**TACOMA FEDERATION OF ~~PARAEDUCATORS~~**

**EDUCATION SUPPORT PROFESSIONALS**

**Constitution and By-Laws**

**ARTICLE l**

**NAME**

This organization shall be known as the

TACOMA FEDERATION OF ~~PARAEDUCATORS~~ EDUCATION SUPPORT PROFESSIONALS, LOCAL #461 – AFT WA/AFT/AFL-CIO

**ARTICLE ll**

**PURPOSE**

The purpose of this organization shall be:

1. To unite and/or organize educational workers employed by the Tacoma Public Schools.
2. To seek benefits and improve working conditions for it’s members.
3. To improve the quality of working conditions for its members.
4. ~~To work as a social force with other AFL-CIO unions to improve the quality of life for our community.~~
5. To work for the passage and retention of just laws and to encourage others to exercise their rights and responsibilities under these laws.
6. To fight all forms of prejudice and gain equity in education and other fields.

**ARTICLE III**

**MEMBERSHIP ELIGIBILITY**

1. Any Paraeducator, Substitute Paraeducator, Bus Monitor, Substitute Bus Monitor, ASL Interpreter, Certified Occupational Therapy Assistant, Speech Language Pathology Assistant, Physical Therapy Assistant or Health Room Assistant/LPN employed by the Tacoma School District.
2. ~~After thirty (30) days any Substitute Paraeducator employed by the Tacoma School District~~.
3. ~~Retirees and former ParaEducators who have become certificated teachers may maintain membership in the Federation but may not vote.~~ Retired Members who wish to maintain membership in the Federation may do so by contacting the Second Vice President in writing. Retired members do not vote and do not pay dues.
4. ~~Supervisory personnel are excluded from membership.~~
5. No person shall be denied membership based on sex, race, creed, religion, color, national origin, age, veteran or military status, sexual orientation, gender expression or identity, disability, or the use of a trained service animal (a service animal is a dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability).
6. Laid off employees, employees on district approved leave and members who have a lapse in dues because of a change in job status may maintain membership at dues to be determined by the Executive Board. Members must notify the Executive Board.
7. ~~Members who wish to withdraw their membership and relinquish their union benefits and voting rights must do so during the month of September only. Withdrawal forms must be signed at the union office by appointment. The form must be signed by the last working day in September within regular business hours.~~
8. Each person eligible for and desiring membership shall apply by completing and signing the membership application/dues deduction authorization form.

**~~NON-MEMBERS~~**

1. ~~Non-paying members are not members of the Federation but have all the rights and privileges under the collective bargaining agreement per the Union’s Duty of Fair Representation.~~
2. ~~Non-Members will relinquish their union benefits and voting rights.~~

**ARTICLE IV**

**RIGHTS AND RESPONSIBILITIES**

**FEDERATION MEMBER RIGHTS:**

1. The right to participate collaboratively in all aspects of the Federation.
2. The right to exercise the freedom of speech shall be held inviolate.
3. The right to be secure from coercion and intimidation in the exercise of their rights.
4. The right to demand fair and democratic elections at all levels of this labor organization.
5. The right to peaceably assemble and to petition the Federation for redress of complaints.
6. The right to run for any office in this Federation, as per these By-Laws.
7. The right to demand reasonable accountings and reasonable access to all records of this Federation.
8. The right to participate in the decision-making processes of this Federation, and the right to vote on issues where appropriate.
9. The right to attend all authorized meetings of this Federation.
10. The right to union representation.

**FEDERATION MEMBER RESPONSIBILITIES:**

Members in good standing of this Federation are expected to do the following:

1. Respect the rights of other members.
2. Participate collaboratively in the operation of this Federation by voting and attending meetings.
3. Protect fellow members, observe strikes and pickets of fellow members, and to assist other members in the legitimate exercise of Federation picketing whenever such action does not conflict with one's conscience.
4. Subscribe to, uphold and preserve the integrity of these By-Laws.
5. Seek the betterment of this Federation's membership.
6. Pursue valid grievances.
7. Familiarize themselves with their local collective bargaining agreement.

**ARTICLE V**

**OFFICERS**

1. Officers of this organization shall be President, 1st Vice President, 2nd Vice President (membership), Secretary, Treasurer, ~~Editor~~, Communications Director, ~~two (2~~) three (3) Building Representative Coordinators, ~~and Sergeant at Arms/~~Parliamentarian and Immediate Past President/Advisor and additional officers as approved by the Executive Board. The Immediate Past President/Advisor is not an elected position.
2. Officers must be current Tacoma Federation of ~~ParaEducators~~ Education Support Professional members and current employees of Tacoma Public Schools. They shall be known as the Executive Board.
3. The term of office shall be two (2) years. Each officer shall be limited to three (3) consecutive terms.
4. Officers shall take office the last day of school of the school year in which the election was held.
5. ~~A quorum for an Executive Board meeting shall consist of not less than four (4) officers.~~ Note – language removed because appears elsewhere in By-Laws.
6. ~~A retired/rehired ParaEducator serving as an officer shall have the right to vote.~~

Any officer may be dismissed from office if unable to fulfill the duties of his/her job description as determined by the Executive Board. The Executive Board will review each situation and make a determination.

1. Officers shall have the option to be reimbursed their monthly dues. ~~Officers not performing their duties for a period of over sixty (60) consecutive days forfeit the reimbursement of monthly dues. The Executive Board will review each situation and make a determination.~~
2. The Executive Board shall have full power and authority to act for the Federation, subject only to ratification of its act by the body and common-sense policy.
3. In the event an office is vacated, the office will be filled by electing a new officer to complete the term. If the vacancy occurs with less than six (6) months left in the term, a member may be appointed to fill the vacancy by the Executive Board.  ~~provided, however, a quorum of the membership approves the appointment.~~
4. In the event the President becomes incapacitated or vacates his/her office, the Vice President will complete the term of the President and the office of Vice President shall be considered vacant.
5. To be eligible to run for an office, member must have been a member in good standing for twelve (12) consecutive months prior to nominations.
6. Upon separation of employment with Tacoma Public Schools, officer will immediately relinquish his or her office.
7. No individual board member may act independently as an agent for the Federation without express authorization of the board as a whole, or without express authorization of the general membership.
8. The Executive Board shall ensure that an internal audit committee reviews all financial records every year. The Executive Board shall ensure that an external financial review be done every five years beginning with the 2020-21 fiscal year. The financial review or audit must contain a certification that it was submitted to AFT, the membership and AFT Washington.

**ARTICLE VI**

**DUTIES OF OFFICERS**

**PRESIDENT**

1. The President shall preside at all meetings of the Executive Board and Federation and represent the Federation when and where necessary.
2. The President or their designee shall be a delegate to all affiliation conventions.
3. The President or their designee with approval of the Executive Board, shall be chairperson of all negotiating and bargaining committees.
4. The President or their designeeshall be an ex-officio member of all standing committees except the Elections Committee.
5. The President shall approve the chairpersons of all committees with the approval of the Executive Board and shall have the power to remove committee chairpersons subject to approval of the Executive Board.
6. The President shall make an annual report to the general membership ~~at a~~ ~~membership meeting during the 2~~~~nd~~ ~~quarter~~ ~~of the calendar year~~ at the September meeting of the general membership on the state of the Federation.
7. The President shall be the principal agent of the Federation and they or their designee shall conduct the day to day business of the Federation.
8. The President shall report the business of the Executive Board to the general membership.
9. The President shall serve as a co-signatory with the First Vice President, Second Vice President, Treasurer, ~~Sergeant at Arms/Parliamentarian~~ ~~or Secretary~~ on all financial holdings and accounts controlled by the Federation.
10. The President shall vote only to break a tie.

**FIRST VICE PRESIDENT**

**VICE PRESIDENT OF OPERATIONS**

1. The First Vice President shall perform all the duties of the President in the absence of the President.
2. The First Vice President shall ensure that all committees are functioning and trained.
3. The First Vice President shall serve as a co-signatory with the President, Second Vice President, Treasurer~~, Sergeant at Arms/Parliamentarian~~, ~~Secretary~~ on all financial holdings and accounts controlled by the ~~Union~~ Federation.

**SECOND VICE PRESIDENT**

**VICE PRESIDENT OF MEMBERSHIP**

1. The Second Vice President shall keep a current list of all members of the Federation, all officers and committee members and all rules, regulations and policies of the Federation.
2. The Second Vice President shall ensure that new members are in the membership database monthly.
3. The Second Vice President shall ensure that new membership packets are distributed monthly.
4. The Second Vice President shall report the membership data monthly to the Treasurer.
5. The Second Vice President shall be in charge of sign-in at membership meetings.
6. The Second Vice President shall serve as a co-signatory with the President, First Vice President, Treasurer~~, Sargent at Arms/Parliamentarian, or Secretary~~ on all financial holdings and accounts controlled by the Federation.

**SECRETARY**

1. The Secretary shall record the minutes of the Executive Board~~, the Representative~~ ~~Assembly meetings~~ and the General Membership meetings.
2. The Secretary shall provide minutes to the President within one week after the meeting and file a copy in the appropriate binder and/or electronic file.
3. The Secretary shall issue all notices and complete all correspondence at the direction of the President and Executive Board.
4. The Secretary shall make the minutes of all meetings available to the membership upon request.
5. The Secretary shall prepare agendas of all meetings of the Local at the direction of the President.
6. The Secretary shall be responsible to prepare all ballots.
7. The Secretary shall co-signatory with the President, First Vice President, Second Vice President or Treasurer ~~or Sergeant of Arms/Parliamentarian~~ on all financial holdings and accounts controlled by the Federation.

**TREASURER**

1. All duties of the Treasurer shall be performed in a timely manner and all deadlines met.
2. The Treasurer shall receive, record and deposit all monies of the Federation within seven (7) days.
3. ~~The Treasurer shall keep current the dues lists provided by the District~~.
4. The Treasurer shall issue ~~a~~ quarterly financial reports to the general membership ~~at the September, January and May general membership meetings.~~
5. The Treasurer shall chair the Finance and Budget Committee.
6. ~~The Treasurer shall be the custodian of the seal and charter of the Federation.~~
7. The Treasurer shall forward all per-capita dues and current membership to all affiliated organizations and keep the Federation in good standing at all times.
8. The Treasurer shall keep ~~adequate~~ accurate records available at all times.
9. The Treasurer shall prepare an annual budget and present it for approval by the General Membership, at the ~~first meeting of the new school year~~ October meeting.
10. The Treasurer shall pay all bills authorized by the budget and retain records of such expenditures. Expenses not authorized in the budget must be presented to the Executive Board for authorization.
11. The Treasurer shall prepare or authorize preparation of all tax r~~eports~~ and other financial reports ~~deemed appropriate by the Executive Board.~~
12. ~~The Treasurer shall ensure that a financial review by an internal audit committee audits all financial records every year or an audit by an outside auditor audits all financial records every two years. The financial review or audit must contain a certification that is was submitted to the AFT, the membership and AFT Washington~~. NOTE – This paragraph removed because moved to Executive Board Duties above.
13. The Treasurer shall serve as a co-signatory with the President, First Vice President or Second Vice President on all financial holdings and accounts controlled by the Federation.

~~EDITOR~~ **COMMUNICATION DIRECTOR**

1. The ~~Editor~~ Communication Director shall be responsible to write and publish communications to the membership in a timely manner, including ~~a bi-monthly~~ an electronic newsletter option.
2. The Communication Director shall be responsible to administer communication to the membership through social media, including Facebook and Hustle.
3. The Communication Director shall assist in the maintenance and updating of the Federation website and serve as webmaster.
4. The ~~Editor~~ Communication Director shall solicit information for publication.
5. The ~~Edito~~r Communication Director shall distribute communications to the membership~~. Building Representatives for distribution.~~
6. The ~~Editor~~ Communication Director shall keep a record of all publications sent to the general membership.
7. The ~~Edito~~r Communication Director shall be the chair of the Communications Committee.

**BUILDING REPRESENTATIVE COORDINATORS**

1. The Building Representative Coordinators shall make every effort to maintain a Building Representation at each work site.
2. Building Representative Coordinators shall act as a liaison to the Executive Board.
3. The Building Representative Coordinators shall send out a letter in September to all buildings requesting that they select a Building Representative and report the name to the Building Representative Coordinators.
4. The Building Representative Coordinators shall report to the Executive Board the status of Building Representatives in work sites.
5. The Building Representative Coordinators shall hold a minimum of one (1) Building Representative meeting each school year for the purpose of information and or training.
6. The Building Representative Coordinators shall keep in contact with all Building Representatives.
7. The Building Representative Coordinators shall make and provide an information packet to all Building Representatives.
8. The Building Representative Coordinators shall ensure that all Building Representatives are informed of their responsibilities as Building Representatives.
9. The Building Representative Coordinators shall ~~co-chair~~ be members of the Membership Committee.

**~~SERGEANT AT ARMS~~/PARLIAMENTARIAN**

1. The ~~Sergeant at Arms/~~Parliamentarian shall assist in keeping order at all General Membership and Executive Board meetings.
2. ~~The Sergeant at Arms/Parliamentarian shall keep attendance of all meetings.~~
3. The ~~Sergeant at Arms~~/Parliamentarian shall be familiar with *Robert’s Rules of Order Newly Revised* and the Constitution and By-Laws of the Federation and shall assure that all General Membership and Executive Board meetings adhere to them.
4. ~~The Sergeant at Arms/Parliamentarian shall be responsible for the set up and~~ ~~cleanup of all meetings of the Federation.~~
5. ~~The Sergeant at Arms/Parliamentarian shall verify the membership status of the member voting. (~~Note – LANGUAGE DELETED BECAUSE MOVED TO 2ND VP)
6. ~~The Sergeant at Arms/Parliamentarian shall be a co-signatory with the President, Vice President or Secretary.~~
7. The Parliamentarian shall follow and understand these five basic rules:
* Order—one business at a time
* Equal opportunity—chance to participate
* Justice—Fairness, everyone understands
* Right of Minority—to be heard
* Right of Majority—to decide

**ARTICLE VII**

**COMMITTEES**

1. The standing committees of the ~~Union~~ Federation shall be Negotiations, Finance/Budget, Nominations/Elections, ~~and~~ Constitution and By-Laws, Audit, Membership***,*** Communications, or additional committees approved by the board.
2. The committees shall meet at least once every school year.
3. The Executive Board may establish other committees.
4. Amember of the Executive Board will be assigned to each committee.
5. ~~The chair of the committee shall approve members of the committee.~~

**ARTICLE VIII**

**ELECTIONS**

1. The election of officers shall take place annually in May. The duration of each office is ~~tor~~ for two (2) years. During odd numbered years the following officers will be elected: President, Treasurer, ~~Sergeant at Arms/~~Parliamentarian and Building Representative Coordinator (A). During even numbered years the following officers will be elected: First Vice President, Second Vice President, Secretary, ~~Editor~~ Communications Director and Building Representative Coordinators (B) and (C).
2. No Executive Board member or candidate shall be a member of the Elections Committee.
3. ~~Nominations shall take place at a General Membership meeting in April~~. (Note – sentence eliminated because appears below. To be eligible to run for an office member must have been a member in good standing for twelve (12) consecutive months prior to nominations.
4. The Nominations/Elections Committee may make ground rules for any projected campaign that shall apply equally to all candidates.
5. Notice that nominations are in order shall be ~~sent out by the Nominations/ Elections Committee~~ communicated to the membership at least ten (10) days prior to the meeting at which they will be accepted.
6. Nominations shall take place at the General Membership meeting in April.
7. Nominees must be present to accept the nomination or have submitted a letter of intent to accept nomination within seven (7) days of nominations.

**OFFICER VOTING PROCEDURES**

1. The notice of election must include the date, time, place or format and offices to be filled.
2. ~~A voting member must be personally present to vote.~~ Alternative or electronic voting platforms may be used, if deemed necessary by the Executive Board.
3. Voting shall be by secret ballot.
4. ~~The membership shall be notified of the place and time of the counting of the ballots prior to the close of nominations~~.
5. ~~Candidates or one representative may be present at the counting as observers.~~ **(Deleted because contained in standing rules of Nominations and Elections Committee)**
6. The candidate receiving a simple majority of votes cast shall be declared elected.
7. Ballots shall be kept in the Federation office for one (1) year.

**~~IMPEACHMENT~~ RECALL OF OFFICERS**

~~Impeachment~~ Recall of officers shall be by ~~referendum by~~ petition of at least 10 percent (10%) of the membership in writing, including electronic communication, setting forth the charges and submitting the charges to the Executive Board. The Executive Board shall call a special meeting of the General Membership within two (2) weeks to hear and consider the charges. ~~It shall take a 2/3 vote of the membership present at the special General Membership meeting to impeach. The decision of the membership shall be final and binding.~~  At least 25 percent (25%) of the members must be present at a special meeting in order to vote on the recall petition. The vote shall be a majority vote.

**ARTICLE IX**

**VOTING PROCEDURES**

1. Ratification of the Federation/District Agreement and election of officers shall be conducted by secret ballot.
2. All other votes of the Federation shall be simple majority of members present at the meeting by voice unless a show of hands is requested.
3. ~~Federation dues changes, and annual budget will be conducted by the membership at General Membership meetings or at specially called meetings of the General Membership.~~
4. ~~Voting shall be conducted by secret ballot at the meeting. A designee, chosen by the voting members, may be present as an observer at the counting.~~
5. ~~Passage shall be by a simple majority vote of members present at the meeting.~~
6. Ballots will be kept in the Federation office for one (1) year.
7. All ~~other~~ matters requiring a vote will be determined by a simple majority of members voting either by ballot or those present at the meeting.

**ARTICLE X**

**AFFILIATIONS**

1. This Federation shall maintain affiliations and be represented to the following organizations: The American Federation of Teachers (AFT), The American Federation of Teachers Washington (AFT WA), The Pierce County Central Labor Council (PCCLC) and the Washington State Labor Council (WSLC) affiliated with the AFL-CIO.
2. ~~Delegates to affiliation conventions shall be elected by the membership according to the Landrum-Griffin Act.~~
3. Members in good standing shall participate in all entitlements offered by the above affiliations.

**ARTICLE XI**

**MEETINGS**

**General Membership Meetings:**

1. There shall be a minimum of five (5) General Membership meetings per school year.
2. A quorum shall be twelve (12) members in good standing and four (4) Executive Board members.
3. The Executive Board shall set the time and place of the meeting*s*.

**Executive Board Meetings:**

1. The Executive Board shall meet at least nine (9) times a calendar year.
2. An Executive Board quorum shall consist of at least four (4) members.

**ARTICLE XII**

**FINANCE**

1. The dues of the Federation shall be based on a percentage of each individual member’s annual earnings. Earnings shall be all monies earned for all hours of work except overtime. Overtime work shall not be assessed dues.
2. ~~The Federation dues shall be fixed by the majority of the members present at a General Membership meeting of the Federation.~~
3. ~~Any increase per-capita by affiliate organizations shall be passed through to the membership dues.~~ Whenever the national body of AFT, the state federation, or the PCCLC raises its per capita dues, member dues shall increase if necessary, to cover the increase in per capita.
4. ~~Retirees shall remain members at no cost~~. NOTE—LANGUAGE REMOVED BECAUSE COVERED ELSEWHERE
5. ~~A certificated teacher employed by Tacoma Public Schools, who was a former ParaEducator member, may maintain their membership with the Federation. They shall pay dues to be set by the Executive Board.~~
6. A Legal Defense Fund for grievance and arbitration expenses and other legal defense costs shall be funded at the rate of fifty (50) cents per member per month ~~until a minimum of $12,000~~.  ~~Whenever the fund falls below $12.000 the contributions will again be provided to bring the amount back to $12,000.~~

The Legal Defense Fund shall not drop below $12,000, and shall have no maximum amount. The Legal Defense Fund may accrue interest and that interest shall remain in the Legal Defense Fund.

1. Local Expenses: In addition to the affiliate per-capita payments and the legal defense payments, the Federation will establish dues which will reflect the regular expenses of the Federation and accomplish goals and objectives approved by the membership. ~~When preparing the annual budget, or at other times appropriate, the Treasurer will be responsible for making recommendations to the membership of needed changes in the Federation’s dues.~~
2. ~~Non-Members shall be notified of their rights as Non-Members~~
3. Tacoma Federation of Education Support Professionals shall affiliate with its state federation of AFT and shall maintain good standing by timely payment of state federation per capita dues. This union understands that failure to pay per capita dues for a period of three (3) months places a local in bad standing. Also, this Union understands that, in order to participate in the AFT convention, past due per capita must be brought current through the two months immediately preceding the convention date.

**ARTICLE XIII**

**RULES OF ORDER**

*Robert’s Rules of Order Newly Revised* shall be the authority for all matters not covered by the Constitution and By-Laws.

**ARTICLE XIV**

**AMENDMENTS TO CONSTITUTION AND BY-LAWS**

1. Any member in good standing may submit constitutional amendments in writing to the Executive Board or the Executive Board may recommend constitutional amendments.
2. Thirty (30) days’ notice must be given to the General Membership prior to the meeting at which the amendments shall be voted on.
3. A 2/3 vote of the present, providing there is a quorum, shall be required to adopt an amendment.
4. This Constitution must be reviewed by the Constitution and By-Laws committee at least once every five (5) years.

**ARTICLE XV**

**AVAILABILITY OF THE CONSTITUTION AND BY-LAWS**

Copies of these Constitution and By-Laws shall be distributed as follows:

1. One (1) copy of this Constitution and By-Laws and all future amendments shall be ~~distributed to each Building Representative~~ available for review on our web page.
2. One (1) copy of this Constitution and By-Laws and all future amendments shall be submitted to the American Federation of Teachers Washington (AFT WA).
3. Three (3) copies of this Constitution and By-Laws and all subsequent amendments shall be submitted to the office of the Secretary-Treasurer of the American Federation of Teachers (AFT) ~~upon request~~.
4. Upon request, the Secretary shall provide a copy of this document to any member of this Federation.

Revised \_\_\_\_\_\_\_\_\_\_

Voted to Adopt by Membership \_\_\_\_\_\_\_\_\_\_