

CONSTITUTION

ARTICLE I

This Association shall be known as the New Jersey Institute of Technology Professional Staff Association/American Association of University Professors, Inc.

ARTICLE II

The purposes of the Association are:

1. To provide an autonomous organization for the professional staff of New Jersey Institute of Technology, as defined in Article IV of this constitution, whereby individual, professional, and academic rights and privileges of its members may be preserved and pursued under law.
2. To originate and promote efforts on behalf of the professional staff at New Jersey Institute of Technology in support of professional rates of compensation, suitable conditions of employment, quality institutional research, modern educational facilities, and policies and goals directed toward increased excellence in higher education.
3. To cooperate with and support the Institute's Faculty in maintaining and enhancing faculty governance at this institution.
4. To serve as the representative of the professional staff of the Institute in any collective negotiations under Public Law 1968, Chapter 303, N.J. (and including any subsequent changes or additions thereto) dealing with those economic issues, working conditions and other conditions of employment not included within the scope of faculty governance as hereinafter defined.
5. To support, as a matter of general policy, only those aims, plans, policies and recommendations, which are in the best interests of the entire professional staff at New Jersey Institute of Technology.

ARTICLE III Faculty Governance

The Association shall cooperate with the Faculty of the New Jersey Institute of Technology in maintaining and promoting those practices associated with faculty governance in institutions of higher learning. This cooperation shall be sufficiently extensive to assure the autonomous functioning of the faculty in those matters traditionally associated with faculty governance. Nothing in this document is intended in any way to abrogate the traditional rights, privileges and responsibilities of the Faculty in their determination of and participation in institutional governance. Neither does this Constitution preclude the Association from acting on behalf of Faculty at the request of the Faculty. The Governing Board of the Association shall cooperate with the Faculty Council in all matters of mutual interest and concern, especially with regard to actions relating to faculty governance at the Institute.

ARTICLE IV Membership

This Association shall be composed of Active and Life Members.

Section 1. Active Members: Any member of the professional employee's bargaining unit at the Institute (as defined by P.E.R.C.) who has paid full membership dues and current assessments shall be considered an active member of the Association.

Section 2. Life Members: All active members at the time of retirement shall become Life members of the Association in good standing. Life Members shall enjoy all privileges of the Association except those of voting and holding elective office and shall be exempt from the payment of all dues and assessments.

ARTICLE V Governing Board

Section 1. The Governing Board. The Governing Board shall be elected from among the Active Members of the Association. The number of members in the Governing Board and the method for election or recall of any member of the Governing Board is provided for in the bylaws.

Section 2. Term of Office. The term of office shall be two years. In any year the members of the newly constituted Governing Board shall assume the duties of their offices at the first meeting in May after the election results have been certified.

Section 3. Selection of Officers. The President and Vice Presidents shall be elected by mail ballot. Governing Board shall appoint the Treasurer and Secretary or Secretary/Treasurer from among the Active members of the Association. The method for the election or removal of any officer is provided for in the bylaws.

Section 4. Meetings of the Governing Board. The Governing Board shall meet at the call of the President for planning, for recommending and for executing the purposes of the Association as provided for in the Constitution and bylaws. The president shall call a meeting at the request of a majority of the members of the Governing Board. The Governing Board shall meet at least twelve (12) times per year. Meetings of the Governing Board may be attended by any Active Members of the Association as observers.

Section 5. Duties and Powers Governing Board. The Governing Board shall carry out the purposes of the Association as provided for in the Constitution and in the bylaws Bargaining Unit. The Board shall have the power to collect Moines required to conduct the business of the Association. It shall also be empowered to accept gifts and bequests to the Association. It shall be empowered to administer all funds and properties of the Association. The Governing Board shall not enter into any binding agreements affecting conditions of employment of members of the Bargaining Unit without the expressed approval or ratification of the Association membership. The Governing Board shall disseminate information regarding its activities. It shall be authorized to issue Association publications. It shall provide adequate means for of ideas originating in its Board shall be required to receive and consider all communications from members of the Bargaining Unit.

ARTICLE VI Officers

Section 1. Officers Association. Officers of the Association shall be a president, a faculty vice-president, a professional staff vice president, secretary, and a treasurer (or a secretary/treasurer). The President and the Vice-President(s) shall be elected for a term of two years, and may be elected to succeed themselves. The method for the election of these officers is provided for in the bylaws. The elected officers shall assume the duties of their offices at the first meeting of the newly constituted Governing Board. The office of professional staff vice president may be left vacant if there is no consenting candidate. The Secretary and Treasurer (or secretary/treasurer) shall each be appointed for a term of one year and may be reappointed for succeeding terms.

Section 2. Duties of officers.

A. President. The president is the chief executive officer of the Association and shall be empowered to act as the official representative on behalf of the best interest of the entire bargaining unit. The president shall call meetings of Governing Board and the Association and shall preside at such meetings. The president shall appoint standing and special committees in accordance with the provisions of Article VII of this constitution. The president shall be an ex-officio member of all committees and shall perform such other duties as necessary.

B. Vice-President(s). A vice-president, in the absence of the president, shall perform all of the duties and enjoy all the privileges of that office according to the by laws. Should the president of the Association be unable to fulfill the duties of office, the Governing Board shall elect either the faculty vice president or the professional staff vice-president to the office of President. That individual shall serve in that capacity for the duration of the two-year term. The resulting vacancy in one of the vice presidencies shall be left vacant until the next regular election. The vice presidents shall perform such other duties as directed by the president.

C. Treasurer. The treasurer shall collect and have custody of all funds of the Association, shall pay out such funds as are necessary upon approval of the Governing Board, shall keep the accounts of the Association, shall make an annual itemized report in writing of such accounts and shall perform other such duties as necessary.

D. Secretary. The secretary shall keep a proper record of all meetings of the Association and of the Governing Board. The secretary shall carry on such correspondence as is necessary in the transaction of the business of the Association. The secretary shall make available a copy of the constitution, the by-laws and the records of any meetings, to any member requesting them. The secretary shall be custodian of the Association records, excepting financial records. The Secretary shall perform such other duties as necessary.

E. Secretary/Treasurer. The offices of secretary and treasurer may be combined at the discretion of the Governing Board

ARTICLE VII Committees

Committees shall be appointed and discharged by the president with the advice and consent of the Governing Board. The members of any committee shall hold office until their successors are appointed or the committee discharged. Members of committees shall be members of the Association in good standing.

ARTICLE VIII Association Records

The records and accounts of the Association and of its Governing Board, Officers, and committees shall be kept in books provided by the Association which shall be the property of the Association and the exclusive of privileged information, including grievance files and confidential labor management communications, shall be open to the inspection of its members at the association office. Every Officer, member or employee of the Association having funds, papers, books, records, or property of any description belonging to the Association shall give up the same on demand to the person authorized by the officers to receive them.

ARTICLE IX Quorum

The quorum for a meeting of the Association shall be one-third (1/3) of the Active Membership of the Association. The quorum for a meeting of the Governing Board, or any committee, shall be a majority of the members of the particular group.

ARTICLE X Amendments to the Constitution

Section 1. Proposal of Amendments. Amendments to the Constitution may be proposed for consideration either by the Governing Board or by a petition signed by not less than fifty (50) active members of the Association.

Section 2. Recommendation for Ratification. Consideration of proposed amendments to the constitution must take place at an Association meeting or at a special hearing called to propose amendments. A majority of those present and voting shall be necessary in order for an amendment to be submitted to a ratification referendum.

Section 3. Ratification. Ratification of approved amendments shall require a minimum ballot return of 25% of the Association's active membership and a minimum of 60% of the ballots cast must be in favor of the proposed amendment for it to pass. Ratification shall be conducted by the Governing Board of the Association.

PSA/AAUP B Y L A W S

ARTICLE I. FISCAL YEAR, BUDGET, DUES AND ASSESSMENTS

Section 1. Fiscal Year. The fiscal year of the New Jersey Institute of Technology Professional Staff Association/American Association of University Professors, Inc., shall begin on July 1 and end June 30.

Section 2. Annual Budget. Each year before the regular fall meeting of the Association, the proposed annual budget for the Association shall be approved by the Governing Board. The treasurer, president, vice presidents and the Association staff shall present the proposed budget at the regular fall meeting of the Association. Adoption of the budget shall require a majority vote of the Association's active membership present and voting.

Section 3. Dues and Assessments.

A. Dues. Changes in the annual dues shall require a vote of the Governing Board and ratification by the membership. Dues may be paid in one sum or in payroll deduction installments.

B. Assessments. Assessments to cover expenses incurred by the Association in activities directly related to collective negotiations shall be billed to every member of the bargaining unit. Assessments shall be proposed by the Governing Board and approved by a majority of those present and voting.

ARTICLE II MEETINGS OF THE ASSOCIATION

Section 1. Regular Meetings. Regular Association meetings shall be held in the fall semester and in the spring semester.

Section 2. Special Meetings. Special meetings may be called by the president, or by a majority vote of the Governing Board, at any time.

Section 3. Notices. Notices of regular meetings and their agendas shall be publicized no less than seven (7) calendar days in advance of such meetings. Special and ratification meetings shall require individual notification and their agendas shall be publicized in advance of such meetings.

Section 4. Voting on New Items. Any motion relating to an item not on the published agenda cannot be voted upon at that meeting without the approval of two-thirds of the membership present.

Section 5. Minutes. Minutes of each meeting of the Association shall be available from the Association office no later than ten days after the date of such a meeting.

ARTICLE III COOPERATION AND AFFILIATION

Section 1. Cooperation. The Association may cooperate or consult informally with other groups, organizations, or entities in order to facilitate the achievement of its purposes.

Section 2. Formal Affiliation. Formal affiliation with any group, organization or individual for the purpose of enhancing the Association's effectiveness in collective negotiations shall be in accordance with the procedures described herein for amending the constitution.

ARTICLE IV NEGOTIATIONS

Section 1. Authorization. The Association, its agents or representatives, shall be authorized to act for the members of the bargaining unit pursuant to Chapter 303, Public Laws of 1968, of the State of New Jersey, for the purposes of collective negotiations.

Section 2. Individual Members. The Association, its agents or representatives, shall be empowered to assist any individual member of the bargaining unit as requested by said member within the provisions of any agreement negotiated pursuant to Chapter 303.

ARTICLE V STANDING COMMITTEES

Standing committees and their chairs shall be appointed by the president from among the active members of the Association with the approval of the Governing Board.

Section 1. Budget Committee. The Budget Committee shall consist of no fewer than three (3) members. It shall assist the Governing Board in preparing the annual budget and shall carry out other such duties as shall devolve upon them.

Section 2. Research Committee. The Research Committee shall consist of no fewer than three (3) members. It shall advise and serve in the gathering, treatment, and interpretation of data and information necessary to the fulfillment of Association purposes.

Section 3. Membership Committee. The Membership Committee shall be comprised of no fewer than three (3) members. This committee shall encourage members of the bargaining unit to join the New Jersey Institute of Technology Professional Staff Association/AAUP. The PSA/AAUP staff shall keep records of the active membership of the Association.

Section 4. Negotiations Committee.

A. Duties. It shall act as the negotiating team on matters affecting the welfare of the members of the bargaining unit except as provided for in Article III of these bylaws. It shall negotiate for all the members of the bargaining unit at New Jersey Institute of Technology, pursuant to Chapter 303, NJ Public Laws of 1968.

B. Negotiated Agreements. All negotiated agreements of this committee shall be ratified by a minimum ballot return of 25% of the Association's active membership and a minimum of 60% of the ballots cast must be in favor of the proposal for it to pass. Balloting may be accomplished by letter ballot or at a regular or special meeting.

C. Professional Advisor. The Negotiations Committee, with the approval of the Governing Board, may utilize or employ the services of professional advisors in the preparation, presentation, or execution of any legal documents or negotiated agreements.

Section 5. Grievance Committee. The Grievance Committee shall assist in meeting the commitments of the Association to the members of the bargaining unit with respect to any grievance.

Section 6. Nominating Committee.

A. Composition. The Nominating Committee shall consist of five (5) members of the Governing Board selected by a majority vote of the Governing Board. The Nominating Committee shall select its own chairperson. No member of the Nominating Committee may be nominated for any office.

B. Procedure. At a Governing Board meeting held in the month of September, the Nominating Committee shall solicit nominations for the offices of president, faculty vice president, and professional staff vice president. Additionally, the committee shall solicit nominations from the general membership. The Nominating Committee shall nominate candidates who have been active Association members for at least three (3) years.

The Nominating Committee shall designate not less than one nominee for the positions of president and faculty vice president. The position of professional staff vice president shall remain vacant in the event there is no consenting nominee. The approved list of nominees shall be distributed to the membership. The Nominating Committee shall receive nominating petitions for a period of fourteen (14) days following the distribution of the approved slate. The Nominating Committee shall include on the final ballot all Active members nominated by valid petition (containing the signatures of fifty (50) Active members).

ARTICLE VI ELECTIONS, APPOINTMENTS, RECALL

Voting Divisions. Voting divisions shall be established among the membership of the Professional Staff Association for accomplishing the nomination and election of members of the Governing Board.

1. The Governing Board. Members of the Governing Board shall be nominated and elected in accordance with the rules and regulations as specified in these bylaws. There shall be one voting division for each academic department or school with ten (10) or more active members. Each academic voting division shall have one (1) representative on the Governing Board; the professional staff shall have seven (7) representatives to the Governing Board. There will be five (5) at-large representatives with two (2) to be voted upon one year and the remaining three (3) to be voted upon in the succeeding year. A division may have, at most, three (3) of its active members on the Board: one assured divisional representative; the others, if elected, as at-large representatives originating from that division.

A. The nomination and election of divisional representatives shall take place during the month of March. The Governing Board in office will appoint one active member to oversee the process of nomination and election in each voting division in which a vacancy occurs. Any active member in the division may be nominated by another active member in that division. The election shall be by closed mail ballot or by closed ballot at an election meeting. In order to be declared the divisional representative, the member must receive the votes of a majority of the active membership in that division.

B. Elections to fill at-large vacancies on the Board shall be held, as soon as practicable, after the divisional elections and nominations. Voting in at-large elections shall be by closed mail ballot. A vote shall be considered valid when and only when a ballot indicates a vote for the number of at-large candidates that is equal to the number of at-large positions available for that election. The at-large elections shall be supervised by the Governing Board.

2. Terms of Office. The term of office for Governing Board members shall be two years. Terms shall be staggered so that approximately one half of the seats become vacant each year.

3. Recall of Board Members. Recall of any individual member of the Governing Board may be accomplished by a vote of two-thirds of the entire active membership of the individual's constituency. Initiative of a recall election shall be by a petition signed by at least twenty-five percent (25%) of the entire active membership of the Board member's constituency.

4. Election of Officers. The president and vice-presidents shall be elected by closed mail ballot, by a simple majority of votes cast by the active membership. If no candidate receives a simple majority, a run-off election shall be held between the two (2) candidates with the largest number of votes. Members may exercise the option of writing-in candidates. Write-in candidates must have been active members of the Association for at least three (3) years. The outgoing president will preside over these elections, unless he/she is a candidate for re-election, in which case the old Governing Board shall appoint another member to fulfill that function and to act as temporary chairperson until the process has been completed. The procedure for the election of replacement representatives, exclusive of a mandated election calendar, is the same as that for departmental representatives provided for in Article VI.1.A. of these bylaws.

5. Appointment of Officers. The secretary and treasurer or secretary/treasurer shall be appointed by the Governing Board from the active members of the Association.

6. Removal of Officers. Any officer may be removed by a two thirds majority vote of the Board.

ARTICLE VII RULES OF ORDER

Robert's Rules of Order shall govern the meetings of the Association, the Governing Board and all committees, insofar as these rules are consistent with the constitution and bylaws of the New Jersey Institute of Technology Professional Staff Association/American Association of University Professors, Inc..

ARTICLE VIII AMENDMENTS TO THE BYLAWS

The procedure for amending the bylaws is the same as that for amending the constitution.