

TCFA CONSTITUTION & BY-LAWS

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CONSTITUTION AND BY-LAWS

Triton College Faculty Association **An Affiliated Chapter of Local 1600** **American Federation of Teachers**

We, the Triton College faculty, declare this Faculty Association to have the following purpose:

1. To advance the ideals, standards and welfare of its members.
2. To promote the interest of the community, students and the faculty, in the pursuit of educational opportunities.
3. To safeguard the guarantees of academic freedom and tenure.
4. To cooperate with faculty organizations including organized labor in achieving democratic programs and practices.
5. To establish ethical standards for its members.
6. To serve as the college's advocate for maximum quality education through just and democratic means.
7. To seek and attain these objectives by orderly democratic processes.

CONSTITUTION

ARTICLE 1 **Names and Affiliations**

Section 1: The name of this organization shall be the Triton College Faculty Association.

Section 2: The Triton College Faculty Association, hereafter referred to as the "Association." is the exclusive bargaining agent of the college faculty members.

ARTICLE II

Membership

Section 1: Membership in the Association shall be open to full time faculty, counselors, and librarians, hereafter referred to as "faculty members."

Section 2: Those faculty members who have paid the Association dues by the CCCTU House of Representatives shall be considered members. Only members shall have the privilege of voting in the Association elections and referenda, making and seconding motions, holding office, serving on committees, and signing nominating petitions.

Section 3: The Association meetings will be opened only to Association members and invited guests approved by the executive committee.

ARTICLE III

Elected Officers and Other Elected Officials

Section 1: The elected officers shall consist of a President, Vice President of Salary-Welfare, Vice President of Grievance, and Secretary/Treasurer.

Section 2: The elected officials shall consist of three members-at-large of the Executive Committee in addition to a parliamentarian, a historian, media relations, the chairperson of the Constitution Committee, the chairperson of the Social Committee, and the members of the Election Committee.

Section 3: The officers and officials shall be elected by this Association and may be re-elected, according to procedures set forth in the By-Laws of this Association. They will serve three years terms.

Section 4: The Executive Committee shall recommend a new officer. The membership shall vote upon the recommendation of the executive committee at the next regular Association meeting. However, when the office of the President shall become vacant (by any means other than the President being removed from office), the Vice President Salary-Welfare shall become acting President and shall serve until the next regularly scheduled election.

ARTICLE IV

The General Membership

Section 1: The general membership is the policy making body of this Association and shall

have the power to legislate on matters pertaining to the organization.

Section 2: The general membership shall consist of all members of the Association.

ARTICLE V

Amendments and Referenda

Section 1: Proposed amendments to the Constitution and By-Laws shall be initiated on the recommendation of the Executive Committee, or on petition of ten percent (10%) of the membership, and shall be voted on according to section 2 of this article within thirty (30) days of the proposal.

Section 2: The Constitution and By-Laws may be amended by a vote of the membership, provided that the proposed amendment was moved and seconded at a general meeting.

Section 3: The Constitution may be amended in an official paper ballot or electronic ballot, as decided upon by the election committee, referendum, with at least 40% of the membership voting, by a vote of $\frac{2}{3}$ members.

Section 4: The By-Laws may be changed by a simple majority vote of an Association meeting at which a quorum is present, provided that written notice of proposed changes has been distributed to the entire membership one week prior to the meeting at which the vote takes place.

ARTICLE VI

Rules of Order

Section 1: Robert's Rules of Order, Revised, shall govern all regular and special meetings of the Association, committee meetings, and all other meetings sponsored by the Association.

ARTICLE VII

Quorum Rules

Section 1: A quorum of the Executive Committee shall consist of four members, including the President or Vice President Salary-Welfare.

Section 2: Twenty (20) percent of the membership who are working during the semester in which the meeting occurs shall constitute a quorum at general meetings.

ARTICLE VIII

Voting Procedures

Section 1: Voting for Association officers, executive board members at large, CCCTU representatives, recall of officers, contracts and amendments to the Constitution shall take place by secret ballot at a single polling place located in a building as close as possible to the center of the Triton campus. Voting may also take place electronically at the decision of the election committee. Voting shall take place between 10:00 a.m. and 7:00 p.m. on a single day during which classes are in session. The ballots shall be counted immediately upon the closing of the polls at the same place where the voting took place.

Section 2: Absentee votes shall be permitted in polling place voting with the following restrictions:

- a) No absentee votes may be taken over the phone.
- b) Absentee ballots must be delivered to the chairperson of the election committee prior to the opening of polls in case of an election by paper ballot.
- c) Absentee ballots must be in an envelope with the signature of the absentee voter across the seal of the envelope in case of an election by paper ballot.
- d) Those faculty members who prefer to submit an absentee ballot may do so via an electronic ballot if electronic balloting is an option. Absentee electronic ballots must be submitted by the faculty member and received by the election committee prior to 6:59pm on the day before the election for the ballot to be recognized.
- e) The dues check-off list supplied by the business office will be used to determine eligibility to vote. The Election Committee will guarantee that the dues check list is a correct list of paying members.

Section 3: To receive a ballot, voters must sign after their name on the dues check-off list. Poll watchers shall also initial next to the names of all votes.

Section 4: An election committee consisting of three members shall be elected at the October general meeting each year. The committee shall elect one of their members to serve as chairperson. In the event that the committee cannot agree on a chairperson, the chairperson shall be determined at random.. The election committee shall assume the responsibility for producing ballots (paper and/or electronic), obtaining a secure ballot box, securing a polling place, counting the ballots, distributing a notice to the membership, saving the ballots and name check-off list for six months after the election, and making the ballots and name check-off list available to any member who wishes to inspect them during the first six months after the election. Electronic ballots must also be able to be verified and downloaded. The Association must retain the electronic ballot information for six months.

Section 5: The chairperson of the election committee shall make absentee ballots available to

the membership one week prior to each polling place vote. The chairperson of the election committee shall open absentee ballots at the beginning of the vote counting in such a way that it will be impossible for anyone to determine the vote cast by any absentee voter.

Section 6: All elected officers and officials except the members of the election committee shall be elected in the month of March during even number years in conjunction with CCCTU regulations.

ARTICLE IX

Contract Ratification

Section 1: A meeting shall be called to present the tentative contract. At least two working days notice shall be given to accommodate off campus faculty. At this meeting, all contractual changes must be presented in writing.

Section 2: All Association members must receive a copy of the contract revisions and new language. A dues check-off list shall be used to make sure members receive a copy of the proposed contract. Members attending the contract meeting shall receive their copy at the meeting and shall be checked off at that time. Members not attending the meeting shall be issued a copy electronically or in their on-campus mailbox immediately following the meeting.

Section 3: After the initial meeting to present the tentative contract, there shall be a three work day reviewing period followed by a second informational meeting. The date and time of the informational meeting shall be established at the first contract meeting. The negotiating team should be available for the informational meetings.

Section 4: The date, time and location of the polling for the ratification vote shall be set at the time of the first meeting but shall not be less than one week after the initial meeting. An additional notice of the ratification vote shall be distributed at least two working days prior to the ratification vote. Voting procedures shall conform to Article VIII of the constitution.

Section 5: A language review committee shall review the printed contract before it is distributed to the faculty to guarantee that the language of the printed contract conforms to the language of the tentative agreement ratified by the membership. The committee shall report its findings to the membership.

Section 6: In the event of a job action, contract ratification procedures may be modified by the membership.

ARTICLE X

Nomination and Election of Officers and Officials

Section 1: At the January general meeting of an election year, the Election Committee will distribute a list of all Association elected positions to the faculty. This list shall include the name of the incumbent in each position and whether the incumbent intends to run for re-election.

Section 2: At the February general meeting, nominations shall be accepted for all Association elected positions. Nominations shall be submitted to the chairperson of the election committee by 7pm on the 3rd Thursday of February, one week after the February general meeting. Nominations will not be accepted after the deadline.

Section 3: The election committee shall produce ballots consisting of the names of all those members who are nominated prior to March 1.

Section 4: Ballots shall be available in the office of the chairperson of the election committee between March 1 and one week prior to the election for those members who wish to cast absentee ballots.

Section 5: "Write in" candidacies shall be permitted in all Association elections.

Section 6: Every candidate for elective position must have been a member in good standing for at least one year prior to the election.

Section 7: Each officer of the Association must be elected by a majority (greater than fifty percent) of the votes cast for that office, not counting blank or improperly executed ballots.

Section 8: In the event that no candidate for an office is elected pursuant to Article X, Section 7, the election committee shall conduct a run-off election for the office to be held the Tuesday following the previous election. Only those candidates receiving the two highest vote counts for a given office shall be listed on the run-off ballot.

Section 9: The newly elected officers shall assume their duties on the second Thursday of June following the election. They shall be formally presented to the Association membership at the first regular or special meeting held after the assumption of their duties.

Section 10: In the event that any elected position remains vacant after the March election by virtue of the fact that no one was nominated for the position, the Executive Committee shall appoint someone to serve in the position until the next election. The appointee shall be confirmed by the membership at the next general meeting.

Section 11: In the event that any elected position, with the exception of the Presidency, becomes vacant between elections (for any reason other than removal from office), the Executive Committee shall appoint someone to fill the position until the next election. The appointee shall be confirmed by the membership at the next general meeting.

Section 12: The Executive Committee shall assume responsibility for seeking out candidates for all elected positions.

Section 13: In the event that any faculty member challenges the results of the election, the

faculty member shall submit the challenge and all supporting evidence to the chairperson of the election committee. The deadline to submit a challenge and all supporting evidence shall be midnight on the 7th calendar day after the release of the election results to the faculty.

The election committee chairperson shall notify the Association membership of the submission and nature of the challenge within 48 hours of receiving the challenge via the Association's personal email list. The election committee shall review the evidence provided, as well as any additional documentation needed, and rule on the challenge no later than the 14th calendar day after the challenge is submitted. In the event that the election committee votes to refer the challenge, the election committee must notify the membership immediately via the Association's personal email list.

ARTICLE XI

Removal of Officers and Other Elected Officials

Section 1: All officers and other elected officials may be removed from their positions by the membership.

Section 2: In order to remove a member from any Association position, a petition of removal must be signed by 30% of the membership and submitted to the Executive Committee. The Executive Committee must schedule a general meeting for the purpose of discussing the removal petition. This meeting must take place within two weeks of the Executive Committee receiving the petition.

Section 3: A 2/3 majority of the membership must vote to recall an officer or elected official.

Section 4: The recall becomes effective immediately upon the counting of the ballots.

Section 5: In the event of a recall vote, the Election Committee shall conduct a recall process.

Section 6: In the event of a recall of an officer or other elected official, a special election will be held to replace the person recalled within one month of the recall.

Section 7: Department representatives can be removed from office only by a vote of the members of their department. A simple majority vote of the members of a department is necessary to remove a department representative from office.

ARTICLE XII

Non-Discrimination and Harassment Policy

The Triton College Faculty Association is opposed to any form of discrimination or harassment on the basis of race, religion, gender, national origin, age, socioeconomic status, political

affiliation, marital status, disability or sexual orientation.

BY-LAWS

ARTICLE I

Membership Dues and Penalties

Section 1: Annual dues shall be payable by payroll deduction, or may be paid one year in advance in the case of a member who has been paying in advance since February 13, 1979. Any increase in membership dues shall be determined by a simple majority vote of the membership.

Section 2: No member shall profit by crossing official chapter picket lines. Any member who is in violation will pay an amount to the Cook County College Teachers Union treasury equal to their net pay during the days the violation continued and other penalties authorized by the Cook County College Teachers Union House of Representatives and may forfeit their Union Membership. If any member desires a hearing regarding their violation of policy, the member will have the right to appear before a special meeting of the Cook County College Teachers Union House of Representatives to answer charges, to call witnesses in his or her behalf, to cross-examine witnesses, and to be represented by counsel at the member's own cost. Such hearing will take place within a two month period of the member's receipt of written notice of the charge.

ARTICLE II

General Membership Meetings

Section 1: General membership meetings shall be held at least twice per semester. Additional meetings shall be called as necessary.

Section 2: All general meetings shall be scheduled for the second Thursday of the month at 2:00 p.m. in a room located as close as possible to the center of the Triton campus.

Section 3: Special meetings of the general membership may be called by the Executive Committee or upon petition of ten percent of the total membership. In the event of a meeting being called as a result of a petition from the membership, the meeting must take place within one week of the Executive Committee receiving the petition. Notices of all general meetings must be posted in all department offices three working days prior to the meeting.

Section 4: If the Negotiating Committee has not settled on a contract by the beginning of September, semi-monthly general meetings shall be called for the purpose of informing the membership of the progress of the negotiating committee.

Section 5: The agenda for all general meetings shall be determined by *Robert's Rules of Order*.

Section 6: To ensure that members are called upon to speak in the order that they raise their hands, a speakers' list will be maintained by the Association Parliamentarian.

Section 7: The Association Parliamentarian will advise the chairperson of the meeting concerning parliamentary procedures.

Section 8: The secretary/treasurer shall take minutes of all Association general meetings, both regular and special meetings. These minutes shall be distributed to all Association members within two weeks of the meeting.

ARTICLE III

Duties of Association Officers

Section 1: The President shall have the following duties:

- a) act as the Association chief executive officer and preside over all meetings of the Association
- b) serve as ex-officio member of all committees
- c) attend college board meetings

Section 2: The Vice President Salary-Welfare shall have the following duties:

- a) assist the President in expediting Association business
- b) conduct business in the absence of the President
- c) act as chairperson of any Association committee dealing with salary-welfare topics
- d) co-edit the chapter newsletter

Section 3: The Vice President Grievances shall have the following duties:

- a) call and chair Grievance Committee meetings
- b) handle all correspondence appropriate to the position function for the Association
- c) represent the Association in all grievances

Section 4: The Secretary/Treasurer shall have the following duties:

- a) keep and maintain the minutes of the Association

- b) publish all minutes of the Association and make complete distribution thereof
- c) distribute announcements of all general membership meetings to the membership, and arrange for the room for general meetings
- d) distribute a monthly financial statement
- e) conduct all official correspondence for the Association
- f) collect any and all TCFA monies and deposit them in Association accounts
- g) pay all bills incurred by the Association. All Association checks will bear the signature of the Secretary/Treasurer. They will also bear the signature of either the President or the Vice President Salary Welfare.
- h) maintain financial records in accordance with the AFT guidelines for treasurers entitled "Keeping the Records Straight."
- i) co-edit the chapter newsletter

ARTICLE IV

Nomination and Election of Chapter Representatives

Section 1: Nomination and election of Chapter Representatives to the House of Representatives shall be in accordance with the by By-Laws of the CCCTU.

Section 2: Any representative unable to attend any regular or special meeting of the House of Representatives shall inform an alternate representative who shall attend and shall have all the rights and privileges of a representative.

Section 3: Any representative who is absent from three consecutive regular or special meetings of the House of Representatives, or who is absent five times during any full academic term from regular or special meetings of the House of Representatives, may, at the discretion of the Association President, or at the direction of the general membership, be required to show cause why the seat shall not be declared vacant and an alternate representative be declared representative in-place for the remainder of the term.

ARTICLE V

Standing Committees

Section 1: The standing committees shall be:

- a) Executive Committee
- b) Negotiating Committee (team)
- c) Contract Review Committee (See Constitution Article 9 section 5)
- d) Grievance Committee
- e) Constitution Committee
- f) Social Committee
- i) Legislative Committee
- h) Sabbatical Committee
- i) Scholarship Committee
- j) Insurance Committee
- k) Audit Committee
- l) Department Representative Advisory Committee

Section 2: The Executive Committee shall consist of the Association President, Vice President of Salary-Welfare, Vice President of Grievance, Secretary/Treasurer, and three faculty members who are elected at large by the membership. The two most recent past presidents of the Association shall serve as ex-officio members of the Executive Committee.

Section 3: The Executive Committee shall serve as the planning and guiding body of the Association. Each member of the Committee will have an equal vote in said planning and guidance. The Executive Committee shall meet no less than once a month in the Association office at 2:00 p.m. on a Tuesday or Thursday or remotely at a time democratically selected.

Section 4: The Negotiating Committee shall negotiate contracts on behalf of the Association.

Section 5: The Negotiating Committee shall consist of a chief negotiator, an assistant negotiator, three additional TCFA members, and a staff representative of either Local 1600, AFT, or IFT.

Section 6: The members of the Negotiating Committee shall be appointed by the Association President and approved by the membership at a general meeting.

Section 7: The Grievance Committee shall consist of the four Association officers and three members who are appointed by the Vice President Grievance and approved by the membership.

Section 8: The Constitution Committee shall consist of no fewer than three members who shall meet at least once per year for the purpose of reviewing the constitution and by-laws and making recommendations to the membership.

Section 9: The chairpersons of the Constitution Committee and the Social Committee shall be elected biannually at the March election. Membership on those committees shall be open to any member who volunteers.

Section 10: The Association shall elect a parliamentarian biannually at the March general election.

Section 11: The Parliamentarian will attend all Association general meetings and advise the chair of the meeting concerning parliamentary procedures.

Section 12: An Association historian shall be elected biannually at the March general election.

Section 13: The Historian shall maintain a historical record of the Association.

Section 14: The media relation specialist will be in charge of updating the TCFA website monthly, and active on all social media accounts.

Section 14: The Legislative Committee will consist of at least two members, appointed by the President, who work in conjunction with other CCCTU members to influence legislation affecting education.

Section 15: The Sabbatical Committee will consist of at least three members, appointed by the President, for purposes of reviewing and recommending proposals for sabbatical leaves. An annual report will be made to the faculty.

Section 16: The Scholarship Committee will consist of at least two members, appointed by the President for the purpose of reviewing and recommending TCFA scholarship applications. An annual report will be made to the faculty.

Section 17: The Insurance Committee will consist of at least two members, appointed by the President, who will serve on the college-wide insurance committee.

Section 18: The Audit Committee will consist of at least three members, elected at the November general meeting, for the purpose of auditing the financial records of the Association and reporting to the membership at the February general meeting. All Association officers are directed to cooperate fully with the Audit Committee. Any officer who refuses to cooperate with the committee will explain to the membership, at the February general meeting, why he or she refused to cooperate.

Section 19: Each academic department shall elect a department representative to serve on the Department Representative Advisory Committee. The Committee will advise the TCFA Executive Committee on issues that face the Association. This Committee will meet no less than once per semester. The Department Representative Advisory Committee shall elect a chairperson.

Section 20: The election of members to the Department Representatives Advisory Committee shall take place annually during the month of April.

ARTICLE VI

Compensation and Expenses

Section 1: The Association shall provide stipends as follows:

- a) Association President \$4,000 annually
- b) Vice President Salary Welfare \$2,000 annually
- c) Vice President Grievance \$3,000 annually
- d) Secretary/Treasurer \$2,000 annually
- e) Negotiating Committee Chair \$500-\$1,000
- f) Negotiating Committee Assistant Chair \$250-\$500
- g) Negotiating Committee Members \$150-\$250

(Note: Exact amount of stipend for Negotiating Team positions to be determined by TCFA membership after contract has been negotiated, and is dependent upon length of negotiation).

Section 2: As provided in the contract between the Association and the Board, 36 hours of release time per year are provided to the four Association officers. The release time shall be distributed as follows:

- a) Association President: 12 hours per year (3 of 12 hours to occur during the summer semester)
- b) Vice President Grievance: 12 hours per year (3 of 12 hours to occur during the summer semester)
- c) Vice President Salary Welfare: 6 hours per year
- d) Secretary Treasurer: 6 hours per year

Section 3: In the event that a new officer is elected and the office in question is receiving release time during the summer semester, the summer release time shall be divided equally between the outgoing and the incoming officer.

Section 4: In the event that any Association officer decides he/she cannot use the allocated release time for a semester, it shall be up to the discretion of the Association President to reassign the unused release time.

Section 5: The Association will compensate officers or members for the following expenses:

- a) The Association will pay up to 20% of the monthly phone bill for local calls of an

officer provided that the itemized bill is presented to the secretary/treasurer and it can be demonstrated that the reimbursement is justified.

b) Parking expenses incurred while on official union business (excluding business for which the officer is otherwise compensated).

c) Auto expenses (at the current rate as established by the Internal Revenue Service rules) for union business (excluding business for which the officer is otherwise compensated).

Section 6: Any expenditure over \$50 must be approved by the Executive Committee.

Section 7: The Secretary/Treasurer will publish a monthly itemized accounting of all expenses including the recipients of all checks and an explanation of the expenses.

ARTICLE VII

Ethics Statement

Section 1: In the event that any current President, Vice President Salary-Welfare, Vice President Grievance, Chairperson or Assistant Chairperson of the Negotiating Team should apply for any administrative position at Triton College or announce to any Triton administrator or Board member their interest in serving in an administrative position at Triton College, this situation should be construed by the membership as grounds for removing that person from their Association position.

Section 2: In the event the Negotiating Committee Chairperson or Assistant Chairperson should accept an administrative position at Triton College within two years of negotiating a contract, that person shall be expelled from the Association and can never be reinstated.

Section 3: The term "administrative position" as referred to in Sections 1 and 2 above include but are not limited to the position of president of the college, any vice presidency, dean, associate dean, assistant dean, and any full time directorship. The position of department chairperson is not to be construed as an administrative position.

Section 4: Candidates for the offices of Association President, Vice President Salary-Welfare, Vice President, Grievances, Secretary/Treasurer, Negotiating Committee Chairperson and Assistant Chairperson shall submit written and signed statements to the membership at the beginning of the February meeting. These statements will disclose the amount of release time and all other special funding from Triton College over and above regular teaching assignments for the past year. These statements will not include the amount of money the candidate received for their regular teaching assignment. Serious omissions or misinformation on these statements shall be construed by the membership as grounds for removal from office.

Section 5: Willfully communicating misinformation to the membership at any general meeting of the Association shall be construed by the membership as grounds for removing any elected

official from their position.

Section 6: Association funds shall not be contributed to any candidate for any public office nor shall they be used in any way to promote the candidacy of anyone running for any public office.

ARTICLE VIII

Cook County Teachers Union

Section 1: The officers of the Cook County College Teachers Union shall be invited to, and allowed to speak at, all general meetings, both regular and special meetings.

Section 2: The officers of the Cook County College Teachers Union and their designates shall be invited to sit in on all negotiating sessions between the Association and the Triton administration or Board.

Section 3: Commencing July 1, 1994, the Cook County College Teachers Union dues shall be sent directly to the Cook County College Teachers Union by the Triton payroll office. The Triton payroll office shall be instructed to send a copy of the CCCTU dues check to the Association Secretary/Treasurer.

Section 4: The general membership of the Triton College Faculty Association alone has the right to effect association or disassociation with entities such as the Cook County College Teachers Union, Illinois Federation of Teachers, the American Federation of Teachers, etc.

Section 5: No element of the constitution or by-laws will violate the constitution or by-laws of the Cook County Teachers Union.

ARTICLE IX

Negotiating Procedures

Section 1: The chief negotiator and assistant negotiator shall be recommended by the TCFA President and approved by a majority of the five-member TCFA team. The chief negotiator may be a TCFA member, Local 1600 staff representative, IFT staff representative or AFT Staff representative.

Section 2: Only negotiators who have been appointed and approved by the general membership shall take part in negotiations. Alternates may sit in on negotiations but only take part if they are replacing regular negotiators.

Section 3: Only the five TCFA members of the negotiating team have voting rights. TCFA alternates, who are not serving as regular members, and Local 1600, IFT, and AFT representatives may not vote.

Section 4: Decisions to sidebar with the administration or Board must be voted upon and approved by a majority of the five member negotiating team.

Section 5: Side bars must be attended by a minimum of two TCFA negotiators, recommended by the chief negotiator and approved by a majority of the five member negotiating team. One of the two TCFA negotiators may be the Local 1600, AFT or IFT representatives.

Section 6: Decisions to drop, add, or modify contract proposals must be voted upon and approved by a majority of the entire five-member negotiating team.

Section 7: Decisions to approve a tentative settlement and recommend it to the entire faculty must be voted upon and approved unanimously by the five-member negotiating team.

Section 8: In the event of limited negotiations, prior to the selection of the negotiating team, the faculty will be represented by at least two negotiators selected by the Executive Committee and approved by the membership at a regular or special meeting. One negotiator must be a TCFA member, the other may be a TCFA member or a staff representative of Local 1600, IFT, or AFT.