

California Faculty Association

California State University East Bay Chapter

Constitution and Bylaws

ARTICLE I- NAME

The name of this organization shall be the California State University East Bay Chapter of the California Faculty Association (CFA).

ARTICLE II- PURPOSE

The California Faculty Association of CFA is established to strengthen the cause of higher education for the public good; to promote and maintain the standards and ideals of the profession: to provide a democratic voice for the academic professionals within the CSU; to provide legislative advocacy responsive to the special needs of academic professionals; and to negotiate and maintain written contracts of employment (memoranda of understanding) covering salaries, working conditions and other terms and conditions of employment. These memoranda of understanding shall seek:

1. To obtain explicit guarantees of academic freedom and tenure as exemplified by the American Association of University Professors (AAUP) 1940 statement of Principles of Academic Freedom and Tenure, the 1958 Statement on Procedural Standards in Faculty Dismissal Proceedings, the 1971 Statement on Procedural Standards in the Renewal or Nonrenewal of Faculty appointments, and the 1980 Report in the Status of Part-time Faculty;
2. To create orderly and clear procedures for prompt consideration of problems and grievances of bargaining unit members;
3. To promote and protect the economic and professional interests of faculty in accordance with the recognized principles of responsible academic practice and to seek the development or improvement of self-governing mechanisms internal to faculty of each institution as exemplified by the AAUP 1966 statement on Government of Colleges and Universities.
4. To promote unity among academic professional and thereby enhance the effectiveness of the CFA in bargaining.
5. To promote racial and social justice and thereby challenge systems of racial oppression and social inequity.

The East Bay Chapter of the CFA is established to pursue the purposes of CFA on the CSU East Bay Chapter.

ARTICLE III- MEMBER RIGHTS

Under state law all employees in the faculty bargaining unit are entitled to fair representation in the administration of the CFA-CSU Memorandum of Understanding. While CFA and this Chapter endeavor to provide strong, effective, and professional representation to all bargaining unit members, Active members of CFA shall enjoy special rights and privileges within the organization, but are not limited to the following:

1. the right to elect local officers and representatives to the CFA Assembly;
2. the right to participate in regular Chapter business meetings;
3. the right to petition the Chapter and the state organization regarding policy and governance;
4. the right to recall local offices and to petition for recall of state officers;
5. the right to serve on local committees and appointed bodies, to run for election to bodies of organizations with whom CFA is affiliated;
6. the right to regular and timely information about the activities of CFA and;
7. the right to be consulted in the development of CFA bargaining proposals and strategies, except that this privilege only pertains to CFA members in Bargaining Unit 3.

ARTICLE IV-MEMBERSHIP STATUS

The membership in this Chapter shall be all persons at California State University East Bay who are members of CFA. Consistent with the article on membership status in the statewide CFA bylaws, the classes of membership shall include Active Membership, Associate Membership, and Retired Membership. Active members of CFA may exercise the customary rights of CFA membership, including the right to vote in CFA elections and referenda and the right to hold office in the CFA. Rights of Associate Members and Retired members are specified in the Statewide CFA bylaws.

ARTICLE V-RELATIONSHIP WITH THE STATEWIDE CFA

These bylaws and other policy documents of the Chapter, and any actions taken by the Chapter or its officers shall be in conformity with the Bylaws, Articles of Incorporation, and other policy documents of the statewide California Faculty Association.

ARTICLE VI – OFFICERS

The officers of this Chapter shall be President, Vice- President, Secretary, and Treasurer. The duties of the Chapter Officers are as follows:

1. President. The President shall carry out the policies of the Chapter, exercise general supervision over the activities of the Chapter, annually appoint chairs of standing and ad hoc committees, fill vacancies to the Executive Committee as needed, prepare an annual report of the Chapter operations for presentation to the Executive committee, serve as ex-officio member of all committees, and perform such other duties as may be specified by the Executive Committee or the statewide CFA Council of Presidents.
2. Vice-President. The duties of the Vice President shall include assuming the duties of the President upon request of or in the absence of the President, gathering information relating to contract bargaining issues to be forwarded to the statewide Contract Development/ Bargaining Strategy Committee and additional duties as assigned as by the Chapter President.
3. Secretary. The duties of the Secretary shall include keeping a record of the proceedings and correspondences of the Chapter and Executive Committee and sending notices as may be required to chapter members.
4. Treasurer. The duties of the Treasurer shall include keeping accurate records of all monies received and of all disbursement, preparing an annual report of finances, presenting a statement of Chapter finances at each Chapter meeting if requested, and presenting a current statement of finances at Executive Board meetings. The Treasurer may be requested to present a finance report at any time by the Executive Committee. An independent review of chapter expenses shall be conducted annually.

ARTICLE VII- VOTING AND QUORUM

All active members as defined by the state CFA bylaws shall have the right to vote. A majority of the legal votes cast shall be required to elect a candidate in Chapter elections or to approve an action in a referendum. A quorum at Chapter meetings shall consist of at least 5% of the total Chapter membership.

ARTICLE VIII- COMMITTEES

1. Executive Committee

- a. Authority and Powers. The Executive Board acts to carry out the business of the Chapter on behalf of the membership between General Membership meetings.
- b. Commitment to Racial and Social Justice. The East Bay Chapter of the CFA has an explicit commitment to racial and social justice throughout the chapter, including helping to ensure opportunity for and representation of historically underrepresented groups within the Executive Board and in carrying out the duties thereof. Chapter Executive Board members shall respect, develop, and advance CFA's commitment to racial and social justice transformation.
- c. Membership. The Executive Committee shall consist of the President, Vice President, Secretary, Treasurer, the lecturer Representative of the CFA Assembly (who shall be also be a member of the CFA Council of Lecturers), the Council for Racial and Social Justice Representative to the CFA Assembly (who shall also be member of the CFA Council for Racial and Social Justice), one representative each from the College of Business and Economics, the College of Arts, Letters and Social Sciences, the College of Education and Allied Studies, the College of Science, and the Library, one representative from the Unit 3 counselors, and one representative of the Unit 3 coaches, other elected representatives to the CFA Assembly, the immediate past president, the Chairs of the Standing Committees (Racial and Social Justice, Faculty Rights, Membership, Political Action, and Communications), a representative of the retired members of the Chapter, the faculty advisor for CFA chapter student interns, and the CFA Field Representative (ex officio, non-voting).
- d. Terms of Office. Each full term of elected office shall be for two years, beginning on June 1 of odd numbered years.
- e. Quorum. A simple majority of voting members of this Board shall constitute a quorum. If any of the positions are vacant, then a quorum consists of a simple majority of the filled seats.
- f. Duties. The Executive Committee shall be vested with the authority to conduct the business of the Chapter's, subject to policies of the CFA and the instructions the membership. In addition, the Executive Committee shall:

- 1) be responsible for the Chapter's continuing and effective presence on campus and for implementing efforts to promote the goals of CFA;
- 2) schedule and prepare agenda for Chapter meetings;
- 3) select a Nominations and Elections Committee responsible for carrying out Chapter elections;
- 4) approve recommendations made by the Chapter President to fill vacant Executive Committee positions and appoint alternate representatives or if the Chapter President is unable to attend Assembly meetings:
- 5) formulate and forward to the state CFA Contract Development/Bargaining proposals to be included in upcoming contract negotiations. The Executive Committee shall exercise oversight of implementation of contract provisions at the Chapter level.

2. Standing Committees

The Standing Committees shall include Racial and Social Justice, Faculty Rights, Membership, Political Action and Communications. The Chairs of all committees (except for the Council for Racial and Social Justice Representative which is elected at large by the membership) shall be appointed by the President, with the advice of the Executive Committee.

3. Other Committees

The Executive Committee shall be responsible for establishing additional committees as shall be needed to conduct the business of the campus CFA Chapter.

ARTICLE IX- ELECTIONS

Elections shall be held for President, Vice President, Secretary, Treasurer, Lecturer Representative to the CFA Delegate Assembly, Council for Racial and Social Justice Representative to the CFA Delegate Assembly, at-large Representative (s) to the Delegate Assembly and College Representative from the College of Business and Economics, the College of Arts, Letters, and Social Sciences, the College of Education and Allied Studies, the College of Science, and the Library.

1. Timing. Chapter elections shall normally be conducted during the Spring semester, except that any special election shall be held as practical.
2. Call for Nominations. The Nominations/Elections Committee shall solicit nominations suggestions from all members of the Chapter. From the list of persons suggested, a slate of nominees shall be developed, containing preferably two persons for each position. No person shall be a candidate simultaneously for more than one elective office in the Chapter.

3. Balloting. The Nominations/Elections Committee shall prepare and distribute ballots, receive and count ballots, and announce and certify the results. A ballot for each office shall contain entries for all nominees and space for a write-in candidate. Each election shall be conducted by a secret ballot distributed to all members eligible to vote. A majority of the legal votes cast shall be required to win an election.

4. Vacancy for President. The Vice President shall automatically succeed to President and complete the term as President when the position of President is vacated before the term of office has expired.

5. Recall. All officers and other members of the Executive Committee are subject to recall. A two-thirds vote by the members at a regularly scheduled Chapter meeting or a petition signed by 20% of the members of the Chapter shall cause a recall election to be conducted within one month. Upon a majority vote of the Chapter members casting ballots, the person shall be recalled and shall vacate his or her position on the Executive Committee along with vacating any other elective office in the Chapter.

6. Election of Representatives to the CFA Assembly. The Chapter President is a representative to the CFA Assembly. At-large Representative(s) to the CFA Assembly shall be elected and serve a term of office in accordance with procedures established by the CFA Board of Directors. A Lecturer Representative to the CFA Assembly shall be elected and serve a term of office in accordance with procedures established by the CFA Board of Directors. A Council for Racial and Social Justice Representative to the CFA Assembly shall be elected and serve a term of office in accordance with procedures established by the CFA Board of Directors.

ARTICLE X – MEETINGS

There shall be at least one regular Chapter meeting each year. Other Chapter meetings shall be scheduled as needed or upon receipt of a petition requesting a meeting that has been signed by 10% or more of the Active Chapter Members. A meeting shall be held within three weeks of receiving such a petition. Special meetings may be called by the Chapter President at any time. In the event of a failure of the President to call a special meeting when so directed by the petition, any member of the Executive Committee shall call a special meeting. Written notice of each Chapter meeting shall be sent to each member of the chapter no less than one week in advance of the date selected for the meeting. Notice shall include time, place and purpose of the meeting.

ARTICLE XI- CHAPTER RECORDS

1. Records. The Chapter shall maintain adequate and correct minutes, accounts, books and records of its business and holdings. All such minutes, accounts, accounts, books, and records shall be kept by appropriate Chapter officers or as otherwise fixed by the Executive Committee.
2. Inspection of Books and Records. All of the books and records shall be open to any Chapter member at a mutually agreed upon time and place.
3. Inspection of Constitution and Bylaws. The original or copy of this document, as most recently amended, shall be open to inspection by Chapter members at any time.
4. Checks and other Financial Instruments. All checks, drafts, or other orders for payment of money, notes, or other evidence of indebtedness, issued in the name of the Chapter, shall be signed or endorsed by such person or persons and in such manner as shall be determined by resolution of the Executive Committee.

ARTICLE XII- AMENDMENT OF CONSTITUTION AND BYLAWS

1. Initiation. Amendments to the Constitution and Bylaws may be initiated either by petition or from any twenty members of the Chapter or by recommendation of the Executive Committee.
2. Approval. Notice setting forth each proposed amendment, with reasons thereof, shall be sent to each member along with the distribution of the ballots. Approval of a two-thirds majority of the membership responding to the secret ballot shall constitute approval by the Chapter. At least five days shall be allowed for the return of the ballots. Proposed amendments shall be examined by the Executive Committee and submitted to the CFA Board of Directors. Approval by the CFA Board is required before a bylaws amendment becomes operative. A complete revision of the Bylaws shall be considered an amendment as indicated in this article.

ARTICLE XIII- PARLIAMENTARY AUTHORITY

The rules contained in the most recent edition of Robert's Rules of Order shall govern the Chapter whenever they are not inconsistent with this document or with any special rules of order adopted by the Chapter or CFA.