members, including collective bargaining matters.
- Section 3. The organization may bestow honorary membership upon persons as may merit such an award.
- Section 4. An individual’s membership shall begin on the date listed on the signed membership application submitted and accepted by UTSF.
- Section 5. No member (regular, retired, or honorary) shall be censured, suspended or expelled without a due process hearing. The hearing shall be conducted by the UTSF Executive Board. An appeal may be made to the MEA Board of Reference.
- Section 6. Members who meet the requirements established by the MEA in the dues transmittal policy for the payment of dues shall be considered members in good standing.

Article IV

Officers and Delegates

- Section 1. The elected officers of the organization shall consist of a President, a Vice President, a Secretary, and a Treasurer.
- Section 2. The President shall serve as the first delegate for the Region Council, Coordinating Council, MEA Representative Assembly, and NEA Representative Assembly. For the Region Council and Coordinating

Council, the President may appoint another officer or MEA/NEA delegate in their stead. The members shall elect additional delegates and alternates to the Region and Coordinating Councils and the MEA and NEA Representative Assemblies as necessary.

Section 3. Terms of office for all elected officers shall be for three (3) years, effective from August 16 to the succeeding August 15. For the first term of office, terms will commence immediately upon ratification of a vote and shall continue until August 15 for a term not to exceed three years.

Section 4. The term of office for the MEA Representative Assembly Delegates, Region Council Delegates, and Coordinating Council delegates and their alternates shall be three (3) years commencing on September 1. The election shall be held prior to April 1. When there are four (4) or more MEA Representative Assembly delegates elected, Representative(s) of Minority Persons 3-1G shall be elected as required by the MEA Constitution and Bylaws. Each MEA Representative Assembly delegate shall serve as a Region Council delegate. Any additional Region Council delegates shall be elected to the same term as above.

Section 5. The term of office for the NEA Representative Assembly delegates and alternates shall be three (3) years commencing on September 1. The election shall be held prior to April 1. When there are three (3) or more NEA Representative Assembly delegates elected, Representative(s) of Minority Persons 3-1G shall be elected as require by the NEA Constitution and Bylaws.

Section 6. No person shall be a candidate for office or position or hold office or position, whether elected or appointed, in the union unless they are a regular member in good standing. Any office or position holder, whether elected or appointed, of the union that does not maintain regular membership in good standing shall be removed from office after notice and opportunity to return to good standing within 30 days.

Article V

Governing Body

Section 1. The ultimate authority within the union rests with its membership, in the first instance, through resolutions of regular or special membership meetings or by direct legislation of the membership. Between membership

meetings, the duties, responsibilities, and authority for conduct of the union's affairs rests with the governing body. Any resolutions or decisions by the governing body may be rescinded or overruled by the membership by initiative or referendum.

- Section 2. The UTSF governing body consists of the Executive Council, the Executive Board, and the Representative Assembly.
- Section 3. The Executive Council is composed of the four (4) elected Officers and the immediate past President.
- Section 4. The Executive Board is composed of the Executive Council plus at least one additional MEA Representative Assembly Delegate, the Chair of the Representative Assembly, the Chairs of the Union's Standing Committees, and three (3) at-large members.
- Section 5. The Representative Assembly is composed of the Association Representatives (ARs). Each tenure-home unit or the Libraries is entitled to elect one AR for each fifteen majority-appointment members plus one AR for each additional major fraction thereof (i.e., 8-15). Each tenure-home unit and the Libraries is entitled to at least one AR. Tenure-home unit membership will be determined on January 1 of each year.
- Section 6. UTSF will strive for inclusion of historically underrepresented racial and ethnic groups as represented by the four organizations of MSU's Coalition of Racial and Ethnic Minorities (CoREM) as well as gender equity. In addition, we will strive for diverse representation across MSU's seventeen Colleges and Libraries as well as across all ranks of regular faculty (Asst. /Assoc /Full Prof. and Librarian I/ II/ III).

The ethnic representation shall comply with the Constitutions and Bylaws of the NEA and MEA. In the event that the ethnic representation is less than required by the Constitution and Bylaws of the MEA and NEA, rules and procedures shall be established for an at-large election for Representative Assembly to ensure compliance.

Article VI

Direct Legislation

- Section 1. The rights of initiative, referendum, and recall initiation rest with the membership of the union. The right of recall itself rests with the relevant electing body (i.e., with the membership for elected officers and delegates but with committee members for committee chairs). Recalls may only be initiated for just cause.
- Section 2. Upon receipt of a petition for initiative, referendum, or recall by at least fifteen percent (15%) of the membership, the Secretary shall announce a meeting or ballot of the membership or the electing body as indicated on the petition within fifteen (15) calendar days for the purposes presented in the petition. Should the Secretary be subject to the petition, the petition shall be filed with the most senior member of the governing body not subject to the petition.
- For the removal of a committee chair, upon receipt of a petition of a majority of the Executive Council or fifteen percent (15%) of membership, the Secretary shall announce a meeting or ballot of the membership or elected body as indicated on the petition within fifteen (15) calendar days for the purposes of recall.
- Section 3. For initiatives and referendums, a majority vote of the membership shall be required for their adoption, which shall take effect thirty (30) days later.
- Section 4. For recall, a majority vote of the relevant electing body shall be required for recall, which shall take effect thirty (30) days later.

Article VII

Membership and Fiscal Year

The membership and fiscal year shall be from September 1 through August 31. The membership year shall be the basis for the calculation of dues and assessments.

Article VIII

Meetings

- Section 1. Regular membership meetings will be held not less than two times during the academic year: once in the Fall Semester and once in the Spring Semester. To facilitate annual elections, the Spring Semester meeting will be held no later than the first week in April (recommend 2nd or 3rd week

in March). Notice shall be given for any regular membership meeting not less than fourteen (14) calendar days in advance.

Section 2. Special membership meetings may be called by the Executive Council or upon a petition signed by at least 10% of the membership. Upon receipt of a petition by the Secretary, a meeting shall be scheduled within five (5) calendar days. Members will be given no less than 48 hours' notice of special meetings.

Article IX Authority

Any part of this Constitution and/or Bylaws that is in conflict with the MEA and/or NEA constitutions and/or bylaws will be declared null and void.

Article X Amendments

Amendments to this Constitution may be introduced by the Representative Assembly or by petition of one-third (1/3) of the membership presented to the Representative Assembly. They will be publicized to the general membership at least thirty (30) days prior to the time they are to be acted upon. A majority vote of the membership, or two-thirds (2/3) of those voting shall be required for the ratification of an amendment. Amendments will become effective immediately upon ratification unless otherwise specified.

Article XI Dissolution

Upon dissolution of UTSF, any assets remaining after the payment of all expenses shall be distributed to its successor so long as the successor is affiliated with the Michigan Education Association. If there is no successor affiliated with the Michigan Education Association, then any assets remaining shall be distributed to the MSU Support Our Spartans Fund (SOS), a Michigan nonprofit corporation exempt from tax under Section 501(C)(5) of the Internal Revenue Code of 1986.

Initial Constitution: December 3, 2024

BYLAWS

UNION of TENURE SYSTEM FACULTY- Michigan State University

Article I Rules of Order

The latest version of Robert's Rules of Order Newly Revised shall be the authority concerning all questions of procedure not specified in the Constitution and Bylaws.

Article II Duties of Officers and Delegates

- Section 1. The President shall preside over meetings, serve as ex officio member of all standing committees, represent the union in public, submit the annual budget to the Representative Assembly for ratification no later than March 1, and otherwise act as lead executive officer of the Union.
- Section 2. The Vice President shall preside in the President's absence and perform duties as assigned by the President.
- Section 3. The Secretary shall keep accurate minutes of all meetings of the governing body, make minutes available for inspection by membership, maintain official files, process petitions, and assist the President with union correspondence.
- Section 4. The Treasurer shall deposit the funds of the union and disburse them according to decisions of the governing body, maintain roll of members, keep accurate accounts of receipts and expenditures, report to each regular meeting of the membership and of the Executive Board, prepare annual financial statements for membership, assist in drafting the annual budget, and chair the Finance Committee. The treasurer shall be bonded and the union shall provide for an annual audit of the books.
- Section 5. The Delegates to NEA and MEA Representative Assemblies as well as Region Council and Coordinating Council Delegates shall keep the Union informed of issues arising at the national and state affiliates and agendas of their respective assembly, attend meetings of the assembly, and report back to the union.

Article III Governing Body

- Section 1. The Executive Council supports the day-to-day functioning of the union between meetings of the Executive Board and the Representative Assembly.

- Section 2. The Executive Board serves as the primary liaison between the Executive Council and the Representative Assembly and is the primary agent for executing the will of the membership, as indicated through the Representative Assembly.
- Section 3. The Representative Assembly is the union's primary deliberative body. It deliberates on policy and priorities and expresses to the Executive Board the will of the membership. Unless explicitly enumerated as a duty of the Executive Council or Executive Board in the Constitution and Bylaws, the unenumerated power rests with the Representative Assembly.
- Section 4. The duties of the Association Representatives shall be to attend meetings of the Representative Assembly, represent and advocate for their constituents' interests, call meetings of their unit's membership to discuss union business, enroll members, and facilitate communication between members and the governing body. Association Representatives shall serve three-year terms.
- Section 5. Meetings of the Executive Council shall be called by the President or upon request of a majority of the Executive Board members. Meetings of the Executive Board shall be called by the Executive Council or a majority of the Executive Board members. Meetings of the Representative Assembly shall be called by the Chair of the Representative Assembly or upon request of 20% of the Association Representatives. The Representative Assembly shall meet monthly during the academic year unless, for any particular month, there is no new or continuing business.
- Section 6. Except as specified in MEA Administrative Policies, all members (regular, retired, or honorary) shall have the right to attend all meetings of the Representative Assembly and the Executive Board and shall be permitted to address meetings.

Article IV

Nominations and Elections

- Section 1. All regular members shall be eligible to nominate and be nominated for elected office. It is a specific charge of the Nominations and Elections Committee to ensure diverse fields of candidates (in racial/ethnic, gender, College, and rank dimensions) are nominated as well as administer elections.
- Section 2. Every member shall have the opportunity to vote by secret ballot, on the one member/one vote principle. Voting shall take place by the MEA's online election system or by paper ballot. The Executive Council shall

certify results, based on the report of the Nominations and Elections Committee.

- Section 3. Vacancies in elected positions shall be filled by appointment by the Executive Council, with the exception of vacancies for MEA and NEA delegates and Association Representatives. Vacancies for MEA or NEA Delegates shall be filled by duly elected alternates, while vacancies for Association Representatives shall be filled by a special election in the relevant primary unit.
- Section 4. Any paper ballots and all other records pertaining to elections shall be preserved for one (1) year and shall be kept in the custody of the President of the union.
- Section 5. The Secretary will transmit the results of the MEA RA delegate elections to the MEA within ten (10) days after election and will file an official report of all local elections with the MEA no later than thirty (30) days following the election.

Article V

Membership Meetings

- Section 1. When a proposed contract tentatively agreed to by the Collective Bargaining Committee is reached, the Executive Council and Collective Bargaining Committee shall call a special meeting for the sole purpose of reviewing the tentative contract agreement, answering questions, and making a formal recommendation to the membership regarding ratification of the tentative contract agreement.
- Section 2. The agenda for regular membership meetings shall be provided to the membership not less than five (5) days in advance. Any member may include an item on the agenda of a regular membership meeting by submitting that item to the Executive Council not less than ten (10) days before the meeting. The agenda for special meetings shall be provided to the active membership at the time the meeting is called. The agenda shall be limited to the item/s that prompted the call.
- Section 3. All members shall have the right to attend regular and special membership meetings. At the meetings, the following shall be reserved to regular members: the right to vote; to speak from the floor; the right to make proposals, motions, and nominations; and to bring new motions under new business at any regular meeting (although members are strongly encouraged to submit such proposals in advance of the distribution of the agenda). The same rights shall be afforded retired members save in matters related to collective bargaining.

Article VI Quorum

- Section 1. A quorum for meetings of the membership shall be ten percent (10%) of the total regular and retired members.
- Section 2. A quorum for meetings of the Representative Assembly shall be 1/2 of the Association Representatives of the union.
- Section 3. A quorum for meetings of the Executive Council and Executive Board shall be 2/3 of their respective members.

Article VII Committees

- Section 1. Standing Committees will be formed from volunteers who are appointed by the Executive Council. Specifically, the Executive Council will call for volunteers from among all regular and retired members (and any others explicitly provided for in the Constitution and bylaws) and then appoint committee members from the pool of volunteers. In the event of dereliction of duty or other actionable offense, a committee member may be removed by unanimous consent of the Executive Council.
- Section 2. Each committee's members will elect their own chair with the exception of the Finance Committee, which is chaired by the Treasurer.
- Section 3. The chair will perform the following duties: call regular meetings, report out a plan and progress to the governing body and membership, and serve as a member of the Executive Board.
- Section 4. The union's standing committees are: Nominations and Elections Committee, Membership Committee, Finance Committee, Collective Bargaining Committee, and Grievance Committee. Standing committees may only be created by an amendment of the bylaws.
- Section 5. The duties of the Standing Committees are as follows:
 - A. The Nominations and Elections Committee shall ensure there are nominations for each vacant office and for delegates to the Representative Assembly. The committee shall conduct elections of the membership. In each election, efforts will be made to recruit a field of candidates that reflects the diversity of the regular faculty (e.g., race/ethnicity, gender, college, rank). The Nominations and Elections Committee shall be set in the fall. No member of the Nominations and Elections Committee shall be a candidate for election.

- B. The Membership Committee shall carry out organizing drives among the regular faculty, contact new bargaining unit employees, and prepare materials that can be used in recruiting.
- C. The Finance Committee shall be chaired by the Treasurer. It shall be responsible for drawing up and recommending the proposed budget, and shall review expenditures, audits, and the activities of the Treasurer on a regular basis. The Finance Committee shall be responsible to the Executive Council and shall provide reports to the President annually by February 1, and, upon request, to the Representative Assembly.
- D. The Collective Bargaining Committee shall plan and conduct bargaining sessions with representatives of the MSU Administration. The Committee shall analyze bargaining strategies and develop position papers as it sees fit or as requested by the Executive Council. It shall automatically disband when a contract has been ratified by both the Union and Michigan State University employer.
- E. The Grievance Committee shall keep records of and supervise all grievances and make sure that the bargaining unit and its individual members are fully represented in informal resolutions and in formal grievance procedures. It shall also ensure that the Executive Council is fully informed on progress in enforcing the Collective Bargaining Agreement. The Committee shall meet at least once per semester during the academic year to discuss issues of concern to contract enforcement.

Section 6. Ad Hoc Committees shall be established by, report to, and be dissolved by the Executive Board.

Article VIII

Bargaining and Contract Ratification

Section 1. The Collective Bargaining Committee shall consist of no fewer than four members plus the President. Given the critical nature of collective bargaining, members of the Collective Bargaining Committee are expected to serve until ratification of a new Collective Bargaining Agreement or until a member submits their resignation in writing to the Executive Council.

- A. The Chair of the Collective Bargaining Committee shall coordinate the activities of the Collective Bargaining Committee and report regularly to the Executive Council on the progress of bargaining.

- B. In the event of grievous misuse of office, dereliction of duty, or other actionable offense, a member of the Collective Bargaining Committee may be removed by unanimous consent of the Executive Council.

- Section 2. The Collective Bargaining Committee shall conduct bargaining priorities surveys, article workshops, and other outreach activities. The Collective Bargaining Committee shall then be responsible for drafting all initial bargaining proposals.
- Section 3. The Executive Council in consultation with the Representative Assembly shall establish the process by which the Negotiating Team is impaneled. The Collective Bargaining Committee shall develop policies for the Negotiating Team, which must be approved by the Representative Assembly.
- Section 4. Only a tentative agreement presented by an officially impaneled Negotiating Team may be submitted to the membership for ratification by a secret ballot vote. A majority vote of those members voting shall be required for ratification.

Article IX Dues

- Section 1. The dues of the union shall consist of the total amount of local, state, and national dues.
- Section 2. Local dues shall be established by a vote of the membership.
- Section 3. Special assessments can only be voted on by the membership.

Article X Amendments

Amendments to these Bylaws may be introduced by the Representative Assembly or by petition of fifteen percent (15%) of the membership presented to the Representative Assembly. They will be publicized to the general membership at least thirty (30) days prior to the time they are to be acted upon. A majority vote of those members voting shall be required for the ratification of an amendment. Amendments will become effective immediately upon ratification unless otherwise specified.

Initial Bylaws: December 3, 2024