

Massachusetts Community College Council



BYLAWS

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BYLAWS

ARTICLE I—NAME

The name of this organization shall be the Massachusetts Community College Council, hereinafter referred to as the Council.

ARTICLE II—PURPOSES AND OBJECTIVES

SECTION 1. PURPOSES:

We, the members of the community college professional staff, believing in the unique contributions of the community college to American education, have organized to strengthen and secure this type of education for those who desire additional education beyond high school, for those who would be deprived of this education were it not readily accessible, and for those who wish a more individual orientation to higher education.

Because we so believe, the members of this Council have organized into a collective bargaining unit in order to maintain and improve the quality of educational services through the protection of professional rights and the advancement of the economic well-being and the working conditions of its members.

SECTION 2. OBJECTIVES:

- A. To protect professional rights, the Council shall seek to:
 - 1. Secure and maintain academic freedom.
 - 2. Ensure the right of the unit member to exercise responsible judgment in all areas of his/her competency.
- B. To advance the economic well-being of its members, the Council shall seek to:
 - 1. Maximize their job security.
 - 2. Continually improve salary and benefit levels.
- C. To improve the working conditions of its members, the Council shall seek to:
 - 1. Achieve and maintain reasonable workloads and work schedules.
 - 2. Obtain whatever materials, equipment, space, and support services are essential for members to carry out their functions.

ARTICLE III—MEMBERSHIP

SECTION 1. MEMBERSHIP CATEGORIES

Membership in the Council shall be classified as Active or Retired and shall be available to those who pay the prescribed dues.

- A. Active Members are those who are employed within the Massachusetts Community College System, who are engaged in work of a professional nature in the field of education, who are in the bargaining unit, and who hold membership in the Council.
- B. Adjunct Members are those active members who are employed less than full time. Dues for adjunct members who present evidence of part-time employment which is less than one-half ($\frac{1}{2}$) of a full-time position shall be an amount equal to thirty (30) percent of the annual dues of full-time active members, except that the dues for part-time active members who teach fewer than three (3) credits per semester shall be fifteen (15) percent of the annual dues of full-time active members.
- C. The Council shall continue active membership to those members laid off due to a reduction in force with reduction in dues of fifty (50) percent. Such eligibility for active membership shall continue as long as such persons are eligible to be recalled or for three (3) years, whichever is longer. These members shall be granted voice and vote at chapter and Council meetings, but they shall not be eligible for elective office.

- D. Retired Members are those former active members who, upon retirement, apply in writing for membership. Retired members shall pay dues equal to ten (10) percent of the combined Council and chapter dues.

SECTION 2. ACTIVE MEMBERSHIP

Active membership shall be continuous until the member leaves the Massachusetts Community College System, resigns from Council, or fails to pay membership dues.

SECTION 3. VOTING PRIVILEGES

Only active members as defined in Section 1.A. of this Article III shall have the privilege both of voting and of holding office in the Council.

- A. For purposes of election to the Delegate Assembly and the Board of Directors, and of officers of the Council and chapter officers, an adjunct member shall have a vote equal to one-fourth ($\frac{1}{4}$) that of a full-time member.
- B. No member may cast more than one vote in any election.

SECTION 4. SUSPENSION

Adherence to the Delegate Assembly's applicable Code of Ethics shall be a condition of continuing membership. According to procedures adopted by the Delegate Assembly, the Board of Directors may suspend from membership or expel any member who has been found in violation of the Code of Ethics of the education profession.

SECTION 5. MEMBERSHIP YEAR

The membership year for the Council shall coincide with the membership year of the MTA/NEA.

SECTION 6. MTA/NEA MEMBERSHIP

No person shall be admitted to or be continued as an active member in the Council who is not also a member of the MTA/NEA.

ARTICLE IV — OFFICERS

SECTION 1. DEFINITIONS AND TERMS

The officers of the Council shall be a President, a Vice President, a Secretary, and a Treasurer. Each shall take office on June 1st of the year in which elected and shall serve for a period of two years until May 31st or until a successor takes office. Nominations and elections will be held in accordance with an officer elections policy established by the Board of Directors.

- A. All officers are subject to re-election without restriction as to the number of terms served.
- B. Officers must be MCCC members. No member shall run for or hold more than one elected or appointed position in the Council during the term of office, except for committee memberships or duties of the office as established by these Bylaws.

SECTION 2. PRESIDENT

It shall be the duty of the President to:

- A. Preside at all meetings of the Delegate Assembly, of the Board of the Directors, and of the Executive Committee.
- B. Supervise all plans for the efficient work of the Council and perform such other duties as usually devolve upon a President.
- C. Convene the annual Delegate Assembly.
- D. Submit a report at the annual meeting of the Delegate Assembly.
- E. Appoint, after consultation with the Executive Committee and subject to the approval of the Board of Directors, the chair and members of all standing committees, unless otherwise noted in these Bylaws.
- F. Appoint the chair and members of *ad hoc* committees.
- G. Be a member, *ex officio*, of all committees except the Nominations and Elections Committee.
- H. Represent the Council at conferences, meetings, and before the general public.

- I. Represent the Council in its business with the Board of Regents of Higher Education or any successor organization.
- J. Coordinate the implementation of policies and programs adopted by the Delegate Assembly and the Board of Directors.
- K. Monitor compliance of the Council and its chapters with the Bylaws and Rules of the MCCC and the MTA/NEA.
- L. Interpret the Bylaws in accordance with the parliamentary authority cited in these Bylaws.
- M. Perform all duties normally associated with this office.

SECTION 3. VICE PRESIDENT

It shall be the duty of the Vice President to:

- A. Preside at all meetings of the Delegate Assembly, the Board of Directors, and the Executive Committee in the absence of the President. He/she shall assist the President at the latter's request.
- B. Assume the duties and responsibilities of the President in case of the death, resignation or retirement of the President or in the event the President is unable to perform the duties of that office. The Vice President shall perform such duties and bear such responsibilities until the next regularly scheduled election.
- C. Perform all duties normally associated with this office.

SECTION 4. SECRETARY

It shall be the duty of the Secretary to:

- A. Keep accurate minutes of all meetings of the Delegate Assembly, the Board of Directors, and the Executive Committee in accordance with Robert's Rules of Order, Newly Revised.
- B. Maintain the official records of the Council and assist the President with association correspondence and records when so directed.
- C. Chair the Personnel Committee.
- D. Perform all duties normally associated with this office.

SECTION 5. TREASURER

It shall be the duty of the Treasurer to:

- A. Present an annual financial report to the MCCC Delegate Assembly.
- B. Inform the President and Board of Directors of the financial condition of the Council on a regular basis.
- C. Act as ex-officio, non-voting chair of the Finance Committee.
- D. Carry out such budgetary and financial duties as may be assigned by the President, the Board of Directors, or the Delegate Assembly.
- E. Perform all duties normally associated with this office.

SECTION 6. REMOVAL FROM OFFICE

Any officer may be removed from office by the following recall procedure:

- A. A petition must be initiated by presenting a request from thirty (30) members or more at each of a majority of the chapters to the Board of Directors at a regular meeting or special meeting.
- B. The petition must include the name of the petitioner(s), name of the officer in question, and the reason(s) for the recall request.
- C. The Board of Directors shall inform the membership on each campus of the petition and make a copy available for those who wish to sign it.
- D. If, within 60 days of initial presentation to the Board of Directors, the petition is signed by 30 percent of the Council membership, then a special recall election shall be conducted by the Board of Directors. All active members of the Council shall be eligible to vote.
- E. The ballot shall ask for a yes or a no vote to the question, "Shall ----- be removed from office?" If two thirds (2/3) of those casting ballots vote yes, then the officer shall be considered removed from office. Temporary replacement will follow procedures set forth in Article IV, Section 3B and Article V, Section 5J.

SECTION 7. SALARIES

The salaries of the constitutional officers shall be established in the annual budget adopted by the Delegate Assembly. The salaries of said officers shall not be either increased or decreased between meetings of the Delegate Assembly.

ARTICLE V — BOARD OF DIRECTORS

SECTION 1. MEMBERSHIP

- A. The Board of Directors shall be composed of the officers, one member elected for a term of one year from each chapter by the members of the chapter, and two at-large part-time adjunct members elected by part-time/adjunct members as part of the regular election cycle each year. The term of office for members other than officers shall be one year beginning with the June Board meeting of the year in which members are elected. Any Director may remain in office until a successor takes office. The Board of Directors is empowered to fill vacancies in the two part-time/adjunct positions which occur after the election cycle.
- B. Chapter Directors
 1. In elections for Chapter Director, if there is only one candidate, that candidate may be deemed elected by the chapter. If the Chapter Director cannot attend a Board of Directors' meeting, the chapter President may send an alternative chapter member. The Board of Directors will fill vacancies in the two part-time/adjunct positions that occur after the election cycle.
 2. If a vacancy occurs in the office of Chapter Director, the Chapter President may appoint a Director for the remainder of that term, with the approval of the Chapter Executive Committee.
- C. An MCCC member on the MTA Board of Directors, MTA Executive Committee or NEA Board of Directors, or NEA Executive Committee shall be an ex officio, non-voting member of the MCCC Board of Directors.

SECTION 2. AUTHORITY

Within provisions of the Bylaws and within the policies established and actions ordered by the Delegate Assembly, the Board of Directors will be responsible for the management of the Council.

SECTION 3. MEETINGS

The Board of Directors shall ordinarily hold monthly meetings. It shall further meet upon the direction of the Council President or upon written request of five members of the Board.

SECTION 4. QUORUM AND VOTING

A majority shall constitute a quorum. Each member or alternate shall be entitled to one vote, and decisions shall be by majority vote.

SECTION 5. POWERS AND DUTIES

All management responsibilities not otherwise delegated to constitutional officers shall be vested in the Board of Directors. However, the Board may delegate certain responsibilities to the constitutional officers or to the standing committees of the Council. It shall have the authority and responsibility to:

- A. Recommend policies or changes in policies to the Delegate Assembly.
- B. Establish policies consistent with the Bylaws.
- C. Adopt procedures and rules for conducting the business of the Council.
- D. Receive and act upon reports and recommendations from standing committees.
- E. Approve the appointment of chairs and members of standing committees and *ad hoc* committees.
- F. Convene special meetings of the Delegate Assembly.
- G. Create such *ad hoc* committees as it may deem necessary.
- H. Employ staff for the efficient management of the Council and adopt personnel policies for this staff.

- I. Recommend, through the Treasurer, an annual budget and membership dues to the Delegate Assembly for the Assembly's approval.
- J. Appoint the Vice President, Secretary or Treasurer of the Council when a vacancy exists in each office respectively. The appointee shall serve until a regularly scheduled election is held and the winning candidate takes office.
- K. Establish a method by which services provided to the Council by the MTA and NEA can be monitored and evaluated impartially and objectively. The results of said evaluation shall be reported annually to the Delegate Assembly.

ARTICLE VI — DELEGATE ASSEMBLY

SECTION 1. MEMBERSHIP

A. Composition

- 1. The Delegate Assembly shall be composed of the officers, Directors, and delegates elected from each chapter.
- 2. The number of delegates that each chapter is entitled to shall be based upon the Full-Time Equivalent (FTE) membership that the chapter has on March 1 of each year. This is a number equal to the number of full-time members and one fourth (¼) of the adjunct/part-time members. The number of delegates to which a chapter is entitled is computed according to the following proportions.

FTE Chapter Membership	Number of Delegates
1 to 10	1
11 to 20	2
21 to 30	3
31 to 40	4
41 to 50	5
(etc.)	(etc.)

B. Election of Chapter Delegates

- 1. Each chapter will elect its own delegates in March or April, at least two weeks prior to the MCCC Delegate Assembly.
- 2. Chapter Delegates shall present their credentials at the opening of each Delegate Assembly.
- 3. Each chapter may elect as many alternates as it is entitled to delegates.
- 4. After the chapter elections, the Chapter President may appoint delegates to remaining vacancies, with approval of the Chapter Executive Committee.
- 5. The term of office of delegates begins with the first regular meeting after their election and ends when their successors are elected.

SECTION 2. MEETINGS

The Delegate Assembly shall convene for a regular meeting once each calendar year on a date specified at least sixty (60) days in advance by the Board of Directors. Special meetings may be called by the Board of Directors or by the Delegate Assembly.

SECTION 3. QUORUM AND VOTING

Forty (40) percent or eighty (80), whichever is less, of the authorized members of the Delegate Assembly shall constitute a quorum. Each member is entitled to one vote.

SECTION 4. POWER AND DUTIES

All legislative responsibilities of the Council shall be vested in the Delegate Assembly, and its policies and programs shall be implemented by the constitutional officers and governing bodies of the Council. The Delegate Assembly shall have the authority and responsibility to:

- A. Receive for its consideration reports and recommendations which have been submitted in accordance with the established bylaws, rules, and procedures of the Council.
- B. Develop, amend and interpret the policies of the Council.
- C. Take action or recommend action on any matters relating to possible violations of policy.

- D. Establish *ad hoc* committees relative to legislative, policy, and strategic concerns.
- E. Determine dues to be paid by the membership.
- F. Adopt the annual budget.

ARTICLE VII — STANDING COMMITTEES

SECTION 1. EXECUTIVE COMMITTEE

This committee shall consist of the President, the Vice President, the Secretary, and the Treasurer of the Council, and three other members selected by and from the Board of Directors. This election shall be conducted annually at the June meeting of the Board of Directors. The term of office shall run from July to June of the following year.

- A. The Committee shall ordinarily meet once each month.
- B. It shall be directly responsible to the Board of Directors and as such it shall provide direction to the Board by recommending specific procedures and actions.
- C. It shall have the ultimate authority on grievance matters.
- D. The presence of five members at all announced meetings shall constitute a quorum.

SECTION 2. DELEGATE ASSEMBLY CREDENTIALS COMMITTEE

- A. The Board of Directors shall appoint three members to this committee from its own membership in advance of a Delegate Assembly meeting. The term of office shall expire at the conclusion of said meeting.
- B. It shall be the responsibility of this committee to pass on delegate credentials, to hear appeals on credentials, and to establish the quorum for the Delegate Assembly.

SECTION 3. NOMINATIONS AND ELECTIONS COMMITTEE

It shall be the purpose of this committee to provide equal access to nomination procedures to all members of the Council and to assure each candidate for office equal treatment in the election process. This committee shall consist of five members appointed by the President, with the advice and consent of the Board of Directors. The term of office shall be for two years and shall begin on September 30th of the year in which the appointments are made. The committee shall have the authority and responsibility to:

- A. Place in nomination for President, Vice-President, Secretary and Treasurer candidates who have submitted at least fifty (50) signatures of active members in support of their candidacy, and for At-large Part-Time Director, candidates who have submitted at least ten (10) signatures of active members in support of their candidacy.
- B. Publish the names of those candidates for elective office, together with information about each candidate, no later than two weeks preceding the date of the election.
- C. Supervise elections and conduct all voting by secret ballot.
- D. Conduct the elections during the month of March.
- E. Count the ballots and certify as elected to the Board of Directors a candidate who receives a plurality of the votes cast for an office. If no candidate for an office gets 33 percent or more of the of the votes, a run-off election will be held with the top three (3) ranked candidates.
- F. Safeguard the ballots for a period of one year and allow inspection of the ballots by any active member of the Council.

SECTION 4. FINANCE COMMITTEE

The members of this committee shall be the Treasurer of the Council who shall be the ex officio, non-voting chair of the committee, and five additional members appointed for two-year terms by the President of the Council, subject to the approval of the Board of Directors. With the exception of the Treasurer, the terms of office shall begin on September 1st of the year in which the appointments are made. It shall be the duty of this Committee to:

- A. Prepare a balanced budget* for each fiscal year which reflects the program objectives and goals of the organization and identifies all revenue and expenses. This budget shall be presented to the Executive Committee and the Board of Directors. The Board shall then transmit its

recommendation to the Delegate Assembly through the Treasurer.

* Definition: a balanced budget refers to a budget which meets current expenses with current revenues.

- B. Recommend the amount of annual dues to the Executive Committee and the Board of Directors. The Board shall then transmit its dues recommendation to the Delegate Assembly through the Treasurer.
- C. Administer, maintain, and recommend revisions of the financial policies of the organization.
- D. Monitor the fiscal affairs of the organization to maintain awareness of trends or patterns in financial matters and to advise the Board of Directors on courses of action.
- E. Develop an investment strategy for appropriate accounts and cash reserves of the organization which is consistent with requirements of the law and submit a report annually for the approval of the Board of Directors.
- F. Conduct annually a complete inventory of all fixed assets of the organization and maintain a current register of those assets.
- G. Review capital expenditures and either approve them or recommend their approval to the Board of Directors, as consistent with organizational policies and practices.

SECTION 5. PERSONNEL COMMITTEE

There shall be a five-member Personnel Committee. Appointments to this committee shall be for two-year terms. The terms of office shall begin on September 1st of the year in which the appointments are made. It shall be the duty of this committee to:

- A. Develop and periodically review job descriptions and annual performance evaluations for MCCC Coordinators and other employees and to present its recommendations to the Executive Committee and the Board of Directors.
- B. Review periodically rates of compensation for MCCC Officers, Coordinators, and other employees, and to present its recommendations to the Executive Committee and the Board of Directors.
- C. Develop, maintain, and recommend revisions of the personnel policies of the organization.

SECTION 6. BYLAWS AND RULES

There shall be a five-member Committee on Bylaws and Rules. Appointments to this committee shall be for two-year terms. The terms of office shall begin on September 1st of the year in which the appointments are made. It shall be its responsibility to:

- Make a report at the March meeting of the Board of Directors and subsequently to make recommendations to the Delegate Assembly for action by the delegates.
- Receive proposed amendments to the Bylaws and Rules of the Council for its review and recommendations.

SECTION 7. DCE UNIT GRIEVANCE COMMITTEE

- A. The DCE Unit Grievance Committee shall be composed of:
 1. One representative per chapter, determined by the chapter;
 2. The DCE Grievance Coordinator, who shall be the committee chair;
 3. One Member of the Executive Committee as a non-voting member.
- B. A chapter may send an alternate to a committee meeting. The term of office of a chapter representative shall be one year beginning on September 1 and expiring on August 31.
- C. It shall be the responsibility of this committee to:
 1. Provide an opportunity to grievants to present their cases to representatives of the MCCC and to provide a forum for discussion of cases and issues for certification.
 2. Provide training for chapter DCE Grievance Representatives.
 3. Consider for certification DCE grievances filed for mediation and arbitration. Grievances shall go forward by majority vote of those in attendance.
- D. Decisions of the MCCC Unit Grievance Committee may be appealed to the MCCC Executive Committee.

SECTION 8. DAY UNIT GRIEVANCE COMMITTEE

- A. The Day Unit Grievance Committee shall be composed of:
 - 1. One representative per chapter, determined by the chapter;
 - 2. The Day Grievance Coordinator, who shall be the committee chair;
 - 3. One member of the Executive Committee as a non-voting member.
- B. A chapter may send an alternate to a committee meeting. The term of office of a chapter representative shall be one year beginning on September 1 and expiring on August 31.
- C. It shall be the responsibility of this committee to:
 - 1. Provide an opportunity to grievants to present their cases to representatives of the MCCC and to provide a forum for discussion of cases and issues for certification.
 - 2. Provide training for chapter Day Grievance Representatives.
 - 3. Consider for certification Day grievances filed for arbitration.
 - 4. Grievances shall go forward by majority vote of those in attendance.
- D. Decisions of the MCCC Day Unit Grievance Committee may be appealed to the MCCC Executive Committee.

SECTION 9. NEGOTIATING TEAM, DAY UNIT

The Negotiating Team shall be composed of the President and Vice-President of the Council, ex officio, and a minimum of five day-unit members appointed by the Board of Directors. The immediate past president of the Council will continue as an ex-officio member when negotiations begin in one elective term and overlap to the new elective term. The newly-elected president will serve as an ex-officio member simultaneously. The Negotiating Team shall have the responsibility to negotiate with the employer on behalf of the Council and the unit on all matters relating to hours, wages, and conditions of work. The team's term of office shall end upon the expiration date of an agreement.

SECTION 10. NEGOTIATING TEAM, DCE UNIT

The Negotiating Team shall be composed of the President and Vice President of the Council, ex officio, and a minimum of five DCE unit members appointed by the Board of Directors. The immediate past president of the Council will continue as an ex-officio member when negotiations begin in one elective term and overlap to the new elective term. The newly-elected president will serve as an ex-officio member simultaneously. The Negotiating Team shall have the responsibility to negotiate with the employer on behalf of the Council and the unit on all matters relating to hours, wages, and conditions of work. The team's term of office shall end upon the expiration date of an agreement.

SECTION 11. NEGOTIATIONS COMMITTEE, DAY UNIT

The Negotiations Committee shall consist of one active member from each college elected by its chapter. In the event that no twelve-month professional staff unit member shall have been elected to this committee, it shall be the duty of the Board of Directors to elect such a member. No person who holds elective office within the Council, except the President of the Council who shall serve ex officio, shall be a member of this committee. It shall be the responsibility of the Committee to:

- A. Develop procedures to survey the general membership's contractual needs and priorities.
- B. Administer a member survey and report the results to the Day Negotiations Team and the Board of Directors with recommendations for the asking package.

The Committee's responsibility shall end upon acceptance of the report by the Board of Directors.

SECTION 12. PROFESSIONAL STAFF COMMITTEE

The Professional Staff Committee shall consist of one member and one alternate selected by each chapter to serve a two-year term. The chapter may select an alternate to attend meetings when the member cannot attend. The committee shall be chaired by a minimum of one representative from the MCCC Board of Directors appointed by the President with the approval of the Board of Directors. It shall be the responsibility of the Committee to:

- A. Research issues and advocate for concerns of professional staff.

- B. With the approval of the President, consult as necessary with the MCCC Negotiations Committee and any other committee deemed appropriate.
- C. Provide an annual report to the MCCC Board of Directors including any findings and recommendations of the committee.

SECTION 13. ADJUNCTS COMMITTEE

The Adjuncts Committee shall consist of one member selected by each chapter to serve a one-year term. The chapter may select an alternate to attend meetings when the member cannot attend. The committee shall be chaired by an adjunct appointed by the President with the approval of the Board of Directors. It shall be the responsibility of the Committee to:

- A. Explore issues deemed important to the adjunct faculty.
- B. With the approval of the President, consult as necessary with the MCCC DCE Coordinator, MTA UniServ consultant, and any other committee or union officials deemed appropriate.
- C. Provide an annual report to the MCCC Board of Directors including any findings and recommendations of the committee.

ARTICLE VIII – CHAPTERS

SECTION 1. MEMBERSHIP

The Council members at a Massachusetts community college will comprise a chapter of the Massachusetts Community College Council.

SECTION 2. POWERS AND DUTIES

Chapters shall have the authority and responsibility to:

- A. Assist the Council in the administration of the collective bargaining agreement on their campuses.
- B. Secure the advice and recommendations of their members when such is sought by the Council, the Board of Directors, or committees of the Council.
- C. Conduct all other business related to on-campus concerns.
- D. Insure that their activities do not conflict with the Bylaws and Policies of the Council or with the Bylaws and Rules of the MTA and NEA.

SECTION 3. ORGANIZATION

- A. Each chapter shall establish a structure through the adoption of formal bylaws, and it shall adopt those policies, procedures and rules it deems essential to the conduct of chapter matters.
- B. Chapters may not charge dues to their members.

ARTICLE IX – PARLIAMENTARY AUTHORITY

The rules contained in Robert’s Rule of Order, Newly Revised shall govern the Council in all cases to which they are applicable and in which they are not inconsistent with the Bylaws of the Council.

ARTICLE X – AMENDMENTS

SECTION 1. AMENDMENT PROPOSALS

Amendments may be proposed by any individual or group of the Council, in accordance with the provisions of the standing rules.

SECTION 2. AMENDMENT NOTIFICATION

Notice of proposed amendments to the Bylaws must be given at least fourteen (14) calendar days before the Delegate Assembly.

SECTION 3. AMENDMENT VOTE

These Bylaws may be amended, after previous notice has been provided, by a two-thirds (2/3) vote of the Delegate Assembly members present and voting at any regular or special meeting of the Delegate Assembly, in accordance with the provisions of the standing rules