

EDUCATIONAL SUPPORT PROFESSIONALS ASSOCIATION - CCRI/NEARI

CONSTITUTION AND BYLAWS

ARTICLE I - Name

This organization shall be known as Educational Support Professional Association-Community College of Rhode Island, National Education Association of Rhode Island herein referred to as ESPA-CCRI/NEARI.

ARTICLE II - Purpose and Objectives

- A. To unify and strengthen the Educational Support Professional Association by working to secure and to maintain equitable salaries, sick leave, retirement, and other working conditions necessary to support the dignity of the Association.
- B. To establish and maintain communication among the members of the Association as well as with the Community College of Rhode Island and the State of Rhode Island.
- C. To encourage the personal and professional development of the members of ESPA-CCRI/NEARI.
- D. To encourage the members to further their contributions to the Community College of Rhode Island by becoming a part of the policy-making mechanism of the College community.
- E. To work towards improving the State Classified System so that it becomes a system which encourages equality and upward mobility.

ARTICLE III - Organizational Structure

- A. ESPA-CCRI/NEARI is an affiliate of the State organization, NEARI, and the National Education Association.
- B. ESPA-CCRI/NEARI is an autonomous association empowered to make all decisions pertaining to its membership.
- C. ESPA-CCRI/NEARI shall participate in the governing process of both the State and National organizations.

ARTICLE IV - Membership

- A. **Active Member:** All currently employed workers as designated in the certification of the Rhode Island State Labor Relations Board (SLRB), Case No. EE-3290, shall be eligible to become active members of the Association.
 - 1. Active membership in ESPA-CCRI/NEARI shall be applied only to those members who have signed a membership card.
 - 2. Active members shall be eligible to vote.
 - 3. Members shall be encouraged to officially join the Association when they begin employment, but may sign membership cards at any time.
 - 4. Agency shop employees shall be entitled to the benefits of the contract only.
- B. **Associate Member:** Active (voting member). Persons on leave without pay from the CCRI employment shall be eligible for associate membership.
 - 1. Associate members shall be eligible to vote.

ARTICLE V – Executive Officers and Board

- A. The Executive Officers of the Association shall be the President, the Vice President, the Grievance Chairperson, the Treasurer, and the Secretary.
- B. The Executive Board shall be the Executive Officers and the Warwick Campus Representative, the Lincoln Campus Representative, the Providence Campus Representative, and the Newport Campus Representative.
- C. **Requirements of Office:**
1. Terms of office shall be 2 years.
 2. The terms shall begin immediately following the election.
 3. Any officer may run for re-election.
 4. If an officer cannot complete her/his term, an interim officer will be appointed, subject to approval of the Executive Board, until a special election is held.
 5. Stipends are dependent on meeting attendance and participation.
- D. **The President:**
1. Shall preside at all meetings of ESPA-CCRI/NEARI.
 2. Shall preside at all meetings of the Executive Board ESPA-CCRI/NEARI.
 3. Shall be an ex-officio member of all committees, with the exception of the Elections Committee or where specifically noted.
 4. Shall represent the Association at NEARI Executive Board meetings and designate a representative to any meeting at which representation is necessary.
 5. Shall be a delegate to the NEARI Delegate Assembly.
 6. Shall appoint an alternate delegate when necessary
 7. Shall call all special meetings of the Association.
 8. Shall appoint an interim officer to serve any office that has been vacated, subject to approval of the Executive Board, until a special election is held.
 9. Shall execute the mandates of the Officers and/or the general membership.
 10. Shall attend all CCRI functions, where representation is required or appoint a representative.
 11. Shall be an approved signature for the ESPA checking account.
 12. Shall receive a stipend.
- E. **The Vice President:**
1. Shall preside at all meetings of the Association in the absence of the President.
 2. Shall preside at all meetings of the Executive Board in the absence of the President.
 3. In the event of a vacancy in the office of the President, the Vice President shall assume the duties of the presidency until a special election can be held.
 4. Shall serve as an alternate to the NEARI Executive Board.
 5. Shall serve as a Delegate on the NEARI Delegate Assembly.
 6. Shall assist in the execution of the obligation of the office of the President.
 7. Shall be an approved signature for the ESPA checking account.
 8. Shall receive a stipend.
- F. **The Grievance Chairperson:**
1. Shall preside at all meetings of the Association in the absence of the President and Vice President.
 2. Shall serve as chairperson of the Grievance Committee.
 3. Shall process/oversee all grievances and arbitrations.
 4. Shall act as advisor to the Area Representatives.
 - a. Shall call Grievance Committee meeting(s) a minimum of one (1) a year, and as needed.
 - b. In an election year, shall hold an initial Area Representative Workshop.
 5. Shall be a Delegate to the NEARI Delegate Assembly.
 6. Shall receive a stipend.

G. The Treasurer:

1. Shall receive and be responsible for the safekeeping and accounting of all funds of the Association.
2. Shall make an annual report to the membership, and other such financial reports as requested by the President.
3. Shall be a delegate to NEARI Delegate Assembly.
4. Shall be required to submit a monthly financial report to Executive Board.
5. Shall supervise the expenditures of all Association monies.
6. Shall be an authorized signature for the ESPA checking account.
7. Shall receive a stipend.

H. The Secretary:

1. Shall keep a written account of all meetings of the Association and the Executive Board.
2. Shall verify the necessary requirements for quorum.
3. Shall type membership correspondence as required.
4. Shall keep all election ballots on file for one year.
5. Shall be a delegate to the NEARI Delegate Assembly.
6. Shall keep an updated email list of members for all Association correspondents.
7. Shall receive a stipend.

I. Area Representatives:

1. Shall be one Area Representative from each campus.
2. Shall be a member of the Grievance Committee.
3. Shall attend a NEARI and an ESPA grievance training first year in office.
4. Shall be the first point of contact for any member with grievance or disciplinary concerns.
5. Shall be a delegate to NEARI Delegate Assembly.
6. Shall assist with ESPA business at respected campus.
7. Shall distribute membership information (when appropriate) to new members.
8. Shall receive a stipend.

ARTICLE VI - Election of Officers

- A.
1. All candidates for office must have been active members of the Association for six months before they may run for office.
 2. All candidates must submit notice of candidacy in writing to the Election Committee Chairperson(s), stating the office they are seeking. The notice of candidacy must be submitted to the Election Committee Chairperson(s) between September 1 and October 1st. If, as of 12 a.m., on October 2, (or the day following the extended deadline as indicated herein) an office is contested (that is, there are two or more candidates who have timely filed), no further submissions shall be accepted for any contested office.

If, as of 12 a.m. on October 2, (or the day following the extended deadline as indicated herein) an office is uncontested, submissions shall be governed by Article VI.A.3 (immediately below). If October 1st falls on the weekend, the deadline would be extended to the following Monday.
 3. Uncontested Elections. Submission of a notice of candidacy shall remain open, or reopened for a contested position that becomes uncontested (this should be added), for any uncontested office or offices until 7 a.m. the day before the election as set by the Election Committee pursuant to Article VI.C.1.
 4. The Election Committee Chairperson(s) shall notify the Secretary of any candidate who has expressed an interest in running for office.

5. Any person wishing to run for an office should know if someone is running against them at the time they submit their intent or any time before the nomination date closes.
6. The Election Committee shall send two notices by email to the members prior to the election. Each email notice shall state the names of all candidates and the office sought by each candidate and indicate any uncontested race.

The first notice shall be sent within 3 working days of the October 1st deadline. The second notice shall be sent the day immediately prior to the election.

7. Any candidate may submit their political platform to the Association secretary for distribution to the membership. All should adhere to the guidelines set forth by CCRI IT Department (<https://www.ccri.edu/it/policy/responsible-use.html>).
 8. Area Representatives will only appear on ballots at their respected campus.
 9. Only votes for candidates announced by the Election Committee will be valid.
- B. Election of officers and area representatives shall be held every 2 years, in odd numbered years, by secret ballot. Special elections may take place when necessary to fill a vacant position, but no longer than three weeks from vacancy.
- C.
1. Election of officers and area representatives shall be held the first full week of November by secret ballot at each campus. Current officer's and area representative's stipends will be prorated for the new term change. Time for said election will be set by the Election Committee in September to be approved by the Executive Board.
 2. The person(s) receiving a majority of the votes cast shall be declared elected.
 3. In the event of a tie vote, a second ballot shall be taken and will be between those two persons receiving the greatest number of votes from the first ballot. The nominee receiving the majority of votes from the second ballot shall be declared elected.
 4. The newly elected officers and representatives will begin office immediately following the election.
 5. Within two weeks after the election, the outgoing and incoming officers will meet for the transition of information and materials.

ARTICLE VII - Executive Board

- A. The Executive Board will consist of the officers (Article V) and four (4) elected area representatives, one from each campus and will also act as a representative to the NEARI Delegate Assembly.
- B. The Executive Board shall be the administrative authority of the Association and shall meet as often as needed.
- C. A quorum of the Executive Board shall be 2/3 of the Board and a quorum must be present for business to be conducted.
- D. Any member of the board who has a financial, personal, or official interest in, or conflict (or appearance of a conflict) with any matter pending before the Board, of such nature that it prevents or may prevent that member from acting on the matter in an impartial manner, will offer to the Board to voluntarily excuse him/herself and will vacate his/her seat and refrain from discussion and voting on said item.

ARTICLE VIII - Standing Committees

A. **The Grievance Committee:**

1. The Grievance Committee will consist of one (1) Area Representative from each campus and shall be chaired by the Grievance Chairperson.
2. Only the Grievance Committee shall accept and review all grievances not resolved by the Area Representative.
3. The Grievance Committee shall meet as needed.

B. **The Negotiations Committee:**

1. The Negotiations committee shall be comprised of the President, Vice President, Grievance Chair, Secretary and Treasurer, as well as two (2) board appointees.
2. The Negotiations Committee shall work towards achieving a fair and equitable contract for all Association members.
3. The President shall act as the chair of the committee.
4. Alternate members may be appointed by the President and approved by the Executive Board, as needed.
5. The Negotiation Committee shall solicit contract suggestions from the general membership.
6. The Negotiation Committee shall keep the general membership informed of the negotiation process.

C. **Bylaws Committee:**

The Bylaws Committee will consist of no more than 3 members who will be approved by the Executive Board. They will review the current Bylaws at the beginning of a new term and report their findings/revision suggestions to the Executive Board (See Article XIV). The Executive Board will then notify the General Membership at the yearly General Meeting.

D. **Environment, Health and Safety Committee:**

1. The President of the Association may appoint two union designees, approved by the Executive Board, to serve on the CCRI Environment, Health, and Safety Committee.
2. The appointed members will solicit health, safety, and environmental issues from all ESPA members to bring to the committee meetings.
3. Appointed members will bring all resolutions and information back to the membership.

E. **Sick Bank Committee:**

1. The Sick Bank Committee term shall be the same as the Executive Board's term.
2. The Sick Bank Committee shall follow the Sick Bank rules of the ESPA contract.

ARTICLE IX - Special Committees

A. **The Election Committee:**

1. To be comprised of one (1) member from each campus. They shall be appointed by the Executive Board ~~in~~ by September 1st preceding an election year. The Elections Committee at its first meeting shall choose a chair or co-chair persons.
2. The Election Committee is not eligible to run for office.
3. The duties of the Election Committee shall be to seek nominees, develop ballots, set time and place and run the elections at all campuses and be responsible to maintain security and secrecy of said ballots.
4. The Election Committee shall open ballot boxes and count ballots in the presence of candidates or their designees (by video conference, if available). They will report the results to the secretary and the membership as soon as possible.
5. The Election Committee will deliver the counted ballots to the ESPA Secretary, who will keep them on file for one year.
6. The Election Committee shall be discharged upon completion of their duties.

B. **The Auditing Committee:**

This committee will consist of no more than 3 members, appointed by the President and approved by the Executive Board. They will audit all association accounts and report their findings yearly to the Executive Board.

C. **Other Committees:**

Other committees shall function as the need arises. The President will appoint members to serve on these committees with the approval of the Executive Board.

ARTICLE X - Meetings

- A. The General Meeting will be held once yearly in the month of June.
- B. Special meetings may be called at any time by the President with the approval of the Executive Board.
 1. Notices of special meetings shall be published.
 2. Reason for special meeting will be identified in the call of the meeting.
- C. The membership may call a special meeting by a petition of 10% of the active members. Said petition shall contain the reason for such meeting and be presented to the President. The President shall call said meeting in a timely fashion.
- D. General membership meetings shall be open to all members.
- E. At any meeting of the Association, a quorum shall consist of 10% of the members of the Association. The quorum must be maintained for the conducting of business.

ARTICLE XI - Rules of Order

- A. The rules contained in the current edition of Robert's Rules of Order shall govern the Association in all cases to which they apply unless they conflict with the bylaws and any special rules of order the Association may adopt.

ARTICLE XII - Local Dues

- A. A dues increase of \$.50 per pay period may take place each July 1st as determined by the Executive Board.
- B. Dues increase of more than \$.50 per pay period shall require a 2/3 majority vote from the membership.

ARTICLE XIII - Stipends

- A. The Treasurer will distribute stipends to the officers and representatives of the Association by December 1.
 - 1. Officers and Area Representatives are required to attend the general membership meeting and all Executive Board and NEARI Delegate meetings to be eligible for full stipend.
 - 2. In the event that an officer or area representative resigns or is recalled prior to serving one full year, he/she may receive a partial stipend or no stipend. This will be at the discretion of the Executive Board.
 - 3. Stipend amounts are set and approved by the Executive Board with a 2/3 majority vote from the membership.

ARTICLE XIV - Amendments

- A. This constitution may be amended in the following manner:
 - 1. In the announcement of the next meeting, the secretary must notify the membership of the content and the date for voting on the proposed amendment at least two (2) weeks before said meeting.
 - 2. To incorporate the proposed amendment into the constitution, a vote in favor by two-thirds (2/3) of the active members present at the meeting shall be required.

ARTICLE XV – Ratification of Contract

- A. Copies of the proposed contract (or Memorandum of Agreement, or Memorandum of Understanding) will be given to each member of the bargaining unit prior to a meeting to discuss contractual ratification
- B. Voting for ratification of the contract will be held at a special meeting
- C. A majority of the votes cast must approve the contract to effect ratification

ARTICLE XVI - Special Elections

- A. In the event of a vacancy of an Officer of the Association, a special election will take place within three weeks of the vacancy.
 - B.
 - 1. All candidates must have been active members of the Association for six months before they may run for office.
 - 2. All candidates must submit in writing to the Election Committee Chairperson(s), stating the office they are seeking by the deadline the Election Committee selects.
 - 3. The Election Committee Chairperson(s) shall notify the Secretary of any candidate who has expressed an interest in running for office to verify that candidate is eligible.

4. Any person wishing to run for an office should know if someone is running against them at the time they submit their intent or any time before the nomination date closes.
5. The Election Committee shall announce to the membership, in writing, the candidates for each office by the deadline the Election Committee chooses.
6. Any candidate may submit their political platform to the current Association secretary for distribution to the membership. All should adhere to the guidelines set forth by CCRI IT Department (<https://www.ccri.edu/it/policy/responsible-use.html>).
7. Special Elections for Area Representatives will only appear on ballots at their respected campus.
8. Only votes for candidates announced by the Special Election Committee will be valid.
9. Special Election of officers shall be by secret ballot.
10. Union members may submit an absentee ballot if on extended vacation or sick leave. Special Election absentee ballots must be submitted to the election committee one (1) week prior to the election in a sealed envelope (with your signature on the back of the envelope). The Special Election committee chairperson will accept, sign and date the vote.
11. The person(s) receiving a majority of the votes cast shall be declared elected.
12. In the event of a tie vote, a second ballot shall be taken and will be between those two persons receiving the greatest number of votes from the first ballot. The nominee receiving the majority of votes from the second ballot shall be declared elected.
13. The newly elected officer will begin office immediately following the Special Election.
14. The newly elected officer's stipend will be prorated.
15. Within two weeks after the Special Election, the outgoing and incoming officers will meet for the transition of information and materials.

ARTICLE XVII – Bank Account

- A. Approved account signatures will be the President, Vice President, and Treasurer.
- B. Shall require two of the three approved signatures on each check.
- C. Will not have an ATM, debit, or credit card issued to the ESPA account(s).
- D. Shall require the Executive Board's approval for all transactions, except stipends and NEARI dues.
- E. Shall require the outgoing officer's signatures to be removed from the account within two weeks of election.
- F. Shall require the incoming officer's signature to be added to the account within two weeks of election.

ARTICLE XVIII – Memorandums of Agreement

- A. Memorandums of Agreement (MOA) shall be created if there is a problem within the union that cannot be resolved by the ESPA Contract. An MOA shall be created and approved by the ESPA Executive Board with the assistance of NEARI. Any board members that may have a conflict of interest with the MOA cannot vote on the creation of the MOA. Once the MOA is approved by the board, it is then to be voted on by the ESPA members it will affect (Board Members that will be affected can vote at this time) for approval. If the members the MOA affects pass the MOA, it is then submitted to the CCRI Department of Human Resources for approval by the college.

ARTICLE XIX – Donations

- A. If any active ESPA or NEARI member becomes deceased, the Association may send up to \$100.00 from the ESPA account to the next-of-kin or charity of their choice, with the approval of the Executive Board.

ARTICLE XX - Recall

- A. The elected Executive Committee members are subject to recall for neglect of duties or conduct injurious to ESPA or NEARI.
- B. The recall of an official shall be initiated when a signed petition, indicating in writing the specific charges and reasonable substantiating evidence is submitted to the President from at least five voting members of the membership. In the event the President is the official in question, the Vice President shall receive the petition and shall assume the duties of the President with respect to this issue until the issue is resolved.
- C. The President shall, without delay, determine that the petitioners are aware of the gravity of their actions and the procedures to be followed. The President shall seek an alternate resolution to the problem and a withdrawal of the petition at this time. In the absence of a resolution to the problem, the President shall notify the members of the Executive Committee and call a special meeting, with the officers not being charged, within ten days.
- D. The Executive Committee shall promptly continue the removal process or dismiss the petition as ill-founded or find an alternative solution to the problem. The President shall promptly inform the petitioners and the official of the decision of the Executive Committee.
- E. If the proceedings continue, the President shall assign the duties of the official to another member of the Executive Board until the issue is resolved.
- F. If the proceedings continue, the official shall be offered an opportunity to answer the allegations in the petition before the Executive Committee.
- 1) Every reasonable effort shall be made to contact the official throughout this procedure. Upon notification, the official shall have fourteen days to make a written response to the allegations. The Executive Committee shall decide whether to proceed after studying the official's response. The President shall inform the official and the petitioners of the decision of the Executive Board.
- G. If the proceedings continue, the official in question shall choose one of the following options:
- 1) The official may resign.
 - 2) The official may request a recall vote in the same manner as the original election, which must be consistent with the ESPA bylaws. The voting membership shall be informed, through brief written statements, one prepared by the Executive Committee and one from the official requesting the recall, of the issues involved with the recall vote. Both statements shall be distributed to the voting membership seven days before the vote is taken.
- H. The official may request a hearing and recall vote by the remaining members of the Executive Committee. A two-thirds (2/3) vote of the remaining members of the Executive Committee shall be required to recall the official.
- I. The official may choose not to respond and thus forfeit the position.
- J. The vacancy and special election provisions of the bylaws shall be used to fill a vacancy caused by a recall process.