

CONSTITUTION

CLEVELAND HEIGHTS TEACHERS UNION

PREAMBLE

We, the Cleveland Heights Teachers Union, here set forth our constitution and state as our mission the establishment of the representative governance of our Union, the creation of an Executive Board that is resolute and expeditious in making decisions affecting the welfare of our members, and the enhancement of our professional dignity through organizational strength and collective bargaining.

ARTICLE I NAME

This organization shall be known as The Cleveland Heights Teachers Union.

ARTICLE II OBJECTIVES

The purpose of this organization shall be:

Section 1. To promote the welfare of children.

Section 2. To bring the educators and security monitors of the Cleveland Heights-University Heights City School District into relations of mutual assistance and cooperation.

Section 3. To obtain for our members the rights to which we are entitled.

Section 4. To raise the standards of our professions by securing the conditions essential to the best professional service.

Section 5. To promote such democratization of schools as will enable us to better equip our pupils to take their places in the industrial, social, and political life of our communities.

Section 6. To promote the welfare of the Cleveland Heights-University Heights School District by providing progressively better educational opportunity for all.

Section 7. To eliminate racism, sexism, discrimination based on religion, gender, gender identity, gender expression, age, national origin, disability, marital status, sexual orientation, military or veteran status or in all forms including, but not limited to, exploitation of workers.

ARTICLE III MEMBERSHIP

Section 1. Certified employees and retirees of the public school districts including, but not limited to teachers, media specialists, guidance counselors, school psychologists, school social workers, substitute teachers, speech language pathologists, occupational and physical therapists, and school nurses, are eligible for membership. All Security Monitors, ancillaries, and certain categories of non-certificated employees are also eligible for membership.

Section 2. Other educational employees, including school clerks, secretaries, substitute teachers, teacher aides, custodians, bus drivers, groundskeepers, cleaners, and other para-professionals, shall become eligible for membership upon their acceptance by the President, with approval from the Executive Board.

Section 3. Supervisory personnel with the rank of principal or above shall not be eligible to obtain membership.

Section 4. No discrimination shall ever be shown toward individual members or applicants for membership based on race, religion, gender, gender identity, gender expression, age, national origin, disability, marital status, sexual orientation, military or veteran status or political beliefs.

Section 5. A member may be expelled for acts detrimental to the Union upon presentation of written charges signed by at least ¼ of the total membership and approval by at least ¾ of the Executive Board. The member shall have the right to appeal the decision to the membership at the following membership meeting and shall be reinstated with full rights if a majority of the members present vote to reinstate. No member may be expelled without due legal process.

Section 6. Any member who fails to pay dues shall upon the expiration of the dues payments (plus 60 days grace) be dropped from the rolls and their names removed from the records, except at the discretion of the President. The member may be reinstated upon the payment of all back dues, or if recommended for reinstatement acceptance by the President and approved by the Executive Board by a majority vote.

Section 7. If a member wishes to withdraw his or her membership, he or she must complete and submit a Union Withdrawal Card which must be delivered to the CHTU office during the revocation period delineated in the collective bargaining agreement.

Section 8. Upon completion and signing of a Union membership statement and a dues authorization, an employee new to the bargaining unit shall have full immediate rights as a Union member except as referenced in Article IV Section 2.

ARTICLE IV OFFICERS

Section 1. The following officers shall be selected biennially by this union:

1. President, who is also Chief Delegate to the local labor body
2. First Vice President
3. Second Vice President
4. Third Vice President – High School
5. Fourth Vice President – Middle School
6. Fifth Vice President – Elementary Schools
7. Sixth Vice President – Elementary Schools
8. Treasurer
9. Secretary
10. Financial Secretary

The term of office for all officers shall commence July 1 of the even numbered years and shall expire June 30 of even numbered years. The offices of President and First Vice President shall be paired on the ballot in one space so that eligible voters shall cast one vote for the two positions.

Section 2. Membership in good standing for at least one year is required to hold office.

Section 3. All candidates for office must submit petitions containing at least 30 signatures of members to the Nominations and Elections Committee. Petitions shall be validated 15 days prior to the date of balloting as determined by the Nominations and Elections Committee, providing that notice has been sent to each member at least 45 days prior to balloting that nominations are in order. Such notice may be sent electronically to members.

Section 4. Ballots shall be prepared and distributed to each member in good standing no later than 15 days after the publication of nominations. The ballots shall be returned to the Nominations and Elections Committee no later than 15 days from the date originally sent to the members. The candidate receiving a majority of the votes counted shall be declared elected. If the majority is not obtained, a run-off election of the two receiving the most votes shall be held according to the above procedures.

Section 5. Officers shall be installed at the regular membership meeting in June of even-number years or at a special meeting or banquet held for this purpose.

Section 6. Vacancies in any office shall be filled by the Executive Board.

ARTICLE V
COMMITTEES

Section 1. The following standing committees shall be active in the Union.

1. Membership and Staffing Committee
2. Publicity Committees
3. Welfare Committee
4. Grievance Committee
5. Civil & Human Rights Committee
6. Education Committee
7. Legislation Committee
8. Social Committee

Section 2. The following special committees shall be appointed:

1. Budget Committee
2. Audit Committee
3. Nominations and Elections Committee

Section 3. Chairs of each of the standing committees shall be appointed by the President with the consent of a majority of the other elected officers.

Section 4. Members of each standing committee shall be appointed by the chairs of each committee.

ARTICLE VI
THE EXECUTIVE BOARD

Section 1. The Executive Board of this Union shall consist of the following:

1. All elected officers.
2. Chairs of standing committees.
3. Building stewards.
4. Representatives at-Large.

A quorum of twelve (12) individual members shall be necessary to do business. Any member of the Executive Board may, on any vote, demand a roll call vote, which shall be apportioned as follows and in which individuals shall vote the number of votes apportioned to them:

Elected officers – one vote each.

Chairs of standing committees – no votes.

Senior High School Stewards – eight votes.

Middle School Stewards – three votes per school.

Elementary School Stewards – one and a half votes per school.

Special Schools with a minimum of 10 bargaining unit members - one vote per school.

Pupil Personnel – one vote.

Monitors – one vote.

Non-Certified Ancillaries – one vote.

Representative-at-Large- one vote each.

Immediate Past President shall have one vote.

Retiree Liaison – shall have one vote.

Section 2. In the event that proportional representation of African-Americans on the Executive Board does not occur through normal process of officer and building steward elections, the President shall, subject to the approval of a majority of the officers, appoint a sufficient number of Representatives-at-Large so as to ensure appropriate African-American presentation.

Representatives-at-Large shall not be appointed except for the purposes delineated in this section.

Section 3. The Executive Board shall administer the policy of this Union. It shall have the power to act for the Union.

Section 4. The Chair of the Executive Board shall be the President of the Union. The President shall have the power to veto by both line and measure. A two-thirds vote of the entire Executive Board shall be required to override a presidential veto.

Section 5. The time and place of the regular meetings of the Executive Board shall be set by the President.

Section 6. Upon the written request of thirty percent (30%) of the members of the Executive Board, the President shall be obliged to call a special meeting of the Executive Board.

Section 7. The President of the Union shall, with the approval of the Executive Board, have the power to:

- a. makes contracts and incurs liabilities which may be appropriate
- b. borrow money for union purposes
- c. issue notes, bonds, and other obligations.
- d. secure any obligations by mortgage, pledge, or deed of trust of all or any of the union's property and income.

Section 8. The President of the Union shall have the power to employ all personnel, including an executive secretary, clerical help, legal help, and other persons, on full or part-time basis, as may be determined by needs and finances. Nothing in this section shall be construed to allow the President to exceed \$1,000 without Executive Board approval.

Section 9. The Executive Board of the Union shall have the power to instruct the President and/or ranking delegate prior to conventions.

ARTICLE VII AFFILIATIONS AND RETIREES

Section 1.

This Union shall maintain such affiliations as the officers, executive board and members approve. The Union shall maintain affiliation with organized labor, provided, however, the Union shall not be a part of nor affiliated with, any organization which by its laws, or otherwise, provides or claims control over the internal affairs of the Cleveland Heights Teachers Union. The Union is presently affiliated with the American Federation of Teachers, the Ohio Federation of Teachers, and the Ohio AFL-CIO. When recommended by the President and approved by the Executive Board, the Union will select and send delegates to conventions of organizations with which the Union is affiliated in the following manner.

a. Except for the President, who shall be ranking delegate and primary delegate, and the First Vice President, who shall be secondary delegate, all other delegates to the National Convention of any affiliate shall be elected by secret ballot; and all other delegates to the State Convention of the Ohio AFL-CIO, if affiliated shall be elected by majority vote at a regular membership meeting, provided that notice of the election and nominees shall have been mailed or sent electronically to the membership at least thirty (30) days prior to the election. Nominations shall be made by the President, with preference given to members of the Executive Board. Nominations other than those made by the President, are to be accompanied by petitions containing at least thirty (30) signatures of members and are to be submitted to the Nominations Chair at least twenty (20) days before election, and a final list of nominees shall be promulgated at least ten (10) days before election.

b. Except for the President, who shall be ranking delegate and delegates, and the First Vice President who shall be secondary delegate, all other delegates to the State Convention of any other affiliate shall be selected in the following manner.

(1) The President shall recommend and the Executive Board shall approve an even number of delegates. Should the Executive Board approve the number of delegates to be ten or less, the President shall appoint the delegates giving right of first refusal to generally elected officers.

(2) Delegates and alternates in excess of ten shall be appointed one-half by the President and one-half by the other nine elected officers via an elimination meeting which shall be chaired by the President which shall occur no less than thirty days prior to the convention. Members of the Executive Board shall be given the right of first refusal.

(3) The President shall have the right to send any additional alternates at, except for the substitute cost, no expense to the local.

c. The President and Secretary shall certify the election and forward the credentials of all elected delegates and alternates to the National office as soon as possible but not later than ten days before the convening of the National Convention.

d. Except for the President, who shall be ranking delegate, all other delegates and alternates to the Cleveland AFL-CIO Federation of Labor shall be appointed by the President with preference given to members of the Executive Board.

e. Delegates of this local shall, at conventions, be bound to the ranking delegate by unit rule.

Section 3. This local shall pay all legitimate expenses of delegates to meetings and conventions.

Section 4. Delegates to affiliated organizations shall meet the same requirements for office as officers of this local.

Section 5. Should the President recommend changes in any of the Local union's affiliations with any other organization, such recommendations must be approved by the Executive Board by a two-thirds vote of that body in order to take effect.

ARTICLE VIII DUTIES OF OFFICERS

Section 1. The President shall preside at all meetings of the Union and of Executive Board, and shall be ex-officio member of all committees, except the Audit Committee shall sign all necessary papers and documents, and shall represent the local when and where necessary. The President shall make a report to the membership at least once each year summarizing the accomplishments of the Union and outlining plans for the next year and shall be or appoint, the ranking delegate at all conventions, and shall serve as chief (ranking) delegate to the Cleveland AFL-CIO Federation of Labor and shall exercise that vote on the Executive Board. The President shall be custodian of the seal and charter of the Union, director-in-chief of the office staff, and shall appoint the chair and members of the Nominations and Elections Committee.

The President shall appoint from among members of the bargaining units, the negotiating team and shall be, or appoint, the Chief Negotiator, with the exception that the President shall have the right to appoint professional bargainers, attorneys, accountants, and consultants from outside the bargaining units. Members of the negotiating team who retire or resign from the bargaining unit during a period of negotiating serve at the pleasure of the President provided the Article IV, Section elected officers have been notified of the resignation.

Section 2. The First Vice President shall perform all duties of the President in the absence of that officer and shall act as advisor and confidant to that officer.

Section 3. The Second Vice President shall perform all duties of the First Vice President in the absence of that officer.

Section 4. The Third Vice President – High School, shall serve on the Executive Board as representative for the High School.

Section 5. The Fourth Vice President – Middle Schools, shall serve on the Executive Board as representative for Middle Schools.

Section 6. The Fifth and Sixth Vice President – Elementary Schools, shall serve on the Executive Board as representatives for the Elementary Schools.

Section 7. The Secretary shall issue all notices, shall answer correspondence at the direction of the President, and shall report outside correspondence to the President and the Executive Board. The Secretary shall record the minutes of the Executive Board and of general membership meetings.

Section 8. The duties of the Treasurer shall be:

a. To receive, record, and deposit in the name of the Union all monies from dues and all other sources.

- b. To keep the membership roll, issue receipts delinquent notices.
- c. To forward all per capita dues and current membership lists as required to affiliated organizations to keep this Union in good standing at all times. Special care shall be taken to see that per capita through June 30th is sent to any national affiliate prior to the opening date of the National Convention to make sure delegates from this Union may be seated.
- d. To appoint and be Chair of the Budget Committee.
- e. To keep adequate records available at all times for the Executive Board and the Audit Committee.
- f. To pay bills authorized by the adopted budget, retaining voucher or invoice for same. Expenses not authorized in the budget must be authorized by the President and reported to the Executive Board.

Section 9. The Financial Secretary shall be always apprised of the financial situation of the Union, shall so advise the Executive Board and be Chair of the Audit Committee.

ARTICLE IX DUTIES OF STANDING COMMITTEES

Section 1. The Membership and Staffing committee shall plan and execute a dynamic program to insure growth and vitality of the Union, including staff of all Standing Committee positions and obtaining and maintaining membership. It shall report to the Executive Board.

Section 2. The Publicity and Public Relations Committee shall prepare and distribute a periodic bulletin. The editor of the bulletin shall be a member of the committee. Every effort shall be made by this committee to make use of other sources of publicity, i.e., newspapers, radio and television, etc. It shall report to the Executive Board.

Section 3. The Welfare Committee shall be constantly apprised of the sick and needy within our fold, and of the retiring, and shall cause the Union to issue cheer, condolences and honors as deemed. It shall report to the Executive Board.

Section 4. The Grievance Committee shall act on all grievances submitted in writing to the Union. It shall keep and make plans to organize action of the membership when such is deemed necessary by the Executive Board. It shall report to the Executive Board.

Section 5. The Civil & Human Rights Committee shall plan activities, which shall combat all forms of racism and discrimination in education and promote integration of both faculty and students. It shall report to the Executive Board.

Section 6. The Education Committee shall study and make recommendations for improvements in curricula, teaching techniques, class size, texts, equipment, and other professional matters. It shall report to the Executive Board.

Section 7. The Legislative Committee shall consider recommendations of any affiliate and of the Union pertaining to all levels of government. It shall study proposed legislation recommendations. It may present the record of government officials. It shall report to the Executive Board.

Section 8. The Social Committee shall arrange such programs and entertainments and perform such duties as the local may direct. It shall report to the Executive Board.

ARTICLE X DUTIES OF SPECIAL COMMITTEES

Section 1. The Budget Committee shall prepare a budget for adoption by the Executive Board at least one month prior to the beginning of the next fiscal year. The fiscal year shall be July 1 through June 30. It shall report to the Executive Board.

Section 2. The Audit Committee shall audit the treasurer's books and yearly treasurer report. It shall report to the Executive Board.

Section 3. The Nominations and Elections Committee shall validate petitions and nominations for officers and shall conduct elections. It shall be appointed by the President subject to the approval of the Executive Board and shall report to the President.

Section 4. Other Special Committees shall be appointed under the provisions of Article V, Section 2.

ARTICLE XI
MEMBERSHIP MEETINGS

- Section 1. The time and place of membership meetings shall be fixed by the President.
- Section 2. There shall be at least three membership meetings per school year.
- Section 3. A quorum shall consist of thirty percent (30%) of the total membership.
- Section 4. Except for the election of delegates, membership meetings shall have advisory powers only. In instances where a membership quorum is not present, the Executive Board shall elect delegates.
- Section 5. The President shall be Chair of membership meetings.
- Section 6. A special meeting of the membership shall be called by the President, upon the request of the President, or a majority vote of the Executive Board, or a petition of thirty percent (30%) of the membership.
- Section 7. Presence of members of the Executive Board is required at all membership meetings.

ARTICLE XII
FINANCE, REVENUES, VOTING, COPE

Section 1. Regular dues, , or service fees, shall be fixed by majority vote of the Executive Board provided that they shall not be less than 0.75% nor more than 3.0% of the Bachelor's Degree minimum salary.

Affiliate organization per capita tax pass-through provisions shall be attached to regular dues, or service fees unless the Executive Board provides for such amounts to be included in regular dues, or service fees.

Section 2. Special dues and fees shall be fixed by majority vote of the Executive Board on the basis of reductions of the regular dues. Such dues shall pertain to the following groups as recommended by the President and approved by the Executive Board:

- Administrative members on retention
- Previous members on retention
- Members-at-large
- Less than three-eighths teachers
- Substitute teachers
- Custodial members
- Secretarial members
- Para-professional members
- Monitors
- Retiree members

Except for Monitors, such members may not be elected or appointed to the Executive Board. Such members may elect to pay full dues and shall, after payment of full dues for three months, be granted full rights and privileges of membership. Retiree members will be considered to be paying full dues without the payment of add-on fringe benefit payments.

Section 3. Each certified member paying full dues shall be entitled to complete voting rights.

Section 4. Special dues-paying substitute teachers, less than three-eighths time teachers, custodial employees, clerical employees, para-professional employees, and monitors, shall cast a fractional vote by fifths, calculated to the closest twenty percent using their dues, without fringe benefit add-ons, as the denominator, in voting for Officers, constitutional amendments, and negotiated contractual agreements that include them.

Section 5. Special dues-paying administrative members on retention, members-at-large, and student teacher members, shall have no voting rights.

Section 6. Members, not included in a negotiated contractual agreement, shall not vote on that contract.

Section 7. Initiation fees shall be set by the Executive Board providing that they shall not exceed the maximum dues limits of Section 1.

Section 8. The COPE shall be composed of the President, First Vice President and Treasurer of the Local and shall recommend rebates, dues, and contributions to the Executive Board. No collections or contributions may be made without a majority vote of the Executive Board.

Section 9. Additional finances may be obtained by various fund-raising activities.

ARTICLE XIII
RULES OF ORDER

Robert's Rules of Order Revised, shall govern in all cases not covered by this constitution.

ARTICLE XIV
AMENDMENT

Section 1. This constitution may be amended as follows:

- a. Amendments may be submitted to and by the Executive Board at Executive Board meetings. A two-thirds (2/3) vote of the entire Executive Board at the next meeting shall be sufficient for adoption.
- b. Amendments may be submitted accompanied by petitions containing at least thirty (30) signatures of members. If such cannot gain a two-thirds (2/3) vote of the Executive Board (a. above) a majority vote of the Executive Board shall cause the amendment to be submitted to the membership. A majority vote of all members by secret ballot shall be sufficient for adoption.

ARTICLE XV
AVAILABILITY OF CONSTITUTION

Section 1. Copies may be made available to other affiliated organizations upon request to and approval of the President.

Section 2. Copies shall be available for any members of this Union upon request to the President.

The Constitution and By-Laws, as amended, were adopted November 8, 2012.
Revised October 13, 2016 and September 13, 2018

CLEVELAND HEIGHTS TEACHERS UNION

Signed: 

(President)

Attest: 

(1st Vice President)

Attest: 

(Treasurer)