



# CONSTITUTION

## Article 1

### Nature of the Organization

A. This organization shall be known as the UNITED TEACHERS OF DADE, LOCAL 1974, FEA, AFT, NEA, AFL-CIO.

B. The United Teachers of Dade shall be a unified local of the Florida Education Association and shall be affiliated with the American Federation of Teachers.

## Article II

### Objectives

The purpose of this organization shall be to achieve the following objectives:

A. To raise the status of teaching as a profession so as to provide quality education for all students.

B. To achieve consensus management at the school level in regard to all aspects of the operation of the school.

C. To achieve for members the right of self-governance in training, certification, curriculum, evaluation, and dismissal.

D. To achieve the best written contract for its members, through the collective bargaining process.

E. To obtain and protect, for its members, all of the rights to which they are entitled in a free society.

F. To improve standards for teachers, educational workers, and other workers, by promoting better preparation, encouraging relevant in-service training, and securing the working conditions essential to the best performance of professional service.

G. To increase members' power through legislative and political action with special emphasis on improving the standards for public employees through the strengthening of the collective bargaining law.

H. To provide maximum economic and professional services for members.

I. To achieve an economic power base for the benefit of all its members.

J. To create a positive and realistic public image of teachers and other school employees.

K. To encourage and promote the involvement of members in community affairs.

L. To promote the welfare of children by assuring progressively better educational opportunities for all, regardless of race, creed, sex, physical or mental disabilities and social, political, or economic status.

M. To fight to eliminate all forms of bias.

N. To ensure that there is a safe environment within which students can learn and teachers can teach.

O. To promote mutual assistance and cooperation among teacher and other public employee organizations in Florida.

P. To create and maintain a single, nationwide organization for all teachers and other non-supervisory school employees.

Q. To work with the business community in order to advance public education.

R. To support and promote the ideals of democracy as envisioned in the Constitution of the United States of America, its Bill of Rights and Amendments, to work for passage and retention of just laws which would improve the educational climate for students, teachers and other workers in education, and to encourage them to exercise their proper rights and responsibilities under these laws.

### **Article III Membership**

A. Below are two categories of active membership in the United Teachers of Dade. An active member must be current in his/her dues payment to be a member in good standing. Only active members in good standing, where otherwise eligible, may serve as a UTD officer, Executive Board member, Building Steward, Delegate and/or member of a union committee.

Category 1 membership shall include any teacher, paraprofessional, school support personnel, office personnel, or other non-managerial employee of the Miami-Dade County Public School System falling within the listed job classifications in the bargaining unit certified as number 1 by the Public Employees Relations Commission.

Category 2 membership shall include any teacher or non-managerial employee of other public or private educational institutions located in Miami-Dade County certified by PERC or the NLRB to be represented by UTD.

B. Retirees are eligible to belong to the UTD Retiree chapter. Retiree members are not eligible to vote on union matters or serve in any union office or capacity. The President of the retiree chapter shall be a standing invitee to all union functions including Executive Board meetings.

C. Membership and all rights and privileges in the United Teachers of Dade shall not be denied because of race, sex, religious faith, or political activities or beliefs, disability, age or sexual orientation.

D. Final and binding interpretation of this membership Article shall be the responsibility of the Executive Board of the United Teachers of Dade, subject to the approval of the Council of Building Stewards.

### **Article IV Officers**

A. The following officers shall be elected for a term of three (3) years and shall constitute the Executive Board of the United Teachers of Dade:

1) President

2) Secretary/Treasurer

3) First Vice President

4) Twenty-two Vice Presidents distributed as follows: Six (6) at large Vice Presidents; one (1) Vice President representing the paraprofessionals; one (1) Vice President representing the School-support Personnel; one (1) Vice President representing office personnel; one (1) Vice President from adult/vocational/technical schools; six (6) Vice Presidents from elementary schools; three (3) Vice Presidents from junior high/middle schools; three (3) Vice Presidents from high schools.

B. A member in good standing becomes eligible to run for one of the offices listed in Section A. above after serving one calendar year of membership.

C. Members of the staff of United Teachers of Dade shall not be eligible to seek elected office unless they first resign their staff position and sever their employment status with United Teachers of Dade and otherwise are eligible to hold office.

## **Article V**

### **Governance**

**A. The United Teachers of Dade shall be governed by the elected representatives of the membership known as the Council of Building Stewards**, subject to the provisions of this Constitution and its Bylaws. There shall be an Executive Board of the United Teachers of Dade which shall consist of all elected officers and who will report to the Council of Building Stewards. The chief administrative and executive officer of United Teachers of Dade shall be the President. The Secretary/Treasurer shall serve as the Chief of Operations and Chief Finance Officer. The First Vice President shall serve as outlined herein.

### **B. Duties of the Council of Building Stewards**

The Council shall formulate the policies of the organization and it shall have the power to adopt, amend, or rescind actions of the Executive Board and the Executive Vice President, except for those powers reserved solely to the respective bodies by this Constitution and its Bylaws. The Council shall be the sole judge of the qualifications of its members, subject to procedural rights described in the Bylaws. Membership in the Council of Building Stewards may be nullified on the grounds of neglect of duty, misconduct in office, or activities inimical to the interest of the United Teachers of Dade. The Council of Building Stewards shall be the final arbiter in all disputed elections. The Council of Building Stewards shall be responsible for interpretations of the Constitution and Bylaws, subject to the advice of the General Counsel of the United Teachers of Dade. The Council of Building Stewards shall approve the annual budget of United Teachers of Dade.

### **C. Duties of the Executive Board**

The Executive Board shall execute the policies of the organization as established by the Council of Building Stewards. The Executive Board shall be a forum before which all matters of concern to the organization shall be considered and in which governance of the organization between Council of Building Stewards meetings shall occur. All recommendations and actions of the Executive Board shall be reported to the Council of Building Stewards for final action save those matters exclusively within the province of the Executive Board under this Constitution and its Bylaws. The actions of the Executive Board shall be binding on the organization unless amended or rescinded by the Council of Building Stewards. The Executive Board shall have the power to establish, through the issuance of charters, autonomous bodies to be composed of persons who have one or more things in common with United Teachers of Dade that differ from the remainder of the local's

interest. The Executive Board shall have the power to appoint the "designated steward" for a school consistent with Article VI of this Constitution. The Executive Board shall have the authority to assign duties in areas of responsibility for each Vice President in accordance with this Constitution and its Bylaws.

### **D. Duties of the President**

The President shall be the chief executive and administrative officer of the United Teachers of Dade. The President shall be the Business Agent of the United Teachers of Dade as designated by the Public Employees Relations Commission. He/she shall preside at membership meetings of the organization, the Council of Building Stewards, and the Executive Board and shall administer all the affairs of the United Teachers of Dade as determined by the Council of Building Stewards and the Executive Board. He/she shall have the power subject to approval of the Executive Board, to hire and terminate employees as deemed necessary within the budgetary provisions of the United Teachers of Dade. Additionally, he/she shall have the power subject to approval of the Executive Board to employ and retain individuals or firms for the

performance of specialized services for the union. The President, save for those contracts designed by the Executive Board or needing the additional signature of the Secretary/Treasurer or the prior resolution of the Executive Board, shall execute contracts on behalf of United Teachers of Dade. The President will fulfill such other duties as his/her office requires and are not inimical to the Constitution and Bylaws. The President has the duty to assure that all required financial reports are reported by the Secretary/Treasurer to the Executive Board, Council of Building Stewards, the membership, and AFT.

He/she shall serve as a voting member of all committees.

#### **E. Duties of the First Vice President**

The First Vice President shall assist the President in carrying out his/her duties. The First Vice President shall assume all duties of the President in case of his/her absence. He/she shall serve as an advisor to all committees. He/she shall facilitate union membership recruitment, mobilization and legal services provided to members. The First Vice President has the duty to assure that all required financial reports are reported by the Secretary/Treasurer to the Executive Board, Council of Building Stewards, the membership and AFT. The First Vice President will fulfill such other duties as his/her office requires and are not inimical to the Constitution and Bylaws.

#### **F. Duties of the Secretary/Treasurer**

The Secretary/Treasurer shall assist the President in carrying out his/her duties. He/she shall serve as a non-voting consultant to all standing committees. The Secretary/Treasurer shall have oversight and full fiduciary obligation regarding all financial aspects of the union. The Secretary/Treasurer shall present timely financial reports to the Executive Board, Council of Building Stewards, membership, AFT and where required to governmental entities. He/she shall serve as the Chief Operations Officer, monitoring the daily workings of the United Teachers of Dade staff and overseeing the financial concerns of the Union. He/she shall be a co-signatory on all categories of contracts which the Executive Board shall so designate. The Secretary/Treasurer shall assure that: all checks and legal documents are executed by original signature and never through stamp or watermark; all contracts and checks possess two signatories; and, no officer is a signatory on a check to him or herself. The Secretary/Treasurer will fulfill such other duties as his/her office requires and are not inimical to the Constitution and Bylaws.

#### **G. Duties of the Vice Presidents**

The vice presidents who serve on the Executive Board shall advise and assist the President and the Secretary/Treasurer and perform such other duties as they may be assigned, including but not limited to, assisting at all Stewards meetings; serving as an ombudsman for their assigned geographical or categorical area; assisting in the promotion of membership in the United Teachers of Dade; assisting the United Teachers of Dade building stewards; serving as active member non-voting consultants to committees upon assignment of the President; and taking a leadership role in all United Teachers of Dade functions.

**H. Upon the conclusion of an AFT imposed Administratorship, there shall be AFT oversight over UTD financial and operational affairs** until AFT is fully reimbursed for any monies due and owing and all per capita and third party vendor payments are current.

#### **Article VI Vacancies**

A. The Executive Board shall determine when a vacancy exists in an elective or appointive position.

B. Vacancies in elective or appointive positions other than Building Stewards (see C. below) shall be filled by the Executive Board.

C. Should a vacancy develop in the position of building steward(s), the United Teachers of Dade members of the school from which that Steward comes, shall act within two (2) weeks to fill the vacancy through an election or, after such time, the vacancy shall be filled by the Executive Board.

#### **Article VII Quorum**

A. Membership One-eighth (1/8) of the active membership shall constitute a quorum at meetings of the membership.

B. Council of Building Stewards A quorum of the Council of Building Stewards shall consist of one-third (1/3) of the building stewards.

C. Executive Board A majority of its members shall constitute a quorum at meetings of the Executive Board.

#### **Article VIII Initiative and Referendum**

A. Ten percent (10%) of the active members may initiate a proposition or may demand a referendum on any action of the Council of Building Stewards, except any action that is reserved to one of the governing bodies, i.e., the Executive Board, Council of Building Stewards, or anything delegated to the Executive Vice President through this Constitution and these Bylaws. The Executive Board shall submit same to the entire membership within thirty (30) days following certification thereof. The Executive Board shall take no more than two (2) weeks to certify the signatories.

B. Recall of the officers of the United Teachers of Dade shall be in accordance with Robert's Rules of Order, newly revised.

#### **Article IX Amendments**

A. Amendments to this Constitution may be proposed by ten percent (10%) of the active members, a majority of the Council of Building Stewards, or by two-thirds (2/3) of the Executive Board.

B. To amend this Constitution, written notice of the proposed amendment must be given to the Executive Board; the proposed amendment must be read at a meeting of the Council of Building Stewards at least thirty (30) days before it is to be acted upon in accordance with Section C of this Article; and then, in order for the amendment to prevail, at least one-third (1/3) of the active members of the Union must cast secret ballots and, of the members voting, two-thirds (2/3) must vote in favor of the amendment.

C. The ratification process shall take place only during the months during which school is in full session. Any adopted amendment(s) shall become effective immediately upon ratification unless otherwise specified in the amendment.

#### **Article X Election**

Election of officers and delegates shall be by secret ballot.