

# Constitution & By-Laws

of the

# Hamburg Teachers' Association

Local 2702

*Revised 2018*



Hamburg Teachers Association  
Constitution and By-Laws  
Revised 2018

**Article I: Name**

The name of the organization shall be the Hamburg Teachers' Association (HTA), Local 2702.

**Article II: Purpose**

The purpose of the Hamburg Teachers' Association shall be to:

1. Promote the interests of public education in the community;
2. Promote the welfare of the members;
3. Advance the standards of the teaching profession;
4. Promote the aims and objectives of the New York State United Teachers and its affiliates;
5. Promote mutual assistance and cooperation with other organizations with which it is affiliated.

**Article III: Authority**

**Section 1:**

In accordance with the laws of New York State and the United States and action of the local Board of Education, the HTA is designated as the exclusive bargaining agent for all positions designated in Article IV.

**Section 2:**

Parliamentary procedure shall follow the rules specified in Robert's Rules of Order.

**Article IV: Membership**

**Section 1:**

Membership in the HTA shall include all employees of the Hamburg Central School District who engage in the practice of teaching, or who perform educational duties as well as retired members, except the chief school officer and his/her administrative staff.

**Section 2:**

Membership in the HTA shall also require membership in the New York State United Teachers (NYSUT) and its affiliates.

**Section 3:**

Any HTA member who takes an administrative internship within the Hamburg Central Schools may remain a member for a period not to exceed one year while serving as an intern. Said member shall hold no office in the HTA during this time.

**Section 4:**

Any HTA member who is on a leave is eligible to maintain membership by continuing payment of dues. They shall be entitled to full benefits of membership.

**Section 5:**

For the purposes of this Constitution, the units shall be: **Teacher members** in each building which includes: social workers, counselors, psychologists and occupational therapists, **Teacher Aides**: which includes classroom aides and personal aides as well as hall monitors, **Nurses**: which includes COTA's and computer aides, and **Retirees**.

**Article V: Dues**

**Section 1:**

Dues shall be accepted as part of the general budget. The general budget shall be approved by the RA.

**Section 2:**

Dues for active members shall be paid only by payroll deduction. Dues for retired members shall be collected yearly.

**Section 3:**

Potential members of the HTA who are employed on or after September 1 may join the HTA by paying annual dues pro-rated from the date of membership.

**Section 4:**

Membership categories shall be:

- A. Active
- B. Retired
- C. Unpaid Leave
- D. Laid Off
- E. Part time

**Article VI: Officers**

**Section 1:**

The officers of the HTA shall be the President, Vice President, Secretary, Political Action Correspondent, and Treasurer.

**Section 2:**

To be eligible for office, candidates must be in good standing of the HTA for three years and have been employed at least three years in the Hamburg Central School District and be elected according to the procedures in Article VI, Section 3.

**Section 3:**

A. Nominations shall be prepared by the Nominations Committee and submitted to the Representative Assembly, here and after RA during the April meeting.

- B. Any member, in good standing, may place his/her name in nomination for any elective office by presenting to the Nominations Committee a petition for said office signed by 20 HTA members, in good standing, within the stated time.
- C. The slate of nominations shall be given to the Secretary no later than 10 nor less than 5 school days prior to the RA meeting.
- D. Candidates shall be elected by a majority vote. The method of voting shall be determined by the RA. The vote shall be set up and monitored by the Nominations Committee Chair. Any members in good standing and the three retired delegates may vote.
- E. Election results will be tallied and distributed to the members by the Nominations Committee within 24 hours of the election.
- F. Building Representatives and all committee members (with the exception of the Contract Committee) shall be elected in each unit within 10 school days after the HTA elections or by May 31<sup>st</sup> and be members in good standing in the HTA. Officers and elected representatives will assume their responsibilities on June 1<sup>st</sup> of that year.

**Section 4:**

If the office of the president is vacated for any reason except expiration of term, the vice president shall perform the duties and shall be installed in the office of president.

**Section 5:**

If any other office is vacated for any reason except expiration of term, the vacancy shall be filled by a special election called by the president. If, however, the vacancy occurs within 6 months of the next election, the office may be left vacant or the president, with the approval of the RA, may appoint someone to carry out the duties of the office.

**Section 6:**

The officers shall hold office for 2 years. If the term of office for any appointed or elected representative is vacated, the term of the newly elected or appointed representative shall end at the conclusion of the term of the person they are replacing.

**Section 7:**

Building representatives and committee members (with the exception of the Contract Committee) shall hold office for one year.

**Section 8:**

Nominations and elections of officers, delegates, and building representatives shall be in accordance with the laws of New York State and the United States and the procedures outlined in the Constitution of the HTA.

**Article VII: Duties of HTA Officers**

**Section 1:**

**A. The President shall:**

- 1. Preside at all Representative Assembly Meetings.

2. Represent the HTA at meetings of the school board, PTA Executive Board, county, state, and national meetings.
3. Be ranking delegate to all county, state, and national meetings.
4. Appoint, with the approval of the RA, all union coordinators, committees, and committee chairpersons.
5. Serve as ex-officio member of all standing committees.
6. Have the power to create AD Hoc committees.
7. Appoint, with the approval of the RA, the members of the Negotiating Team.
8. Execute the policies of the HTA as determined by the RA.
9. Be chief spokesperson for the HTA.
10. Appoint one delegate from each affiliate to the Contract Committee.  
One affiliate delegate (NYSUT/AFT/NEA) as appointed by the president (see article 8 section 2c)
11. Appoint a Parliamentarian to advise him/her on procedures in the conduct of business of the HTA.
12. Have the authority to reach a memorandum of agreement when it affects no more than 3% of the membership. A memorandum of agreement that affects more than 3% of the membership shall be attached as an addendum to the Collective Bargaining Agreement. In confidential personal matters, names of such individuals may be withheld at the discretion of the president.
13. Fulfill such duties as the office may require.

**B. The Vice President shall:**

1. Assume the duties of the President in case of absence or resignation.
2. Be ranking alternate to county, state, and national meetings.
3. Be a member of the Contract Committee.
4. Meet with building chair people/representatives to outline their roles and responsibilities on a yearly basis.
5. Be responsible for overseeing any changes of APPR and teacher evaluations
6. Be a member of the Article 7 Committee.
7. Review the Constitution with the Parliamentarian on a yearly basis.
8. Perform such duties as the President may designate.

**C. The Secretary shall:**

1. Keep records of all HTA general meetings, those of the RA, and all notices of special events and similar functions.
2. Keep a file of each building's building committee minutes.
3. Keep current records of constitutional revisions and policy changes.
4. Send summaries of the minutes of each RA meeting to each unit chairperson for distribution to all members within 10 calendar days of said RA meeting.  
The minutes shall include the attendance at said RA meeting.

5. Maintain a separate file containing the original draft of the Constitution and Constitutional revisions, all Memorandums of Agreements/Understanding, and an electronic copy of the Constitution.
6. Prepare monthly RA agenda and yearly RA meeting schedule.
7. Maintain & update list of members for email communication.
8. Dispense notices for general meetings.

**D. The Political Action Correspondent shall:**

1. Perform HTA correspondence duties – including, but not limited to the distribution of information from NYSUT about current issues in education, politics, advocacy, contacting elected leaders, local forums/meetings/rallies, maintaining communication with the President and the membership about legislative and political issues
2. Serve as editor of the HTA News and Views.
3. Serve as manager of the HTA website and social media (Facebook and Twitter).
4. Chair the PAC committee, Legislative Committee, VOTE-COPE Committee.
5. Coordinate PAC Activities (ie. phone banking, rallies, etc...)
6. Coordinate the VOTE COPE campaign.
7. Represent the HTA at legislative and political action events.

**E. The Treasurer shall:**

1. Collect all dues.
2. Keep complete records of all members, dues paid, monies received, and disbursed.
3. Have charge of all HTA funds and deposit such in the designated bank.
4. Be bonded within 30 days of assuming office.
5. Transfer all records as of January 30.
6. Be responsible for the payment of all bills when due.
7. Be chair of the Budget Committee and facilitate the preparation of the annual budget.
8. Present a current financial statement at each RA. Annual budget must be presented by the Treasurer of Record for approval at the May RA meeting.
9. Make the records available for an annual audit.

**Article VIII: Representative Assembly**

**Section 1:**

There shall be a governing body called the Representative Assembly (RA), which has the legislative power in all matters except those otherwise constitutionally delegated. The RA shall meet at least each month during the school year.

**Section 2:**

The RA shall consist of these voting members:

- A. HTA Officers
- B. Immediate Past President

- C. Affiliate delegates (NYSUT, AFT and NEA)
- D. Building Representatives
- E. Registered Professional Nurse Unit Representatives
- F. Teacher Aide Unit Representatives
- G. Chief Negotiator
- H. HTA Coordinators (Grievance, New Member, Legislation)
- I. Elected delegates of Retiree Unit, subject to Section 4 Article X

**Section 3:**

Extra meetings of the RA may be called at the discretion of the President or by petition of a majority of the RA.

**Section 4:**

The RA shall have the power to:

- A. Approve or disapprove the annual budget unless there is a dues increase.
- B. Approve unscheduled expenditures to \$1000.00 by a 2/3 majority vote of those members in good standing, present, and voting. Expenditures over \$1000.00 need approval of the general membership.
- C. Call a meeting of a unit's membership.
- D. Call a general membership meeting upon a petition of a majority of the members of the RA.
- E. Vote on all memorandums of agreement other than those covered in Article VII, Section 1A, Number 12.

**Article IX: Affiliate Delegates**

**Section 1:**

Affiliate delegates shall:

- A. Attend any meetings that relate to their office and report to the RA.
- B. Be elected at the same time and manner as the local officers.
- C. Be members of the Representative Assembly.
- D. Serve as members of the Legislation Committee.

**Section 2:**

If a delegate vacates an office for any reason other than the expiration of term, the alternate shall move up and a new alternate will be appointed/elected according to procedures outlined in Article VI, Section 5.

**Article X: Building and Unit Representatives**

**Section 1:**

Building Representatives shall:

- A. Be elected in each building in a ratio of one for each 10 teacher members or a major portion thereof.
- B. Serve their members in areas of grievance and other contract provisions.
- C. Serve on the Building Committee for the building.
- D. Keep members informed of HTA policy.
- E. Implement the decisions of the RA.



- F. Represent their buildings at the RA.
- G. Be responsible for securing an alternate to the RA.
- H. Attend building HTA unit meetings.
- I. Elect a chairperson from their number who shall:
  - 1. Be spokesperson for the building committee and forward a copy of all building committee minutes to the President and Secretary.
  - 2. Act as a liaison between officers and members.
  - 3. Forward pertinent items to the President for inclusion in the RA agenda.
  - 4. Conduct monthly unit meetings.
  - 5. Forward a copy of all building and monthly unit meeting minutes within 7 calendar days after said meeting to the Secretary.

**Section 2:**

Registered Professional Nurse Unit Representatives as named in Article IV, Section 5 shall:

- A. Be elected by the members of the unit in a ratio of one for each 10 members or major portion thereof.
- B. Serve their members in areas of grievance and other contract provisions.
- C. Keep members informed of HTA policy.
- D. Implement the decisions of the RA.
- E. Represent their unit at the RA.
- F. Be responsible for securing an alternate to the RA.
- G. The members of the unit will elect a Chairperson from the Registered Professional Nurse Unit who shall:
  - 1. Be elected for a two-year term and be ranking delegate to the RA for the Registered Professional Nurse Unit.
  - 2. Act as liaison between the HTA Officers and the Registered Professional Nurse Unit.
  - 3. Preside at all meetings of the Registered Professional Nurse Unit.
  - 4. Represent the Registered Professional Nurse Unit at county, state, and national meetings.

**Section 3:**

Teacher Aide Unit Representatives shall:

- A. Be elected by the members of the unit in a ratio of one for each 10 members or major portion thereof.
- B. Serve their members in areas of grievance and other contract provisions.
- C. Keep members informed of HTA policy.
- D. Implement the decisions of the RA.
- E. Represent their unit at the RA.
- F. Be responsible for securing an alternate to the RA.
- G. The members of the unit will elect a Chairperson from the Teacher Aide Unit who shall:
  - 1. Be elected for a two-year term and be ranking delegate to the RA for the Teacher Aides.

2. Act as liaison between the HTA officers and the Teacher Aide Unit.
3. Preside at all meetings of the Teacher Aide Unit.
4. Represent the Teacher Aide Unit at county, state, and national meetings.

**Section 4:**

The Retiree Unit shall:

- A. Be comprised of all dues paying retirees.
- B. Two representatives to the RA will be elected by the retiree unit. Representatives from the retiree unit will be full members of the RA with all rights and privileges. The elected delegates shall be responsible for serving as a liaison between the RA and retired members.
- C. Not be eligible to vote on contract settlements.

**Section 5:**

The term of office for building and unit representatives shall be one year.

**Article XI: Union Coordinators and Standing Committees**

**Section 1:**

1. There shall be coordinators for the purpose of handling union tasks and committees.
2. Coordinator appointments shall be for terms of two years, which will begin in June.
3. Each coordinator will receive a stipend, serve as a member of the RA, and report to the RA.
4. There shall be standing committees for New Members, Social, Legislation, Budget, Remembrance, and Nominations.
5. The Grievance, New Member, and Social Coordinators will be appointed by the President and approved by the RA.
6. The Legislation Committee will be chaired and coordinated by the Political Action Correspondent.
7. The Budget Committee will be chaired and coordinated by the Treasurer.
8. The Remembrance and Nominations Committees will each elect a chair person.

**Section 2:**

The Grievance Coordinator shall:

1. Manage member grievances pertaining to the contract and working conditions.
2. Maintain regular communication with the President and the RA concerning grievances and their progress.
3. Represent HTA and its members in the grievance process.
4. Serve as a member of the Contract Committee and chair said committee when it sits as the Grievance Review Board.
5. Meet yearly with the Contract Committee to review grievance procedure.
6. Serve as a member of the RA.
7. Prior to taking grievances to arbitration, the Grievance Coordinator shall

consult the NYSUT Labor Relations Specialist. The recommendations and advice provided by NYSUT will be reported, in writing, to the Grievance Review Board.

8. The Grievance Coordinator serves at the pleasure of the president.

### **Section 3:**

The New Member Coordinator shall:

1. Chair the New Member Committee.
2. Coordinate the New Member/Buddy System Program.
3. Serve as a member of the RA.
4. Maintain communication with the President and the RA concerning the orientation of new members.

### **Section 4:**

The New Member Committee shall be chaired by the New Member Coordinator and consist of one member from each unit. The committee is responsible for the orientation of new members to the district and union. The committee shall assign buddies, distribute information/materials, and plan activities.

### **Section 5:**

The Social Coordinator shall:

1. Chair the Social Committee.
2. Serve as a member of the RA.
3. Maintain communication with the President and the RA concerning the orientation of new members.

### **Section 6.**

The Social Committee shall be chaired by the Social Committee Coordinator and consist of one member from each unit. The committee is responsible for the planning of union social events, such as retirement receptions, picnics, membership gatherings, and community outreach events.

### **Section 7:**

The Legislation Committee shall be chaired by the Political Action Coordinator and consist of one member from each unit and the affiliate delegates. This committee shall work with local, state, and federal educational and legislative groups and keep the membership informed. The VOTE/COPE campaign will be conducted on a yearly basis and under the coordination of the Political Action Coordinator. Representatives will be selected to assist with the VOTE/COPE campaign in each building.

### **Section 8:**

The Budget Committee shall be chaired by the Treasurer and consist of one member from each unit. The annual HTA budget shall be formulated by this committee and submitted to the RA along with proposed dues for HTA membership. The proposed HTA budget must be submitted to the RA no later than the May meeting. The Budget Committee shall annually review and recommend to the RA all stipends paid by the

union. The RA has the power to revise the proposed budget or accept it as submitted. Those budgets, which contain a local dues increase shall be submitted to the general membership for approval. Affiliate dues increases will be included in members' dues.

**Section 9:**

The Remembrance Committee shall elect a chairperson and consist of one member from each unit. The unit remembrance representative will notify the Remembrance Chairperson and remembrance shall be made upon:

- A. The death of a member.
- B. A death in the immediate family of a member.
- C. An extended illness of a member.
- D. Birth or adoption of a child.
- E. Marriage.
- F. Career advancement or honor.

**Section 10:**

The Nominations Committee shall elect a chairperson and consist of one member from each unit. Members shall be aware of the laws of New York State, the United States, and the procedures outlined in this Constitution requiring mailing to members for nominations and elections. The committee is responsible for counting ballots on all elections and questions submitted to the general membership. The committee shall submit a slate of candidates for each office for election.

**Section 11:**

The term of office for standing committees shall be 1 year.

**Article XII: Teacher Contract Committee**

**Section 1:**

The Teacher Contract Committee shall:

- 1. Be responsible for all HTA proposals to the Board of Education. New committee members start after the expiration of the terms of previous members.
- 2. Be charged with considering those proposals that are deemed for the general good of the Association and its members and shall make itself accessible to direction from the Association through members of the committee.
- 3. Keep the membership informed of the progress of negotiations.
- 4. Implement the provisions of the contract agreement.
- 5. Serve their building unit members in the area of grievance and other contract concerns.
- 6. Sit, when called, as the grievance review board.

**Section 2:**

The Teacher Contract Committee shall consist of:

- 1. The Chief Negotiator who shall be the chairperson.
- 2. Immediate past president of the HTA.

3. The Vice President of the HTA.
4. The Grievance Coordinator of the HTA.
5. One affiliate delegate as appointed by the President.
6. Elected representatives from each building in the ratio of one Contract Committee member for each thirty (30) HTA members or major fraction thereof.
7. Two intern Negotiators appointed by the president from within the contract committee.
8. One retiree delegate appointed by the President. The role of this delegate shall be advisory.

**Section 3:**

Each committee member shall have one vote. The presiding member shall vote only in case of a tie.

**Section 4:**

The term of office for the Contract/Grievance Review Board Committee and Negotiating team shall last until September 30 of the final year of the contract by which time a new contract committee shall be elected and a new negotiating team will be appointed.

**Article XIII: Other Contract Committees**

**Section 1:**

The Teacher Aide Unit Contract Committee shall be elected consisting of one member from each building. The Teacher Aide Chairperson shall preside at all meetings. The committee shall have all of the duties as outlined in Article XIII, Section 1.

**Section 2:**

The Registered Professional Nurse Contract Committee shall be elected from the unit membership. The committee will consist of a minimum of five people, with representation from each subgroup of the unit. The Registered Professional Nurse Chairperson shall preside at all meetings. The committee shall have all of the duties as outlined in Article XIII, Section 1.

**Section 3:**

Each committee member shall have one vote. The presiding member shall vote only in case of a tie.

**Section 4:**

The term of office for the Contract/Grievance Committee and Negotiating Team shall last until September 30 of the final year of the contract by which time a new contract committee shall be elected and a new negotiating team will be appointed.

## **Article XIV: Teacher Negotiating Teams**

### **Section 1:**

The Teacher Negotiating Team will be responsible for presenting the proposals formulated by the Contract Committee to the Board of Education and negotiating with the Board.

### **Section 2:**

The ratification of a contract between the HTA and Hamburg Board of Education shall be voted on by the general membership. The decision shall be a simple majority of those voting.

### **Section 3:**

The Teacher Negotiating Team shall consist of the Chief Negotiator, Assistant Negotiator(s), and two interns. The President with the approval of the RA shall appoint the team from the Contract Committee.

### **Section 4:**

The Chief Negotiator shall:

1. Be chair of the Contract Committee
2. Be primarily responsible for the presentation of the contract proposal.
3. Make a request to the HTA President for a general membership meeting, if needed.

### **Section 5:**

The term of office for the Teacher Negotiating Team shall be as stated in Article XII, Section 4.

## **Article XV: Other Negotiating Teams**

### **Section 1:**

The Teacher Aide Negotiating Team shall consist of two Teacher Aide Contract Committee members selected by the Teacher Aide Unit Chairperson. Two interns will be appointed by the Teacher Aide Unit Chairperson from their Contract Committee. It is the responsibility of this team to present all Teacher Aide Contract proposals to the Board of Education and negotiating with the Board.

### **Section 2:**

The ratification of a contract between the Teacher Aide Unit and the Board of Education shall be voted on by the Teacher Aide Unit membership. The decision shall be a simple majority of those voting.

### **Section 3:**

The term of office for the Teacher Aide Negotiating Team shall be as stated in Article XIII, Section 4.

**Section 4:**

The Registered Professional Nurse Negotiating Team shall consist of two Registered Professional Nurse Contract Committee members selected by the Registered Professional Nurse Unit Chairperson. All appointments will become effective after approval of the RA. It is the responsibility of this team to present all Registered Professional Nurse Contract proposals to the Board of Education and negotiating with the Board.

**Section 5:**

The ratification of a contract between the Registered Professional Nurse Unit and the Board of Education shall be voted on by the Registered Professional Nurse Unit membership. The decision shall be a simple majority of those voting.

**Section 6:**

The term of Office for the Registered Professional Nurse Negotiating Team shall be as stated in Article XIII, Section 4.

**Article XVI: Grievance****Section 1:**

A grievance may be initiated according to the Contract procedures by any person in any building. Assistance should be sought from a Building Representative or Contract Committee member.

**Section 2:**

The Grievance Coordinator shall be notified in writing of all grievances. Written reports regarding each step of the grievance must be submitted to the Grievance Coordinator no later than five days after each response is received. A copy of the grievance should be filed with NYSUT.

**Section 3:**

Prior to seeking arbitration, the Grievance Coordinator shall call the Contract Committee to sit as a Grievance Review Board. Prior to the meeting, the Grievance Review Board shall be provided a written copy of the grievance, the history of responses at each step of the grievance process, and the complete comments and recommendations of NYSUT. When acting in this capacity, the Contract Committee shall be chaired by the Grievance Coordinator. Minutes of the meeting shall be duly recorded.

**Section 4:**

The vote of the Grievance Review Board regarding the grievance shall be binding. A quorum must be present at the time of the vote. A majority vote shall approve/disapprove the decision to move to arbitration. The vote of the review board shall be recorded and follow Robert's Rules of Order.

**Section 5:**

The Grievance Coordinator will keep the President, Grievance Review Board and RA informed, in writing, as to the progress of each grievance in a timely manner. Grievance

Coordinator must file all paperwork from each step of the grievance process in the HTA office within 30 days of each step.

## **Article XVII: Constitutional Amendments**

### **Section 1:**

Proposed amendments to the Constitution may be made by any member in good standing at any regular or Representative Assembly meeting of the HTA.

### **Section 2:**

Proposed amendments must be submitted in writing to the RA at least 5 school days before a scheduled RA meeting.

### **Section 3:**

Notification of a proposed change in the constitution shall be made in writing, along with the recommendation of the RA, to the membership at least five school days before voting is to take place.

### **Section 4:**

Such amendments will be added to the Constitution and By-Laws when ratified by a two-thirds majority vote of all members in good standing present and voted by secret ballot in their respective buildings.

### **Section 5:**

The Vice President and Parliamentarian will review the Constitution on a yearly basis. If revisions are needed, they may recommend the formation of a revision committee.

## **Article XVIII: Impeachment**

The general membership, acting through RA, has the power to impeach any officer, delegate or contract committee member of the Association. The RA will conduct a hearing within 10 school days after receipt of a petition to impeach signed by at least twenty percent of the HTA membership in good standing. Both parties may attend this hearing and have the right to counsel, if desired. The RA may remove said member from office by a 2/3 vote of the entire RA membership. Impeachment proceedings shall be chaired by the immediate past president.