

BYLAWS

GONZALES TEACHERS ASSOCIATION/CTA/NEA

NAME AND LOCATION

The official name of this Association shall be the Gonzales Teachers Association/CTA/NEA in Monterey County.

PURPOSES

The primary purpose of this association shall be:

- A. To represent its members in their relations with their employer, and to seek to be the exclusive representative of appropriate units of school 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 members;
- C. To provide an opportunity for continuous study and action on problems of the profession;
- D. To promote cooperation and communication between education support professionals and certificated educators;
- E. To provide a means of representation for its ethnic-minority members;
- F. To promote professional attitudes and ethical conduct among members;
- G. To encourage cooperation and communication between the profession and the community; and
- H. To foster good fellowship among members.

AFFILIATION WITH CTA/NEA

- A. The Gonzales Teachers Association shall be a chartered chapter of the California Teachers Association (CTA).
- B. The Gonzales Teachers Association shall be an affiliate local association of the National Education Association (NEA).

MEMBERSHIP

- A. The primary category of membership shall be Active members.¹
- B. Active membership shall be open to any person who is engaged in or who is on limited leave of absence from professional educational work, is an employee of Gonzales Unified School District, and whose primary assignment is such as not to hold evaluative responsibility over other employees to such an extent as not to be represented in the negotiations process by the bargaining unit.

¹ If it is necessary to meet local needs, see page 12 of the *CTA Requirements for Development of Bylaws* for additional membership categories.

- C. Membership may be granted upon initiation of payroll deduction or upon payment of annual Association/CTA/NEA dues.
- D. The right to vote and to hold elective office or appointive position within the Association shall be limited to Active members.
- E. Members shall receive special services, obtain assistance in the protection of professional and civil rights, and receive reports and publications of the Association.
- F. Active members shall adhere to The Code of Ethics of the Education Profession.²
- G. The rights to and privileges of membership shall not be abridged in any way because of age, sex, race, color, ethnic group, marital status, national origin or sexual orientation.
- H. No member of the Association may be disciplined by the chapter without due process. Due process includes the right to select representation, to present evidence on his/her behalf, to confront and cross-examine his/her accuser and any other witnesses against him/her, and to examine and refute all evidence considered by the hearing panel, whether or not such evidence is presented at a hearing. The member has the right to appeal the decision of the hearing panel to the governing body.
- I. 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.³
- J. Unless otherwise expressly provided by law, persons who tender agency fees shall have no rights or privileges within this Association.

DUES, FEES, AND ASSESSMENTS

- A. The basic annual dues level for Active members, and representation fee for non-members represented in the bargaining unit, shall be sufficient to cover the operation expenses of the Association, the dues of CTA, and the dues of NEA.
- B. The Association's portion of the basic annual dues, and the representation fee for non-members, shall be established by action of the active membership of the Association at the last regular meeting of the school year.
- C. The Association shall apportion any negotiated representation fee on the same percentage basis as the full Association/CTA/NEA dues.
- D. Membership shall be continuous after initial enrollment until delinquent or until a change in professional status shall make the member ineligible for membership. If by October 31 of any calendar year a member has neither paid the established annual membership dues for the current membership year, nor made satisfactory arrangements for payment, then that person's membership shall be considered delinquent and the name dropped from the rolls.

POLICY-MAKING BODY

- A. The policy-making body of this Association shall consist of the Active members of the Association.
- B. The Association shall meet a minimum of nine times a year; the time and place of such meetings to be decided by the Executive Board.

² Code of Ethics of the Education Profession can be found in the CTA Organizational Handbook.

³ Conforms with CTA and NEA's membership year.

- C. Special meetings of the Association may be called by the President or by petition containing the signatures of twenty percent (20%) of the Active membership.
- D. Special meetings of the Association shall be called for a specific purpose and no business other than that for which the meeting is called may be transacted.
- E. Notices and agendas for all meetings shall be posted in the building(s) at least two days prior to the date of the meeting.
- F. For emergency meetings during crisis situations, the Executive Board shall adopt procedures to notify members of the meeting dates, places, and times.
- G. The budget of the Association shall be adopted by the Active membership on or before the first regular meeting of the school year.
- H. Grievance procedures shall be approved by the Active membership.
- I. A quorum for all meetings of the Association shall consist of a majority of all Active members.

OFFICERS

- A. The officers of the Association shall be a President, a Vice-President, a Secretary, and a Treasurer⁴.
- B. These officers shall be and remain currently paid-up local, state, and national (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 by and from the Active membership of the Association. Such election shall be by open nominations and secret ballot.
- D. These officers shall be elected for a term of one year, commencing on the May General Meeting of any calendar year.⁵
- 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 a vacancy occurs in the office of the President, the Vice-President shall assume the office. In the event a vacancy occurs in the other offices, a special meeting of the Association shall be called to elect a successor.
- F. The President shall be the chief executive officer of the Association and its policy leader.

The President 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, CTA, and NEA;
5. Appoint all chairpersons and members of committees with the approval of the Executive Board at the beginning of each school year;

⁴Some chapters may prefer to have both a Secretary and a Treasurer; some may prefer a Secretary/Treasurer or some may prefer a Vice-President/Treasurer and a Secretary. If so, change: Articles VII-A; E; G; H, and I appropriately.

⁵ If terms are longer than a year or multiple year terms, detail which offices are elected in even or odd-numbered years.

6. Appoint the chairperson and members of the Bargaining Team with the approval of the Executive Board at the beginning of each school year;
7. Call meetings of the Association and the Executive Board;
8. Propose the procedures for grievance processing for ratification by the Executive Board and the Active membership of the Association;
9. Suggest policies, plans and activities for the Association and be held responsible for the progress and work of the Association;
10. Attend meetings of the Service Center Council of which the Association is a part; and
11. Attend other 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. Serve as coordinator of committee activities at the direction of the President.

H. The Secretary shall:

1. Keep a careful and accurate record of the proceedings of each meeting, regular or special, of the Association and the Executive Board;
2. Be responsible for the distribution of minutes, notice of meetings, and agendas for all meetings to the members;
3. Maintain an accurate roster of the membership of the Association and of all committees; and
4. 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 and at each Executive Board meeting;
4. Be responsible for an annual audit of the books of the Association and distribute a summary of this audit to the membership; and
5. Be responsible for submitting membership and financial reports to CTA, NEA, and other agencies as required by law.

EXECUTIVE BOARD

- A. The Executive Board shall be composed of the elected officers of the Association.⁶
- B. All members of the Executive Board shall be and remain currently paid-up local, state, and national (Active) members as a condition for nomination to and service in this position.
- C. The Executive Board shall meet prior to each regular meeting of the Association and at such other times, as the President may deem necessary, or upon written petition of a majority of the members of the Executive Board, to conduct the business of the Association between meetings of the Active members of the Association.
- D. The duties and responsibilities of the Executive Board are:
 - 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 Active membership;
 - 4. Approve by majority vote all appointment and removal of committee, members, including chairpersons;
 - 5. Approve by majority vote appointment and by two-thirds (2/3) vote removal of bargaining team members;
 - 6. Adopt grievance procedure;
 - 7. Direct the grievance activities of the Association;
 - 8. Adopt the local Standing Rules for the Association; and
 - 9. Exercise all the business and organizational powers and duties for the Association as prescribed by law and these bylaws, subject to any restrictions that may be imposed by the Active members of the Association.
- E. A quorum for meetings of the Executive Board consists of a majority of the elected members of that body.

BARGAINING TEAM

- A. The duties of the Bargaining Team are to represent and to bargain for all bargaining unit members.
- B. The President shall appoint all members, alternates, and the chairperson of the Bargaining Team with the concurrence of the Executive Board.

⁶ If the chapter wants to include others, please detail the positions and their respective constituencies. If all are elected by the members at-large, then "one person – one vote" is met. If they are elected by the constituencies, then each seat must be proportional to the number of members represented. For example, a chapter with 300 elementary school members electing two (2) elementary level representatives and 150 middle school members electing one (1) middle level representative would meet "one person – one vote."

If you have members at-large, then add the following language under section A:

- 1. The at-large members of the Executive Board shall be elected with open nominations and by secret ballot.
- 2. The at-large members of the Executive Board shall be elected for a term of ____year(s), commencing on _____ of any calendar year.
- 3. Vacancies in the position of at-large members of the Executive Board shall be deemed to exist in the case of death, resignation, or inability to serve in this position. If there is a vacancy occurring in this position, a special election to fill the vacancy shall be held within thirty days.

- C. Vacancies created by resignation or inability to serve shall be filled by the Executive Board from the list of alternates
- D. The Executive Board, by a two-thirds (2/3) vote, may remove a member of the Bargaining Team.
- E. Responsibility and authority for directing the bargaining process on behalf of the Association are vested in the Executive Board subject to policies established by the active membership. The Executive Board is distinct from the Bargaining Team.⁷
- F. Employees in each appropriate bargaining unit shall be surveyed to determine contents of the proposed contract demands, and the contract proposal for each appropriate unit shall be approved by Association members in that unit.
- G. The Bargaining Team shall report its activities to the Executive Board as the Board requires.
- H. The Executive Board shall provide for the dissemination of information regarding bargaining and the activities of the Bargaining Team to the Active members of the Association.
- I. The Bargaining Team is empowered to reach tentative agreements with the district. Such agreements shall be considered tentative and not binding upon the Association until such agreements have been ratified by the membership in the appropriate unit(s) unless such ratification shall have been specifically waived or otherwise delegated by that active membership.

GRIEVANCE PROCESSING

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

NOMINATIONS AND ELECTIONS

The chapter shall follow and members are entitled to the rights contained in the *CTA Requirements for Chapter Election Procedures* published annually with the *CTA Elections Manual*.

The chapter president must provide all Active members an opportunity to vote. Chapter presidents do NOT have the option of deciding that such elections shall not be held.⁸

⁷ The Executive Board must be separate from the Bargaining Team to avoid Duty of Fair Representation issues being raised.

⁸ Except for NEA-RA Local Delegate elections where, following a period of open nominations, voting may be waived if the number of candidates is equal to or less than the number of positions to be filled and the affiliate has adopted a governing provision or election policy allowing such a practice.

The following is sample language for the provision for chapters utilizing the option to waive the ballot: *The association may waive the ballot and the candidates declared elected if, following a period of open nominations, the number of candidates is equal or less than the number of delegate positions to be filled. N.B.* This election practice will not generate successor delegates unless the nomination process requires candidates for both regular and successor delegate positions.

- A. The Elections Committee and Chairperson shall be appointed by the president and approved by the Executive Board to which it is responsible at the beginning of each school year. The duties of the Elections Committee shall be to:
 - 1. Ensure that all Association/CTA/NEA election codes and timelines are followed;
 - 2. Establish election timelines;
 - 3. Develop and carry out timelines and procedures;
 - 4. Prepare ballots for election of officers and such other elections as may be necessary;
 - 5. Count the ballots and certify the results; and
 - 6. Handle initial challenges.
- B. Elections shall be conducted with:
 - 1. Open nomination procedure;
 - 2. Secret ballot;
 - 3. All Active member vote;
 - 4. Record of voters receiving or casting ballots; and
 - 5. Majority vote, unless otherwise specified.
- C. State Council Representative elections shall be conducted in accordance with CTA rules after the chapter or service center council has been notified to do so by the CTA Elections and Credentials Committee.
- D. NEA State Delegate elections shall be conducted in accordance with CTA/NEA rules.
- E. NEA Local Delegate elections shall be conducted in accordance with CTA/NEA rules.

COMMITTEES

- A. Committees, except as otherwise provided in these bylaws, may be established and discontinued by the Executive Board, subject to approval by the general Active membership.
- B. Each committee shall submit periodic reports to the Executive Board and the general Active membership.

PARLIAMENTARY AUTHORITY

Robert's Rules of Order, Newly-revised, latest edition, shall be followed at all meetings of the Association.

AMENDMENTS

These Bylaws may be amended by a two-thirds (2/3) vote of the Active members at any regular or special meeting of the Association provided notice in writing of a proposed bylaw amendment shall have been submitted to the Secretary (Secretary-Treasurer) and made available to all Active members at the meeting preceding the one at which it is to be voted upon.