

CONSTITUTION

The Professional Instructors Organization of Western Michigan University (PIO)

Article I Name

The union shall be known as the Professional Instructors Organization, AFT-Michigan/AFT, American Federation of Teachers-Council of Industrial Organizations (AFL-CIO), hereafter referred to as “the PIO.”

Article II Purposes

- Section 1. To represent the professional interests and protect the academic freedom and other rights of non-tenure-track part-time faculty on Western Michigan University’s campuses and branches.
- Section 2. To increase the economic, professional, social, and political power of non-tenured part-time faculty at Western Michigan University through collective bargaining and thus to improve the quality of education at Western Michigan University.
- Section 3. To improve the respect for the profession of teaching, promote education as the primary goal of the University, and encourage professional development and education of the members.
- Section 4. To promote increased collegiality of non-tenure-track part-time faculty within and across academic units and make these faculty full citizens in the governance structures of the University.
- Section 5. To strengthen public and government support for universal access to high quality public education at all levels, from primary school to graduate studies, in the state of Michigan and beyond.
- Section 6. To help build a dynamic and democratic national labor movement, animated by the principle that an injury to one is an injury to all, and in that spirit, to promote local, national, and international labor solidarity.
- Section 7. To engage in political action in support of the purposes listed in the previous sections and to promote democracy and justice in the society at large by actions generally approved by the members.

Article III Membership

- Section 1. All persons in the bargaining unit agreed upon with Western Michigan University shall be eligible for membership in the PIO.
 - a. Retired members and members no longer employed in the bargaining unit shall be eligible to continue their membership as associate members at a dues rate of five dollars (\$5) each for the fall and winter semesters.

- b. No person shall be denied membership on the basis of age, sex, race, color, national origin, ethnicity, veteran status, height, weight, marital or family status, pregnancy, religious or political belief, religious or political affiliation, disability, infectious disease status, sexual orientation, gender identity or expression, or social status.

Section 2. A member in good standing is one whose current dues are paid.

Section 3. Only members in good standing on layoff or employed in the bargaining unit during the academic year in which the contract is negotiated shall have the right to vote on their collective bargaining contract. Only members in good standing employed during a given semester shall have the right to vote on a job action. All members in good standing shall have the right to hold office and vote on all other matters.

Article IV Organizational Structure

The structure of the PIO shall consist of

- a. Members, who give the PIO its strength by volunteering their time in union-building activities, by participating in PIO meetings and rallies, and by voting in PIO elections;
- b. Stewards, who represent the members of their unit in the PIO Council, promote member participation in and understanding of union activities and priorities, and recruit new members;
- c. A PIO Council and Standing Committees, which coordinate activities across the main campus of Western Michigan University and all other branch campuses;
- d. At least two Membership Meetings (fall and winter), at which members vote on the PIO's Annual Plan, Annual Budget, and Resolutions.

Article V PIO Council

Section 1. The PIO Council shall serve as the executive of the PIO as a whole, responsible for implementing the will of the members as set out in the Annual Plan, the Annual Budget, and the Resolutions approved by the members at the Membership Meetings. The PIO Council shall

- a. Coordinate the organizing efforts and other activities of the PIO;
- b. Prepare an Annual Plan and an Annual Budget for the PIO and submit these to the winter Membership Meeting for approval;
- c. Oversee and execute the administrative needs of the PIO;
- d. Promote the development of an informed and active membership;
- e. Fulfill all other roles, functions, and duties assigned to it by this Constitution.

Section 2. The PIO Council shall consist of at least seven (7) voting members. The voting members shall be the officers of the PIO (President, Vice-President, Treasurer, and Secretary), the Chairs of the PIO's Standing Committees, and the Chairs of any active Special Committees created by the PIO Council.

- Section 3. The PIO Council shall meet monthly from September through May for the purpose of initiating, overseeing, or revising the PIO's organizing program and to conduct other PIO business within its authority. The PIO Council may also meet more frequently or during the months of June through August at the call of the President or of at least two other PIO Council members.
- Section 4. The PIO Council shall employ all professional, technical, clerical, and support staff of the PIO and establish the salary, benefits, and expense guidelines of any individual employed by the PIO.
- Section 5. Consistent with the approved Annual Budget, the PIO Council shall be empowered to make contracts and incur liabilities including the purchase of services, equipment, and real property, to borrow money, to secure such obligations by mortgage or other instrument, and to otherwise engage in financial transactions to the extent permitted by applicable laws or statutes.
- Section 6. The PIO Council shall be responsible for adopting Bylaws and for adherence to and enforcement of the Constitution and adhering to, modifying, or rescinding any Bylaws of the PIO that previous Councils adopted.
- Section 7. Between Membership Meetings, the PIO Council, either directly or through its committees, shall report important developments and decisions to the members in order to ensure that the PIO's members, Stewards, and other activists are fully informed on all important matters and have ample opportunity to make their views on the important issues facing the PIO known to the PIO Council members before critical decisions are made.
- Section 8. The PIO Council may establish Special Committees as the need arises to meet the short-term, specific needs of the PIO.
- Section 9. The PIO Council may choose to combine the positions of Secretary and Treasurer, with notice to the membership at the time of nominations of officers.
- Section 10. No more than three unexcused absences from PIO Council meetings are allowed. If a PIO Council member is absent three times without advance notice, the Secretary will send a letter to the member indicating that the PIO Council accepts her or his resignation from the office held. The action will be reported in the minutes of the PIO Council meeting before the letter is sent.

Article VI

Standing Committees

- Section 1. The Standing Committees of the PIO are permanent committees that perform essential and ongoing functions, including
- a. Elections,
 - b. Bargaining,
 - c. Policy and Political Action and Education,
 - d. Finance,
 - e. Grievance,
 - f. Communications,
 - g. Stewards.

Section 2. Elections Committee. Should a member of the Elections Committee seek elected office, she or he shall resign from the Elections Committee and be replaced promptly.

Section 3. Committee Leadership:

- a. The Treasurer shall serve as the Chair of the Finance Committee.
- b. The Chairs of all other Special or Standing Committees shall be elected by the members of their committees or, absent an election, appointed by the PIO Council.

Section 4. Duties of the Standing Committees:

- a. The Elections Committee shall conduct and supervise all elections and Referenda. It shall also determine which members are in good standing and are, therefore, eligible to vote in the elections. No officers shall serve on the Elections Committee.
- b. The Bargaining Committee shall oversee the development of a bargaining platform and engage in collective bargaining, keeping the membership fully informed of developments as they unfold and conducting such research, surveys, hearings, and other activities as promote the realization of these objectives.
- c. The Policy and Political Action and Education Committee shall monitor government actions relevant to the purposes of the PIO as stated in Article II and educate the members regarding these developments. It shall propose appropriate responses and oversee cooperation between the PIO and other organizations committed to these goals. It shall secure voluntary contributions to support the PIO's political work and may recommend endorsement of candidates for local, state, or national office.
- d. The Finance Committee shall develop and maintain internal controls to safeguard the PIO's assets, guidelines for the reporting of expenses, and policies and procedures for the preparation of an Annual Budget. The Finance Committee shall assist the PIO Council in the preparation of the Annual Budget. It shall oversee the dispersal of funds in accordance with the approved budget and maintain financial records as required by law. It shall identify and, with the approval of the PIO Council, pursue activities to generate revenues. In general, the Finance Committee shall assist and advise the Treasurer in all the duties assigned to that officer.
- e. The Grievance Committee shall work with the Stewards in the resolution of contractual and non-contractual disputes in the workplace, maintain records of grievances and their disposition, be responsible for responding to and resolving grievances and disputes beyond the immediate work location, and make recommendations to the PIO Council regarding disputes to be taken to arbitration or civil remedy.
- f. The Communications Committee shall develop procedures and plans for effectively communicating the PIO's goals, values, activities, and achievements both to the PIO membership and to the wider public. It shall assist and coordinate the PIO's mass communication and publicity campaigns. Specifically, the Communications Committee shall design, produce, and distribute a regular printed communication to the PIO and other printed or electronic material as necessary. Such materials

may include but are not limited to a print newsletter, e-mail newsletter, website, flyers, and posters. The Communications Committee shall also present the views of the PIO on both a regular and special basis to the print and electronic media, to other labor and community organizations, and to the general public.

- g. The Stewards Committee shall advise the PIO Council on contract administration, grievances, and support for the bargaining process. The Stewards Committee shall meet periodically and select one or more members to represent it on the PIO Council.

Article VII Stewards

Section 1. Stewards shall serve as representatives of the members in their units and as organizers for the PIO.

Section 2. Stewards shall be chosen by the members of the unit(s) that they serve or appointed by the PIO Council, absent an election.

- a. A Steward shall be a member in good standing.
- b. In any unit that has fewer than ten (10) members, the unit may be merged with another unit, preferably one with similar characteristics.
- c. No unit shall be without representation by a Steward. If necessary, the PIO Council may designate a Steward from one unit as the representative for members in another unit or units that otherwise would not have a Steward.
- d. A unit is a department, school, office building, or classroom building.

Section 3. In respect to their duties, Stewards shall

- a. Organize and recruit members in their units and beyond;
- b. Make reports to the membership as necessary;
- c. Meet regularly with the members in their units to discuss workplace and organizational issues and to receive instruction from their membership;
- d. Initiate grievances and resolve disputes at the worksite or other appropriate location;
- e. Consult regularly with the University's management personnel at the worksite regarding matters of interest to the PIO membership;
- f. Report on grievance-related activities to the Grievance Committee Chairperson;
- g. Participate in the Stewards Committee.

Article VIII Membership Meetings

Section 1. Membership Meetings shall be convened in the fall and winter in order to make reports to the membership and to discuss amendments to the Constitution, Resolutions, the Annual Plan, and the Annual Budget. In addition, the Membership Meetings may include seminars and workshops on professional development, union organizing, or other areas of concern to the PIO and its members.

- Section 2. The Membership Meetings shall be open to all members of the PIO in good standing. Proxy balloting shall be allowed at the meetings under procedures established by the Elections Committee. A quorum shall be those members present.
- Section 3. The PIO Council shall determine the time, place, and agenda of the Membership Meetings and give at least thirty (30) days notice to the members.
- Section 4. The Elections Committee shall be responsible for overseeing the votes that take place at the Membership Meetings.
- Section 5. Resolutions shall be put before Membership Meetings in the same manner as proposed on issues of importance. A Resolution may suggest policy but cannot dictate policy. No Resolution shall be viewed as in any way altering the provisions of this Constitution. A majority of the votes cast at Membership Meetings, including proxy votes, shall be required for approval of a Resolution.

Article IX Budget Process

- Section 1. The PIO Council shall submit an Annual Budget for the PIO to the membership at the winter Membership Meeting for discussion, possible amendment, and approval.
- Section 2. The fiscal year shall begin July 1 of each year and end on June 30 of the subsequent year.
- Section 3. Revenue for the PIO will include membership dues. Membership dues shall be one and eighty-five one-hundredths of a percent (1.85%) of PIO-applicable member salaries, which includes the per capita amounts for the AFT, State Federation, local and state affiliates of the AFL-CIO, as well as any insurance premiums for each member. Whenever the dues of a required affiliate increases, the dues for the PIO shall automatically and simultaneously increase by the same amount.
- a. Revenue shall also include agency fees for nonmembers, which are to be set annually by the PIO Council in accordance with law and administered in accordance with state and federal law and the AFT bylaws.
 - b. Revenue may also include special assessments passed by the PIO Council for specific purposes.
- Section 4. The PIO Council shall publish its proposed budget to all members at least fourteen (14) days prior to the winter Membership Meeting. The proposed budget along with a draft report of the previous year's financial activities as well as information on any changes shall be included. Publication may take place in the PIO's newsletter or other mailing to the membership, through an e-mail message to the membership, or on a members-only section of the PIO's website.
- Section 5. A majority of the votes cast at the winter Membership Meeting, including proxy votes, shall be required for approval of the Annual Budget.

Article X Election of Officers

- Section 1. Every two (2) years during odd-numbered years, the President, Vice-President, Secretary, and Treasurer of the PIO shall be elected. A winner shall be the candidate with the most votes. All PIO members in good standing shall be eligible to vote. These elections shall take place at least forty (40) days and not more than sixty (60) days before the end of the fall semester. Members wishing to run for these offices shall have been members of the PIO for at least six (6) months and shall present to the Elections Committee a petition supporting their candidacy, signed by at least five (5) members in good standing, no later than thirty (30) days in advance of the election date.
- Section 2. No person may be elected to the same office for more than three (3) consecutive full terms.
- Section 3. The Elections Committee shall plan and oversee all regular and special elections for PIO Council officers in accordance with the provisions of this Constitution and Bylaws. It shall notify all members of the date and process for the election of these officers at least sixty (60) days in advance of these elections and notify the members of the nominees for the offices, providing biographical information at least fifteen (15) days before the election date.
- Section 4. The Elections Committee shall investigate and report on any complaint lodged by a member with the Elections Committee concerning the propriety of PIO Council elections.
- Section 5. Successful candidates shall assume office on the first day of the winter semester.
- Section 6. Vacancies for the positions of Vice-President, Secretary, and Treasurer shall be filled by a majority vote of the PIO Council, except in the case of a recall, which will require a special election.
- Section 7. A petition signed by thirty percent (30%) of the members in good standing stating specific grounds shall be sufficient to require the Elections Committee to conduct a recall election of any officer specified in the petition.

Article XI Duties of Officers

- Section 1. All officers shall contribute to the organizing effort of the PIO.
- Section 2. The President shall
- a. Be the presiding officer at the fall and winter Membership Meetings, any special Membership Meetings, and meetings of the PIO Council,
 - b. Be an ex-officio member of all Standing Committees except the Elections Committee,
 - c. Appoint, with the approval of the PIO Council, the chairs of all Special Committees,
 - d. Oversee the ongoing administration of the PIO,
 - e. Be one of the responsible financial officers of the PIO and be authorized to co-sign financial instruments and make regular and usual disbursements of funds,
 - f. Serve as the primary spokesperson for the PIO,
 - g. Make an annual report to the membership of the PIO at the fall Membership Meeting,
 - h. Be able to delegate the responsibilities of the office except where otherwise specified by the Constitution.
- Section 3. The Vice-President shall

- a. Assume the duties of the President in the event of the absence, illness, or death of the President,
 - b. Attend the Stewards Committee's meetings when necessary and perform other duties as delegated by the President or assigned by the PIO Council,
 - c. Co-sign financial instruments in the absence of the President or Treasurer.
- Section 4. The Secretary shall
- a. Maintain the non-financial files and records of the PIO,
 - b. Organize groups to conduct social functions,
 - c. Record and keep accurate minutes of meetings of the Membership Meetings and the PIO Council meetings,
 - d. Assist the President in handling the correspondence of the PIO,
 - e. Receive and certify the reports of the Elections Committee,
 - f. Perform other duties as delegated by the President or assigned by the PIO Council.
- Section 5. The Treasurer shall chair the Finance Committee and, with the assistance of the Finance Committee, shall
- a. Receive, record, and deposit all dues monies and other income in the name of the PIO;
 - b. Maintain accurate membership records;
 - c. Issue notices of delinquency;
 - d. Be one of the responsible financial officers of the PIO and be authorized to co-sign financial instruments and make regular and usual disbursements of funds;
 - e. Maintain all financial records of the PIO;
 - f. Recommend an auditor to the PIO Council who will conduct an annual independent audit of the finances of the PIO and make it available to the PIO Council and the membership;
 - g. Prepare and submit, at minimum, a quarterly financial report to the PIO Council;
 - h. Make timely payment of all per capita dues to the American Federation of Teachers (AFT) and other affiliates and submit a monthly per capita membership report, as required by the AFT;
 - i. Make timely payment of all bills authorized by the Annual Budget or this Constitution and of other expenses as approved by the PIO Council;
 - j. Prepare and file in a timely manner all appropriate tax returns on behalf of the PIO;
 - k. Perform other duties as delegated by the President or assigned by the PIO Council.

Article XII

Referenda

- Section 1. Referenda may be initiated by a majority vote of the PIO Council or by a petition from the membership. The Elections Committee shall conduct any Referendum as a ballot of the membership.
- Section 2. A petition from the membership shall be submitted to the Elections Committee for validation. The Elections Committee shall have ten (10) days to accept or reject the petition. To be considered valid, a petition from the membership must
- a. Be signed and dated by at least twenty percent (20%) of the members in good standing of the PIO,

- b. Contain the full text of the Referendum,
 - c. Have had all of its signatures collected in a continuous period of not more than ninety (90) days.
- Section 3. Examples of Referenda include but are not limited to votes on collective bargaining platforms, on collective bargaining agreements, and on job actions.
- Section 4. Referenda may not recall officers or amend or contradict this Constitution in any way. Referenda may not alter the Annual Budget. Furthermore, no Referendum on a job action shall require that the PIO undertake the specified action. Rather, such a Referendum shall only grant permission for the PIO to undertake the specified action if in the judgment of the PIO Council it is deemed necessary.
- Section 5. All Referenda shall be passed by a simple majority of the votes cast.

Article XIII Balloting

- Section 1. A ballot of the membership shall be a secret ballot.
- Section 2. Unless otherwise specified in this Constitution, all members in good standing of the PIO shall be eligible to vote in a ballot of the membership, and all issues shall be decided by a majority of the votes cast.
- Section 3. A ballot of the membership may be conducted by any of the following methods:
- a. A paper ballot to be returned to the PIO by the public mail,
 - b. A paper ballot to be collected and counted at a campus Membership Meeting or meetings,
 - c. A paper ballot to be collected at a designated campus polling place or places,
 - d. An electronic ballot to be collected via the Internet.
- Section 4. In the case of balloting on a Referendum initiated by a valid petition from the membership, the Elections Committee shall determine the method to be used for the balloting and the date or dates of the balloting, which dates shall not be more than forty-five (45) days after the date on which the petition from the membership was submitted to the Elections Committee. In all other cases, the method to be used for the balloting and the date or dates of the balloting shall be determined by a majority vote of the PIO Council.
- Section 5. Advance notice of the balloting and a description of the method to be used shall be provided to the entire membership. In no case shall less than fourteen (14) days of advance notice be provided, but other provisions of this Constitution may require a longer period of notification.
- Section 6. The Elections Committee shall be responsible for conducting the balloting, counting the votes, and certifying and reporting the results.

Article XIV Rules of Order

Robert's Rules of Order, Newly Revised shall govern the PIO and all of its subordinate bodies in all matters not covered by this Constitution or the Bylaws of the PIO.

Article XV Affiliations

The PIO shall maintain affiliation with the following organizations:

- a. The American Federation of Teachers, AFL-CIO;
- b. AFT-Michigan, AFL-CIO;
- c. The state American Federation of Labor–Congress of Industrial Organizations (AFL-CIO), through the Kalamazoo Labor Council.

Article XVI Amendments to the Constitution of the PIO

Section 1. Any member of the PIO may propose an amendment to this Constitution through the following procedure:

- a. The member shall prepare a petition containing the full text of the proposed amendment. The petition shall adhere to a format to be specified by the PIO Council and made available to members through their Stewards.
- b. The member shall collect on the petition the valid signatures of twenty percent (20%) of members in good standing from more than one academic department and then submit the original copy of the petition to the Secretary of the PIO.
- c. The Secretary shall verify the compliance of the petition with the provisions of this Article and, within ten (10) days of the receipt of the petition, either return the petition to the originating member with a written explanation of its deficiencies or transmit the petition to the PIO Council for review and discussion.
- d. The PIO Council shall publish its recommendation together with the proposed amendment to all members at least fourteen (14) days prior to the vote. Publication may take place by inclusion in the PIO's newsletter or by inclusion on the PIO's website or both.

Section 2. An amendment to this Constitution may be proposed by a majority vote of the PIO Council when the proposed amendment is on the agenda in advance of the PIO Council meeting.

Section 3. Voting on proposed Constitutional amendments that have met the requirements of Sections 1 and 2 above shall be by a ballot of all the members. The amendment shall pass with a simple majority of those casting votes.

Section 4. Upon its passage, the amendment shall go immediately into effect, unless the amendment otherwise specifies a time for its going into effect.

Article XVII Availability of the Constitution and the Bylaws

Section 1. Three copies of this Constitution and all subsequent amendments shall be submitted to the office of the Secretary-Treasurer of the American Federation of Teachers.

Section 2. One copy shall be sent to the similar officer of each organization with which the PIO is affiliated.

Section 3. The Secretary shall make a copy of the Constitution and of the Bylaws available upon request to any member or potential member of the PIO.

Section 4. A copy shall be published on the PIO’s website.

**Article XVIII
Ratification**

Section 1. This Constitution shall go into effect upon its ratification by a majority of the votes cast in a ballot of the membership.

Section 2. Upon ratification of this Constitution, and until the officers elected in accord with this Constitution take office, the officers of the PIO shall be the PIO Organizing Committee identified in the PIO certification campaign literature. Upon ratification of this Constitution, the PIO officers shall elect one of themselves to be the Elections Chairperson to sign the certificate of ratification included below.

This Constitution originally submitted to the membership on _____
and passed by a vote of _____.

Signature of Elections Chairperson

Constitution revised on _____ and submitted to the membership on _____.
Revisions adopted by a vote of _____.

Signature of Elections Chairperson