

BETHLEHEM CENTRAL UNITED EMPLOYEES ASSOCIATION

Bylaws

Adopted by resolution of the general membership on February 27, 1975
Donald Geurtze, Chairman, Constitution Committee

Adopted by resolution of the general membership on October 17, 1978
Donald Geurtze, Chairman, Constitution Committee

Adopted by resolution of the general membership on June 7, 1994
(editorial changes only).
Charles Preska, Bylaw Revision Committee

Adopted by resolution of the general membership on March 21, 1995
Charles Preska, Bylaw Revision Committee

Adopted by resolution of the general membership on June 9, 1999
(editorial changes only).
Charles Preska, Bylaw Revision Committee

Adopted by resolution of the general membership on May 21, 2009
Lynn Sherich, Bylaw Revision Committee

Adopted by resolution of the general membership on May 19, 2010
Lynn Sherich, Bylaw Revision Committee

Adopted by resolution of the general membership on May 15, 2013
Justin Brown & Lynn Delaney, Bylaw Committee

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Article I – Association Name

Section 1.

The Association shall be known as: Bethlehem Central United Employees Association in affiliation with NYSUT and its national affiliates.

Article II – Purposes

Section 1.

The Association is a non-profit organization formed to carry out the following purposes:

- a) To promote free discussion among the members of the Association and formulate Policy as regards the solution of problems and questions which vitally affect their welfare.
- b) To organize and conduct meetings devoted to the discussion of all matters which would promote better understanding among its members and its employer.
- c) To represent the Non-instructional employees of the Bethlehem Central School District by meeting with the Board of Education or its representative to negotiate salaries and all other terms and conditions of employment, to fulfill obligations in the written agreement between the employees and the Association, to assist with legal representatives as noted by the Grievance Committee or the Board of Directors.
- d) To promote a free exchange between this and other similar groups so as to promote a better understanding of problems and to give and receive assistance in areas where such assistance will be of mutual benefit.

Article III – Nondiscrimination Policy

Section 1.

The Association shall not support or favor any economic doctrines, political partisanship, religious creed, social theory or racial discrimination.

Section 2.

Employees otherwise qualified may become members of the Association without regard to race, color, religion, creed, national origin or sex.

Article IV – Membership

Section 1.

All persons employed by the Bethlehem Central School District in any of the non-instructional departments are eligible for membership without qualification as to race, color, creed, national origin or sex.

Section 2.

Any individual shall be a member in good standing of the Association who shall pay dues thereto in the sum established by the Board of Directors on an annual basis selected to coincide with the Association fiscal year. Members in good standing shall be entitled to notice of general meetings, newsletters as they are distributed, a copy of the negotiated contract and to participate in meetings and vote on such matters as may lawfully come before the membership.

Section 3.

Members in good standing shall maintain such membership by payment of dues by October 31 of any calendar year or by having signed a dues deduct slip. A membership card for the current fiscal year shall be issued by the treasurer upon receipt of dues. Any member who does not pay his dues as stated shall forfeit his right to vote and participate in meetings of the Association until such time as his dues are paid in full.

Section 4.

Members in good standing shall be expected to attend general meetings and to take an active interest in the affairs of the Association. All members will conduct themselves in a courteous and professional manner and will speak and act courteously and professionally during all discussions during Association meetings.

Section 5.

Members needing to contact any BCUEA Board Member or Building Representative about union matters shall send a written request for an appointment which must include their written documentation about the matter in question. All BCUEA Board Members or Building Representatives will post their contact times and information and will work with due diligence and to the best of their ability to assist any and all members in any Association matter. Members should not hinder BCUEA Board Member or Building Representatives from performing their district responsibilities.

Article V – General Meetings

Section 1.

General meetings of the Association shall be held no less than three times each year on the third Wednesday of October, January and May. Further meetings of the general membership of the Association may be called at any time at the discretion of the President, or by a majority vote of the Board of Directors or upon a petition requesting a convocation of a meeting of the general membership where such petition is signed by no less than twenty percent of the general membership.

Section 2.

Written notice of any meeting called, together with the proposed agenda, shall be distributed to all members no less than three days prior to the meeting, except in case of emergency.

Section 3.

Roberts Rules of Order, Newly Revised, shall be the parliamentary authority for general meetings of the Association, except to the extent that its provisions conflict with the bylaws, in which event the bylaws shall prevail.

Section 4.

The general membership of the Association meeting together shall have the authority to elect officers and directors at large of the Association; to amend the bylaws of the Association; to request and receive reports from the Association officers and directors at large; to remove officers and directors at large for good cause shown pursuant to provisions of Article VII, Section 8.

Section 5.

In addition to these matters set forth in Article V, Section 4, members in good standing are qualified to vote on all matters as may lawfully come before the meetings and to approve the budget for the succeeding year; and to approve any expenditure of monies

which exceed the budgeted amount by one hundred dollars (\$100.00) or which cannot be defined as carrying out Article II – Purposes of these bylaws.

Section 6.

Twenty (20) of the members in good standing of the Association shall constitute a quorum for the transaction of business at any general membership meeting.

Section 7.

Except as otherwise provided, a simple majority of those present and voting shall be sufficient to sustain or defeat any action before the Association. A contract ratification vote will be conducted as a written vote which can be scheduled to take place a minimum of 2 days after a contract informational meeting.

Article VI – Officers

Section 1.

The officers of the Association shall be the President, the First Vice President, the Second Vice President, the Secretary, and the Treasurer. The officers shall be elected for a term of two years by the voting members of the Association.

- a) The President shall be the chief executive officer of the Association and shall preside at all meetings of the general membership. He/She shall execute the order and directives of the Board of Directors and shall discharge all duties imposed by law and bylaws upon the President of the Association. He/She shall act as the second NYSUT delegate.
- b) The Vice Presidents shall execute the order of the President and resolutions of the Board of Directors for administration of the affairs of the Association. The First Vice President shall chair the Grievance Committee while the Second Vice President shall chair the Membership Committee. The First Vice President shall further discharge the duties of the President in his/her absence or incapacity or upon his/her request and shall have such other and further duties as may be delegated to him/her. The Vice President shall be NYSUT delegate(s).
- c) The Secretary shall keep a permanent written record of the proceedings of all meetings of the general membership and of the Board of Directors; shall maintain a roster containing the names and addresses of the members of the Association; shall give notice of all general meetings and Board meetings in the manner herein prescribed and shall be responsible for the custody and maintenance of all records of the Association other than financial records in the possession of the treasurer; shall conduct correspondence on behalf of the Association; and shall discharge all other duties appropriate to this office of such functions as may be delegated by the President or by the Board of Directors.
- d) The Treasurer shall receive all monies due or donated; shall pay all just bills pursuant to Board resolution; make regular reports on the Associations financial status at meetings of the Board of Directors and meetings of the general membership. He/She shall maintain and preserve the financial books, records and accounts of the Association. He/She shall deposit all monies received in income producing accounts. He/She shall arrange for an audit at the end of each fiscal year and shall serve as chairman of the Finance Committee.

Article VII – Government

A. Board of Directors

Section 1.

The Board of Directors shall consist of five officers of the Association and five directors at large all of whom shall be elected for the term of two years at the general membership meeting held in the month of May for the election of Association officers. No more than two directors at large may be elected from any one department. Immediate past president to serve two years following his/her term of office.

Section 2.

The Board of Directors shall have general charge and management of the affairs, funds and property of the Association. The Board shall have full power and it shall be its duty to carry out the purposes of the Association according to its bylaws; such power shall include but shall not be limited to:

- a) The holding of meetings at such times and places as the Board shall deem proper.
- b) Auditing of bills and disbursement of funds of the Association.
- c) Admission, suspension or expulsion of members of the Association.
- d) Establishment of the general policies of the Association.
- e) Appointment of committees for particular purposes from among the members of the Board or from other members in good standing of the Association. All committee appointments shall be approved at the June Board of Directors meeting.

Section 3.

At every general membership meeting, the Board of Directors shall give a report with respect to the financial status of the Association, the general affairs and significant activities of the Board which have transpired since the preceding general meeting.

Section 4.

Regular meetings of the Board of Directors shall be held in August, October, December, February, April, and June on dates selected by the President. Notices of each meeting shall be given to the members of the Board no later than five days prior to the date of the meeting except that the President may when he/she deems necessary or the Secretary shall at the request of five voting members of the Board issue a call for a special meeting of the board and that only two days notice shall be required for such special meeting.

Section 5.

Five voting members of the Board of Directors shall constitute a quorum for the transaction of business.

Section 6.

Should any member of the Board of Directors absent himself/herself unreasonably from two consecutive meetings of the Board of Directors without presenting good and sufficient reason acceptable to the Board, his/her seat may be declared vacant by a majority vote of the Board, and the Board may thereupon proceed to fill the vacancy in the manner herein provided.

Section 7.

Whenever any vacancy occurs in the Board of Directors, other than that of the Association President, by death, incapacity, resignation or otherwise, the Board of Directors shall appoint any member of the Association to fill the unexpired balance of the term. When such appointment involves an officer it shall be subject to the approval of the general membership at the meeting which next succeeds the date of the appointment.

Section 8.

Except as otherwise provided in Section 6 of this Article, any one or more of the officers or directors at large of the Association may be removed for good cause upon the affirmative vote of six of the voting members of the Board or by the affirmative vote of two-thirds of the members in good standing of the Association at a special meeting called for that purpose. If a resolution to remove a Board member for cause is to be represented to the Board of Directors, the director whose removal will be sought shall be given no less than ten days notice of the application for his/her removal, and shall be afforded an opportunity to appear and to challenge the sufficiency of the allegations against him/her.

Section 9.

The Board of Directors shall elect their chairman and vice chairman at the June meeting.

B. Representative Council

Section 1.

The Representative Council shall consist of the Board of Directors and representatives from each building and/or work location of represented employees as listed below. The representatives will serve for a term of one year to begin immediately following their election. The elections must be held by October 1st with a minimum of 3-days' notice being given of time and date for the election of such representatives by the personnel from each location. Upon request, the Election Committee will assist the building representatives in soliciting names for these positions. The elections will be determined by a single ballot.

- 1 representative from each elementary school
- 2 representatives from the high school
- 2 representatives from the middle school
- 2 representatives from the bus garage
- 1 representative from maintenance

Section 2.

Each member of the Representative Council shall be charged with gathering and distributing information, recommendations and any material of interest to those represented. They shall also be charged with disposition of any matters not a direct responsibility of the Board of Directors. It shall be the duty of each representative to have an alternate attend regular council meetings in case the elected representative is unable to be present.

Section 3.

The Representative Council shall meet three times during the year in October, February, and April on dates to be selected. Other meetings of the Representative Council may be called at the discretion of the chairman upon receipt of information which in his opinion warrants calling a meeting.

Section 4.

Three voting members of the Board of Directors and four voting representatives shall constitute a quorum for the transaction of business.

Section 5.

The Chairman and Secretary of the Representative Council shall be elected at the October meeting. The sole responsibility of these officers shall be determined by the Representative Council.

Article VIII – NYSUT Delegate(s)

Section 1.

The number of NYSUT Delegates shall be based on the entitlement allocation received from NYSUT. They shall attend the State Delegate Assembly and Regional meetings. They shall represent the views of the Board at these meetings and shall report to the Board any action taken.

Article IX – Election of Officers and Directors at Large

Section 1.

During the month of February in each year, the Board of Directors shall appoint an Election committee consisting of at least five members in good standing of the Association, the majority of whom must not be current Board members. The Election Committee is responsible to canvas for candidates, set times and conditions of voting, mail notices, and conduct elections per the latest version of the US Department of Labor's document: Conducting Local Union Officer Elections..

The Committee shall solicit the membership of the Association and ascertain the availability of the members to serve as officers or directors at large. Candidates solicited may only run for one position per election. At least thirty days before the date of the meeting, the chairman of the Election committee shall transmit to the secretary of the Association a written statement containing the names of the candidates so designated. The secretary shall transmit a copy thereof to be posted in each building no less than 15 days before the election together with the notice of the meeting.

Section 2.

Election of officers and directors at large shall take place on the day of the May general meeting in each year. The times and conditions of the voting shall be determined by the Election committee. Officers and directors at large shall take office on the succeeding July 1st.

Section 3.

All nominees must be members in good standing of the Association and must maintain their membership during their respective terms of office.

Section 4.

Ballots for officers, President, 1st Vice President, 2nd Vice President, Secretary, Treasurer, and directors at large and NYSUT delegate(s) shall be listed on a single ballot with all nominated candidates listed for each position. No nominations will be accepted from the floor.

In the event of a tie, members in good standing still present at the meeting will vote again for the position(s) in question to determine the final outcome.

Section 5.

Elected candidates for office shall assume their elected positions on the first day of July next succeeding the meeting at which they were elected and shall serve a two year term expiring on the succeeding June 30th.

Article X – Committees

Section 1.

The standing committees of the Association shall include the Bylaw Committee, Negotiating Committee, the Grievance Committee, the Membership Committee, the Finance Committee, the Liaison Committee, the Dental Committee and such other committees as may be constituted and empowered by the Board of Directors. The chairperson and all members of each standing committee shall be appointed by the President with the consent of the Board of Directors, unless otherwise provided

Section 2.

The President with the approval of the Board of Directors shall determine the composition and duties of each of the aforesaid committees except that:

- a) The Election Committee shall perform those functions specified in Article IX, Section 1 of the Bylaws.
- b) The Finance Committee shall include at least three members of the Board and may include such other general members of the Association as may be designated, with the Treasurer acting as the chairperson of said committee. The finance Committee shall be responsible for the annual audit of the financial records of the Association and shall supervise any fund raising activities carried on by the Association. At least thirty days prior to the date set for the annual May meeting of the Association, the Finance Committee shall submit for approval to the Board of Directors a proposed budget for the Association for the forthcoming year.
- c) The Liaison Committee shall serve as the Association representative at Board of Education meetings and perform such other intercommunication functions as may be deemed appropriate by the Board of Directors.

- d) The Dental Committee shall include at least three general members of the Association in good standing with the Treasurer acting as the Chairperson of said committee. It shall be the responsibility of said committee to oversee the funds and expenditures of the Dental Plan and make recommendations to the Board of Directors, which they deem appropriate to maintain the Dental Plan. A “Dental Plan Administrator”, who will fulfill the duties listed in Appendix A, shall be appointed by the Board of Directors and shall be entitled to a stipend as determined by the Board of Directors.
- e) The Membership Committee shall include at least three members of the Association in good standing with the Second Vice President acting as the Chairperson of said committee. There will also be a “Membership Administrator”, who will fulfill the duties listed in Appendix A, shall be appointed by the Board of Directors and shall be entitled to a stipend as determined by the Board of Directors.
- f) The Grievance Committee shall include at least three members of the Association in good standing with no more than 2 members representing any membership group with the First Vice President acting as chair of said committee. The President shall call a special meeting of the general membership before a class action grievance is filed for arbitration. After discussion, a vote will be held of the membership present (by show of hands) and a majority will rule whether or not to send the class action grievance to arbitration.
- g) The Bylaw Committee shall include at least 6 general members of the association in good standing with the Chairperson of said committee selected by the Board of Directors. The Bylaw Committee shall formulate and recommend changes or amendments to the Bylaws; communicate recommendations to the membership; provide oversight and guidance in making sure that all rules in the bylaws are being followed. The committee also ensures that the bylaws are up to date and available upon request.

Section 3.

A majority of any committee of the Association shall constitute a quorum for the transaction of business. The President with the approval of the Board of Directors shall fill any vacancies on any standing committee.

Article XI – Financial Policy

Section 1.

The fiscal year of the Association shall commence on July 1st of each year and end on the succeeding June 30th.

Section 2.

The annual budget of the Association shall be presented for ratification at the May general meeting of each year. The budget shall be ratified as a unit, except that upon motion of a member in good standing of the Association duly made and seconded, the membership may determine to consider all or any portion of the budget separately.

Section 3.

The Board of Directors of the Association shall designate a depository for all Association funds and shall determine the method of withdrawal and disbursement of such funds.

Section 4.

Neither the directors at large, representatives nor members serving on committees except the Dental Plan Administrator and Membership Administrator shall receive any salary or compensation for services rendered to the Association, except that the Board of Directors may, within its discretion, authorize a stipend to officers and members of the Negotiating Committee.

Section 5.

The Board of Directors shall establish policies regarding the payment of dues and shall establish payment schedules in such a manner as to insure the financial security of the Association.

Section 6.

The five elected officers of the BCUEA shall be paid a quarterly stipend determined by the Board of Directors from the association's annual budget.

Article XII – Amendment of Bylaws

Section 1.

Amendment to these Bylaws may be enacted at any regular or special meeting of the Association provided that:

- a) Such amendment shall have been approved by a majority of the Board of Directors or shall have been presented to the secretary of the Association in the form of a written petition signed by at least twenty percent of the members in good standing, and
- b) the amendment or substance thereof has been included in the notice of the meeting at which it is to be considered.

Article XIII – Miscellaneous

Section 1.

Any questions as to the meaning or proper interpretation of these Bylaws shall be resolved by a majority vote of the Board of Directors.

Appendix A.

Dental Plan Administrator duties include, but not limited to:

- 1) Distribute dental enrollment information to the membership before September's Open Enrollment.
- 2) Administer the Dental Plan including coordination of information to Delta Dental, payroll, the Membership Chairperson and the Treasurer.
- 3) Reconcile monthly Delta Dental statements and send statement and invoice to the Membership Chairperson for approval for payment.
- 4) Answer questions from the membership or district about the union.
- 5) Assist the Membership Chairperson with all dental business.
- 6) Attend General Membership Meetings in September, October, January and May in addition to any Dental Committee Meetings.

Membership Administrator duties include, but not limited to:

- 1) Reconcile monthly NYSUT and NYSUT Legal statements and send statements and invoices to the Membership Chairperson for approval for payment.
- 2) Answer questions from the membership about NYSUT and NYSUT Legal Plan.
- 3) Assist the Membership Chairperson with all membership business.
- 4) Attend General Membership Meetings in September, October, January and May in addition to any Membership Committee Meetings.