



Constitution and Bylaws

Effective April 28, 2018



NYSUT MISSION STATEMENT

Through a representative democratic structure, New York State United Teachers improves the professional, economic and personal lives of our members and their families, strengthens the institutions in which they work, and furthers the cause of social justice through the trade union movement.

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CONSTITUTION

OF THE

NEW YORK STATE UNITED TEACHERS

ARTICLE I
NAME

1 This organization shall be known as the
2 New York State United Teachers (“NYSUT”).

3 As the successor of the New York State
4 Teachers Association, the United Teachers of
5 New York State, Inc. and the NEA/NY, NYSUT
6 may also be publicly identified as “NYSUT
7 NEA-AFT”.

ARTICLE II
OBJECTIVES

8 This constitution is adopted for the following
9 purposes:

- 10 1. To promote the best interests of schools,
11 higher education, and health care institutions
12 of the state and to expand and improve these
13 facilities of the state;
- 14 2. To identify and promote practices and
15 strategies that enhance student achievement
16 in safe and supportive learning environments;
- 17 3. To advance the standards of professions
18 whose members form an organizational
19 affiliation with NYSUT;
- 20 4. To secure the conditions necessary to the
21 greatest efficiency of our members and the
22 institutions where they work;
- 23 5. To promote the economic, personal and
24 occupational well-being and the welfare of
25 our members;
- 26 6. To promote policies, programs and training that
27 enhance participation by underrepresented
28 minorities in organizational decision-making
29 committees and governance bodies;
- 30 7. To promote mutual assistance and
31 cooperation among the locals of NYSUT;

- 32 8. To promote the common aims and objectives
33 of the American Federation of Teachers and
34 the National Education Association;
- 35 9. To expose and fight all forms of racism and
36 discrimination;
- 37 10. To support the principles of the American
38 labor movement;
- 39 11. To support a free trade union movement
40 throughout the world.

ARTICLE III
AFFILIATIONS

41 This organization shall affiliate with the
42 American Federation of Teachers, those
43 organizations mandated by the AFT’s
44 constitution/bylaws, and the National Education
45 Association.

ARTICLE IV
LOCALS & COUNCILS

- 46 1. **Definition.**
 - 47 a) The local unit, as recognized by the
48 Board of Directors of NYSUT, shall be
49 the group of members who hold
50 collective bargaining rights. The Board
51 of Directors may recognize other
52 groups which do not hold collective
53 bargaining rights as local units. Only
54 one unit shall be recognized in any one
55 employment jurisdiction, with the
56 exception that locals not competing for
57 the same category of membership may
58 be recognized upon approval of the
59 Board of Directors after consultation
60 with the existing local unit(s).
 - 61 b) The statewide student education
62 organization shall be recognized as a
63 local unit.

64 c) NYSUT may form retiree councils.
65 The jurisdiction and responsibilities of
66 such councils shall be determined by
67 the NYSUT Board of Directors.

68 2. **Recognition.**

69 a) Locals and councils will be required to
70 maintain unified membership with: (1)
71 NYSUT; (2) the American Federation of
72 Teachers and those organizations
73 mandated by the constitution and bylaws
74 of the American Federation of Teachers;
75 and (3) where eligible, the NEA.

76 b) Each local shall forward to NYSUT for
77 each current member of a local which
78 was affiliated with NYSUT as of
79 August 31, 2006, or which became
80 affiliated with NYSUT after September
81 1, 2006, not as a result of unification
82 with NEA/NY, full per capita dues for
83 NYSUT as specified in Article VI §1
84 and for AFT/NEA organization
85 membership in accordance with the
86 NEAFT national affiliate dues
87 agreement and a sum equal to the per
88 capita dues for all non-members paying
89 an agency fee.

90 c) Each local shall forward to NYSUT for
91 each current member of a local affiliated
92 with NEA/NY on or after April 1, 2005,
93 per capita dues for NYSUT, as specified
94 in Article VI §1, and for AFT/NEA
95 organization membership in accordance
96 with the NEAFT national affiliate dues
97 agreement, and a sum equal thereto for
98 all non-members paying an agency fee.

99 d) Each local and each council constitution
100 or bylaws shall contain a statement that
101 the local/council will show no
102 discrimination toward individuals on the
103 basis of sex, religion, color, race, marital
104 status, sexual orientation, gender identity,
105 national or ethnic origin, age, disability or
106 political activities and beliefs. Each such
107 constitution or bylaws shall contain a
108 statement that the local or council, as may
109 be applicable, is affiliated with NYSUT,
110 the AFT and the NEA.

111 e) Additional procedures and criteria for
112 recognition of locals and councils by
113 NYSUT are prescribed in Bylaw A
114 adopted by the Representative

115 Assembly and/or policies adopted by
116 the Board of Directors.

117 f) The Secretary-Treasurer shall file
118 charges against any local which does
119 not transmit its dues and equivalent
120 agency fee amount in a timely manner.
121 Any local, and any member thereof for
122 whom a local fails to transmit dues
123 within sixty (60) days after their
124 payment by the member or their receipt
125 by the local through an approved dues
126 checkoff procedure, shall be considered
127 in bad standing.

128 g) The Board of Directors shall determine
129 the penalty for any local's failure to
130 transmit dues and/or equivalent agency
131 fee amount in a timely manner. Such
132 penalty may be termination of
133 recognition or any lesser penalty the
134 Board deems required under the
135 circumstances.

(Reference Bylaw A)

ARTICLE V
MEMBERSHIP

136 Membership shall be obtained only through
137 per capita payment by a local of the required
138 dues amount for any category of membership.
139 Only persons for whom the appropriate per capita
140 dues have been paid shall be considered members
141 of NYSUT.

142 There shall be the following membership
143 categories: inservice, student, special and
144 associate. Individuals will be required to
145 maintain unified membership with the American
146 Federation of Teachers, the NEA where eligible
147 and those organizations mandated by the
148 Constitution and Bylaws of NYSUT and the
149 American Federation of Teachers.

150 No member shall be subject to discipline by
151 NYSUT without due process.

(Reference Bylaw B)

ARTICLE VI
DUES

152 1. The dues for inservice members on a
153 monthly[±] basis shall be the following, plus
154 the current AFT/NEA per capita for

155 inservice membership in accordance with
156 the NEAFT national affiliate dues
157 agreement. Equivalent agency fee amounts
158 should be collected on the same schedule.

159 [±] Locals paid on a 10-month basis shall
160 follow the 10-month salary schedule.
161 Locals paid on a 12-month basis may follow
162 the 12-month salary schedule. Unless
163 otherwise specified, all dues changes
164 commence on September 1.

<u>Annual Salary</u>	<u>Locals on</u> <u>10 - Month Schedule</u>
165 to \$8,499	\$4.73
166 \$8,500 to \$16,999	9.45
167 \$17,000 to \$25,499	18.90
168 \$25,500 to \$33,999	28.35
169 \$34,000 up	37.80

<u>Annual Salary</u>	<u>Locals on</u> <u>12 - Month Schedule</u>
173 to \$8,499	\$3.94
174 \$8,500 to \$16,999	7.88
175 \$17,000 to \$25,499	15.75
176 \$25,600 to \$33,999	23.63
177 \$34,000 up	31.50

181 2. Dues for Retired Members, Employees on
182 Unpaid Leave, Laid-off Employees, NYSUT
183 Staff, and Students shall be determined by
184 the Board of Directors with the approval of
185 the Representative Assembly.

186 3. All locals of NYSUT are obligated to
187 transmit per capita dues and equivalent
188 agency fee amount to NYSUT as long as
189 NYSUT is obligated to pay the dues and
190 equivalent agency fee amount to any national
191 affiliate.

192 4. At-large members and affiliated locals
193 within units where the bargaining rights
194 have been won by other member
195 organizations and where such other
196 organizations have obtained an agency shop
197 clause in the contract, shall pay per capita at
198 one-fourth the regular rate whenever those
199 at-large members of a local's members are
200 required to pay agency fees to another
201 organization.

202 5. The Board of Directors may set alternative
203 dues and service structures which can be
204 used for unique constituency groups which

205 are organized by the union. Such structures
206 may be reviewed at the following
207 Representative Assembly.

ARTICLE VII
OFFICERS

208 1. The officers of NYSUT shall be a President,
209 Executive Vice President, Second Vice
210 President and a Secretary-Treasurer. They
211 shall be eligible, at the discretion of the
212 Board of Directors, to serve NYSUT on a
213 full-time basis.

214 2. **Eligibility.**

215 To be eligible to seek or hold office, the
216 individual must have been a member in
217 good standing of NYSUT or NEA/NY for at
218 least two (2) years preceding the final date
219 for nominations.

220 No person shall be a candidate for more
221 than one NYSUT elective position at any
222 Representative Assembly.

223 3. **Duties of the President.**

224 The President shall:

- 225 a) be the chief executive officer of
226 NYSUT. It shall be her/his duty to
227 administer all of the affairs of NYSUT
228 and to execute policies of the
229 organization as determined by the
230 Representative Assembly and the Board
231 of Directors.
- 232 b) preside at all meetings of the
233 Representative Assembly, the Board of
234 Directors and the Executive Committee.
- 235 c) act as chief spokesperson for NYSUT.
- 236 d) represent NYSUT at conventions of
237 organizations with which it is affiliated.
- 238 e) appoint and establish the functions and
239 duties of all committees with the
240 approval of the Board of Directors.
- 241 f) call regular and special meetings of the
242 Board of Directors and the Executive
243 Committee.
- 244 g) call special meetings of the Repre-
245 sentative Assembly upon the written
246 petition of one-fifth (1/5) of the total
247 number of the Representative Assembly
248 registered at the last convention, or by

249 the majority vote of the Board of
250 Directors.

251 h) appoint special assistants, with the
252 approval of the Executive Committee,
253 who will serve at her/his pleasure,
254 manage her/his office, speak for and
255 represent her/him, and who, if at time of
256 appointment are inservice members of
257 NYSUT, shall retain all rights pertaining
258 thereto. Such appointments shall be
259 limited to budgetary provisions for such
260 employees. The special assistants shall
261 continue to perform the same duties, as
262 specified above, whenever an officer is
263 serving in the President's absence.

264 i) provide for special elections to fill any
265 vacancies in the position of Directors
266 representing Election Districts. Or,
267 when a significant need for additional
268 representation on the Board of Directors
269 arises between elections, the President,
270 with the approval of a two-thirds vote of
271 the Board of Directors, may add up to
272 two (2) temporary seats to the Board of
273 Directors until the next convention.

(Reference Article IX. 7. q.)

274 j) shall assign duties to the vice
275 presidents.

276 k) fulfill such other duties as her/his office
277 requires and as are consistent with this
278 Constitution.

279 **4. Duties of the Vice Presidents.**

280 The duties of the Vice Presidents, in order of
281 rank as follows: Executive Vice President,
282 Second Vice President, shall be to assume
283 the duties and responsibilities of the
284 President in her/his absence and to perform
285 such other duties as the President may
286 designate.

287 **5. Duties of the Secretary-Treasurer.**

288 The duties of the Secretary-Treasurer shall
289 be those usual to that office and to perform
290 such other duties as may be required by the
291 President or the Board of Directors.

292 **6. Nominations.**

293 Candidates for officer positions shall be
294 nominated pursuant to a schedule and
295 procedures established by the Board of
296 Directors.

297 **7. Elections.**

298 Officers shall be elected on a roll call vote
299 by a majority of the ballots cast at a
300 Representative Assembly.

301 **8. Terms of Office.**

302 Duly elected officers shall serve a three (3)
303 year term commencing at the end of the
304 annual Representative Assembly at which
305 they are elected and shall serve until the
306 conclusion of the third Representative
307 Assembly after which they assume office.

ARTICLE VIII
REPRESENTATIVE ASSEMBLY

308 **1. Protocol.**

309 a) The Assembly shall meet at least once
310 annually at a time and place determined
311 by the Board of Directors and at such
312 other times as prescribed in this
313 Constitution.

314 b) An exact record of the proceedings
315 shall be made and shall be maintained
316 at the headquarters of NYSUT.

317 c) On all roll call votes in the annual
318 Assembly, each local represented shall
319 be entitled to a number of votes equal
320 to the membership as defined in Article
321 VIII, §3(b). In the election of officers
322 and directors, all voting shall be by roll
323 call vote and each local represented
324 shall be entitled to the number of votes
325 equal to the membership as defined in
326 Article VIII, §3(b). When a delegate
327 leaves the Assembly, her/his place in
328 the Assembly may be taken by an
329 alternate, if any has been certified as
330 provided in Article VIII, §2(a), and in
331 the order as listed. No other transfer or
332 substitution of voting rights shall be
333 allowed.

334 d) The Representative Assembly will
335 conduct all elections and roll-call votes
336 by democratic processes that ensure
337 that every member is represented; that
338 preserve the individual integrity of
339 every delegate's vote; and that hold
340 delegates accountable to members. In
341 NYSUT officer elections, the

342 governing bodies of local affiliates may
343 direct whether their delegates will vote
344 by secret ballot.

345 e) Each local or retiree council delegation
346 shall designate the Chair of its
347 delegation.

(Reference Bylaw C.1)

348 f) The NYSUT Elections Committee shall
349 have the authority to resolve any and all
350 issues or disputes involving any
351 election. In initially presenting an issue
352 or dispute to the Elections Committee
353 for a ruling, the complaining party(ies)
354 shall promptly do so in writing. That
355 written submission shall: (a) specify all
356 of the provisions of the NYSUT
357 Constitution and Bylaws and each
358 provision of the Campaign and Election
359 Procedures which are claimed to be
360 violated, and (b) the facts supporting
361 each such violation. The decision from
362 the Elections Committee, responding to
363 the complaint, shall be in writing. Any
364 person aggrieved from a decision of the
365 NYSUT Elections Committee who
366 wishes to appeal the determination of
367 the NYSUT Elections Committee must
368 file, in writing, an appeal, within thirty
369 (30) days (absent a showing of
370 extenuating circumstances which shall
371 be set forth in the written appeal) from
372 the date the decision of the Elections
373 Committee is received, to the American
374 Federation of Teachers (“AFT”)
375 (American Federation of Teachers,
376 Attn. Office of the Secretary-Treasurer,
377 555 New Jersey Ave. N.W.,
378 Washington, DC 20001) for processing
379 and determination in accordance with
380 the applicable procedures outlined in
381 Article VI, Section 14 of the
382 Constitution and Bylaws of the AFT. If
383 no appeal is filed from the ruling of the
384 NYSUT Elections Committee, or if an
385 appeal is filed in an untimely fashion,
386 the determination of the NYSUT
387 Elections Committee shall be deemed
388 final.

389 2. **Composition.**

390 The Assembly shall be composed of

391 a) all duly registered representatives and
392 alternates registered in the absence of
393 local representatives.

394 b) elected officers and members of the
395 Board of Directors of NYSUT, the
396 NYSUT Executive Director, and
397 teacher members of the New York City
398 and State Teacher Retirement Boards
399 who are members of NYSUT.

400 c) representatives elected by retiree
401 councils, student NYSUT and such
402 other units as the Board of Directors
403 may recognize.

404 d) representatives elected by councils of
405 locals as recognized by the NYSUT
406 Board of Directors.

407 e) attendees of the NYSUT
408 Representative Assembly who are not
409 the elected officers of NYSUT, the
410 elected members of the NYSUT Board
411 of Directors, or the elected
412 representatives, as they are described in
413 subdivisions (a), (c) and (d), will hold
414 no voting privileges at the
415 Representative Assembly.

416 3. **Representation.**

417 a) Representatives to the Representative
418 Assembly shall be assigned to locals on
419 a one-member/one-vote basis.

420 b) Representation shall be based on the
421 number of inservice members for
422 whom a local has paid dues or an
423 agency fee at a minimum of one-eighth
424 dues level. Entitlement for locals is
425 based on the average number of
426 inservice members during the previous
427 12-month period.

428 c) The conduct of elections for delegates
429 and alternates to the Representative
430 Assembly shall be consistent with the
431 standards for elections developed under
432 Title IV of the Labor-Management
433 Reporting and Disclosure Act
434 (LMRDA) (“Landrum-Griffin”).
435 Representatives and/or alternates to the
436 Representative Assembly shall be
437 elected by a secret ballot vote by the
438 members in good standing of the local
439 unit. In no case shall either a
440 representative or alternate be appointed.
441 Members in good standing of each

442 local or retiree council must be given
443 suitable opportunity to nominate
444 candidates for the office of repre-
445 sentative and/or alternate. Any
446 candidate must be a member in good
447 standing at the time of nomination.

448 Notice of the offices to be filled, the
449 right to make nominations, and the
450 time, place and proper form for the
451 submission of nominations must be sent
452 to members at their last known home
453 address or be given a prominent place
454 in the local publication and on bulletin
455 boards. Written notice announcing the
456 time and place of election of
457 representatives and/or alternates must
458 be mailed to all members at their last
459 known home address at least fifteen
460 (15) days prior to the election. Notice
461 of nominations and of the election may
462 be combined in one notice.

463 d) Each local or retiree council must send
464 by certified mail or other receipted
465 delivery service to the headquarters a
466 certified list of all elected
467 representatives and alternates not later
468 than forty-five (45) days prior to the
469 opening date of the Representative
470 Assembly. Only persons reported on
471 such lists will be eligible for
472 credentials.

473 e) Representatives from retiree councils,
474 student NYSUT, councils of locals, and
475 other special units shall be elected by
476 secret ballot in a manner and in
477 proportions to be determined by the
478 Board of Directors. Such
479 representatives shall be entitled to all
480 rights and privileges of a delegate.

481 f) Representatives and alternates must be
482 members in good standing of NYSUT
483 in order to maintain delegate status.

(Reference Bylaw C.2)

484 4. Powers and Duties.

485 a) Except for matters decided by refer-
486 endum, final authority in the
487 organization shall rest in the
488 Representative Assembly. A matter
489 decided by referendum may not be
490 taken up again at a Representative
491 Assembly before two years have
492 elapsed.

493 b) Act on seating of contested
494 representatives, in a manner consistent
495 with law and the NYSUT constitution.
496 c) Adopt an Order of Business and Rules
497 of Procedure for its operation.
498 d) Require and receive reports.
499 e) Elect officers, at-large Directors of
500 NYSUT, and State Federation
501 Delegates to the American Federation
502 of Teachers Convention and Directors
503 to the NEA Board of Directors. NEA
504 Directors shall be elected by secret
505 ballot and in accordance with the
506 NYSUT Constitution, the Constitution
507 and Bylaws of the NEA as well as
508 established Campaign and Election
509 Procedures.
510 f) Adopt a legislative program.
511 g) Act on amendments to the Constitution
512 and Bylaws of NYSUT.
513 h) Establish general policies through
514 resolutions and act on other business as
515 necessary.
516 i) Meet upon call of the President following
517 the filing of a written petition of one-third
518 of the total number of the delegates seated
519 at the last Representative Assembly to
520 consider the removal of an elected officer
521 or an at-large Director for cause.
522 Representatives may remove the officer or
523 at-large Director from office by a roll call
524 vote requiring two-thirds of the ballots cast.

(Reference Bylaw C.3)

ARTICLE IX

BOARD OF DIRECTORS

525 1. Protocol.

526 a) The Board will meet at least four (4)
527 times each year, and when called (i) by
528 petition of one-half of its members, or
529 (ii) by a two-thirds vote of the
530 Executive Committee.

531 b) In the event of unforeseen
532 circumstances (*e.g.* Act of God,
533 inclement weather, *etc.*) any of the four
534 annual meetings of the Board of
535 Directors may be conducted through
536 electronic means by a two-thirds vote
537 of the Board of Directors.

- 538 c) Special meetings of the Board of
539 Directors may be called to address
540 matters where time is of the essence,
541 and conducted through electronic
542 means: (i) at the request of the
543 President and by a two-thirds vote of
544 the Board of Directors, or (ii) by
545 petition of two-thirds of the members
546 of the Board of Directors. Special
547 meetings of the Board of Directors
548 shall be in addition to the minimum
549 four (4) regular meetings per year.
- 550 d) Special rules of order consistent with
551 democratic principles will be
552 formulated for conducting electronic
553 meetings.
- 554 e) In addition to the minutes, an exact
555 record of the proceedings shall be made
556 and shall be maintained at the
557 headquarters of NYSUT.
- 558 f) The Board of Directors by a vote of
559 one-third of its members may elect to
560 cast its votes according to the following
561 procedure:
- 562 i) Each director E.D.'s 1 through 46
563 shall cast votes equal to the active
564 equivalent membership for her/his
565 E.D.
- 566 ii) Each director from E.D.'s 51
567 through 53 shall cast votes equal
568 to the delegate entitlement of
569 retiree councils represented in
570 his/her election district.
- 571 iii) Each director at-large shall cast
572 votes equal to the total active
573 equivalent membership divided by
574 the number of districts.
- 575 iv) Each officer shall cast votes equal
576 to the active equivalent member-
577 ship divided by the number of
578 districts.
- 579 v) The active equivalent membership
580 used to determine all weighted votes
581 will be that membership used to
582 determine delegate representation at
583 the previous Representative
584 Assembly.

585 **2. Composition.**

- 586 a) One (1) Director from each of the
587 established geographic Election
588 Districts.

- 589 b) One (1) Director at-large from each
590 established cluster of two or more
591 geographic Election Districts.
- 592 c) Elected officers of NYSUT.
- 593 d) One Director for each of the established
594 Election Districts for public and private
595 institutions of higher education, and one
596 Director from the established Election
597 District comprising community colleges.
- 598 e) One Director for each of the
599 established Election Districts from the
600 private elementary/secondary
601 membership in New York State.
- 602 f) One Director for each of the
603 established Election Districts from the
604 non-school district employee
605 membership in New York State.
- 606 g) One Director at-large from each
607 established clustered Election District
608 under subsections (d)-(f).
- 609 h) One Director from each established
610 retiree election district.
- 611 i) Directors at-large, the number to be
612 determined by the Board of Directors,
613 for statewide constituency groups.
- 614 j) The Executive Director shall be an *ex-*
615 *officio* member of the Board.
- 616 k) If not otherwise elected to a seat on the
617 NYSUT Board of Directors, the senior
618 NEA Director shall serve as an *ex*
619 *officio* member of the NYSUT Board
620 of Directors.
- 621 l) An AFT Vice-President who is not
622 otherwise elected to a seat on the
623 NYSUT Board of Directors, shall, upon
624 the recommendation of the President,
625 serve as an *ex officio* member of the
626 NYSUT Board of Directors.
- 627 m) *Ex officio* members of the NYSUT
628 Board of Directors shall serve without
629 voting privileges.

630 **3. Nominations.**

631 Candidates for all Director positions shall be
632 nominated pursuant to a schedule and
633 procedures as previously established by the
634 Board of Directors.

- 635 4. **Elections.**
- 636 a) Directors representing Election
- 637 Districts shall be elected on a roll call
- 638 vote by a majority of ballots cast by the
- 639 representatives from their respective
- 640 constituencies seated at the
- 641 Representative Assembly.
- 642 b) In the event of a vacancy in the
- 643 position of Election District Director,
- 644 the President shall call a special
- 645 election to elect a successor who shall
- 646 serve for the remainder of the
- 647 unexpired term. NYSUT members who
- 648 were reported as the elected delegates
- 649 to the most recently conducted
- 650 Representative Assembly shall be
- 651 eligible to vote in the election; a
- 652 reported elected alternate to the most
- 653 recently conducted Representative
- 654 Assembly may vote in the absence of a
- 655 delegate from the same local or council.
- 656 c) Directors at-large shall be elected on a
- 657 roll call vote by a majority of the
- 658 ballots cast by the Representative
- 659 Assembly.

- 660 5. **Terms of Office.**
- 661 a) All Directors shall serve three (3) year
- 662 terms commencing with the conclusion
- 663 of the Assembly at which they are
- 664 elected, and shall be elected
- 665 concurrently with the NYSUT officers.
- 666 Membership in good standing of
- 667 NYSUT shall be a requisite for holding
- 668 any elected office.

- 669 6. **Powers and Duties.**
- 670 The Board shall:
- 671 a) adopt an agenda for each meeting.
- 672 b) determine the time and place of the
- 673 annual meeting of the Representative
- 674 Assembly.
- 675 c) recommend an Order of Business and
- 676 Rules of Procedure to the Representative
- 677 Assembly.
- 678 d) recommend a legislative program to the
- 679 Representative Assembly.
- 680 e) establish and adjust geographic director
- 681 districts in accordance with the concept

- 682 of one-member/one-vote and to cluster
- 683 contiguous and non-geographic districts.
- (Reference Bylaw D)**
- 684 f) establish the number of directors at-large
- 685 for statewide constituency groups.
- 686 g) appoint an Executive Director.
- 687 h) define the duties of the Executive
- 688 Director.
- 689 i) act upon management appointments as
- 690 recommended by the President.
- 691 j) define employee units, recognize
- 692 appropriate bargaining organization(s)
- 693 and enter into written bargaining
- 694 agreements with recognized employee
- 695 organization(s).
- 696 k) implement policies established by the
- 697 Representative Assembly.
- 698 l) establish NYSUT policy between
- 699 Representative Assemblies.
- 700 m) approve an annual budget.
- 701 n) act upon extraordinary expenditures
- 702 which require modification of the budget.
- 703 o) fill all officer and director at-large
- 704 vacancies as may occur.
- 705 p) interpret the Constitution.
- 706 q) approve, by a two-thirds vote, the
- 707 recommendation of the President to add
- 708 up to two (2) temporary seats to the
- 709 Board of Directors until the next
- 710 convention when a significant need for
- 711 additional representation on the Board of
- 712 Directors arises between elections.
- (Reference Article VII. 3. i.)**

ARTICLE X
EXECUTIVE COMMITTEE

- 713 1. **Procedures.**
- 714 The Executive Committee shall meet
- 715 monthly during the school year and at other
- 716 times as called (i) by the President or (ii) by
- 717 petition of one-half of its members.
- 718 2. **Composition.**
- 719 a) Officers of NYSUT.
- 720 b) Fifteen members who shall be elected
- 721 by and from the Board of Directors.

722 c) The Executive Director shall be an *ex-*
723 *officio* member of the Committee,
724 without voting privileges.

725 3. **Powers and Duties.**

- 726 a) Employ an Executive Director and
727 other managerial personnel with the
728 approval of the Board of Directors.
- 729 b) Prepare and make recommendations to
730 the Board of Directors on policy
731 matters for its consideration.
- 732 c) Act on policy matters in place of the
733 Board of Directors under emergency
734 conditions.

735 4. **Elections and Terms of Office.**

- 736 a) Director members of the Executive
737 Committee shall be elected by a
738 majority vote of the Board of Directors.
- 739 b) Their terms of office on the Executive
740 Committee shall be coterminous with
741 their term of office as a Director.

ARTICLE XI
REFERENDA

- 742 1. The highest level of governance in NYSUT
743 shall be the referendum of the entire
744 membership. Positions or policies
745 established by referendum shall not be
746 subject to reversal or modification by any
747 NYSUT governing body or by a subsequent
748 referendum for a period of at least two (2) years.
- 749 2. A referendum shall be held by
- 750 a) order of a majority of the Representa-
751 tive Assembly, or
- 752 b) order of a majority of the Board of
753 Directors, or
- 754 c) petition of at least ten (10) percent of
755 the inservice members drawn from no
756 fewer than twenty-five (25) locals.
- 757 3. Matters not subject to referendum are
- 758 a) employment, assignment, promotion,
759 discharge or compensation of staff.
- 760 b) dues of NYSUT, NEA or AFT.
- 761 c) amendment and/or interpretation of the
762 constitution and bylaws.
- 763 d) programs requiring a budgetary
764 expenditure of funds.

765 e) powers specifically assigned to other
766 bodies by this Constitution.
(Reference Bylaw E)

ARTICLE XII
AMENDMENTS

- 767 1. An amendment to the Constitution or
768 Bylaws may be proposed by (i) the Board of
769 Directors or (ii) no fewer than one hundred
770 (100) members drawn from at least five (5)
771 Election Districts.
- 772 2. In order to be considered for adoption, a
773 proposed amendment to the Constitution or
774 Bylaws shall be submitted in writing to the
775 Board of Directors at least sixty (60) days
776 prior to the Representative Assembly at
777 which it is to be considered.
- 778 3. A proposed amendment to the Constitution
779 or Bylaws shall be published in an official
780 publication of NYSUT at least thirty (30)
781 days prior to the Representative Assembly at
782 which it is to be considered.
- 783 4. Copies of a proposed amendment to the
784 Constitution or Bylaws to be acted upon
785 shall be available for each member of the
786 Representative Assembly at least three (3)
787 hours prior to vote upon the amendment.
- 788 5. This Constitution may be amended by a
789 two-thirds vote and Bylaws by a simple
790 majority vote of the members of the
791 Representative Assembly present and
792 voting, provided that an affirmative vote
793 shall represent at least a majority of the
794 registered members of the Representative
795 Assembly.
- 796 6. In adopting any amendments to this
797 Constitution or Bylaws, the Representative
798 Assembly shall be deemed to have author-
799 ized the officers to take such legal or
800 technical actions as may be necessary to
801 make the required changes in this
802 Constitution or Bylaws.

BYLAWS

OF THE

NEW YORK STATE

UNITED TEACHERS

A. LOCALS & COUNCILS

(Reference Article IV)

1 **1. Recognition.**

- 2 a) Locals and councils must submit their
3 constitution or bylaws to the Board of
4 Directors. Such documents shall
5 contain provision for the election of
6 officers, the composition and election
7 of an executive committee, the election
8 of representatives to the Representative
9 Assembly of NYSUT, the AFT and
10 NEA Conventions, amount of dues and
11 protection of the rights of their
12 members and procedures for amending
13 their constitution or bylaws. Each local
14 and council constitution or bylaws shall
15 further contain a statement that the
16 local or council will show no
17 discrimination toward individuals on
18 the basis of sex, religion, color, race,
19 marital status, sexual orientation,
20 gender identity, national or ethnic
21 origin, age, disability, or political
22 activities and beliefs.
- 23 b) Each such constitution or bylaws shall
24 contain a statement that the local or
25 council, as may be applicable, shall be
26 affiliated with NYSUT, the AFT and
27 the NEA.
- 28 c) Each local and council shall annually
29 conduct a financial audit which shall be
30 presented to both the local or council
31 governing body and the members.
- 32 d) All local and council officers shall be
33 elected with open nominations and by
34 secret ballot. The principle of one-
35 person, one-vote shall apply to all
36 local/council elections. Generally

- 37 recognized procedures for conducting a
38 democratic election shall apply to such
39 elections. Advanced notification of all
40 qualifications for elected office shall be
41 provided to the membership. No union
42 funds or employer funds shall be
43 utilized in any local election. A local or
44 council may expend funds provided
45 such expenditure is consistent with the
46 standards applicable to a union election
47 which is subject to and governed by
48 Title IV of the Labor-Management
49 Reporting and Disclosure Act
50 (LMRDA) (“Landrum-Griffin”).
- 51 e) NYSUT may periodically solicit from a
52 local or council sufficient information
53 to enable NYSUT to verify a local’s or
54 council’s compliance with the
55 requirements of this Bylaw A.
- 56 f) Locals and councils must submit
57 annually to the Board of Directors
58 notification of elected leadership and
59 copies of all materials filed in
60 compliance with law.
- 61 g) Following notice to the local, the filing
62 of written charges and a hearing at
63 which the local shall have the right to
64 be represented before the Board,
65 recognition of a local may be denied or
66 terminated for cause by a two-thirds
67 vote of the Board of Directors. Except
68 in the case of non-payment of dues or
69 equivalent agency fee amount, the local
70 shall have the right to appeal the
71 decision of the Board of Directors to
72 the next subsequent Representative
73 Assembly. In no event shall any local
74 be placed in receivership or trusteeship
75 by NYSUT.

B. MEMBERSHIP

(Reference Article V)

76 1. Inservice.

77 Inservice membership in NYSUT shall be
78 open to any person, except chief school
79 administrators, who engages in the practice
80 of teaching, health care, or who performs
81 other duties in New York State school
82 districts or other public or private
83 institutions and, further, who is a member in
84 good standing of the AFT, the NEA (where
85 eligible), and a NYSUT recognized local for
86 which he/she is eligible.

87 Inservice membership shall also be open to
88 any person employed in a school related
89 professional ("SRP")/educational support
90 professional ("ESP") position. This shall
91 include but not be limited to those
92 SRPs/ESPs employed as teaching assistants,
93 teacher aides, classroom monitors,
94 secretaries, office clerks, public library
95 workers, all school bus drivers, and those
96 employed in food service, custodial,
97 maintenance and transportation positions.

98 Inservice membership shall be available
99 only through a NYSUT recognized local, if
100 one exists.

101 2. Student.

102 Student membership shall be open to any
103 person preparing for the education or health
104 care profession in any duly accredited higher
105 education institution in New York State and,
106 further, who is a member in good standing
107 of the local student education organization
108 for which he is eligible. Such membership
109 shall be available only through said local if
110 one exists.

111 3. Special Membership.

112 a) Through Recognized Locals.

113 Locals may establish special categories
114 of members which may consist of part-
115 time employees, per diem substitute
116 employees, retirees who were inservice
117 members of the local, and employees
118 on unpaid leave, laid off employees
119 previously employed in the
120 employment jurisdiction not currently
121 working and who are on a preferred
122 recall list or any other employee who is

123 eligible for membership whose salary
124 is less than the basic teacher's salary.

125 b) Through Recognized Councils.

126 i) Retirees who are entitled to pre-
127 paid lifetime NYSUT and AFT
128 membership and who are not
129 entitled to membership in their
130 prior local will be members
131 through their active election
132 district council.

133 ii) Retirees who were members of
134 TRIF (Teacher Retirees in Florida)
135 prior to September 1, 1991, need
136 not rejoin their former locals or
137 election district council.

138 iii) The Board of Directors may
139 develop a plan to permit retirees
140 who permanently and significantly
141 relocate to change their council
142 membership. Such change shall
143 not include a change of local.

144 iv) Members who were retired
145 members of locals prior to
146 September 1, 1991 must maintain
147 local membership.

148 v) Individuals who have purchased
149 NEA/NY Life Retired
150 Membership prior to September 1,
151 2006 will be entitled to full rights
152 of participation as retired members
153 in NYSUT.

154 c) Independent - This Category is open to
155 NYSUT Staff.

156 4. Associate Membership.

157 a) Individual.

158 In jurisdictions where there is no local,
159 employees may be admitted as
160 associate NYSUT members without
161 NYSUT voting rights but with rights to
162 participate in benefit programs such as
163 insurance, travel, and discount buying
164 programs. The dues for associate
165 NYSUT members shall be determined
166 by the NYSUT Board of Directors.

167 b) Unique Constituency Groups.

168 Unique Constituency Groups, which
169 are not locals, shall be afforded for
170 their members and provided specific

171 services and benefits as determined by
172 the Board of Directors. Such
173 membership will not include voting
174 rights.

175 5. Due Process

176 Following notice to the member, the filing
177 of written charges and a hearing at which the
178 member shall have the right to be
179 represented before the Board or an
180 appointed committee thereof, membership in
181 NYSUT may be denied, suspended or
182 terminated for cause by a two-thirds vote of
183 the Board of Directors. Except in the case
184 of non-payment of dues, the member shall
185 have the right to appeal the decision of the
186 Board of Directors to the next subsequent
187 Representative Assembly.

C. REPRESENTATIVE ASSEMBLY

188 1. Procedures.

(Reference Article VIII.1)

- 189 a) A parliamentarian appointed by the
190 President, shall be in attendance at all
191 sessions of the Assembly.
- 192 b) The votes of a local or retiree council
193 shall be divided evenly among the
194 delegates present at the time of voting.
195 Votes shall be evenly divided to four
196 (4) decimal positions by the Elections
197 Committee at the time of tabulation.
198 Election results will be reported by
199 rounding the results to zero decimal
200 positions.
- 201 c) Except as otherwise provided for in this
202 Constitution, roll call votes on any
203 matter before the Assembly shall be
204 ordered by at least a one-third vote of
205 the representatives present supporting
206 such roll call vote.

207 2. Representation.

(Reference Article VIII.3)

- 208 a) Locals shall receive one representative
209 per one hundred (100) members or
210 major fraction thereof; but any local
211 with fewer than fifty-one (51) members

212 will be entitled to one (1)
213 representative.

214 b) The number of representatives shall be
215 based on a twelve (12) month
216 membership period ending no more
217 than ninety (90) or less than ten (10)
218 days prior to the Representative
219 Assembly – the exact date to be
220 determined by the Board of Directors.

221 c) Each established Retiree Council shall
222 be entitled to three (3) delegates.

223 d) Each candidate for representative or
224 alternate must be permitted to have as
225 many observers as necessary at the
226 polls and the counting of the ballots.
227 The results of the election must be
228 published and all election records,
229 including ballots, must be preserved for
230 a period of one (1) year by the election
231 officials designated in the local unit's
232 constitution and bylaws or by the
233 secretary of such local unit if no other
234 official is designated.

235 3. Proceedings for the Removal of Officers
236 and At-Large Directors.

(Reference Article VIII.4i)

- 237 a) In any meeting of the Representative
238 Assembly called for considering the
239 removal of an officer or at-large
240 Director, such officer or at-large
241 Director shall have the right to be heard
242 or represented on her/his own behalf
243 following timely notice of said
244 meeting.

D. BOARD OF DIRECTORS

(Reference Article IX.6e)

245 1. Powers and Duties.

- 246 a) No local shall be assigned to more than
247 one election district without its consent.
248 Where a local is entitled to more than
249 one director, its directors shall be
250 elected by representatives and from
251 election districts established within that
252 local. When redistricting is requested,
253 consultation will take place between the
254 local(s) involved and the Redistricting

255 Committee prior to a vote by the Board
256 of Directors.

E. REFERENDA

(Reference Article XI)

- 257 1. Procedures for a referendum shall be:
- 258 a) After receipt of order or request for
259 referendum, it shall be the duty of the
260 President to transmit the question to be
261 voted on to the locals within two (2)
262 weeks of its receipt by him/her.
263 Following this, there shall be a period
264 of six (6) weeks during which the
265 proponents and opponents shall be
266 given the opportunity to debate the
267 issue through the regular channels of
268 NYSUT, at the end of which time the
269 President shall send to the individual
270 members of all locals in good standing
271 ballots upon which the members shall
272 cast their votes and shall also send to
273 members at-large ballots upon which
274 members at-large shall also cast their
275 votes.
- 276 b) The President shall rent a postal deposit
277 box. The individual members shall
278 mail their ballots to the postal box. The
279 closing date of the referendum shall be
280 thirty (30) days from the date ballots
281 are mailed from the NYSUT office. At
282 the end of thirty (30) days, the
283 President, or her/his representative,
284 accompanied by at least two (2)
285 representatives of each side of the issue
286 on the ballot, shall remove the ballots
287 and cause them to be counted. Ballots
288 received after the opening of the postal
289 box shall not be counted. In the alter-
290 native, the President, with the consent
291 of the Board of Directors, may engage
292 an independent agency to conduct the
293 ballots and to count the votes.
- 294 c) The President shall notify the locals of
295 the results of the referendum no later
296 than two weeks following the receipt of
297 the count. He/she shall also publish the
298 results in an official publication of
299 NYSUT.

F. QUORUM

300 For the purpose of the Representative
301 Assembly, a quorum shall be defined as one
302 more than one-half of the registered
303 attendees. For meetings of the Executive
304 Committee and Board of Directors, a
305 quorum shall be defined as one more than
306 half of the total members of such bodies.

G. PARLIAMENTARY PROCEDURE

307 Meetings of all duly constituted bodies of
308 this organization shall be governed by the most
309 recent edition of Robert's Rules of Order, Newly
310 Revised, except as otherwise provided in this
311 Constitution or Bylaws.

H. FISCAL YEAR, RECORDS AND REPORTS

- 312 1. The fiscal year of this organization shall
313 begin September 1 and end August 31.
- 314 2. NYSUT shall maintain all records and
315 reports required by law.

I. PRINCIPAL OFFICE

316 The principal office of this organization
317 shall be located in the City of Albany, New York,
318 or its environs.

J. SPECIAL RULES OF ORDER FOR REPRESENTATIVE ASSEMBLY

- 319 Roll call procedures at a Representative
320 Assembly shall be as follows:
- 321 1. When a roll call vote has been ordered, the
322 presiding officer shall at once call for the
323 next item on the agenda, action on the
324 pending motion being automatically post-
325 poned pending the tabulation of the results
326 of the roll call vote. No debate, amendment,
327 or other motion affecting the question on
328 which the roll call vote was ordered may be
329 made after a roll call has been ordered.

330 2. The ballots shall be distributed to the
331 ranking delegates of each delegation under
332 the direction of the presiding officer of the
333 Credentials Committee. (These ballots shall
334 be prepared by the President or her/his
335 designee.)
336 3. Each delegate voting shall enter on her/his
337 ballot how she/he is voting and sign the
338 ballot, and this record shall be included in
339 the Convention proceedings.

340 4. The ranking delegate will collect the ballots
341 from the delegates of her/his local or retiree
342 council and return them to the Credentials
343 Committee. No vote shall be accepted later
344 than 1½ hours from the time voting
345 commences unless the Credentials
346 Committee extends the time due to
347 extenuating circumstances.

348 5. The results of the roll call shall be reported
349 by the Chair of the Convention or her/his
350 designee from the Credentials Committee to

351 the assembly immediately upon completion
352 of the tabulation according to the following
353 procedure:
354 a) The total vote shall be read.
355 b) If any five delegates request it, the vote
356 by local shall be read.
357 c) If any delegate challenges the vote of
358 her/his local or retiree council, the roll
359 of delegates from that local or retiree
360 council shall be read, and each delegate
361 shall rise as her/his name is called, and
362 announce her/his vote.
363 d) The report on the roll call shall then be
364 revised to agree with the oral vote just
365 taken.
366 e) A copy of the roll call vote shall be
367 posted showing the vote of each
368 delegate, and shall remain posted until
369 the end of the Assembly. |

NYSUT ELECTED LEADERSHIP

OFFICERS

Andrew Pallotta, *President**
Jolene T. DiBrango, *Executive Vice President**
Ronald R. Gross, *Second Vice President**
J. Philippe Abraham, *Secretary-Treasurer**

AT-LARGE DIRECTORS

Shelvy Young Abrams* (SRP)	Anne Goldman (Health Care)	Debra Penny
Cordelia Anthony*	Matthew Haynes	Stephen Rechner (Pvt. Higher Ed.)
Karen Arthmann (SRP)	Janella Hinds	Angie Rivera (SRP)
Andrew Bogey	Cheryl Hughes	Samantha Rosado-Ciriello*
Thomas Brown	Frederick Kowal*	Andrew Sako* (Community Colleges)
Joseph Cantafio*	Pamela Malone (Higher Ed.)	Nancy Sanders
Nicole Capsello	Florence McCue	Michael Sill
Sandra Carner-Shafran* (SRP)	Maria Pacheco	Andrea Vasquez (Higher Ed.)
James Davis *	Deborah Paulin (SRP)	Ronald Verderber
Brian Ebertz		

ELECTION DISTRICT DIRECTORS

1 Peter Stuhlmiller	17 Tomia Smith	33 Cassie Prugh
2 Michelle Licht	18 Frederic Stark	34 Richard Mantell
3 Joseph Najuch	19 Gregory Perles	35 LeRoy Barr*
4 Kevin Mole	20 John Mansfield	37 Felicia Wharton
5 Adam Urbanski*	21 Kevin Coyne*	38 Penny Lewis
6 Andrew Jordan	22 Kevin Toolan	39 Roberta Elins
7 John Kuryla	23 Laura Spencer	40 Jamie Dangler
8 David Chizzonite	24 Karen Alford	41 Rowena Blackman-Stroud
9 Jeanette Stapley	25 Dwayne Clark	42 Thomas Tucker
10 Laura Franz*	26 Mary Vaccaro*	44 Philip Rumore
11 Joseph Herringshaw	27 Amy Arundell	45 Adam Piasecki
12 Juliet Benaquisto	28 Mary Jo Ginese	46 Dora Leland*
13 Melissa Servant	29 Mary Atkinson	51 Loretta Donlon
14 Sparrow Tobin	30 Anthony Harmon	52 Rosemary Catanzariti
15 Sean Kennedy	31 Michael Mulgrew*	53 Thomas Murphy
16 Jeffrey Yonkers	32 Elizabeth Perez	

Honorary Members of NYSUT Board of Directors

Thomas Y. Hobart, Jr., President Emeritus, Alan B. Lubin, Executive Vice President Emeritus, and
Antonia Cortese, Board Member Emerita

Ex-Officio Member of NYSUT Board of Directors

Melinda Person, *NYSUT Executive Director & Political Director**

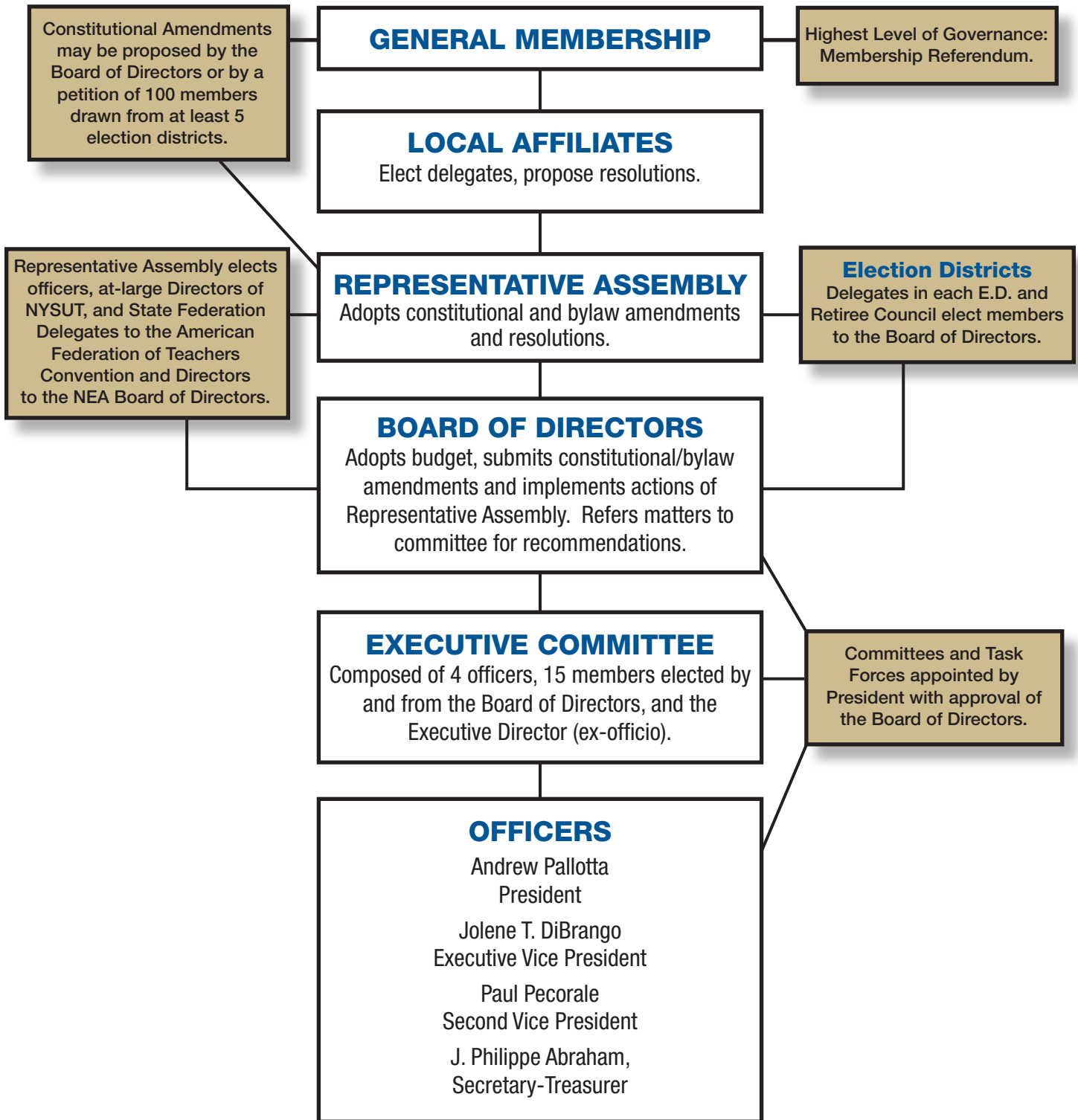
NEA Board Members - NYSUT Board of Directors

Serena Kotch – Senior NEA Board Member; Thomas McMahon – NEA Board Member
Sue Raichilson and Dora Leland – Alternate NEA Board Members

**The NYSUT Executive Committee includes all those indicated by an asterisk.*



GOVERNANCE STRUCTURE



May, 2018

NYSUT Officers



Andrew Pallotta
President



Jolene T. DiBrango
Executive Vice President



Ron Gross
Second Vice President



J. Philippe Abraham
Secretary-Treasurer



**Representing more than 600,000
professionals in education,
human services and health care**

800 Troy-Schenectady Road, Latham, NY 12110-2455
518-213-6000 • 800-342-9810

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