

MENDOCINO COLLEGE PART-TIME FACULTY ASSOCIATION (MPFA)
CONSTITUTION AND BY-LAWS
Revised March 2021

I. NAME AND LOCATION

The name of the Association shall be the Mendocino College Part-Time Faculty Association/CCA/CTA/NEA in Mendocino/Lake Counties.

II. PURPOSE

The primary purpose of this Association shall be:

- A. To represent its members in their relations with their employer as the exclusive representative of part-time, certificated employees in all matters relating to employment conditions and employer- employee relations, including, but not limited to, wages, hours, and other terms and conditions of employment;
- B. To form a representative body capable of developing group opinion on professional matters to speak with authority for part-time certificated employees;
- C. To provide a means of representation for its ethnic/minority members;
- D. To provide an opportunity for continuous study and action on problems of the profession;
- E. To promote professional attitudes and ethical conduct among members;
- F. To encourage cooperation and communication between the profession and the community; and
- G. To foster good fellowship among members.

III. AFFILIATION WITH THE UNITED EDUCATION PROFESSION (UEP)

- A. The Mendocino Part-Time Faculty Association shall be a chartered chapter of the CCA/CTA.
- B. The Mendocino Part-Time Faculty Association shall be a chartered chapter of the National Education Association (NEA).

IV. MEMBERSHIP

- A. Active membership shall be open to any person who has held a part-time, certificated position within the previous twelve (12) months at Mendocino College, and whose primary assignment is such as not to hold supervisory responsibility over other certificated employees to such an extent as not to be represented in the negotiations process by the part-time faculty bargaining unit.
- B. Associate membership shall be open to any person who is interested in advancing the cause of public education but who is not eligible for active membership in the Association.
- C. Membership may be granted upon initiation of payroll deduction or upon voluntary payment of appropriate dues.
- D. The right to vote and to hold elective office or appointive position within the Association shall be limited to Active Members.
- E. Active members shall be eligible to vote in all elections, hold elective office, appointive positions, receive special services, obtain assistance in the protection of professional and civil rights, and receive reports and publications of the Association.
- F. An individual who is serving as a negotiator for a public-school employee shall not be eligible for membership in the Association.

- G. Active members shall adhere to The Code of Ethics of the Education Profession.
- H. The rights to and privileges of membership shall not be abridged in any way because of age, sex, gender, race, color, ethnic group, marital status, national origin or sexual orientation.
- I. No member of the Association may be disciplined without a due process hearing which shall include the established appellate procedure.
- J. The membership year shall be that period of time from September 1 of any given calendar year through August 31 of the following calendar year inclusive.

V. DUES, FEES, AND ASSESSMENTS

- A. The basic dues level for Active members shall be sufficient to cover the operating expenses of the Association, the dues of CTA, and the dues of NEA.
- B. The Association's portion of the basic dues shall be reviewed and established by the Executive Board annually.
- C. Annual dues will be apportioned and paid through monthly payroll deductions. An Active member who is not on payroll may make full payment for the entire year and is due by October 31 each calendar year.

VI. POLICY-MAKING BODY

- A. The policy-making body of the Association shall be the Executive Board. The Executive Board, comprised of members of the Association, derives its powers from and shall be responsible to the membership.
- B. The general membership of the Association shall meet a minimum of two (2) times each year; the time and place of such meetings to be decided by the Executive Board.
- C. The following issues are subject to a vote of the general membership:
 - 1. Election of officers:
 - 2. Adoption of/amendment to the Constitution and Bylaws;
 - 3. Change in affiliation; and
 - 4. Ratification of yearly contract negotiations.

All other policy issues are within the purview of the Executive Board.

- D. Any issue within the purview of the Executive Board may be submitted to an election of the general membership on receipt of a petition containing signatures of at least twenty percent (20%) of the Active Members.
- E. Any matter shall be deemed approved upon receiving a majority of votes cast by the general membership or by the Executive Board.
- F. Elections may be held during a regular meeting of the general membership, by CTA approved online system, or by mailed ballot.

VII. OFFICERS

- A. The officers of the Association shall be a President, a Vice-President, a Secretary, and a Treasurer.
- B. These officers shall be and remain Active members as a condition for nomination to and service in their respective positions during their terms of office.
- C. These officers shall be elected with open nominations and by secret ballot.
- D. Officers shall be elected for a term of one year, commencing on June 1 of any calendar year.

- E. A vacancy shall be deemed to exist in the case of death, resignation, or inability to serve in any of the offices of the Association. In the event of a vacancy occurring in the office of the President, the Vice-President shall assume the office. In the event a vacancy occurs in the other offices, the Executive Board shall appoint a successor to complete the term of office.
- F. The President shall be the chief executive officer of the Association and its policy leader. The President or his/her designee shall:
1. Preside at all meetings of the Association and the Executive Board;
 2. Prepare the agenda for the meetings of the Association and the Executive Board;
 3. Be the official spokesperson for the Association;
 4. Be familiar with the governance documents of the Association, CCA, CTA, and NEA;
 5. Appoint all chairpersons, committee representatives, and members of the bargaining team, with the advice and consent of the Executive Board, except as otherwise stated in these bylaws;
 6. Call meetings of the Executive Board;
 7. Suggest policies, plans, and activities for the Association and be held responsible for the progress and work of the Association;
 8. Attend or designate a representative to attend meetings of the Service Center Council of the Association; and
 9. Attend or designate a representative to attend other CCA/CTA/NEA meetings as directed by the membership.
- G. The Vice-President shall:
1. Serve as assistant to the President in all duties of the President;
 2. Assume the duties of the President in the absence of the President;
 3. Be responsible for the formation and distribution of the Association's calendar of activities; and
 4. Attend District Board of Trustee meetings.
- H. The Secretary shall:
1. Keep a careful and accurate record of the proceedings of each meeting, regular or special, of the Association and of the Executive Board;
 2. Be responsible for the distribution and posting of minutes, notice of
 3. All meetings, and agendas for all meetings to the members;
 4. Prepare ballots for election of officers and such other elections as may be necessary; and
 5. Carry on the correspondence pertaining to the affairs of the Association as directed by the president.
- I. The Treasurer shall:
1. Receive all funds belonging to the Association and be responsible for their safekeeping and accounting;
 2. Pay out such funds upon orders of the President;
 3. Provide a written report on the financial status of the Association at each Association meeting;
 4. Be responsible for an annual audit of the books of the Association and distributing a summary of this audit to the membership;
 5. Maintain an accurate roster and mailing list of membership of the Association; and
 6. Be responsible for submitting membership and financial reports to CCA/CTA/NEA, and other agencies as required by law.

VIII. EXECUTIVE BOARD

- A. The Executive Board shall be composed of the elected officers of the Association and three (3) at-large representatives of the Association general membership.
- B. The Executive Board shall meet prior to each regular meeting of the Association and such other times as the President may deem necessary.
- C. Times and places of Executive Board meetings shall be posted; these meetings shall be open to the general membership.
- D. The Executive Board shall:
 - 1. Coordinate the activities of the Association;
 - 2. Recommend a budget for the Association to the membership;
 - 3. Direct the bargaining activities of the Association, subject to the policies established by the membership;
 - 4. Approve all appointments to committees;
 - 5. Serve as an election committee for all elections other than those for officers;
 - 6. Appoint a nominating committee for the election of officers;
 - 7. Adopt grievance procedures;
 - 8. Direct the grievance procedures of the Association; and
 - 9. Perform all other activities necessary to the effective operation of the Association.
 - 10. A quorum for meetings of the Executive Board shall be five.

IX. BARGAINING

- A. The President shall appoint all members and the chairperson of the Bargaining Team with the concurrence of the Executive Board.
- B. Members of the Bargaining Team may be removed with a two-thirds (2/3) vote of the Executive Board.
- C. The Bargaining Team shall be under the direction of the Executive Board and shall report to the Executive Board as the Board requires.
- D. The Bargaining Team is empowered to reach tentative agreements with the District, subject to ratification by the membership.

X. GRIEVANCE PROCESSING

- B. The Executive Board shall adopt Standing Rules setting forth the procedures for grievance processing.
- C. These procedures shall include, but not be limited to, the following:
 - 1. Provide for representation to assist all members of the bargaining unit in processing grievances.
 - 2. Training for handling grievances; and
 - 3. Evaluation of the Association's grievance policies and procedures.

XI. NOMINATIONS AND ELECTIONS

- A. Notification of offices open for election, nomination of members, and election timelines shall be distributed to all members and posted in all customary and appropriate locations.
 - 1. Any Active member, at his/her request, shall have his/her name placed upon the ballot for an office of the Association.
 - 2. The name of any Active member may be placed in nomination by another member, with the consent of the nominee.
- B. Election of officers of the Association shall be conducted by mail, or by CTA approved online system.
- C. Voting shall be by secret ballot.

- D. The Executive Board shall appoint an election committee to conduct the election of officers.
- E. All other elections, such as, but not limited to, representatives to CTA State Council, NEA Delegates, and contract ratification shall be conducted by the Executive Board.

XII. RECALL ELECTIONS

- A. A recall of any person in an elective position may be initiated by a petition signed by one-third (1/3) of the Active membership of his/her particular constituency. As statement of the reasons for the proposed recall shall part of the recall petition.
- B. Each person named in the recall petition shall have the right to make rebuttal statement which shall be distributed to his/her constituency at least seven (7) days before the recall election. C. Recall elections shall be by secret ballot.

XIII. PARLIAMENTARY AUTHORITY

- C. These Bylaws may be amended by a simple majority (1/2 + 1) vote of the members at any regular or special meetings of the Association, or by CTA approved online system provided notice in writing of a proposed bylaw amendment shall have been submitted to the Secretary and made available to all Association members.
- A. Matters not covered by specific provisions of the Constitution and By-laws shall be governed by *Robert's Rules of Order, Newly Revised*, latest edition.