

CONSTITUTION
of the
Plymouth State University
Chapter of the
American Association of University Professors (AAUP)

Updated and Approved by Chapter Membership on

20 September 2016,

29 October 2018,

31 March 2021

Article I.

Name

1. The name of this organization shall be The Plymouth State University Chapter of the American Association of University Professors (herein afterward referred to as “the Chapter”). This chapter is a local affiliate of the national AAUP.

Article II.

Purpose

1. The purpose of this organization shall be to further the interests of education, research, and public service at Plymouth State University; to advance the standards and ideals of the profession; to serve as the collective bargaining agent for the tenured and tenure track faculty of the University; and to represent the interests of all the members of the Bargaining Unit without discrimination.
2. This AAUP chapter is organized and will be operated to qualify as a labor organization exempt from federal income tax under section 501(c)(5) of the Internal Revenue Code for the above stated purposes.

Article III.

Bargaining Unit

1. The membership of the Bargaining Unit is all tenured and tenure track faculty at Plymouth State University, including Department Chairs. This definition specifically excludes Contract faculty, Clinical faculty, and Research faculty, as well as any employee whose primary job title is Assistant Director, Director, or Dean.

Article IV.

Membership

There shall be two categories of membership: Active and Limited.

1. Active Member: Any member of the Bargaining Unit who is a paying member of the national AAUP and of the Chapter as established pursuant to a vote by the members of the Chapter setting the local dues. Only Active Members shall have the right to vote in Chapter elections, to hold elected offices in the Chapter, to vote in Chapter meetings, or to vote on proposed collective bargaining agreements.
2. Limited Member:
 - (a) Adjunct member: any active member of the national AAUP, who holds a tenure track faculty appointment at Plymouth State University but is not included in the Bargaining Unit due to specific exclusion. Adjunct members shall have no voting rights, may not serve on committees, nor shall they hold office. They may attend Chapter meetings only upon invitation of the Executive Committee.
 - (b) Emeritus member: any retired faculty member who is an emeritus or active member of the national AAUP. A retired faculty member who has not been an AAUP member, or whose membership in the AAUP has lapsed for more than two years, may join by becoming an active member in national AAUP for one year, and then may continue membership as a national emeritus member. Emeritus members shall have no voting rights nor shall they hold office. They may serve on committees and attend Chapter meetings.
 - (c) Associate member: any Plymouth State University staff member who is an associate member of the national AAUP. Associate members have no voting rights, nor shall they hold office or serve on committees. They may attend Chapter meetings only upon the invitation of the Executive Committee.

Article V.

Chapter Leadership

The Leadership of the Chapter shall consist of the following:

1. The Elected Officers (the President, the Vice President, the Secretary, and the Treasurer).
2. The Executive Committee, which shall consist of the Elected Officers of the Chapter, the two immediate past Presidents of the Chapter, two (2) elected Members-At Large, the Chief Negotiator, and the Chairperson of the Grievance Committee. The Chairpersons of the Communications Committee and of the Membership Action Committee shall serve as a non-voting, *ex-officio* member of the Executive Committee.
3. The Appointed Leaders, which shall include the Chief Negotiator and the Committee Chairs.

Article VI.

Amendments to the Constitution and Bylaws

1. The two governing documents of the Chapter shall be this Constitution and the Bylaws.
 - (a) This Constitution provides the basic principles and structure along which the Chapter shall operate and is the supreme document governing such operation.
 - (b) The Bylaws shall provide a more concrete and detailed set of operational rules for the execution of the Constitution, including but not limited to the specific duties of the leadership of the Chapter, procedures for elections, and procedures for collective bargaining. The Bylaws must not contradict provisions in this Constitution, and if they are ever found to do so, the provision within this Constitution shall overrule the Bylaw in question.

2. The procedure for adopting amendments to the Constitution or Bylaws shall be:
 - (a) Amendments to this Constitution or Bylaws shall be proposed either by the Executive Committee or by petition signed by at least ten (10) Active Members. When an amendment is initiated by petition, the petition shall contain the complete wording of the proposed amendment.
 - (b) The proposed amendment, whether emanating from the Executive Committee or from petition, shall be published by the Executive Committee and circulated with its recommendations to the Active Members.
 - (c) The proposed amendment shall be considered at the Chapter meeting next following its publication and circulation provided that at least seven (7) days have elapsed between the time the proposal is received by members and the time of the Chapter meeting.
 - (d) A vote of two-thirds of the Active Members present at a Chapter meeting shall be necessary for ratification of an amendment to the Constitution or Bylaws.
 - (e) No amendment to the Constitution or Bylaws may be voted on at any regular or special meeting of the Chapter unless the text of the proposed amendment has been sent to the members at least seven (7) days prior to such meeting.

Article VII.

Prohibition Against Private Inurement

1. No part of the net earnings of this organization shall inure to the benefit of or be distributed to any director, employee or other individual, partnership, estate, trust or corporation having a personal or private interest in the Chapter. Compensation for services actually rendered and reimbursement for expenses actually incurred in attending to the affairs of the Chapter shall be limited to reasonable amounts.

Article VIII.

Status of the Association

1. Upon dissolution of the Plymouth State University Chapter of the American Association of University Professors, its assets shall be disposed of exclusively for the purpose of the Chapter, including the payment of debts, or distributed to such organizations which shall, at the time, qualify as exempt organizations under sections 501(c)(3) or 501(c)(5).

BYLAWS
of the
Plymouth State University
Chapter of the
American Association of University Professors (AAUP)

Bylaw A.

Responsibilities of the Chapter Leadership

1. The responsibilities of the Elected Officers shall be:
 - (a) The President: shall assume executive responsibility for all Chapter activities; shall carry out the policies and decisions of the Executive Committee; shall act as chairperson of the Executive Committee; shall preside at meetings of the Chapter; and shall be a non-voting *ex-officio* member of every committee. The President, shall, with the advice and consent of the Executive Committee, call meetings pursuant to Bylaw D, as well as appoint members and designate chairpersons of committees established pursuant to Bylaw B.
 - (b) The Vice President: shall, in the absence of the President, act as the presiding official of the Chapter, with the same responsibilities normally attributed to the President, and shall assist in such duties of the President as the President shall direct.
 - (c) The Secretary: shall keep the records for the Chapter, which shall include taking the minutes of the Chapter, Executive Committee, and Collective Bargaining Caucus meetings. In the absence of the Secretary at such meetings, the Secretary or the presiding official of the meeting shall delegate the responsibility to a designee.
 - (d) The Treasurer: shall oversee the receipt and deposit of all monies due the Chapter and oversee the payment of bills. Non-budgeted expenditures in excess of \$1,000 must be

approved by the Executive Committee. The Treasurer shall make interim financial reports to the Executive Committee at its meetings and annually present a financial report to the Membership at a Chapter Meeting during the fall semester.

2. The responsibilities of the Executive Committee shall include:

- (a) carrying out the general purposes of the Chapter as stated in Article II of the Constitution.
- (b) overseeing the negotiation and implementation of collective bargaining contracts.
- (c) reporting regularly on its activities to the membership.
- (d) determining whether grievances that have risen to the level of arbitration shall be taken to arbitration, pursuant to Bylaw B.
- (e) appointing ad hoc committees to assist it in special short-term projects, provided such special committees not be granted any of the responsibilities or authority of the Executive Committee. The term of any such special committees will not exceed one year except when a longer term or renewed term is designated by the Executive Committee.
- (f) recommending the establishment of any standing committees that may be deemed appropriate. Such recommendations shall be submitted for Chapter approval in accordance with Article VI of the Constitution and Bylaw B.
- (g) preparing a budget each year which, along with proposed dues, shall be submitted for ratification at a Chapter Meeting.
- (h) hiring such staff as may be necessary to assist in carrying out the responsibilities and duties of the Executive Committee and other Chapter committees, provided that funding for such staff is contained in the budget approved at the annual meeting.

Bylaw B.

Committees

1. The committee structure of the Chapter shall consist of Standing and Ad-hoc Committees
2. The Standing Committees, their members, and their responsibilities shall be:
 - (a) The Negotiating Team, consisting of the Chief Negotiator and no more than five members appointed by the President with the advice and consent of the Executive Committee. One or two alternate members may also be appointed. The Negotiating Team shall be responsible for negotiating a collective bargaining contract with the Administration of Plymouth State University and the Board of Trustees of the University System of New Hampshire
 - (b) The Contract Research Committee or Committees, each consisting of a Chairperson and an appropriate number of members appointed by the President with the advice and consent of the Executive Committee. The Committee(s) shall be responsible for researching and drafting contract proposals which, after approval by the Executive Committee, shall be forwarded to the Negotiating Team to be placed on the negotiating table.
 - (c) The Collective Bargaining Caucus, chaired by the Chief Negotiator and consisting of the members of the Executive Committee, the Negotiating Team, the chairpersons of the Contract Research Committee(s), and chairpersons of any other standing committees. The Caucus shall meet at the discretion of the Chief Negotiator to discuss issues related to bargaining, including the review of contract proposals. Any member of the Bargaining Unit may attend Caucus meetings.
 - (d) The Communications Committee, consisting of a Chairperson and no more than five members appointed by the President with the advice and consent of the Executive Committee. The Communications Committee shall be responsible for communication

with internal and external stakeholders. The Chairperson shall additionally serve as a non-voting *ex-officio* member of the Executive Committee.

- (e) The Election Committee, consisting of a Chairperson and no more than five members appointed by the President with the advice and consent of the Executive Committee. The Election Committee shall be responsible for running the elections of the Elected Officers and Executive Committee Members-At-Large, as per Bylaw F.
- (f) The Grievance Committee, consisting of a Chairperson and no more than five members appointed by the President with the advice and consent of the Executive Committee. The Chairperson shall additionally serve as a voting member of the Executive Committee. The responsibilities of the Grievance Committee shall be to serve as the intake point for all inquiries regarding potential violations of the contract; to provide official PSU-AAUP representation for bargaining unit members at any meetings related to discipline or grievances; to determine whether actions covered in potential grievances constitute violations of the contract, and if so, to file the official Grievance Notification Form on behalf of the grievant; to advocate on behalf of grievants, and to guide grievances through the grievance process.

The Grievance Committee does not have the authority to take a grievance to the level of external arbitration. In the event that a grievance has not been resolved at the levels below arbitration, the Grievance Committee will offer a non-binding recommendation to the Executive Committee as to whether the grievance should be continued to arbitration. The Executive Committee shall then make the decision about whether to proceed to arbitration.

- (g) The Membership Action Committee, consisting of a Chairperson and no more than five members appointed by the President with the advice and consent of the Executive Committee. The Membership Action Committee shall be responsible for activities related to membership, including but not limited to running membership drives, maintaining the database of members, organizing grassroots campaigns among members, and organizing

membership actions, particularly during contract negotiations. The Chairperson shall additionally serve as a non-voting ex-officio member of the Executive Committee.

3. The term of appointment for members of the Standing Committees shall be two years, with the exception that at the time of the establishment of a Standing Committee, half the members shall be appointed for one year.
4. The term of appointment for Chairpersons of Standing Committees shall be one year. When feasible, the Chairperson should have been a member of the Committee the previous term.
5. The Chairpersons of Standing Committees shall be free to create Sub-Committees for any purpose and duration deemed necessary to carry out the responsibilities of the Committee. The Chairperson of the Committee shall appoint members to the Sub-Committee.
6. Ad-hoc Committees shall be created to assist the Chapter in special short-term projects, provided such special committees not be granted any of the responsibilities or authority of the Executive Committee.
 - (a) Ad-hoc Committees may be created by the President, with the advice and consent of the Executive Committee, or by the Chapter Membership by a simple majority vote at a meeting of the Chapter.
 - (b) The members and chairperson of an Ad-hoc Committee shall be appointed by the President, with the advice and consent of the Executive Committee.
 - (c) The Executive Committee shall supply the Ad-hoc Committee with a specific, written charge before the first meeting of the Ad-hoc Committee.
 - (d) The term of any Ad-hoc Committees will not exceed one year except when a longer term or renewed term is designated by the President, with the advice and consent of the Executive Committee.

Bylaw C.

Dues

1. Dues (a combination of national and local) shall be proposed by the Executive Committee and approved by a majority vote at a Chapter Meeting.
2. Limited members shall pay national AAUP dues but shall not be obliged to pay local Chapter dues.
3. Failure to pay dues shall result in loss of membership.

Bylaw D.

Meetings

1. There shall be four types of meetings:
 - (a) Active Member meetings: open only to Active Members.
 - (b) Chapter meetings: open to active and emeritus members. Associate and adjunct members may attend only by invitation of the Executive Committee.
 - (c) General meetings: open to the entire academic community.
 - (d) Special meetings: called for a specific purpose by the Active Members of the Chapter.
 - (e) There shall be an annual Chapter Meeting held during the fall semester. At least one other Chapter Meeting shall be called during each academic year.
2. Except in the case of Special Meetings, all meetings shall be called by the President of the Chapter, with the advice and consent of the Executive Committee. In the absence of a clear emergency, the call for all meetings shall be announced to all eligible members in sufficient time to give seven days' notice. The call for the meeting shall state what kind of meeting it is to

be, and an agenda shall be sent with the notice stating items of business that are known at the time of the call.

3. Special Meetings may be called by a petition signed by twenty-five percent of the Active Members. Unless the petition states otherwise, Special Meetings shall be Chapter Meetings. The petition shall state the reason(s) for calling the meeting, and no business other than that specified in the petition shall be conducted. Such a Special Meeting must be called within two weeks after the President has received the petition.
4. Ten Active Members shall constitute a quorum at all meetings of the Chapter.

Bylaw E.

Collective Bargaining Process

1. The Collective Bargaining Process shall involve the Negotiating Team, the Contract Research Committee(s), and the Collective Bargaining Caucus, as described in Bylaw B. The Negotiating Team shall be responsible for negotiating a contract with the Administration of Plymouth State University and the Board of Trustees of the University System of New Hampshire. The Contract Research Committee(s) shall be responsible for researching and drafting contract proposals. The Collective Bargaining Caucus is responsible for representing the membership of the Chapter in approving contract proposals before forwarding them to the Negotiating Team.
2. During the process of negotiations, the Chief Negotiator shall report periodically to the Collective Bargaining Caucus.
3. Contract proposals shall be drafted by the Contract Research Committee(s). After approval by the Executive Committee, the proposals shall be presented to the Collective Bargaining Caucus for discussion. Following such discussion, the President, with the advice of the Executive Committee, may send proposals back to the Contract Research Committee(s) for revision. Revised proposals need not be subject to a further review.

4. The final contract negotiated by the Negotiating Team shall be submitted for ratification to all Active Members of the Chapter. Ratification shall require a simple majority of those who vote.

Bylaw F.

Nominations and Elections

1. The Election Committee shall be responsible for all aspects of the election of Elected Officers and Executive Committee Members-At-Large.
 - (a) The Election Committee shall be appointed no later than February 1 preceding each election.
 - (b) Members of the Election Committee shall not run for the office of any of the Elected Officers. Any member of the Committee wishing to run for an Elected Officer position shall resign from the Committee first.
 - (c) The Election Committee shall solicit suggestions from the Active Members and shall nominate one or more candidates for each of the following positions: President, Vice President, Secretary, Treasurer, and two Executive Committee Members-At-Large. The Election Committee should allow for reasonable breadth of representation in the selection of candidates.
 - (d) Candidates may also be nominated by any Active Members.
 - (e) The Election Committee shall set and publish the schedule for nominations and elections in accordance with Bylaw F, section 2.
 - (f) The Election Committee shall set the location for elections by live balloting at a polling place on the campus of Plymouth State University. The Election Committee shall also run a secure online poll, as allowed by AAUP rules and NH law. The Election Committee may also choose to run only one or the other.
2. The schedule for elections shall be:

- (a) The Election Committee shall report the list of candidates to the Executive Committee by March 1.
 - (b) The Election Committee shall publish and circulate its list of nominees to the Chapter members by March 15.
 - (c) The Election Committee shall publish and circulate the policies for absentee voters to Chapter members by March 15.
 - (d) Nominations by Active Members must be received by the Election Committee by April 1.
 - (e) The Election Committee must publish and circulate the final list of candidates to the Chapter members, the polling schedule, and the polling location at least 14 days prior to the election.
 - (f) The elections shall be conducted on the last Tuesday and Wednesday in April, from 8.00 A.M. to 4.00 P.M. on both days. Absentee ballots must be received no later than 4.00 P.M. on Wednesday, the second day of live balloting.
 - (g) If a run-off election for Presidency is required, it shall be conducted in the same manner as the initial election, on a Tuesday and Wednesday two weeks after the initial balloting.
3. No person may accept a nomination for more than one Elected Officer or Executive Committee Member-At-Large position.
 4. For all offices and positions except the Presidency, the person with the highest number of votes shall be declared elected. In case no person wins a majority of votes for President, a run-off election shall be conducted between the two candidates with the highest number of votes.
 5. Elected Officers and Executive Committee Members-At-Large shall serve for a term of two years commencing July 1 following the election.
 6. Elected Officers and Executive Committee Members-At-Large may not succeed themselves more than once.

Bylaw G.

Censure or Removal of Elected Members of the Executive Committee

1. Whenever any five (5) members (either elected or *ex-officio* members) of the Executive Committee or ten (10) Active Members of the Chapter have reason to believe that any elected member of the Executive Committee is derelict or negligent in the performance of responsibilities and duties or has violated any provisions of this Constitution or of the Chapter Bylaws, they may initiate the following procedures:
 - (a) Petition the President or immediate past President to call a Special Chapter Meeting. Notice of such a meeting shall be made at least ten (10) days in advance of the meeting and shall state the nature of the charges against the accused member of the Executive Committee.
 - (b) The person to whom the petition was submitted shall preside over such meeting until a moderator is elected from among those members present. Election of a moderator shall be the first order of business
 - (c) Those bringing the charges will present their case and the accused shall have full opportunity to present a defense against the charges.
 - (d) By majority of legal votes cast, those present at the meeting may decide to exonerate, to censure, or to remove from office. Voting shall be by written ballot.

Bylaw H.

Vacancies

1. In the event of a vacancy in the office of President, the Vice President shall fill the unexpired portion of the term.
2. In the event of a vacancy on the Executive Committee other than the Presidency, a replacement shall be chosen by the Executive Committee in consultation with the Election Committee.