

AFA Constitution

Article I

The name of this organization shall be the Adjunct Faculty Association of Nassau Community College

Article II

The objectives of this organization shall be:

Section 1. To advance the professional interests of adjunct faculty members at Nassau Community College.

Section 2. To act as the duly elected representatives of the adjunct faculty in dealings with Nassau Community College, Nassau County, New York State, and any other employing authorities.

Section 3. To advance the economic and professional interests of adjunct faculty.

Section 4. To protect and promote the academic freedom of the adjunct faculty and their role in governance.

Section 5. To foster the continual improvement of instruction at Nassau Community College.

Section 6. To cooperate with organized labor for the purpose of advancing democratic concepts through educational institutions.

Section 7. To encourage and support emerging adjunct faculty associations or associations regionally and nationally in their efforts to create and build effective bargaining units.

Section 8. To foster the good and welfare of Nassau Community College.

Article III Membership

Section 1. All adjunct faculty of Nassau Community College, including classroom faculty, librarians, technical assistants, administrative assistants, technologists, applied music tutors, counselors, interpreters for the deaf, or other titles provided for under NY State law or rulings, are eligible for membership.

Section 2. Supervisory personnel with the rank of dean or above are automatically removed from membership on the effective date of the promotion.

Section 3. Regular membership, with the right to vote, is held by those who are working at the time the electorate is determined or during the current or previous academic year, or are on release time or on special assignment, and must be in good standing at the time the electorate is determined.

Section 4. Associate membership, with the right to vote, shall be available to/for those individuals who have not been working due to a lack of assignment within the past two (2) academic years, have not officially retired, and have paid in full an annual Associate Member dues fee.

Section 5. Affiliate membership, with no right to vote, shall be available to those who retired from active service at Nassau Community College and wish to maintain a relationship with the Association, upon the payment of an annual Affiliate Member dues fee.

Section 6. No discrimination shall be shown toward individual members or applicants for membership because of race, religious faith, sex, political activities, disability or belief.

Section 7. The Executive Board, by a vote of 2/3 of its members present, shall have the power to expel, or to suspend any member of this organization, provided that such member shall have received reasonable opportunity to present a defense at a meeting of the Executive Board. The member shall also have the right to appeal the decision at the next membership meeting and shall be reinstated with full rights if a majority of the membership present votes to reinstate.

Section 8. Members who fail to pay dues upon their expiration shall lose their good standing.

Article IV Membership Meetings

Section 1. There shall be at least two general membership meetings a year; one each in the Fall and Spring semesters.

Section 2. A special meeting of the membership shall be called by the president at the request of the Executive Board or Representative Assembly, or twenty per cent of the members of this association. The president shall also have the power to call a special meeting of the membership.

Section 3. A general membership meeting shall have the power to discuss matters brought before it and make recommendations on these matters.

Section 4. A Special meeting shall discuss only those matters for which the meeting was called. Any additional items may be added to the agenda only with the affirmative vote of two-thirds (2/3) of those members present.

Article V Officers

Section 1. The officers of this association shall be a President, a Vice President, a Treasurer and a Secretary.

Section 2. Nominations for officers shall be by submission of nominating petitions triennially at a meeting of the Representative Assembly in October. Each nomination for an officer position shall require the signatures of at least 25 members of the association. Elections shall be held within one month after the closing of nominations, but not later than November 30th of the same year. The President and Vice President shall run on the same ballot.

Section 3. A candidate must have been a member in good standing for one year prior to running for office. The candidate must be a working member, or on release time, or on special assignment for the AFA at the time of the election.

Section 4. No officer shall be a candidate for or hold more than one elective office simultaneously nor serve as a department chairperson.

Section 5. Voting shall be by written or printed secret ballot. A ballot must be delivered to every member eligible to vote. The names of the candidates shall be placed on the ballot in an order determined by lot. The candidates receiving the highest number of votes shall be declared elected to their respective offices. Balloting may be conducted by mail or by a secure electronic means.

Section 6. The terms of all officers shall be for three years and shall begin on January 1st following the election.

Section 7. Officers in any elective position may not be a candidate for any other elective position during their term of office unless they submit a letter of resignation effective as of January 1st of that year.

Article VI Duties of Officers

Section 1. The duties of the President shall be:

- a) Preside at all meetings of the general membership, the Executive Board, and the Representative Assembly
- b) Serve as ex-officio member of all committees, with the exception of the Elections Committee
- c) Act as Chief Executive Officer and be authorized to sign all papers on behalf of the Association
- d) Appoint committee chair and members subject to the advice and consent of the Executive Board, except as noted in the Bylaws
- e) Represent the Association with Nassau County, New York State and Federal officials for the purpose of improving the educational environment at Nassau Community College
- f) Create staff positions as may be needed subject to the approval of the Executive Board.

Section 2. The duties of the Vice President shall be:

- a) to assume the duties of the President in the event of the latter's absence, incapacity, resignation or recall.
- b) to coordinate the activities of all committees on behalf of the President.
- c) to coordinate the recruitment of new members in concert with the Department Representatives.

Section 3. The duties of the Treasurer shall be:

- a) to serve as custodian of all association funds
- b) to receive, record and deposit in the name of the association all monies from dues and other sources.
- c) to submit to the Executive Board, after consultation with the President, an annual budget for approval
- d) to pay all bills authorized by the adopted budget, maintaining all vouchers and/or invoices subject to the annual audit. Expenses not authorized by the adopted budget must be presented to the Executive Board for approval.
- e) to prepare and submit to the Executive Board and the Representative Assembly required financial statements for the association, including statements of assets and liabilities.
- f) to issue receipts and notices of delinquency.

Section 4. The Secretary shall issue notices, shall answer correspondence at the direction of the President and shall report outside correspondence to the President, the Executive Board, and the Representative Assembly. The Secretary shall be the custodian of the seal and charter of the association. The Secretary shall record the minutes of the Executive Board, the Representative Assembly, and the General Membership.

Article VII Representative Assembly

Section 1. The Representative Assembly of this association shall consist of the four (4) officers of the association and one (1) Department Representative elected by and from among the members of each department within the college.

Section 2. Each member of the Representative Assembly shall have voice and vote.

Section 3. The Representative Assembly, by a two-thirds (2/3) vote, may veto, amend or modify decisions or policies adopted by the Executive Board.

Section 4. The Representative Assembly shall be convened by the President at least five (5) times during the academic year. One third (1/3) of its members shall constitute a quorum for conducting business at such meetings.

Section 5. Except as otherwise provided by law, the Representative Assembly shall elect delegates or representatives to all meetings, conferences, conventions or organizations with which this association is or may become affiliated.

Section 6. A vacancy occurring in the officer of Vice President shall be filled by the President with the concurrence of the Executive Board for the balance of the term of office.

Section 7. A vacancy in other Executive Board offices or in the Representative Assembly shall be filled by the President with the concurrence of the Executive Board until a special election is held at a time set by the Executive Board within six (6) months of the vacancy in a manner as such matter is ordinarily held.

Section 8. At the discretion of the President, or at the request of a majority of the Representative Assembly, a special meeting of the Representative Assembly shall be called.

Article VIII The Executive Board

Section 1. The Executive Board of the association shall consist of four (4) officers and seven (7) Department Representatives elected at large. Each nomination for the Executive Board shall require the signatures of at least 25 members.

Section 2. Election of the at-large Executive Board members shall take place in December, following the regular triennial election, but no later than December 30th.

Section 3. The term of office for all At-Large Executive Board members shall be three years, commencing on February 1, and ending on January 31st.

Section 4. The Executive Board shall establish policy and direct the affairs of this association.

Section 5. The Executive Board shall convene at least ten (10) times during the school year. One half (1/2) of its members shall constitute a quorum for conducting business.

Section 6. The Executive Board shall supervise all elections in the manner provided for in the Constitution and shall decide all disputes arising out of such elections.

Section 7. The Executive Board shall conduct all referenda. At the written request of one-third (1/3) of the general membership, the Executive Board shall submit to a referendum any matter except a proposed amendment to this Constitution.

Section 8. At the discretion of the President, or at the request of a majority of the Executive Board, a special meeting of the Executive Board shall be called.

Section 9. All meetings of the Executive Board shall be held at times and places publicly announced and shall be open to all members of this association.

Section 10. The Executive Board may, by a two-thirds (2/3) vote of its members, declare vacant the position of any member of the Board who shall have been absent from either three (3) consecutive meetings of the Board or a total of five (5) meetings within the academic year.

Section 11. The Executive Board shall transact business only during regular and special meetings. The President shall prepare the agenda for all meetings of the Board, subject to modification and approval by the Board.

Article IX Departments and Department Representatives

Section 1. Each college department shall have one (1) Department Representative. Each Department Representative shall be a member of the Representative Assembly. For the purpose of representation in the Representative Assembly, all AFA members who are working in a non-academic department shall be considered to be in a separate unit with its own Department Representative. Candidates for the Department Representative position must be a member of the Association in good standing.

Section 2. Nominations of Department Representatives to the Representative Assembly shall be made triennially and shall be held at the same time as nominations for officers, except that the number of signatures required shall be 10% of the members, who are in good standing, in the Representative's respective department.

Section 3. Voting for Department Representatives shall take place at the same time as voting for officers. A ballot must be delivered to each association member in a department who is eligible to vote.

Section 4. The term of all Department Representatives shall be three (3) years and shall begin on January 1st following the election.

Section 5 Department Chairs may not serve concurrently as Departmental Representatives.

Section 6. It shall be the duty of the Department Representative:

- a) to aid in conducting association activities
- b) to implement relevant provisions of the association contract
- c) to present grievances or recommendations to the Grievance Representative
- d) to distribute association-approved literature
- e) To preside at department adjunct meeting which shall be called at the discretion of the Departmental Representative or at the request of one-third (1/3) of the association members of the department.
- f) To attend meetings of the Representative Assembly and report back to the membership of the department
- g) To solicit membership in this association
- h) To advance the objectives of this association as set forth in Article II of the Constitution.

Section 7. Any Departmental Representative who shall be absent from three (3) regular meetings of the Representative Assembly in an academic year without an authorized excuse, may be removed by a 2/3 vote of the members of the Executive Board.

Article X Dues

Section 1. All matters pertaining to dues and assessments, such as amount, frequency and manner of collection, and punishment for nonpayment, for a regular membership shall be decided by the Executive Board. Majority approval of the general membership through a referendum shall be necessary to approve a dues increase.

Section 2. Associate membership dues (non-refundable) shall be set by the Executive Board as not more than ten (10) percent of the regular membership annual dues.

Section 3. Affiliate membership dues (non-refundable) shall be set by the Executive Board as not more than five (5) percent of the regular membership annual dues.

Article XI Recall

Section 1. Any elected representative or officer of this association charged with neglect of duty, breach of trust, abuse of power, activities aimed at undermining the security of the organization, or violation of this Constitution may be recalled after a hearing of the charges as provided for herein.

Section 2. Charges must be filed with the President, or the next highest elected official in the event the President is accused, by at least three members in good standing. The President, or the next highest elected official, shall furnish a copy of the charges, by registered mail, to the accused within ten (10) days after they have been received.

Section 3. The individual against whom charges have been filed shall be given a hearing before the Representative Assembly sitting as a committee of the whole. The accused will be given at least ten days advance notice by registered mail of the time and place of such hearing.

Section 4. The accused shall have the right to select any member in good standing to represent him at such hearing. Accused shall be permitted to interrogate and hear all witnesses. The committee of the whole must vote to sustain the charges by a two-thirds majority.

Section 5. Appeals. Any decision to recall an officer or representative may be appealed to the membership of this association by providing an item on the agenda of the next membership meeting explaining the appeal process and the function of the membership in the appeal. A representative of the Representative Assembly shall be elected to present the facts and disposition of the charges to the membership. The accused shall be given an opportunity to present his position to the membership. When both sides have been heard, the members present shall vote to sustain or reverse the decision of the Representative Assembly. A majority vote shall prevail. A vote to sustain the Representative Assembly shall not prevent the recalled officer or representative from running for office at the next or subsequent election.

Article XII Definitions and Interpretations

Section 1. The vote necessary to adopt policies or enact measures shall be by majority of those present, except where a different requirement is clearly indicated.

Section 2. All disputes in connection with the meaning, construction or interpretation of any part of this Constitution shall be decided by the Executive Board.

Section 3. Roberts' Rules of Order shall govern the conduct of all meetings of all bodies, except where otherwise provided in the Constitution or in the By-Laws.

Article XIII By-Laws

Section 1. By-Laws to implement this Constitution shall be enacted by a two-thirds majority of the total Representative Assembly.

Section 2. A proposed amendment to the By-Laws must be sponsored in writing by not less than one-half of the total membership of the Executive Board or one-third (1/3) of the total membership of the Representative Assembly or ten (10) percent of the general membership of this association.

Section 3. Amendments to the By-Laws are to be adopted by a two-thirds (2/3) vote of the entire membership of the Representative Assembly.

Section 4. Approved amendments to the By-Laws shall go into effect immediately upon adoption by the Representative Assembly.

Article XIV Supremacy of the Constitution

Section 1. This Constitution and every part thereof shall take precedence over any By-Laws, motion, resolution, or any other act or measure adopted by any body or agency of this association.

Section 2. No part of this Constitution may be eliminated, suspended, revised or limited in force or effect, except as amendment to this Constitution duly adopted.

Article XV Availability of the Constitution

Section 1. Copies of this Constitution shall be made available to any member of this association upon request to the secretary.

Article XVI Compensation

Section 1. Except as herein provided, compensation for activities on behalf of this association shall be determined by a two-thirds (2/3) vote of the Executive Board.

Section 2. Department Representatives and officers shall be entitled to a priority appointment, which shall give them first choice of courses, sections, times and days within their departments. Only Department Representatives and officers may receive priority appointments which entitle them to such choices. A priority appointment granted to a member who is not a Department Representative or an officer shall entitle the recipient to an appointment to a course, but shall not entitle that recipient to choice of course, section, day, or time.

Section 3. Officers shall be compensated by release time, priority appointment and/or monetary remuneration as determined by a two-thirds (2/3) vote of the Executive Board.

Section 4. Members of the Negotiating Team shall be compensated by release time and/or monetary remuneration as determined by a two-thirds (2/3) vote of the Executive Board.

Section 5. Other members who perform services on behalf of the association may be compensated by priority appointments and/or monetary remuneration, as determined by two-thirds (2/3) vote of the Executive Board.

Article XVII Amendments

Section 1. A proposed amendment to this Constitution must be sponsored in writing by not less than one-half (1/2) of the entire membership of the Executive Board or one-third (1/3) of the entire membership of the Representative Assembly or ten (10) percent of the general membership of this association.

Section 2. An amendment proposed as in Section 1 shall be submitted for approval to the general membership at the next general membership meeting, by mail ballot or by electronic ballot.

Section 3. If the proposed amendment is approved by a two-thirds (2/3) vote of the general membership, it shall be deemed to have become a part of this Constitution and go into effect upon approval.

As amended on 12/12/1981
3/24/1983
9/20/1984
11/15/1986
11/10/2014
2/8/2016