

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



[2024]

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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, to maintain and improve the quality of education, and assist in the educational advancement 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.

SECTION 6. To initiate and support legislation which will benefit the members and the students of the State of Massachusetts.

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. Any member who is promoted to the aforementioned positions will automatically be removed from the Membership on the effective date of the promotion.

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 or expelled 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 academic year employees, or twelve (12) months for twelve calendar year 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:
 - 1. During the previous twelve (12) months
 - 2. Back to the date of hire for a member who has been employed less than one (1) school year.
 - 3. Any member who returns from an unpaid leave of absence, whose dues are not being deducted, is responsible to notify the Treasurer to be reinstated as a dues paying member.
- c. As a part of his/her duties under Article VII, Section 3, of this 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 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 may establish guidelines for retiree membership, dues, and participation in the local in the form of a retiree chapter, in accordance with AFT guidelines.

SECTION 6. A member in good standing may sever his/her membership with the Local, without prejudice, by presenting a letter of withdrawal or resignation to the President or Treasurer and Committee.

ARTICLE IV
DISCIPLINARY PROCEDURE

SECTION 1. A member may be disciplined or expelled 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 or expel 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 or expelled 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 or expel a member.

ARTICLE V **OFFICERS**

SECTION 1. The following Officers of the New Bedford Federation of Paraprofessionals (NBFP) shall be elected biennially at large by the Federation Members:

- PRESIDENT
- VICE-PRESIDENT
- TREASURER
- CORRESPONDING SECRETARY
- RECORDING SECRETARY
- Each officer shall be bonded

SECTION 2. A member must be a member in good standing for at least one (1) year to hold elected office.

SECTION 3. The terms of office for the Officers of the NBFP shall be two (2) school years (September 1-August 31st), following the date of their election.

SECTION 4. Vacancies in the office of President, Vice-President, Treasurer, Corresponding Secretary, or Recording Secretary shall be filled by a vote of the Executive Board.

SECTION 5. Any Officer who is not present without good cause for more than two (2) meetings in any fiscal year shall be paid their stipend on a pro-rata basis.

ARTICLE VI **EXECUTIVE BOARD**

SECTION 1. The Executive Board of the NBFP shall consist of all elected Officers, Chairs of standing Committees, and immediate past President, if in good standing. All elected Officers (See Article V, Section 1), Chairs, and past President 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 due to emergency or time sensitive situations.

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 make contracts and incur liabilities which may be appropriate to enable it to accomplish any or all 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 5. 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 6. 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. A time and location, either in person or virtual, shall be set by the Executive Board. A majority 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. Whether in person, virtually, or electronically, any votes taken will be recognized by the Executive Board.

SECTION 7. 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 Nominations or Elections Committee.
- c. Be the principle executive officer of the NBFP and supervise the affairs of the Federation.
- d. Shall appoint all committees not otherwise provided for.
- 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. Shall serve as a member of the Negotiation Committee and shall attend all negotiating meetings during a Contract year.
- g. Shall attend Investigatory meetings, Disciplinary meetings, Grievances at any level, PEC meetings, School Committee meetings, and Labor Council meetings.
- h. Shall attend all monthly meetings.

- i. In the event the President is unable to attend any meetings stated in Article VII, Section 1f, he/she shall send a designee in his/her place.

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

- a. Assist the President in the performance of his/her duties.
- b. The Vice President shall oversee all committees.
- 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.
- f. Shall attend all monthly meetings.
- g. Shall be a member of the Negotiations Committee and attend all meetings.

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 and 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) Potential Member
 8. Current Dues Rate
 - a) Full
 - b) Half
 - c) Quarter
 - d) Eighth
- d. Issue membership cards and reimbursement receipts.
- 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.
- 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 June 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.** 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.
- j.** Be responsible for ensuring that Officers of the NBFP remain bonded through the national office of the American Federation of Teachers (AFT).
- k.** 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.
- l.** Perform other duties Delegated by the President or assigned by the Executive Board.
- m.** Check agendas, addendums, and personnel reports to maintain the local's membership records.
- n.** Check biweekly dues reports and keep records of all paid members on leave of absence, worker's compensation, resignations, retirements, and terminations.
- o.** Shall attend all monthly meetings.
- p.** Shall be a member of the Negotiations Committee and attend all meetings.
- q.** The following language was adopted at the 2004 American Federation of Teachers Convention: "Effective January 1, 2005, AFT affiliates with fewer than 1,000 members, excluding retirees, are required to submit to the AFT annually, and within six (6) months of the close of the affiliate's fiscal year, an audit of its financial statements by an independent CPA in accordance with generally accepted auditing standards or financial review of the affiliate's financial statements conducted by an internal audit committee in accordance with AFT Guidelines for audit committees. Appended to the audit or financial review must be a signed certification by the affiliate's principal officer that the current audit or financial review has been presented at a specified regular or special meeting of the affiliate's governing body and published and made available to members."

SECTION 4. THE CORRESPONDING SECRETARY SHALL:

- a.** Maintain a record of all Officers and Building Representatives including address, phone, email address and other contact information.
- b.** At the start of each academic school year, a list will be sent out to each Building Representative and returned to the Corresponding Secretary to include all current ParaEducators and Lunch Aides in each building. This list shall include any updates or changes in their 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.** Perform other duties Delegated by the President or assigned by the Executive Board.
- g.** Shall attend all monthly meetings.
- h.** Shall be a member of the Negotiations Committee and attend all meetings.

SECTION 5. THE RECORDING SECRETARY SHALL:

- a.** Maintain the non-financial files and records of the NBFP, the Executive Board, and shall be the official custodian of the Constitution and By-Laws.

- b. 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.
- c. Reproduce the minutes of all meetings that are held and make them available to all members.
- d. Oversee work of, and certify the reports of, the Elections Committee. Also keep records and reports of the Elections.
- e. Perform other duties delegated by the President or assigned by the Executive Board.
- f. Shall attend all monthly meetings.
- g. Shall be a member of the Negotiations Committee and attend all meetings.

SECTION 6.

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. During the first week of each school year ParaEducators will elect 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. In the event no Building Representative is voted for, the Executive Board shall appoint someone.

SECTION 2. The terms of office for a Building Representative shall be one (1) year, commencing from the date of their appointment.

SECTION 3. A Building Representative may be removed from his/her position and disciplined or expelled by the Executive Board for acts detrimental to the Federation, pursuant to Article IV, Section 1, above.

SECTION 4. **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 or any officer within seven (7) calendar days (Please note if any issue warrants a grievance, the President only has 15 school days to file such grievance).

- g. May be a member of the Grievance Committee.
- h. Attend a minimum of six (6) monthly meetings and one (1) School Committee Meeting.
- i. If the above criteria are met, the Building Representative will receive a thank you gift in an amount voted on by the membership each year.

ARTICLE IX **MEMBER ORGANIZER**

SECTION 1. In the event AFTMA discontinues the position of the Member Organizer, the President may appoint one (1) Member Organizer subject to approval by the Executive Board. A Member Organizer may be either an active member of the NBFPP in good standing, or a retiree of the NFPF in good standing on the date he/she retired from the New Bedford Public Schools. The Member Organizer stipend shall be determined by a membership vote at a regular membership meeting.

SECTION 2. The terms of office for a Member Organizer shall be one (1) year, 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 within one month of the vacancy.

SECTION 4. A Member Organizer may be removed from his/her position 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. Provide support to the Treasurer in acquiring and maintaining accurate membership applications and records in order to update Connect or whatever platform AFT MA implements.

ARTICLE X **STIPENDS**

The officers will receive their annual stipends at the end of August of the current physical year. Any officer, who resigns or is no longer in good standing, will be paid on a prorated basis. Building Representative will receive a thank you gift, to be determined annually should they complete the responsibilities outlined in Article VIII Section h. This stipend will be paid by June 30th. The Member Organizer will be paid a stipend based on a vote from the membership.

ARTICLE XI
COMMITTEES

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

- a. Retirement Committee
- b. Membership Committee
- c. Refreshment Committee
- d. Publicity Committee
- e. Scholarship Committee

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

- a. Nominating Committee
- b. Grievance Committee
- c. Negotiations Committee
- d. Sick Bank Committee
- e. Any other necessary committee

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

ARTICLE XII
DUTIES OF COMMITTEES

SECTION 1. **RETIREMENT COMMITTEE:** Responsibilities include but are not limited to securing a date, finding three locations, prices, and menus for the membership to vote on at a monthly meeting. Decide theme and create invites to send out to members, retirees, and past Presidents. Purchase décor, centerpieces, and flowers/corsages for retirees with a budget set by the membership. Check date to ensure it does not conflict with graduation. Collect raffle donations or baskets and host a 50/50 raffle. Monies collected from ticket sales to the event and raffle tickets are to be kept separately and handed over to the Treasurer at the end of the event. In the event the Treasurer is not present, money shall be turned over to the President. The Chairperson of the Retirement Committee shall be appointed by the members of the Committee and be a voting member of the Executive Board.

SECTION 2. **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 NBFP. 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 NBFP President and be a voting member of the Executive Board.

SECTION 3. **REFRESHMENT COMMITTEE:** The duties of the committee are to purchase supplies such as plates, napkins, utensils, water, and Lysol wipes. Order/purchase food for each monthly meeting, cost should not exceed \$150.00. Set up and clean up refreshment areas at each meeting. Submit all receipts to the Treasurer for reimbursement. No reimbursement will be made without a receipt. If more than one person is on this committee a Chairperson will be appointed by the Committee and be a voting member of the Executive Committee.

SECTION 4. **PUBLICITY COMMITTEE:** It shall be the duty of the committee to prepare and distribute timely information bulletins to the NBFP membership, ratified by the Executive Board. The Chairperson of this Committee shall coordinate

the release of information bulletins with the President. 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 members' non-work e-mail, the NBFP website, newspapers, radio, television, and social media. Assistance in hybrid monthly meetings is available. The Chairperson of the Publicity Committee shall be appointed by the members of the Committee and be a voting member of 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. Only a student who is the son/daughter/legally adopted child of a NBFP member in good standing shall qualify for any scholarship offered by the Federation. The Chairperson of the Scholarship Committee shall be appointed by the members of the Committee and be a voting member of the Executive Board.

SECTION 6. NOMINATING COMMITTEE: See Article XVI Elections, Section 6. The Chairperson of the Nominating Committee shall be appointed by the members of the Committee and be a voting member of the Executive Board.

SECTION 7. GRIEVANCE COMMITTEE: A Grievance Committee shall consist of three (3) or more representatives, preferably one (1) from Elementary School, one (1) from Middle School and one (1) from High School. 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 a grievance, the President shall forward the grievance to the AFT Field Representative as soon as possible. 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.

SECTION 8. NEGOTIATIONS COMMITTEE: The Negotiations Committee shall consist of all officers and preferably three (3) or more members from every level i.e. Elementary School, Middle School, and High School. The Chairperson of the Negotiations Committee shall be appointed by the Negotiations Committee and be a voting member of the Executive Board. It shall be the duty of the Negotiations Committee to conduct a survey of the members and perform research in preparation for negotiations. The Committee shall prepare salary and other contract proposals and then shall negotiate the proposals with the employer. The Committee may allow members in good standing to volunteer to speak using points approved by the Committee.

SECTION 9. SICK LEAVE BANK COMMITTEE: The President shall appoint three (3) members in good standing to the Sick Leave Bank Committee. The committee shall meet as needed to review all documents submitted by the ParaEducator in need of additional sick time. See Article 7, Section R Sick Leave Bank in the current Collective Bargaining Agreement for benefit qualifications. The Chairperson of the Sick Leave Bank Committee shall be appointed by the members of the Committee and be a voting member of the Executive Board.

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. Only dues paying members are able to vote on policies and resolutions. New Potential Members may attend one (1) monthly meeting but are unable to vote.

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 except December, July, and August. June's meeting shall be the Retirement Party. Should there be no Retirement Party, then a meeting will be held. 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 with the approval of the Officers. Minutes from previous meeting or any Executive Board meeting minutes shall be read and voted on at the monthly meeting. Monthly memos shall be emailed to each member one week prior to the monthly meeting and one (1) hard copy be sent to each building. Monthly memos will also be emailed in the months of December and June.

SECTION 3. HYBRID/ELECTRONIC MEETINGS: The NBFP President may determine that a hybrid meeting be held, at his/her discretion with the approval of the officers. Hybrid meetings can include, but are not limited to, Zoom or any online platform, QR code, or text messaging. This method enables the Union to combine in-person voting with electronic voting. This voting system offers a fool proof way of conducting important elections without preventing members from exercising their right to participate in the decision-making process, be it due to distance from the voting location, or unfamiliarity with digital technology. When hosting hybrid meetings, those participating must have their full name on the screen as well as their camera on. During monthly meetings, the Treasurer or appointed member will be provided with the most current dues report in order to confirm all those online are dues paying members. Proper record keeping of the votes and minutes shall be recorded and filed. Any vote taken during such meetings will be counted as it would at an in-person 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 at a regular scheduled meeting prior to the deadline. The President and Secretary shall forward the credentials of all elected Delegates and alternates by registered or certified mail to the AFT National Office as soon as possible, 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 at a regular scheduled meeting prior to the deadline.

c. THE MASSACHUSETTS STATE LABOR COUNCIL (MASSACHUSETTS AFL-CIO). All Delegates and alternates shall be elected by majority vote of the NBFP membership at a regular scheduled meeting prior to the deadline.

d. THE GREATER SOUTHEASTERN MASSACHUSETTS CENTRAL LABOR COUNCIL. All Delegates and alternates shall be elected by majority vote of the NBFP membership at a regular scheduled meeting prior to the deadline.

SECTION 2. All Delegates shall report to the Executive Board or the Membership at a regular monthly meeting 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 by the Executive Board for acts detrimental to the Federation, pursuant to Article IV, Section 1, above.

SECTION 5. The NBFP shall be responsible to pay any legitimate expenses of Delegates to meetings, conferences, and conventions of affiliated organizations. Expenses include but not limited to convention/conference fees, travel, lodging, and food. Reimbursements for expenses incurred at meetings, conferences or conventions shall be made upon presentation of paid receipts. The Federation will not be responsible for any personal excursions taken by the member on their free time.

SECTION 6. The Executive Board shall ask for Delegates to the conventions of the organizations with which the Local is affiliated. Should Delegates exceed the number allotted, an election will be held at least one (1) month before the State Labor Convention at a regular membership meeting.

SECTION 7. 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 September 1st – August 31st 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 September 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 capita dues increases for the upcoming school year.

SECTION 4. BUDGET. The Treasurer, with the 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 the 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 be 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. All bills presented to the Treasurer for reimbursement must bear the signature of the member incurring the expense.

SECTION 8. PAYMENT OF STIPENDS. The Executive Officers, Mentor/Consultant, and Member Organizer of the NBFP shall receive a stipend paid annually. Stipends shall be paid each year in September as compensation for work performed on behalf of the Federation. Requests for an increase of all stipends shall be set by a vote of the membership at the General Membership Meeting. The Treasurer shall provide appropriate documentation (i.e. Form W2, Form 1099), in a timely manner, to the officer who has received a stipend, for filing with his/her annual Federal/State income tax return. Any officer who resigns or leaves during their term will be paid on a prorated basis.

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 shall be conducted at the General Membership Meeting during the month of May of odd years (e.g. 2019, 2021, 2023). The term of office for Officers shall be two (2) years.

SECTION 3. THE ORGANIZATION WILL ELECT THE FOLLOWING OFFICERS:

- PRESIDENT
- VICE PRESIDENT
- TREASURER
- CORRESPONDING SECRETARY
- RECORDING SECRETARY

SECTION 4. 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 5. The Elections Committee shall conduct all general and special elections and referenda of the NBFP.

SECTION 6. NOTICE OF NOMINATIONS AND ELECTIONS. At the March meeting the President shall appoint a Nominating Committee of three (3) members, none of whom shall be an officer. At the monthly meeting held in March, the Nominating Committee shall notify all members of the opening and closing of nominations, the offices to be filled, and the date, time, and location for Nominations and Elections. Following the March meeting the Nominating Committee shall distribute a copy to all members via interoffice mail, electronic newsletter, or e-mail, and/or by posting a copy on union bulletin boards and/or the Local's website. A slate of officers shall be presented at the April membership meeting. At least fifteen (15) days prior to Elections, the Nominating Committee shall notify all members of the date, time, and location of the Elections and the candidates for offices. A reminder, as provided above, shall be distributed to the membership.

SECTION 7. NOMINATIONS. A slate of nominees for each office shall be presented at the April meeting. Nominations may be made from the floor at the General Membership Meeting during the month of May. 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 8. ELECTIONS. The Elections Committee shall conduct an election for Officers at the General Membership Meeting during the month of May. 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 9. 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 10. ASSUMPTION OF DUTIES. Successful candidates shall assume office on September 1st following the May election. During the time between May and September, all newly elected officers will train with current officers before officially taking over on September 1st. Former officers must assist newly elected officers to receive their full stipend. Vacancies in any Office which occur between biennial elections shall be filled by the Executive Board.

SECTION 11. 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. Treasurer's Report
- d. President's Report
- e. Reports of Committee Chairs
- f. Reports of Labor Delegates
- g. Communications
- h. Unfinished Business
- i. New Business
- j. Adjournment