

CONSTITUTION AND BY-LAWS
NEW BEDFORD FEDERATION OF PARAPROFESSIONALS
LOCAL 2378



[2019]

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ARTICLE I
NAME

This organization shall be known as the NEW BEDFORD FEDERATION OF PARAPROFESSIONALS (NBFP), Local 2378, American Federation of Teachers (AFT), AFT Massachusetts, AFL-CIO.

ARTICLE II
OBJECTIVES

THE PURPOSE OF THIS ORGANIZATION SHALL BE:

SECTION 1. To encourage mutual understanding and cooperation among the membership, and to bring associations of school employees into relationships of mutual assistance and cooperation.

SECTION 2. To obtain full trade union rights, including rights to exclusive recognition and collective bargaining, and other rights to which they are entitled.

SECTION 3. To advance the economic, social, and political well-being of the membership, to maintain and promote the collective welfare of the members, and to maintain and improve their conditions of employment.

SECTION 4. To promote the interests of the residents of the City of New Bedford, and to maintain and improve the quality of education for all students in the New Bedford Public Schools.

SECTION 5. To promote democracy, equality, and trade unionism in the society at large, and to eliminate discrimination in any form.

ARTICLE III
MEMBERSHIP

SECTION 1. All active employees of the New Bedford Public Schools excluding Administrators, and Supervisors in Management positions are eligible to become members.

SECTION 2. No person shall be denied membership, nor shall this organization ever discriminate against individual members or applicants for membership on the basis of age, race, creed, sex, sexual orientation, disability, social, political, or economic status, or national origin.

SECTION 3. **GOOD STANDING.** A member in good standing is defined as a member who is current in the payment of his/her dues to the NBFP. Any member who is more than thirty (30) days delinquent in dues payment is considered not in good standing, and shall be promptly notified by the Treasurer of such status. A member may be disciplined, expelled, or fined by a two-thirds (2/3) vote of the members of the Executive Board, with notice, following three (3) months of dues nonpayment, unless a plan to pay back dues is made and approved by both the Executive Board and the member.

- a. The union dues of the NBFP shall be set in accordance with the provisions of Article XV of these Constitution and By-Laws, and dues shall normally be collected by payroll deduction and payable to the NBFP over ten (10) months for ten (10) month employees, or twelve (12) months for twelve (12) month employees.

- b. A member on payroll deduction is considered not in good standing if the member is more than thirty (30) days delinquent in the payment of his/her dues to NBFP during the previous twelve (12) months, or back to the date of hire for an member who has been employed less than one (1) school year.
- c. A member not on payroll deduction shall be considered not in good standing if he/she fails to pay his/her annual dues in full, and in advance for the current school year, no later than September 15th. A member not on payroll deduction who pays his/her dues in full, and in advance for the current school year no later than September 15th shall be considered a member in good standing.
- d. A member not in good standing will have his/her good standing restored only upon payment of back dues in an amount equal to total dues owed, up to a maximum of twelve (12) months, or back to the date of hire if they have been employed for less than one (1) school year.
- e. As a part of his/her duties under Article VII, Section 3, of these Constitution and By-Laws the Treasurer shall maintain an accurate list of NBFP members in good standing, as well as an accurate list of NBFP members who are not in good standing. The Treasurer shall keep these lists current and up to date, and shall present these lists to the Executive Board on a monthly basis, and as needed.

SECTION 4. ASSOCIATE MEMBERS.

- a. Associate Members shall be subject to the approval of the Executive Board.
- b. Associate Members shall not be entitled to vote, hold office, or serve on committees.
- c. Associate Members shall be persons not eligible for full membership in any other AFT local affiliate

SECTION 5. RETIREE MEMBERSHIP.

The Executive Board shall establish guidelines for retiree membership, dues, and participation in the local in the form of a retiree chapter, in accordance with AFT guidelines.

ARTICLE IV
DISCIPLINARY PROCEDURE

SECTION 1. A member may be disciplined, expelled, or fined by the Executive Board for acts detrimental to the Federation including but not limited to actions contrary to these Constitution and By-Laws, a NBFP collective bargaining agreement, or other interests of the NBFP or its membership:

- a. A disciplinary action may only be initiated by the presentation of written and signed charges to the Executive Board by two (2) or more members of the Federation who are in good standing.
- b. Charges must include a specific and detailed accounting, including any documentation of the allegations against a member.
- c. Upon receipt of such charges the Executive Board shall cause a preliminary investigation to be conducted in order to determine whether the charges against the accused member have merit.
- d. Following the preliminary investigation, the Executive Board shall vote on the question of whether a disciplinary hearing should be held. If a majority of the Executive Board votes to hold a hearing, the accused member shall be provided with a copy of the charges, in writing, and shall be given at least a ten (10) calendar day written notice of the hearing.

- e. At the disciplinary hearing, the accused member shall have the right to be represented by a person of his or her choice, and shall have the right to question the charges and present evidence and witnesses to support their defense.
- f. At the conclusion of the hearing, a two-thirds (2/3) vote by members of the Executive Board shall be required to discipline, expel, or fine the accused member. If a member of the Executive Board has brought the charges against the accused member, that board member shall recuse him/herself from the vote.
- g. After the disciplinary hearing, the Executive Board shall notify the accused member of their decision, in writing, and within ten (10) calendar days.

SECTION 2. A member who has been disciplined, expelled, or fined may appeal the decision of the Executive Board directly to the membership by requesting that a vote on the matter by the members be placed on the agenda at the next regular membership meeting of the Federation. Any request for an appeal shall be made to the Executive Board in writing, and within ten (10) calendar days of receipt of the decision by the board. A failure on the part of an accused member to request an appeal, in writing within the ten (10) calendar days shall be considered a waiver of said right to appeal. A simple majority of the members voting shall be sufficient to overrule a decision of the Executive Board to discipline, expel, or fine a member.

ARTICLE V OFFICERS

SECTION 1. The Officers of the New Bedford Federation of Paraprofessionals (NBFP) shall be:

- PRESIDENT
- VICE-PRESIDENT
- TREASURER
- SECRETARY

SECTION 2. The following NBFP Officers shall be elected biennially at large by the Federation Members:

- PRESIDENT
- VICE-PRESIDENT
- TREASURER
- SECRETARY

SECTION 3. A member must be a member in good standing for at least one (1) year to hold elected office. The start of the one (1) year period shall commence upon the restoration of a members good standing in accordance with Article III, Section 3 (d) of these Constitution and By-Laws.

SECTION 4. The terms of office for the Officers and Delegates of the NBFP, shall be two (2) calendar years, commencing from the date of their election.

SECTION 5. Vacancies in the office of President, Vice-President, Treasurer, or Secretary shall be filled by a vote of the Executive Board, subject to ratification by the NBFP membership.

ARTICLE VI
EXECUTIVE BOARD

SECTION 1. The Executive Board of the NBFP shall consist of all elected Officers. All elected Officers (See Article V, Section 1) shall have one (1) vote each as Executive Board members.

SECTION 2. The Executive Board shall administer the policy of the NBFP as set by the members at regular membership meetings. It shall have the power to act for the good of the Federation where the policy cannot be set by the membership.

SECTION 3. The President of the NBFP shall be the Chairperson of the Executive Board.

SECTION 4. The Executive Board shall have the power to employ all personnel, including an executive secretary, clerical help, and other persons on a full or part-time basis as may be determined by the needs and finances of the NBFP.

SECTION 5. The Executive Board shall have the power to make contracts and incur liabilities which may be appropriate to enable it to accomplish any or all of its purposes at such rates of interest and terms and conditions as they may determine. to issue notes, bonds, and other obligations and to secure of its obligations by mortgage, pledge, or deed of trust of all or any of its property and income.

SECTION 6. The Executive Board shall have the power to remove any elected officer, Building Representative, or Member Organizer of the NBFP from their current position for violations of Article IV, Section 1 or Article IX, Section 5 of these Constitution and By-Laws, provided the disciplinary procedures outlined in Article IV are followed.

SECTION 7. **EXECUTIVE BOARD MEETINGS.** Executive Board meetings shall be called by the NBFP President or at the request of any three (3) members of the Executive Board. Three (3) members of the NBFP Executive Board present at any Executive Board meeting shall constitute a quorum for the transaction of business. If this specified quorum is not so constituted then a meeting can still be held for discussion purposes but no official votes can be taken. The Executive Board shall meet at least six (6) times annually.

SECTION 8. The Executive Board shall report its activities at each regular membership meeting.

ARTICLE VII
DUTIES OF OFFICERS

SECTION 1. **THE PRESIDENT SHALL:**

- a. Be presiding officer at all meetings of the membership and the Executive Board.
- b. Be an ex-officio member of all standing committees except the Elections Committee.
- c. Appoint with the approval of the Executive Board, the chairpersons of all standing committees except the Elections Committee.
- d. Be the principle executive officer of the NBFP, and supervise the affairs of the Federation.
- e. Be one of the responsible financial Officers of the NBFP authorized to co-sign financial instruments and make regular and usual disbursements of funds.
- f. By virtue of his/her office, the President shall be a Delegate to the conventions of affiliate bodies.
- g. Submit an annual report of his/her activities to the membership.

SECTION 2. **THE VICE-PRESIDENT SHALL:**

- a. Assist the President in the performance of his/her duties.
- b. Assist the Building Representatives, the Member Organizer, and the Treasurer with membership recruitment and record keeping.
- c. Perform other duties as Delegated by the President or assigned by the Executive Board.
- d. Be responsible for by-law compliance of the NBFP.
- e. In the absence of the President, or the inability of the President to perform his/her duties, the Vice-President shall perform the duties of the President.

SECTION 3. **THE TREASURER SHALL:**

- a. Receive, record and deposit all dues monies and other income in the name of the NBFP.
- b. Maintain accurate membership records and keep records available to the Executive Board.
- c. Maintain keep available to the Executive Board a database of current members which includes the following information for each member:
 - 1. Name
 - 2. Address – City – State – Zip Code
 - 3. Home Phone
 - 4. Cell Phone
 - 5. E-Mail Address (Non-Work)
 - 6. Workplace
 - 7. Membership Status
 - a) Union Member
 - i. Member in Good Standing
 - ii. Member NOT in Good Standing
 - b) Non-Member
 - 8. Current Dues Rate
 - a) Full
 - b) Half
 - c) Quarter
 - d) Eighth
- d. Issue membership cards, receipts, and notices of delinquency.
- e. Be one of the responsible financial Officers of the NBFP authorized to co-sign financial instruments and make regular and usual disbursements of funds.
- f. Maintain all the financial records of the NBFP, and keep accurate records available to the Executive Board and the Budget Committee.
- g. Forward all per capita dues and current membership lists to the national office of the American Federation of Teachers (AFT), AFT Massachusetts, and other affiliated organizations to keep the NBFP in good standing at all times.
- h. Be responsible for certifying that per capita dues through May 30th are sent to the national office of the AFT no later than fifteen (15) days prior to the opening date of the national convention to ensure that Delegates from the NBFP may be seated.

- i. Prepare the NBFP annual budget in a timely manner for review by the Executive Board in April of each year, and approval by the membership at the General Membership Meeting held during the month of May.
- j. Present a report of the finances of NBFP to the Executive Board at each Executive Board meeting, and to the membership at the monthly General Membership meetings.
- k. Be responsible for ensuring that Officers of the NBFP remain bonded through the national office of the American Federation of Teachers (AFT).
- l. Arrange for an annual independent audit or internal financial review of the NBFP Finances and make results of the audit available in a timely manner to the Executive Board and the membership.
- m. Perform other duties Delegated by the President or assigned by the Executive Board.

SECTION 4.

THE SECRETARY SHALL:

- a. Maintain the non-financial files and records of the NBFP and the Executive Board.
- b. Maintain a record of all Officers, committees, and committee members including address, phone, e-mail address, and other contact information.
- c. Prepare notices and promptly notify members of all meetings.
- d. Prepare the correspondence of the NBFP and preserve its documents.
- e. Assist the President in handling the correspondence of the NBFP.
- f. Reproduce the highlights of all meetings that are held and make them available to all members, including the posting of information on the NBFP website.
- g. Record and keep accurate minutes of all meetings of the NBFP, and make these records available to the Executive Board or the membership upon request, including posting approved minutes on the NBFP website.
- h. Oversee work of, and certify the reports of, the Elections Committee.
- i. Perform other duties Delegated by the President or assigned by the Executive Board.

SECTION 5.

FIDUCIARY RESPONSIBILITIES: Federal and State laws impose several fiduciary duties on the Officers of the NBFP, including the duties of due care and diligence, loyalty, avoidance of self-dealing, expending designated monies for the purposes specified, and the avoidance of commingling of personal and NBFP funds.

ARTICLE VIII
BUILDING REPRESENTATIVES

SECTION 1. The Executive Board shall appoint one (1) member to serve as Building Representative in each school/building where members of the NBFP work, subject to ratification by the members who work in that school/building. A Building Representative must be an active member of the NBFP in good standing.

SECTION 2. The terms of office for a Building Representative shall be two (2) years, commencing from the date of their appointment.

SECTION 3. Vacancies in a Building Representative position shall be filled by a vote of the Executive Board, subject to ratification by the by the members who work in that school/building.

SECTION 4. A Building Representative may be removed from his/her position and disciplined, expelled, or fined by the Executive Board for acts detrimental to the Federation, pursuant to Article IV, Section 1, above.

SECTION 5. DUTIES OF A BUILDING REPRESENTATIVE:

- a. Act as the official representative of the Federation for all members who work in his/her school/building.
- b. Perform member outreach and orientation including but not limited to meeting-and-greeting new members, conducting 10-minute meetings to assist members in finding answers to questions/concerns they have, including but not limited to questions about the Federation, union member benefits, a collective bargaining agreement, or any work rules in his/her building.
- c. Distribute new member packets and membership applications to all new employees in his/her school/building.
- d. Collect and verify information on completed membership applications, and return the applications to the Federation Treasurer.
- e. Investigate and document the issues/concerns of all members of the Federation who work in his/her building, including but not limited to any potential contractual violations.
- f. Forward any issues/concerns or potential contractual violations to the President and the Executive Board in a timely fashion.
- g. Be a member of the Grievance Committee.

ARTICLE IX
MEMBER ORGANIZER

SECTION 1. The Executive Board shall appoint one (1) Member Organizer, subject to ratification by the NBFP membership. A Member Organizer may be either an active member of the NBFP in good standing, or a retiree of the NFPF in good standing on the date he/she retired from the New Bedford Public Schools.

SECTION 2. The terms of office for a Building Representative shall be two (2) years, commencing from the date of their appointment.

SECTION 3. Vacancies in a Member Organizer position shall be filled by a vote of the Executive Board, subject to ratification by the by the NBFP membership.

SECTION 4. A Member Organizer may be removed from his/her position and disciplined, expelled, or fined by the Executive Board for acts detrimental to the Federation, pursuant to Article IV, Section 1, above.

SECTION 5. DUTIES OF THE MEMBER ORGANIZER:

- a. Act as an official representative of the Federation.
- b. Assist the Building Representative in performing member outreach and orientation including but not limited to meeting-and-greeting new members, conducting 10-minute meetings to assist members in finding answers to questions/concerns they have, including but not limited to questions about the

Federation, union member benefits, a collective bargaining agreement, or any work rules in his/her building.

- c. Assist the Building Representative in distributing new member packets and membership applications to all new employees in his/her school/building.
- d. Assist the Building Representative in the collection and verification of information on completed membership applications, and in returning the applications to the Federation Treasurer.
- e. Assists the Treasurer in maintaining accurate membership records.
- f. Assists the Building Representative with the investigation and documentation of issues/concerns of members of the Federation, including but not limited to any potential contractual violations.
- g. Assists the Building Representative with the forwarding of any issues/concerns or potential contractual violations to the President and the Executive Board in a timely fashion.

ARTICLE X **STIPENDS**

The Officers of the Executive Board, the Building Representatives, and the Member Organizer may be paid an annual stipend which shall be authorized each year by vote of the NBFP membership at the General Membership Meeting held during the month of [TBD], and the Secretary shall record the results of said vote in the minutes of the meeting. Payment of stipends shall be made pursuant to Article XV, Section 9, below.

ARTICLE XI **COMMITTEES**

SECTION 1. **THE FOLLOWING STANDING COMMITTEES SHALL BE ACTIVE IN THE NBFP:**

- a. Committee on Political Education (COPE)
- b. Grievance Review Committee
- c. Membership Committee
- d. Publicity and Internal Communications Committee (PICC)
- e. Scholarship Committee
- f. Social Committee

SECTION 2. **THE FOLLOWING SPECIAL COMMITTEES SHALL BE APPOINTED:**

- a. Budget Committee
- b. Elections Committee
- c. Grievance Committee
- d. Negotiations Committee

SECTION 3. Committees other than those listed above shall be considered ad hoc committees appointed by the NBFP President, and ratified by the Executive Board.

ARTICLE XII
DUTIES OF COMMITTEES

SECTION 1. COMMITTEE ON POLITICAL EDUCATION (COPE): The COPE shall work to secure voluntary contributions to support the political work of the NBF. The COPE will screen recommend and recommend endorsement of candidates for local, state, and federal office to the Executive Board. The COPE will work to educate members on issues of importance to the NBF, its members and clients, and to develop programs to promote voter registration and to support the election of candidates who support the interests of the NBF, its membership and the people they serve. The Chairperson of the COPE shall be appointed by the NBF President, and ratified by the Executive Board. The members of the COPE shall be appointed by the Chairperson of the committee, and ratified by the Executive Board.

SECTION 2. GRIEVANCE REVIEW COMMITTEE: The NBF Executive Board shall serve as the Grievance Review Committee, and will review all grievances presented for binding arbitration in the NBF. The Executive Board shall meet in a timely manner to consider the merits and viability of each case presented, and will determine based upon the facts presented, if the NBF will support and fund the matter to binding arbitration.

SECTION 3. MEMBERSHIP COMMITTEE: It shall be the duty of the Membership Committee to develop programs and activities that shall cause all eligible persons to join and participate in the NBF. The Membership Committee shall present a written report of its activities annually to the Executive Board. The Chairperson of the Membership Committee shall be appointed by the NBF President, and ratified by the Executive Board. The members of the Membership Committee shall be appointed by the Chairperson of the committee, and ratified by the Executive Board.

SECTION 4. PUBLICITY AND INTERNAL COMMUNICATIONS COMMITTEE (PICC): It shall be the duty of the PICC to prepare and distribute timely information bulletins to the NBF membership, ratified by the Executive Board. The Chairperson of this Committee shall coordinate the release of information bulletins with the Executive Board through the NBF Secretary. The editor of the information bulletins shall be a member of the Committee. Every effort shall be made by this Committee to make use of other sources of publicity, i.e. mailings to member's non-work e-mail, the NBF website, newspapers, radio, and television. The Chairperson of the PICC shall be appointed by the NBF President, and ratified by the Executive Board. The members of the PICC shall be appointed by the Chairperson of the committee, and ratified by the Executive Board.

SECTION 5. SCHOLARSHIP COMMITTEE: It shall be the duty of the Scholarship Committee to conduct activities, set qualifications, determine the dollar amount for each scholarship offered, and to prepare documentation for students. The Chairperson of the Scholarship Committee shall be appointed by the NBF President, and ratified by the Executive Board. The members of the Scholarship Committee shall be appointed by the Chairperson of the committee, and ratified by the Executive Board. Only a student who is the son/daughter, or the grandson/granddaughter of a NBF member in good standing shall qualify for any scholarship offered by the Federation.

SECTION 6. SOCIAL COMMITTEE: It shall be the duty of the Social Committee to conduct activities that promote the social well-being of the membership, are attractive and engaging to potential members, and promote programs in the community as the Executive Board may direct. The Chairperson of the Social Committee shall be appointed by the NBF President, and ratified by the Executive Board. The members of the Social Committee shall be appointed by the Chairperson of the committee, and ratified by the Executive Board.

SECTION 7. BUDGET COMMITTEE: The Budget Committee shall assist the Treasurer with the preparation of the annual budget and act as the Internal Audit Committee for the NBF. The Chairperson of the Budget Committee shall be appointed by the NBF President and ratified by the Executive Board. The Budget Committee shall consist of three (3) members in good standing, appointed by the Elections Committee Chairperson, and ratified by the Executive Board.

SECTION 8. ELECTIONS COMMITTEE: The Chairperson of the Elections Committee shall be appointed by the NBFP President and ratified by the Executive Board. The Elections Committee shall consist of three (3) members in good standing, appointed by the Elections Committee Chairperson, and ratified by the Executive Board. Any member of the NBFP who is a member in good standing may be appointed to the Elections Committee, however no member who is a candidate for elected office may serve on or participate in the activities of the committee. The Elections Committee shall conduct and supervise all elections of the NBFP using the procedures outlined in Article XVI of these Constitution and By-Laws, and in conformity with the Labor Management Reporting and Disclosure Act of 1959 (the Landrum-Griffin Act), 29 USC § 401 et seq.

SECTION 9. GRIEVANCE COMMITTEE: A Grievance Committee shall consist of one (1) representative from each school building, appointed by the Executive Board. The Chairperson of the Grievance Committee shall be the President. It shall be the duty of the Grievance Committee to work to resolve contractual and non-contractual disputes in the workplace at the lowest possible level. The Grievance Committee shall receive, process, and handle all grievances based upon the merits of each case, consistent with the procedures outlined in the respective collective bargaining agreement, and through the School Committee Level. If the Grievance Committee determines a case has merit and warrants consideration for binding arbitration, the Chairperson shall forward the grievance to the Grievance Review Committee (Executive Board) in a timely manner. If the Grievance Committee determines any case lacks merit, or in their opinion is not a viable case based upon the facts, it shall notify the grievant(s) in writing, and in a timely manner. The grievant(s) may appeal a decision of the Grievance Committee, in writing, directly to the Grievance Review Committee (Executive Board).

SECTION 10. NEGOTIATIONS COMMITTEE: A Negotiations Committee shall consist of one (1) representative from each school building, appointed by the President and ratified by the Executive Board. The Chairperson of the Negotiations Committee shall be the President. It shall be the duty of the Negotiations Committee to conduct a survey of the members, and perform research in preparation for negotiations.

ARTICLE XIII MEMBERSHIP MEETINGS

SECTION 1. The legislative power of the NBFP shall be vested in the General Membership meeting. Unless otherwise stipulated in the Constitution and By-Laws, action items and elections shall require a simple majority of votes cast during a membership meeting. The General Membership meeting shall approve the annual budget, shall require and approve committee reports, including the required annual audit or internal financial review, and shall develop and vote on resolutions to guide the policy of the NBFP.

SECTION 2. GENERAL MEMBERSHIP MEETINGS. There shall be monthly General Membership meetings of the NBFP, held on the 2nd Tuesday of the Month, during the school year. The annual budget shall be presented for approval by the membership during the General Membership meeting held in the month of [TBD]. The NBFP President may call additional meetings at his/her discretion.

SECTION 3. SPECIAL MEMBERSHIP MEETINGS. Special Membership meetings shall be called by the NBFP President at the request of any three (3) members of the Executive Board, or any ten (10) members of the NBFP who are in good standing. A Special Membership meeting shall be held within ten (10) calendar days after the NBFP President receives such a request.

SECTION 4. QUORUM. Only members of the NBFP who are members in good standing shall be present at membership meetings. Ten percent (10%) of the NBFP membership shall constitute a quorum for the transaction of business at any membership meeting.

ARTICLE XIV
AFFILIATIONS

SECTION 1. The NBFP shall maintain affiliation with and whenever possible send Delegates to the conventions of the following organizations:

a. THE AMERICAN FEDERATION OF TEACHERS (AFT). All Delegates and alternates to the AFT National Convention shall be elected by majority vote of the NBFP membership during the regular biennial Federation elections conducted according to Article XVI of these Constitution and By-Laws. The President and Secretary shall certify the election, and forward the credentials of all elected Delegates and alternates by registered or certified mail to the AFT National Office as soon as possible after the election, but no later than fifteen (15) days prior to the opening date of the AFT National Convention. The Treasurer will confer with the Delegates and will ensure that the per capita dues for May have been sent to the AFT National Office at least fifteen (15) days before the start of the AFT National Convention.

b. THE AMERICAN FEDERATION OF TEACHERS MASSACHUSETTS (AFT MASSACHUSETTS). All Delegates and alternates shall be elected by majority vote of the NBFP membership during the regular biennial Federation elections conducted according to Article XVI of these Constitution and By-Laws.

c. THE MASSACHUSETTS STATE LABOR COUNCIL (MASSACHUSETTS AFL-CIO). All Delegates and alternates shall be elected by majority vote of the NBFP membership during the regular biennial Federation elections conducted according to Article XVI of these Constitution and By-Laws.

d. THE GREATER SOUTHEASTERN MASSACHUSETTS CENTRAL LABOR COUNCIL. All Delegates and alternates shall be elected by majority vote of the NBFP membership during the regular biennial Federation elections conducted according to Article XVI of these Constitution and By-Laws.

SECTION 2. All Delegates shall report to the Executive Board on all meetings attended.

SECTION 3. The NBFP to the best of its ability shall be active in the affairs of affiliated organizations.

SECTION 4. Delegates to the affiliated organizations shall meet the same requirements as those set for Officers of the NBFP. A Delegate may be removed from his/her position and disciplined, expelled, or fined by the Executive Board for acts detrimental to the Federation, pursuant to Article IV, Section 1, above.

SECTION 5. The NBFP shall make every reasonable effort to pay the legitimate expenses of Delegates to meetings and conventions of affiliated organizations.

SECTION 6. **THE NBFP SHALL ANNUALLY SUBMIT TO AFT MASSACHUSETTS:**

a. A list of all elected Officers including their names, addresses, e-mail address, cell phone number, and home phone number.

b. The names and addresses of all members on the official enrollment form.

c. A statement setting forth all amendments and changes made to these Constitution and By-Laws during the preceding year.

d. Three (3) copies of the current NBFP collective bargaining agreement.

e. A copy of the annual audit or report of the internal financial review of NBFP finances conducted in accordance with Article XV, Section 2 below.

SECTION 7. Nothing in the NBFP Constitution and By-Laws shall be in conflict with the Constitution and By-Laws of the AMERICAN FEDERATION OF TEACHERS (AFT), or AFT-MASSACHUSETTS.

ARTICLE XV
FINANCES

SECTION 1. FISCAL YEAR. The Fiscal Year for the NBFP shall be from July 1st through June 30th of each year.

SECTION 2. ANNUAL AUDIT/FINANCIAL REVIEW. An audit or an internal financial review of the NBFP finances shall be conducted annually in accordance with the Constitution and By-Laws of the AMERICAN FEDERATION OF TEACHERS (AFT), and AFT MASSACHUSETTS. The Treasurer, with consent of the Executive Board, shall be responsible for initiating the audit on or about July 1st for the preceding fiscal year, and results of the audit shall be made known to the members upon receipt of the auditor's report at the next General Membership Meeting. The Treasurer shall be responsible for the accurate completion of forms required by the Massachusetts Division of Labor Relations (DLR) pursuant to Mass. G.L. c. 150E § 13 (Form 1) and Mass. G.L. c. 150E § 14 (Form 2), and shall ensure that these forms are filed in a timely manner upon completion of the annual audit or the internal financial review.

SECTION 3. REGULAR DUES. The regular dues of the NBFP shall be the total of all affiliate dues plus a NBFP local amount pro-rated in the same manner as the AFT affiliate dues. The regular dues shall be fixed by a majority vote of members present at a general or special membership meeting, provided notice of any contemplated dues increase must be sent to all members at least two (2) weeks prior to the membership meeting at which a vote is held. The vote shall be conducted by secret ballot in accordance with the Labor Management Reporting and Disclosure Act of 1959 (the Landrum-Griffin Act), 29 USC § 401 et seq. The Treasurer, with approval of the Executive Board, shall be authorized to make dues payments through use of the "pass through" option to offset any new per captia dues increases for the upcoming school year.

SECTION 4. BUDGET. The Treasurer, with assistance of the Budget Committee, shall work to prepare a budget for next fiscal year. The Treasurer shall present a budget for review by the Executive Board no later than March 15th, and the final budget for the next fiscal year shall be presented to the membership for their approval at the General Membership Meeting in April of each year.

SECTION 5. EXPENDITURE OF FUNDS. No expenditures outside of the budget shall be made, nor agreements entered into involving the funds of the NBFP, unless by majority vote of the membership. except that in case of an emergency, the President, with the approval of the Executive Board, may direct the expenditure of such sums as necessary for the good of the membership provided that such sum does not exceed Two-Hundred and Fifty Dollars (\$250).

SECTION 6. DISBURSEMENT OF FUNDS. Any disbursement of funds will require the signatures of both the NBFP President and Treasurer, or the signature of a third officer appointed by the Executive Board to sign in the absence of either the President or Treasurer.

SECTION 7. REIMBURSEMENT FOR EXPENSES. A member may request reimbursement for expenses related to official business of the NBFP. Any request for reimbursement must submitted during the fiscal year in which the expense occurred, and shall contain an explanation, in writing, to include the date, time, place, and purpose of the official business as well as the amount of reimbursement requested with a breakdown of the charges (i.e. lost wages, lodging, mileage, travel, etc.). The Executive Board shall have the authority to approve a request for reimbursement which does not exceed two hundred and fifty dollars (\$250). Any request for reimbursement which exceeds two hundred and fifty dollars (\$250) must be approved by a vote of the membership.

SECTION 8. PAYMENT OF STIPENDS. If authorized by vote of the membership, the Officers of the Executive Board, the Building Representatives, and the Member Organizer of the NBFP shall receive a stipend, paid annually in two (2) equal installments. Stipends shall be paid at the General Membership Meetings in [TBD] and [TBD] of each year, as compensation for work performed on behalf of the Federation. The amount of each stipend shall be set by vote of the membership at the General Membership Meeting in October of each year. The Treasurer shall provide appropriate documentation (i.e. Form W2, Form 1099), in a timely manner to any officer who has received a stipend, for filing with his/her annual Federal/State income tax return.

ARTICLE XVI **ELECTIONS**

SECTION 1. Elections shall be conducted in accordance with the AMERICAN FEDERATION OF TEACHERS (AFT) Constitution and the standards set out by the Labor-Management Reporting and Disclosure Act (LMRDA).

SECTION 2. Elections for Officers and Delegates shall be conducted at the General Membership Meeting during the month of [TBD] of odd years (e.g. 2019, 2021, 2023). The terms of office for Officers and Delegates shall be two (2) years.

SECTION 3. THE ORGANIZATION WILL ELECT THE FOLLOWING OFFICERS:

- PRESIDENT
- VICE PRESIDENT
- SECRETARY
- TREASURER

SECTION 4. THE ORGANIZATION WILL ELECT THE FOLLOWING DELEGATES:

- AMERICAN FEDERATION OF TEACHERS (AFT)
- AFT MASSACHUSETTS
- MASSACHUSETTS STATE LABOR COUNCIL (MASSACHUSETTS AFL-CIO)
- GREATER SOUTHEASTERN MASSACHUSETTS CENTRAL LABOR COUNCIL

SECTION 5. To be eligible for office a person must be a member in good standing of the organization for a period of one (1) year prior to the date of the election.

SECTION 6. The Elections Committee shall conduct all general and special elections and referenda of the NBFP.

SECTION 7. NOTICE OF NOMINATIONS AND ELECTIONS. Sixty (60) days prior to the date of the Elections, the Elections Committee shall notify all members of the opening of nominations, the offices to be filled, and the date/time and location for Nominations and Elections by placing a copy of the notice in a member's mailbox at his/her place of work, by distributing a copy to all members via electronic newsletter or e-mail, and/or by posting a copy on union bulletin boards and/or the Local's website. At least fifteen (15) days prior to Elections, the Elections Committee shall notify all members of the date/time and location of the Elections and the candidates for offices. The Elections Committee shall distribute this reminder as provided above.

SECTION 8. NOMINATIONS. Nominations shall be made from the floor at the General Membership Meeting during the month of [TBD]. Members nominated to run for office must affirmatively accept their nomination. The Elections Committee shall determine whether the nominations were timely and if the nominees are eligible for office.

SECTION 9. ELECTIONS. The Elections Committee shall conduct an election for Officers and Delegates at the General Membership Meeting during the month of **[TBD]**. The vote shall be by secret ballot. The majority of the ballots cast shall determine the outcome of the election. In the absence of a majority, the Elections Committee shall conduct a run-off election between the two candidates who have received the most votes for the office in question.

SECTION 10. ELECTION RESULTS. The election results will be published and distributed to the membership within thirty calendar (30) days of the count. Elections results shall be distributed by placing a copy in a member's mailbox at his/her place of work, by distributing a copy to all members via electronic newsletter or e-mail, and/or by posting a copy on union bulletin boards and/or the Local's website. The Elections Committee shall secure all elections materials, including the ballots, which will be kept in a secure location for one (1) year.

SECTION 11. ASSUMPTION OF DUTIES. Successful candidates shall assume office within thirty (30) days of the conclusion of the Elections, or at the next regularly scheduled General Membership Meeting, whichever is sooner.

SECTION 12. CHALLENGES AND OBJECTIONS. Challenges and objections to the Election must be submitted in writing, with a statement of supporting reasons that includes specific facts as well as any documentation, to the Elections Committee within five (5) calendar days of the count. The Elections Committee shall issue its written opinion regarding the objections no later than ten (10) days after receipt of such objections. A petition signed by forty-five percent (45%) of the membership, and alleging constitutional violations, fiduciary breaches or acts clearly detrimental to the union, shall be sufficient to require the Executive Board to vote on whether to conduct a recall election of the officer identified in the petition. The officer subject to recall and any Executive Board member signing the petition shall not vote on the question of a recall election. If a majority of the Executive Board approves a recall election, the Elections Committee shall supervise the recall election.

ARTICLE XVII **AMENDMENTS**

This Constitution and By-Laws may not be amended except by a two-thirds (2/3) vote of those members in good standing present and voting at any meeting; provided, however, that the members must be in the receipt of a written notice setting forth the proposed changes at least ten calendar (10) days in advance of the meeting.

ARTICLE XVIII **PARLIAMENTARY PROCEDURE**

Executive Board Meetings and all General/Special Membership Meetings shall be conducted according to Robert's Rules of Order as most recently revised.

ARTICLE XIX
AGENDA AND ORDER OF BUSINESS FOR MEMBERSHIP MEETINGS

The agenda and order of business for all meetings of the Executive Board and the General Membership shall include the items listed below, as necessary, and in the following order:

- a. Call to Order
- b. Minutes of Previous Meeting
- c. President's Report
- d. Treasurer's Report
- e. Reports of Committee Chairs
- f. Reports of Labor Delegates
- g. Communications
- h. Unfinished Business
- i. New Business
- j. Adjournment

DRAFT - 10.8.2019