

Bylaws of the Monroe 2-Orleans BOCES United Professionals (B2UP)

I. NAME:

This organization shall be known as the Monroe 2-Orleans BOCES United Professionals (B2UP).

II. MEMBERSHIP:

A. Active Members:

1. Persons become eligible for membership with voting rights upon completion of signed membership application with the following exceptions:
 - 1.) Individuals who have willingly withdrawn from B2UP membership AND who have applied for reinstatement will not be granted rights or be eligible for elective office until the following school year after their reinstatement of active status.
 - 2.) Individuals who have not signed a membership application after initial hire date at the Monroe 2-Orleans BOCES will not be granting rights or be eligible for elective office until the following school year after their enrollment with the B2UP.
2. The annual dues will be paid through payroll deduction.
3. The dues for Active Members who are employed less than full-time will be prorated based on member FTE status.
4. Active membership shall be continuous until the member leaves Monroe 2-Orleans BOCES, or resigns from the association in writing.
5. Active members of the Association shall also be members of the B2UP state and national affiliate(s).
6. Membership shall be maintained through the payment of all required dues.
7. All active members shall have equal rights and privileges to nominate candidates to hold office, to vote in elections or referendum, to attend membership meetings, and to participate in deliberations and voting upon the business of the organization.

B. Bargaining (Active) Unit Member on Authorized Leave of Absence:

1. Should an Active Member incur a break in service due to personal leave, the B2UP will offer the active member an Associate membership dues structure (if membership dues are not paid in full) as outlined by NYSUT guidelines.
 - 1.) Upon payment of such dues, that individual shall maintain active membership with no exceptions.
 - 2.) During unpaid authorized leave of absence, the B2UP will cover the cost of the members' dues for one month. After the month, the member on leave shall make payment of dues to stay active within B2UP and its affiliates.

- 3.) If no payment is made, the B2UP will follow current NYSUT guidelines to determine whether the active member would then be considered a non-member and subject to exceptions listed in "E" below.

C. Special (Retiree):

1. Membership Coordinator will notify the B2UP Affiliated Retiree Group of the member's name, address, email address, and phone number (if available) when member retires from Monroe 2-Orleans BOCES.

D. Suspended Member:

1. Should an individual incur a break in service due to personal leave, the B2UP will offer the active member an Associate membership dues structure as outlined by NYSUT Guidelines.
 - 1.) Upon payment of such dues that individual shall be considered an active member with no exceptions.
 - 2.) If no payment is made, after one hundred eighty (180) calendar days, the active member would then be considered a non-member and subject to exceptions listed in #5 below.
2. Shall have no right or privilege to participate in any election, nor will they be entitled to receive any NYSUT services as defined by NYSUT policies pertaining to non-membership of April 15, 2018 and September 14, 2018. Neither a Suspended member nor a non-member is considered to be "in good standing."

E. Non-Member:

1. Any individual who has not submitted a membership enrollment form to become a member of the B2UP and its affiliates.
2. Member leaves Monroe 2-Orleans BOCES or resigns from the association in writing.
3. Shall have no rights or privileges to participate in any election, nor will they be entitled to receive any NYSUT services as defined by NYSUT policies pertaining to non-membership of April 15, 2018 and September 14, 2018. Neither a Suspended member nor a Non-Member is considered to be "in good standing" with the B2UP and NYSUT.

III. OFFICERS:

Any active Member is eligible for election to an office after receiving tenure at the Monroe 2-Orleans BOCES and a minimum of two (2) years working as part of the B2UP Executive Board.

A. Duties of the Officers:

A. The President(s) shall:

1. Be chief Executive Officer of the Executive Board.
2. Administer all affairs and execute all policies of the B2UP.
3. Preside at all meetings of the Executive Board and general membership.
4. Represent the B2UP with all external groups or designate a representative.

5. Appoint and establish the function of all committees with the approval of the Executive Board and consistent with B2UP policies and guidelines.
 6. Call regular and special meetings of the Executive Board, Officers Steering Committees, and general membership and ad hoc as needed.
 7. Appoint members of the Executive Board to serve on the liaison to the Monroe 2-Orleans BOCES Administration and other committees/groups as needed.
 8. Be the facilitator/co-facilitator for all negotiations preparation/committee.
 9. Work with Membership Chairperson to update changes in membership to the B2UP general distribution list (for all communication modalities utilized) and convey this information to the appropriate representative.
 10. Prepare and present an agenda for the monthly Executive Board Meeting
 11. Interconnect with NYSUT Labors Relations Specialist (LRS)
 12. Participate in representation meetings as needed or per request.
 13. Fulfill all other duties as assigned by the President(s) or Executive Board.
- B. The Vice President(s) shall:
1. Assume all duties and responsibilities of the President(s) in his/her (their) absence and shall perform such other duties as the President(s) may designate and not limited to or restricted to these duties.
 2. Participate in representation meetings as needed or per request.
 3. Interface with Monroe 2-Orleans BOCES Administrative Staff.
 4. Interconnect with NYSUT Labor Relations Specialist (LRS)
 5. Participate in upper administration liaison meetings, Special Education Liaison, CTE Meetings as needed, Round Robin Meetings with Supervisors as assigned and as needed.
 6. Be the facilitator/co-facilitator for all negotiations preparation/committee.
 7. Be the Lead Facilitator for all grievances.
 8. Fulfill all other duties as assigned by the President(s) or Executive Board.
- C. The Treasurer shall:
1. Manage the funds of the B2UP and disburse in the accordance with fiscal guidelines
 2. Participate in representative meetings as needed or per request
 3. Be appropriately trained and proficient in the use of the current fiscal software.
 4. Maintain orderly fiscal accounting and report at each monthly scheduled Executive Board meeting.

5. Prepare a budget for the upcoming year to be reviewed and voted on by the Executive Board by September 1
6. Prepare an annual financial statement that meets the demands of the audit process as directed by the Executive Board by February 28th
7. Coordinate the audit committee to be approved by the Executive Board and have completed by February 28th.
8. Fulfill all other duties as assigned by the President(s) or Executive Board.

D. The Recording Secretary shall:

1. Keep accurate minutes of all meetings of the Executive Board and General Membership and send to the Technology Coordinator to put on the B2UP website and social media account(s).
2. Disseminate draft minutes to the Executive Board in a timely manner
3. Participate in representative meetings as needed or per request
4. Shall be the Election Committee Chair and facilitate the election process in years not up for election
5. Shall preserve all election records, including ballots, for a period of one (1) term.
6. Fulfill all other duties as assigned by the President(s) or Executive Board.

E. The Corresponding Secretary shall:

1. Disseminate notices directly related to the B2UP business.
2. Shall be the Election Committee Chair and facilitate the election process in years not up for election
3. Check the B2UP PO Box regularly.
4. Keep a record of all correspondence sent (via email, hard copy, etc.)
5. Review and prioritize mail for dissemination of information to the Executive Board and/or the general membership such as job postings, trainings, promotion.
6. Coordinate with the Newsletter/Out-Reach Standing Committee.
7. Establish and maintain a database that provides generation of mailing labels.
8. Participate in representative meetings as needed or per request
9. Shall preserve all election records, including ballots, for a period of one (1) term.
10. Fulfill all other duties as assigned by the President(s) or Executive Board.

F. Membership:

1. Within the month of September review and update membership lists based on information obtained from the Monroe 2-Orleans BOCES Administration.

Information shall be forwarded to the Corresponding Secretary and President(s).

2. Provide monthly updates of membership changes to the Corresponding Secretary and President(s).
3. Provides information to each new hire regarding enrollment for membership in the B2TA.
4. Communicate with non-members regarding membership in the B2UP.
5. Communicate with Members At-Large/Representative(s) as needed to facilitate membership.
6. Fulfill all other duties as assigned by the President(s) or Executive Board.

IV. EXECUTIVE BOARD:

- A. The Executive Board shall be composed of the duly elected officers, At-Large Representatives, and Coordinators. Only active members can serve on the Executive Board.
- B. The Executive Board has a fiduciary responsibility to their membership.
- C. The Executive Board shall:
 - A. Expected to volunteer personal time each month to facilitate the business of the B2UP.
 - B. Appoint and approve person to manage social media accounts.
 - C. Establish the salary, benefits and expense guidelines of any general officer who is employed by the organization.
 - D. Be empowered to make contracts and incur liabilities including the purchase of services, equipment and real property, to borrow money, to secure such obligations by mortgage or other instrument, and to otherwise engage in financial transactions to the extent permitted by applicable law or statute. The Executive Board shall have the power to sue, complain and defend on behalf of the membership.
 - E. Ensure that an annual financial report and an audit/internal financial review is available to the membership upon request.
 - F. Ensure that an audit/review by an independent accounting professional or an internal financial review conducted by a committee of at least two (2) members who do not sit on the Executive Board and is available to the membership annually.
 - G. Ensure that an annual budget is adopted, in collaboration with the Treasurer, by the Executive Board/Membership no later than September 1 annually.
 - H. Implement an Investment Policy determining acceptable types of investments, maturity timeframes, and number of commercial banking relationships with assessments of these relationships based on periodic rating by an independent ratings service.
 - I. Establish a fiscal year for the local, which shall commence September 1 and end August 30.
 - J. Interpret the Constitution and By-Laws.

- K. Act on policy matters for the organization between the meetings of the general membership.
- L. Make policy recommendations to the membership for their consideration.
- M. Approve committee appointments.
- N. Serves to hear appeals from members regarding decisions by the Grievance Committee.
- O. Participate in representative meetings as needed or per request.
- P. Fulfill other duties as assigned by the President(s) or Executive Board.

V. MEMBERS AT-LARGE OF THE EXECUTIVE BOARD:

A. Representatives and Coordinators:

- 1. Act as liaisons between the membership and the Executive Board.
- 2. Communicate with the membership.
- 3. Participate in monthly Executive Board Meetings; attend Steering Committee meetings as requested; and, contribute to Standing Committees.
- 4. Schedule Regular monthly "Round Robin Meetings" with the assigned Administration personnel. Personnel issues that occur should then be reviewed with the Steering Committee. Issues that occur which effect policy should be reviewed with the entire Executive Board.
- 5. Expected to volunteer personal time each month to facilitate the business of the B2UP.
- 6. Participate in representative meetings as needed or per request.
- 7. After each election, one At Large Representative will be selected and approved as the grievance coordinator.
- 8. Fulfill all other duties assigned by President(s) or Executive Board.

B. Public Relations Coordinator:

- 1. Develop and coordinate activities/events that promote awareness and positive interaction with the membership.
- 2. Coordinating with the Corresponding Secretary to facilitate creation of the Newsletter at least two times a year.
- 3. Fulfill all other duties as assigned by the President(s) or Executive Board.

C. Political Actions Coordinator

- 1. On-going awareness of local, national and state legislation affecting the interest of B2UP membership.
- 2. Forward pertinent information to the Corresponding Secretary, Technology Coordinator, and Social Media Manager for the dissemination to the General Membership.

3. Utilize resources (i.e. Political Action Committee [PAC] at NYSUT, Lobby Day, etc.) available through national, state and local affiliates to disseminate to our local B2UP.
4. Recommend to the Executive Board political activities, which may entail involvement of the B2UP.
5. Maintain direct contact with Regional Political Organizer at NYSUT.
6. Report monthly to the Executive Board on the most relevant local, state and national political topics affecting the B2UP.
7. Fulfill all other duties assigned by President(s) or Executive Board.

D. Technology Coordinator:

1. Establish and maintain a B2UP web site.
2. Facilitate web-based communication with the B2UP affiliates.
3. Assist the Corresponding Secretary in establishing and maintaining electronic databases.
4. Assist the Social Media Manager with digital/technology support as the need arises or as determined by the Executive Board.
5. Fulfill all other duties as assigned by the President(s) or Executive Board.

VI. STANDING COMMITTEES AND STEERING COMMITTEES:

A. Standing Committees

1. Negotiations
2. Audits
3. Elections

B. Steering Committees/Ad Hoc

1. Will be convened at the request of the President(s) and/or Executive Board.

VII. ELECTIONS:

A. Nominations:

1. Any member in good standing with tenure at the Monroe 2-Orleans BOCES is eligible for nomination for the Executive Committee.
2. Any Call for Nominations should include the following:
 - 1.) A list of open positions.
 - 2.) A list of the Term of Office.
 - 3.) Position Description.
 - 4.) Time frame for Nominations to be returned.
 - 5.) Time frame within which elections will be held after nominations are completed.

3. OPEN POSITIONS/UNFILLED POSITIONS:

- a. In the event that an Executive Board Member is unable to complete his/her term, a recruiting effort will be made in an attempt to fill any open position(s) within fifteen (15) days.
 - b. In the event that no one is nominated for an open Officer position, the Executive Board has the right to waive the two (2) year restriction of prior Board service for an Active Member with tenure.
4. Any member with a minimum of two (2) years on the Executive Board is eligible for nomination to an officer position.

B. Negotiations

1. Negotiations are typically conducted in the last year of the current contract unless another time is agreed upon between the B2UP President(s) and Administration.
2. The Executive Board will work with NYSUT LRS to create a survey to send out prior to the negotiating year for all Active Members to complete.
3. The Pre-Negotiations Committee
 - a. The Corresponding Secretary will send an email to membership seeking those interested in participating on the Pre-Negotiation Committee.
 - b. The Pre-Negotiation Committee members will be chosen from those who showed interest. One representative from each department under the contract will be selected to participate in the committee. Exceptional Children may have a representative from the pre-school/primary, intermediate, middle, and high school areas. (Examples: CTE, BOCES 4 Science, CIPD, CaTS, MAARS, Westside, RBERN, Exceptional Children teacher and related service.)
 - c. Will convene in September of the last year of the current contract.
 - d. Will review and analyze the survey and comprise a report of the needs/wants of the membership to assist the Negotiation Team in developing proposals by November of the negotiating year.
 - e. The Pre-Negotiations Committee dissolves once a report is completed.
4. Negotiation Team may be comprised of the President(s), Vice President(s), and up to three (3) other members from the Executive Board.
 - a. One member of the Negotiation Team will be an observer/notetaker. They will observe the process, take notes during meetings with administration, and discuss proposals during a caucus. They will not be a voting member within the negotiation process in determining a tentative agreement.
 - b. They are responsible for using the Pre-Negotiation Committee's report to build proposals that benefit the overall B2UP membership.
 - c. They will meet regularly with the administration to reach a tentative agreement prior to the expiration of the current contract period.
5. Action Committee will be comprised of an Executive Board member and active B2UP members. The committee will meet as needed during negotiations to bring support

and unity of the membership with the Negotiation Team by developing events and/or activities for membership to engage in.

C. ELECTIONS:

1. Elections are conducted by secret ballot and/or electronic version, no earlier than May 1 and no later than June 1. Majority is based on ballots casts.
2. Written notice announcing the time and place of in-person elections or when the electronic voting will start, shall be sent to each member in good standing.
3. Accommodations for an Absentee Ballot shall be made by request if their duties, occupation, business or vacation causes them to be absent from the date of elections.
4. The Elections Committee will conduct elections of positions within the Executive Board in the following manner:
 - a. Publicize elections and procedures for declaring candidacy.
 - b. Collect Declaration of Candidacy forms, in-person or electronically.
 - c. Review and submit revisions to the campaigning guidelines.
 - d. Compile a list of candidates, which will be sent to B2UP active members electronically, no later than five (5) days prior to the election.
 - e. The Election Representative will conduct the election in accordance with the guidelines developed by the Election Committee and ratified by the B2UP active members.
 - f. Prepare and print a ballot, approved by the B2UP Executive Board, listing the candidates' names and work location.
 - g. The locked election box will be kept in the B2UP Office in between in-person votes.
 - h. Tabulate the ballots at a specified location and at a specified time.
 - i. Inform candidates of their right to have an observer present during the tabulation of the ballots. The observer must be an Active Member, as defined in the Constitution Article IV, A 1, and in good standing within the B2UP.
 - j. Report to the general membership the results of an uncontested election within three (3) days.
 - k. Deliver to the Association office all ballots, marked and unmarked, which shall be kept sealed to all but the Election Committee for a period of thirty (30) school days, for the purpose of potential challenges, after which they will be kept with other election records for a period of one (1) term.
5. Declaration of Candidacy
 - a. A candidate for elective office must be an Active member of the B2UP as defined by Constitution Article IV, A 1 and 2.

- b. B2UP members who wish to run for elective office must submit a Declaration of Candidacy form to the Election Committee no later than ten (10) school days prior to an Election, in order to have their names placed on the ballot.
- c. There will be no limit on the number of candidates for any office.

6. Campaign Guidelines

All candidates have the right to:

- a. Complete Campaign Form
- b. Submit campaign form to the Election Committee for approval by and dissemination only through the B2UP email and/or B2UP social media to the Active Members of the Association.
 - 1.) Campaign for Executive Board positions must be free of B2UP and Monroe 2-Orleans BOCES time and resources.
 - 2.) Candidates shall remain respectful towards other candidates running in election and not use slander or other negative means to win votes. If violated, person shall be removed from the ballot.

7. Voting Procedures

- a. Written notice announcing the time and place of in-person elections or when the electronic voting will start, shall be sent to each member in good standing.
- b. Elections are conducted by secret ballot and/or electronic version, no earlier than May 1 and no later than June 1.
- c. The majority is based on ballots casts. Should no candidate receive a majority vote, a Special election shall be held between the two candidates receiving the greatest number of votes. Such an election shall take place in-person or electronically within five (5) school days after the regular election.

8. Election Challenge

- a. Any challenge to the procedure, legality, or tabulation of the election shall be made in writing, either to our PO Box or B2UP email, to the Executive Board no later than five (5) school days after the announcement of the election results.
- b. In the event of a challenge to the tabulation of the election, the Elections Committee will re-count the ballots within five (5) school days of the challenge. Each candidate involved is entitled to appoint one (1) observer to be present during the tabulation. The observer must be an Active Member, as defined in the Constitution Article IV, A 1, and in good standing within the B2UP.
- c. Procedural challenges shall be decided by the Election Committee within three (3) school days of receipt of the challenge. This committee will hold a hearing for all parties of interest for further explanation of the written challenge, if further information is required. Such hearing will take place, barring extraordinary circumstances, no later than three (3) school days following the committee's appointment.
- d. The Election Committee will prepare a written report of their decision for the person(s) that submitted the challenge. The decision must include a full remedy to the election challenge.

- e. Upon the presentation of the report, this decision shall be binding.

9. Unresolved Questions

- a. Ballots will be tallied by the Election Committee.
- b. If the number of marked ballots does not equal the number of signatures, or the number of blank ballots is incorrect, this shall constitute a discrepancy. If in-person ballots are filled out incorrectly they will not be counted, this shall constitute a discrepancy. If in the opinion of the Election Committee, this discrepancy is enough to question the validity of the vote, the Committee will refer the decision to the Executive Board as to whether the vote will need to be conducted again. The Election Committee Chair will prepare a report about the discrepancy in question and present it to the Executive Board by calling an emergency meeting in-person or via an online platform to determine if a re-vote is necessary. This must occur within two (2) school days. The Executive Board will decide if the vote in question will or will not be counted and added to the ballot tally. This decision will be made by a majority vote of the Executive Board.
- c. The Recording Secretary/Corresponding Secretary shall preserve all election records, including ballots, for a period of one (1) term.

VIII. AMENDMENTS TO THE BYLAWS:

- A. A proposed amendment shall be brought to and studied by the Executive Board.
- B. These by-laws may be amended by a two-third (2/3rd) vote of the votes cast by the Executive Board.
- C. Once approved by the Executive Board, a General Membership Meeting will be convened either in-person or via online platform to discuss the changes.
- D. The Executive Board will create a presentation to review at a General Membership Meeting, in-person or through an online platform, to discuss the changes. The presentation will be emailed to the active B2UP members who are eligible to vote after it is presented at the General Membership Meeting. Voting will occur immediately after the General Membership meeting and at alternative locations, days, and times as determined by the Executive Board. Voting can also be done in-person or electronically.

IX. CONTRACT RATIFICATION:

- A. A General Membership Meeting will be held within fifteen (15) days of a tentative agreement being reached by parties, unless agreement is made by June 15. If the agreement is made on or after June 15, then the meeting will be held in September the following school year.
- B. Contract ratification shall be by secret ballot within thirty (30) days of a tentative agreement being reached by parties, unless agreement is made by June 15. If the agreement is made on or after June 15, then the vote will be held in September the following school year. The NYSUT LRS or President(s) will create a presentation to review at a General Membership Meeting to discuss the changes. The presentation will be emailed to the active B2UP members who are eligible to vote after it is presented at the General Membership Meeting. Voting will occur immediately after the General Membership meeting and at alternative locations, days, and times as determined by the Executive Board. Voting can also be done in-person or electronically.
- C. Fifty percent (50%) plus one (1) of the votes cast (simple majority) shall constitute ratification.

- D. Accommodations for an Absentee Ballot shall be made by request if their duties, occupation, business or vacation causes them to be absent from the date of ratification.

X. TERMS OF OFFICE:

- A. Length of term: All terms of Executive Board members will be two (2) years serving from July 1 to June 30 or until the Executive Board Member resigns or retires from Monroe 2-Orleans BOCES. In any given year half of the positions will be up for election; the following year, the other fifty percent (50%).
 - 1. School years ending in an even number – Vice President(s), Recording Secretary, Treasurer, At-Large Representatives, Membership Coordinator, Public Relations Coordinator.
 - 2. School years ending in an odd number - President(s), Corresponding Secretary, At-Large Representatives, Political Action Coordinator, Technology Coordinator.
- B. Remuneration:
 - 1. All Officers and Executive Board members will receive a stipend in an amount determined by the Executive Board in the annual budget but not less than 50% of the annual dues.
 - 2. President(s) and Vice President(s) will receive reimbursement for cell phone bill to be determined by the Executive Board in the annual budget.
 - 3. All Officers and Executive Board members will receive reimbursement for expenses (i.e. hotel, food, tolls, etc.) that are required to fulfill duties of the B2UP in the annual budget.
 - 4. Executive Board approved reimbursements for B2UP sponsored events.
 - 5. Any Board Member who is unable to fulfill his/her duties and responsibilities as determined by the Executive Board may not receive their full remuneration.

XI. VACANCIES:

- A. In the event that an Executive Board Member cannot fulfill his/her/their term, the Executive Board shall appoint a successor from interested candidates who are active members for the remainder of the term.

XII. GENERAL MEMBERSHIP MEETINGS:

- A. General Membership Meetings may be called by the President(s), by a majority of the Executive Board or by petition of twenty percent (20%) of the Membership. Membership meetings shall be held no less than one (1) times per year.
- B. All Members shall receive notice of the time/place and purpose of the meeting.
- C. If business is conducted at a General Membership Meeting, Robert's Rules shall prevail. A quorum under these circumstances shall be twenty-five percent (25%) of the membership.

XIII. DELEGATES/ALTERNATES/CONFERENCES:

- A. Duties shall be specifically related to the state or National Delegate Assembly(s) of B2UP Affiliate(s). This number shall be limited to the B2UP and Affiliate guidelines.
- B. Delegates and Alternates shall be elected in accordance with the rules specified by the Affiliate guidelines. Candidates will be placed onto the ballot for election.

- C. Delegates shall report back to the Executive Board.
- D. Conferences and related costs will be approved by the Executive Board and will be paid by the B2UP

XIV. VOTING MAJORITY:

- A. Majority will be determined based on the ballots received.