

Chapter Constitution and Bylaws

of the Wright State University Chapter

American Association of University Professors

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Article I: Name

The name of this organization is the *Wright State University Chapter of the American Association of University Professors* (AAUP-WSU).

Article II: Purposes, Empowerment, Fiduciary responsibility, and Distribution of Assets in Event of Chapter Dissolution

A. Purposes

The purposes of AAUP-WSU are to:

1. Support the mission of the Association (national AAUP): “The mission of the American Association of University Professors (AAUP) is to advance academic freedom and shared governance; to define fundamental professional values and standards for higher education; to promote the economic security of faculty, academic professionals, graduate students, post-doctoral fellows, and all those engaged in teaching and research in higher

education; to help the higher education community organize to make our goals a reality; and to ensure higher education's contribution to the common good."

2. Serve as the collective bargaining agent for the "original" Collective Bargaining (CB) Unit Faculty (unit certified by the Ohio State Employment Relations Board on 11 June 1998 and amended subsequently by law or mutual agreement). The "original" CB Unit consists of "all full-time tenured and tenure-track faculty employed by Wright State University. Excluded from the unit are: All department chairs and heads, all ranks of deans, all ranks of provosts, all ranks of vice-presidents, the president, all other supervisors defined by O.R.C. 4117.01(F.), all faculty within the Schools of Medicine and Professional Psychology other than those who are tenured or tenure-track, and all other employees not included above." Hereafter, in this document, the terms "original Collective Bargaining Unit" and "original Collective Bargaining Unit faculty" will refer to the above defined unit.
3. Serve as the collective bargaining agent for

the additional Collective Bargaining Unit Faculty (meaning, the unit certified by the Ohio State Employment Relations Board on 1 November 2012 and amended subsequently by law or mutual agreement). This CB Unit consists of "Senior Lecturers, Lecturers, Instructors, Clinical Assistant Professors, Clinical Instructors, and Visiting Faculty at Wright State University" but excludes "All full-time tenured and tenured-track faculty, department chairs and heads, deans, provosts, vice-presidents, the President, supervisors defined by Ohio Revised Code 4117.01(F), faculty within the Schools of Medicine and Professional Psychology and all the other employees not included above"

and

any other Collective Bargaining Unit(s) for which AAUP-WSU is certified by the Ohio State Employment Relations Board; and to so serve for any amalgamation of such units that may be certified by the Ohio State Employment Relations Board.
4. Defend academic freedom at Wright State University.
5. Encourage participation in Faculty governance at Wright State University.
6. Protect and advance the professional status and interests of all faculty.
7. Facilitate the dissemination among the WSU faculty of information on higher education principles and practices.
8. Convey the policies and views of the AAUP to WSU administrators, the Wright State University Board of Trustees, local and state legislative bodies, and the general public.
9. Participate in the Ohio Conference of AAUP, the AAUP Collective Bargaining Congress, and the national AAUP, and in successors of those organizations that may be created.
10. Develop necessary and proper chapter programs to accomplish the aforementioned purposes.

B. Empowerment

To further but not to limit the purposes listed above, but not in limitation thereof, the chapter shall have power to:

1. conduct studies;
2. disseminate statistics and other information;
3. engage in various fund-raising activities;
4. conduct promotional activities, including advertising and publicity;
5. hold such property as is necessary to accomplish its purposes;
6. employ individuals to represent the chapter in collective bargaining and for other purposes.

C. Fiduciary Responsibility Statement

This chapter is organized and operated for the above stated purposes, and for other nonprofit purposes, and no part of any net earnings shall inure to the benefit of any member.

D. Distribution of Assets in Event of Chapter Dissolution

Upon dissolution of the chapter, its assets shall be disposed of exclusively for the purposes of the chapter or distributed to such organization which shall, at the time, qualify as exempt organizations under I.R.S. Section 501 (c) (3), such as the national American Association of University Professors (Washington, D.C.).

Article III: Members

A. Definition

Each member of this chapter must

1. either
 - a. be in a Collective Bargaining Unit as defined in Articles II. A. 2-3, or
 - b. be a fulltime faculty member at Wright State University not in a Collective Bargaining Unit but eligible for Associate Member status with national AAUP;and
2. have joined AAUP-WSU by submitting an AAUP-WSU Payroll Deduction Form or an AAUP-WSU Membership Form; and
3. be paying dues via payroll deduction.

A person who submits an AAUP-WSU Payroll Deduction Form or an AAUP-WSU Membership Form will be enrolled by AAUP-WSU as a member of national AAUP and of the Ohio Conference of AAUP. That is, membership in national and state AAUP is a consequence of membership in AAUP-WSU.

B. Categories

Each member of this chapter will be considered as being in one of the following two categories:

1. Regular: A Regular Member is a chapter member who is also in a Collective Bargaining Unit as defined in Articles II. A. 2-3. Hereafter in this document, the terms “Regular Chapter Member” or “RCM” refer to the above definition.
2. Associate: An associate member is a chapter member who is not a member of a Collective Bargaining Unit as defined in Articles II. A. 2-3. Hereafter in this document, the terms “Associate Chapter Member” or “ACM” refer to the above definition.

C. Rights and Privileges

1. Associate Chapter Members are eligible to:
 - a. receive chapter communications not related to collective bargaining;
 - b. attend functions sponsored by the chapter;
 - c. attend chapter meetings except when collective bargaining matters are being addressed;
2. Regular Chapter Members are eligible to:
 - a. hold office, except as limited in Article IV A and Article XII;
 - b. attend, make motions and vote in all chapter meetings, including those restricted to collective bargaining matters, except as limited in Article X;
 - c. be members of the Chapter Council or Negotiating Team;

- d. pursuant to Article X, vote on the ratification of Collective Bargaining Agreements applicable to the Bargaining Unit of which they are a member;
 - e. petition for calling of special chapter meetings;
 - f. nominate regular chapter members for office and vote in chapter elections; however, only RCMs in the “original” Bargaining Unit can make nominations or vote for a member-at-large seat on the Executive Committee to be filled by an RCM in the “original” Bargaining Unit; and only RCMs not in the “original” Bargaining Unit can make nominations or vote for a member-at-large seat on the Executive Committee to be filled by an RCM not in the “original” Bargaining Unit;
 - g. have all other privileges of membership as indicated in Article III. C. 1; and
 - h. participate in nominations for, elections for, and service on the Chapter Council as specified in Article XII.
3. No Member can be disciplined by the AAUP Chapter without adherence to due process, which shall include notice of the alleged offense(s), a hearing before an impartial body of RCMs, the right to be heard at such a meeting, and the right to be represented by another member chosen by the charged member.

Article IV: Officers

A. Elected Officers

The elected officers of AAUP-WSU shall be the president, vice president, secretary, communication officer, treasurer, two (2) members-at-large who shall be RCMs in the “original” Bargaining Unit, and two (2) members-at-large who shall be RCMs not in the “original” Bargaining Unit. The term of office for elected officers shall be two consecutive years, except as provided for Article VI B 4 a. The vice president, treasurer and two members-at-large will be elected in even numbered years and the president, secretary, communication officer and two members-at-large will be elected in odd numbered years. A sitting officer or member of the Executive Committee may run for any office, but can only hold one office at a time. There are no term limits. The nominations and elections shall follow the procedures outlined in Article VI.

1. **President.** The president shall carry out the policies, coordinate the functions, and exercise general supervision over the activities of the chapter. The president shall preside at meetings of the chapter, Executive Committee, and Chapter Council, respond to inquiries from the press unless the president delegates this task to the communication officer, and nominate, subject to the consent of the Executive Committee, representation to the meetings of the Ohio Conference, the AAUP Collective Bargaining Congress, and national AAUP. The president shall be a member ex officio nonvoting of all committees, but the president shall not be counted in determining a quorum in these committees.
2. **Vice President.** The vice president shall oversee Chapter recruiting efforts. The vice president shall chair the Nominating Committee, which provides names of candidates for election to the chapter members. The vice president shall chair the meetings of the Executive Committee, Chapter Council, or chapter in the absence of the president; and, in the absence of the president, shall otherwise serve. The vice president shall also perform the duties that are requested by the president, subject to the approval of the Executive Committee.
3. **Secretary.** The secretary is responsible for records (minutes) of all proceedings and submission of these records to the appropriate body for approval.
4. **Communication Officer.** The communication officer is responsible for disseminating chapter communications such as e-mailed announcements, including election-related announcements, news items, and the newsletter.
5. **Treasurer.** The treasurer is responsible for administration of the chapter finances and maintenance of accurate records of all money received and of all disbursements. These records must be available for inspection by any RCM. The treasurer shall prepare an annual budget and an annual financial report and submit them for approval at a Fall Semester chapter meeting. The treasurer shall ensure that no loans will be made by the

chapter, unless empowered to do so by the Executive Committee in the event of a strike. In such cases, the treasurer shall prepare and sign a promissory note for each loan, and enforce the provisions set forth in the promissory note. Upon specific request by SERB (State Employment Relations Board), the treasurer shall ensure that all officials and employees of the chapter who handle funds, trusts or other property of the chapter or subsidiary organizations will be bonded. In the absence of the president and vice president, the treasurer shall preside at meetings. In the case of withdrawal of both president and vice president, the treasurer shall assume the presidency of the chapter until these vacancies are filled.

6. Members-at-large: The duties of the four members-at-large shall be to attend Executive Committee meetings and to perform such duties requested by the Executive Committee or the president.

B. Vacancies

1. Resignation, disqualification, or recall. When an officer has resigned or is disqualified or is recalled, the office shall be filled by a special election following procedures outlined in Article VI. A & B. The Executive Committee is empowered to fill vacancies in any elective office until a special election is held. The person so elected shall hold office for the remainder of the unexpired term.
2. Any officer may resign at any time by giving written notice to the president or to the secretary of the chapter.
3. Creation of New Elected Officer Position(s). If a new elected officer position contains some of the duties of a position for which an officer is currently serving, that officer may choose, without election, to move into the new position for the remainder of his/her term, subject to approval of the Executive Committee. The Executive Committee will call a special election for the remaining vacant position.
4. Recall. All members of the Executive Committee are subject to recall.
 - a. A two-thirds (2/3) vote by the RCMs attending a regular or special meeting, or a petition signed by thirty (30) percent of the RCMs shall cause a recall election to be conducted within one (1) month.
 - b. Upon a two-thirds (2/3) vote of the RCMs casting ballots in favor of recall, the officer shall be recalled and relieved of his/her duties. This vote shall be held as stipulated in Article VI. B.
5. Other conditions. Should circumstances arise when there is but one remaining officer, an Executive Committee shall be recruited from RCMs and confirmed at the next regular chapter meeting.

C. Conflict of Interest Statement

The chapter prohibits any business or financial interests of its officers, agents, their spouses, minor children, parents, or others that conflicts with the fiduciary obligations of such persons to the organization.

Article V: Committees

A. Executive Committee

The Executive Committee shall consist of the nine elected officers of the chapter and the following appointed officers (*ex-officio*), each of whom shall be selected by the elected officers:

- the Grievance Officer(s) and assistants
- the Chief Negotiator
- the Media Officer
- the Contract Administration Officer.

The elected members of the Executive Committee shall meet to evaluate the performance of each appointed officer annually, and they retain the right to remove or replace any of the appointed officers at any time. Each evaluated person shall have the right to respond to the evaluation.

Appointed officers will recuse themselves from votes on matters related to their responsibilities and on which they are being given direction by the Executive Committee. Other voting restrictions are noted elsewhere in these bylaws. Otherwise, all members of the Executive Committee, whether elected or appointed officers, will have voting rights.

1. The Executive Committee shall act as the governing body of the chapter to uphold the Constitution & Bylaws. Seven Executive Committee members - which must include the president or vice president - shall constitute a quorum for the conduct of business by the Committee, with the following exception: when the business at hand is restricted to elected officers (e.g., annual evaluation of an appointed officer), five elected Executive Committee members shall constitute a quorum.
2. The Executive Committee shall assume responsibility for the chapter's continuing effective presence at Wright State University and for its collective bargaining responsibilities, including adherence to Ohio Revised Code (ORC) 4117. Among the duties of the Executive Committee are the following:
 - a. Meet with chapter members to provide assistance and receive comments and suggestions.
 - b. Conduct the business of the chapter between chapter meetings.
 - c. Regularly recruit members and encourage renewal of membership, via assignment by the vice president.
 - d. Make necessary appointments to complete an unexpired term of any officer until a special election is held.
 - e. Set the agenda for regular and special chapter meetings
 - f. Consult, as appropriate, with the Wright State University administration on matters of mutual interest.
 - g. Appoint a Grievance Officer. If deemed necessary, assistants will be appointed also, in which case the elected members of the Executive Committee shall meet to evaluate the performance of the assistants annually and retain the right to remove or replace any of the assistants at any time. Each assistant shall have the right to respond to the evaluation.
 - h. Make decisions on grievance and contract administration issues presented by the Grievance Officer (or assistants) or by the Contract Administration Officer.
 - i. Appoint a Chief Negotiator.
 - j. Appoint a Negotiating Team (NT). The members of the NT will be selected by the elected members of the Executive Committee in consultation with the Chief Negotiator. The elected members of the Executive Committee retain the right to remove and replace any member of the NT at any time.
 - k. Maintain media relationships as appropriate.
 - l. Supervise the preparation and distribution of a newsletter (in electronic or paper format) to inform members and other faculty of matters of local and national importance.
 - m. Receive periodic reports from the Chief Negotiator during the contract negotiation process. The Executive Committee will communicate the proposed collective bargaining agreement (here and elsewhere, CBA) to the Chapter Council. The Executive Committee must transmit a proposed CBA, with or without recommendation, to the RCMs to whom the CBA applies for ratification.
 - n. Appoint committee chairs for AAUP Committees, as well as chairs, co-chairs and/or members, representing the AAUP, of joint University/AAUP committees, as specified by the CBA(s).
 - o. The Executive Committee will assume responsibility for promoting diverse representation in terms of gender, race, ethnicity, age, disability, tenure status,

and (should there be more than one Bargaining Unit for which AAUP-WSU is certified pursuant to Article II A 2-3) membership in the Bargaining Units in all of its endeavors.

- p. Meet with the administration to discuss minor changes to the contract and/or make interim agreements between contract negotiations. At least two Executive Committee members must meet with the administration for the purpose of reaching an interim agreement. If a verbal agreement is reached, it must be transformed into a written document and signed by at least two members of the Executive Committee, following a vote of approval by the Executive Committee. A two-thirds (2/3) vote of the Executive Committee is required to approve a change in the CBA (consider such a change “minor”) without taking it to the RCMs in whose CBA the change would apply for a vote as outlined in X.C.8.
- q. The voting representative to the Collective Bargaining Congress of the AAUP (CBC) shall be chosen each year by the Executive Committee from among the elected members of the Executive Committee.
- r. If the chapter is authorized or obligated to designate a representative(s) to the Board of Trustees of the Ohio Conference (or other body associated with the Ohio Conference), then the representative(s) shall be chosen each year by one of the following two methods; each year, the Executive Committee will select which method will be used. If more than one representative is to be selected, then the Executive Committee may choose to employ method 1 below for a given number (none, some, or all) of said representatives and method 2 for the rest.
 - 1. The Executive Committee will select the representative from among the elected members of the Executive Committee.
 - 2. The Executive Committee will arrange for an election in which the Regular Chapter Members will elect the representative.
- s. Appoint a Media Officer, who is responsible for
 - 1. updating and maintaining the chapter website, Facebook page, and other such social and digital media;
 - 2. integrating those effectively with the Ohio Conference and national websites; and
 - 3. developing other uses of social and digital media that will enhance and expand the chapter’s impact and increase internal and external awareness of the chapter’s activities.
- t. Appoint a Contract Administration Officer, who is responsible for
 - 1. maintaining the database of all chapter members and all Bargaining Unit Faculty Members (BUFMs),
 - 2. generating needed data from that database,
 - 3. handling matters related to contract administration that are not likely to involve a grievance: for instance, devising mechanisms for addressing ambiguities in the contract language, for implementing new contract language, and for providing oversight of the implementation of the contract language.

B. Other Committees

AAUP-WSU Executive Committee may create standing and *ad hoc* committees from time-to-time, as they are deemed necessary, to promote the welfare of the chapter’s program at Wright State University. The chairperson and members of these committees shall be appointed by the Executive Committee.

Article VI: Nominations and Voting Procedures for Election of Officers and At-Large Members

A. Nominations

1. Nominations for chapter officers: The Nominating Committee shall consist of the vice president (Committee chair), the four Members-at-Large of the Executive Committee, and one other RCM (at-large Nominating Committee member) elected each year for a one year term with the Chapter officers.
2. Approximately four months prior to the end of incumbents' term(s), nominees shall be sought using a "Call for Nominations". If possible, at least two nominations for each office shall be obtained.
3. In a Special Election, the Nominating Committee shall call for nominees as soon as possible upon learning of the vacancy, but not sooner than 4 months before the vacancy occurs.
4. Chapter Council members shall be nominated as outlined in XII. D.

B. Voting Procedures

1. Voting will be by one of the following two procedures. For each election, the Executive Committee will select which procedure to use.
 - a. Secret ballot sent to each voter at least two weeks prior to the return date. To maintain secrecy and allow for validation of one vote per member, each marked ballot will be placed in a small unmarked envelope that is sealed, and returned in a larger envelope bearing the chapter member's name. Mail ballots not so returned shall not be counted. Each ballot must indicate the following:
 1. The date and hour by which ballots must be received by the chapter.
 2. The US mail address and campus address of the chapter.
 3. Instructions for hand-delivery to the chapter office or to a Lake Campus location approved by the Executive Committee.
 - b. Electronic or online voting, via a means that provides for secrecy and for one vote per member, announced to each voter via e-mail or equivalent means at least one week prior to the close of voting. The announcement must specify instructions for voting, and the date and hour for the close of voting.
2. **Election of Chapter Officers.** If procedure VI B 1 a is selected, then the return date and hour shall be the four (4) hours prior to the start of a Spring Semester chapter meeting, at which time the grievance officer and the at-large nominating committee member shall count the ballots in the Chapter office, in the presence of any members who wish to attend. If procedure VI B 1 b is selected, then the close of voting will be four (4) hours prior to the start of the aforementioned chapter meeting. For either procedure, the Grievance Officer and at-large Nominating Committee member shall present the results of the election at the aforementioned chapter meeting.
3. For each office, the candidate receiving a majority of votes cast shall be declared the winner. In the event that no candidate obtains a majority, a run-off election shall be held; the candidates who finish first and second will participate in the run-off election. In the event of a tie, an additional run-off election shall be held. The incumbent officer will continue to serve until a replacement officer is duly elected.
4. When a new chapter office is created via a Constitution & Bylaws change or a current officer resigns, is disqualified, or is recalled, the chapter may call a special election to fill the new position, using procedures in Article VI A & B (Sections B 1, B 3 and B 4). In a special election, the Nominating Committee will try to fill the office as soon as reasonably possible. However,
 - a. if procedure VI B 1 a is selected, then secret ballots will be sent to voters at least two weeks before the due date, and the Nominating Committee will set the due date and time for the return of the ballots; and
 - b. if procedure VI B 1 b is selected, then the announcement of the election must be distributed to voters at least one week prior to the close of voting, and the Nominating Committee will set the date and time for the close of voting.

If an officer who requires training for the job (secretary, communication officer, or treasurer) resigns, the Nominating Committee will allow time for the newly elected officer to train with the current officer before that officer resigns, if this is possible.

C. Term of office

Officers elected during the Spring Semester will begin their term of office on May 1 of that year. Newly elected secretary, communication officer and treasurer shall be trained by current officers from election day until they take office. When these newly elected officers complete their training, they will be eligible for course-release throughout their term in office, subject to approval of the Executive Committee; otherwise, no provision of these Chapter Constitution and Bylaws shall limit The Executive Committee in assigning course releases made available to AAUP-WSU by any agreement(s) with the Wright State University administration. Newly elected president and vice-president may attend Executive Committee meetings prior to their term in office, as non-voting *ex-officio* members, with two-thirds consent of the voting Executive Committee members.

Article VII: Meetings

A. Regular Chapter Meetings

The chapter shall hold regular meetings at least once each term (except for summer term). Written notice of such meetings shall be provided to each Member of the chapter who is eligible to attend at least one week in advance of the date selected. The chapter will hold at least one meeting/year that is open to associate chapter members.

B. Special Chapter Meetings

1. Other chapter meetings are authorized in accordance with Article X. C. 6., under the time schedule specified by Ohio Revised Code 4117.
2. Special meetings of the chapter may be called by the president, a majority of the Executive Committee, or by petition by ten (10) percent of RCMs delivered to any chapter officer. The president shall call the meetings within seven days after having been directed by the Executive Committee or by petition. Written notice of such meetings shall be provided to each RCM of the chapter at least five days in advance of the date selected.

C. Agenda Items

The written meeting notice shall include the agenda of the meeting. All items requiring votes must be put on the agenda. Any RCM may have an item placed on the agenda at the time of the meeting if this item is approved by an affirmative vote of a majority of the RCMs present.

D. Quorum

The quorum required for the transaction of business at all meetings of the chapter shall consist of twenty RCMs of the chapter.

Article VIII: Dues

A. Establishment of Local Chapter Dues

AAUP-WSU shall establish local chapter dues to be levied on RCMs and ACMs.

B. Dues Rates for Regular Chapter Members

RCMs shall pay total dues not to exceed 0.7% of the nine-month base salary (but not less than the sum of national and state dues). The Executive Committee will set the actual rate based on the

annual budget approved by the membership. (The nine-month base salary for bargaining unit members on “fiscal” (vs. nine-month “academic”) contracts shall be computed as the annual base salary times 9/11 (=0.8182)). These dues shall include national, Ohio conference, and local components.

C. Dues Rates for Associate Chapter Members

ACMs shall pay national and Ohio Conference dues plus \$10 per year in local chapter dues.

D. Dues for RCMs on Reduced Salary Leave

Dues for RCMs on reduced salary during leave shall be reduced proportionately, but not below the sum of national and state dues.

E. Special Dues Assessment

The Executive Committee may propose a special assessment in local chapter dues. Ratification of the special assessment requires a majority vote by those casting ballots on this issue. The voting procedures apply as outlined in Article VI B 1. The treasurer and the secretary shall count these ballots in the chapter office at an announced time in the presence of any members who wish to attend. The secretary shall report the results of this balloting to the chapter.

F. Method of Payment

Pursuant to Article III A 3, dues must be paid by monthly payroll deduction by all chapter members.

G. No Limitations Clause

No provision of these bylaws shall be interpreted as in any way limiting the ability of AAUP-WSU to negotiate collection of collective bargaining service fees (fair share fees) for those members of the bargaining unit(s) who choose not to hold membership in the chapter.

H. No Penalty for Joining Chapter

Payroll deduction of dues for a person in a Bargaining Unit to which fair share fees apply who becomes a Regular Chapter Member will begin no sooner than would payroll deduction of fair share fees had the person chosen not to join AAUP-WSU.

Article IX: Parliamentary Procedure at Meetings

Robert’s Rules of Order, Revised, shall be the authority for this chapter in matters of parliamentary procedure unless otherwise noted in these Bylaws.

Article X: Contract Negotiations

A. Overview

Informed by the Chapter Council, the Executive Committee and the Negotiating Team seek to determine the professional preferences of the RCMs and formulate the draft bargaining proposals. The Chapter Council will review and may recommend to the Executive Committee and

Negotiating Team modifications of any kind to the draft bargaining proposals. The Negotiating Team negotiates a contract with representatives of Wright State University. During negotiations, the Chief Negotiator will present all tentatively agreed upon contract language to the Executive Committee. If approved by the Executive Committee, these proposals will be communicated to the Chapter Council which will recommend to the Executive Committee and Negotiating Team approval of or modifications to the aforementioned contract language. The Executive Committee shall submit to the RCMs the tentative negotiated contract for ratification.

B. Duties of the Negotiating Team and its Members

1. The Chief Negotiator shall advise the Executive Committee regarding selection of the members of the Negotiating Team.
2. The Chief Negotiator will work with the Executive Committee to survey the CB unit faculty (or regular chapter members) with regard to collective bargaining matters in order to determine faculty desires and priorities. Draft proposals for negotiations may be written by members of the Negotiating Team, the Executive Committee, or members of the Chapter Council.
3. The Negotiating Team will assist the Chief Negotiator in gathering the data necessary to support bargaining positions.
4. The Negotiating Team negotiates in good faith a contract with representatives of Wright State University.
5. The Chief Negotiator shall serve as the primary spokesperson for the Negotiating Team in all negotiation sessions.
6. The Negotiating Team will maintain detailed notes of all negotiating sessions.
7. Subject to the approval of the Executive Committee, the Negotiating Team has the option to ask both intramural and extramural specialists to participate in its activities. The Negotiating Team also has the option of forming research groups to provide supporting data for the Team's proposals or positions.
8. The Negotiating Team will not participate in negotiating sessions without the Chief Negotiator, nor will it participate in negotiating sessions without any other Negotiating Team members or extramural participants deemed essential for a given session by the Negotiating Team and Executive Committee.
9. During negotiations, the Chief Negotiator will present all tentatively agreed upon contract proposals to the Executive Committee.
10. Only the Negotiating Team is authorized to participate in contract negotiations on behalf of AAUP-WSU.

C. Contract Ratification

1. A tentative Collective Bargaining Agreement may be ratified by the RCMs to whom it applies either at a meeting of these RCMs, or by mail ballot, or by electronic or online voting. The Executive Committee will choose which of these three means will be used.
2. Regardless of the means the Executive Committee chooses, the Executive Committee shall distribute copies (either electronic or paper) of the tentative CBA to the RCMs to whom it applies at least one week before the meeting occurs, or the mail ballot is due, or the electronic or online voting closes. The Executive Committee shall also make the tentative CBA available on the chapter's web site. The Executive Committee will provide a paper copy to any RCM upon request.
3. Unless precluded by Ohio Revised Code 4117: whether ratification occurs at a meeting, or by mail ballot, or by electronic or online voting, the tentative CBA will be ratified if and only if a majority of the RCMs casting a ballot vote in favor of ratification.
4. If a mail ballot is used, then
 - a. the Executive Committee will implement the vote in accordance with Article VI B 1 a, except that a voter may choose to vote via e-mail if the voter is away from campus (as may occur, for example, during the summer, or while on Professional Development Leave, or for other reasons), and

- b. the Executive Committee will call a meeting of the RCMs to whom the tentative CBA applies at least one week before the mail ballot is due, so that these RCMs may discuss the tentative CBA. The announcement of such a meeting must be made at least five days before the meeting.
- 5. If ratification at a meeting is used, then
 - a. the Executive Committee will announce the meeting and its purpose – to discuss and vote upon the tentative CBA – to all the RCMs to whom it applies at least one week before the meeting,
 - b. a secret ballot shall be used for the ratification vote, and
 - c. the meeting may extend over more than one day, or over more than one meeting session on a single day, or both.
- 6. If ratification by electronic or online voting is used, then the Executive Committee will implement the vote in accordance with Article VI B 1 b. Also, the Executive Committee will call a meeting of the RCMs to whom the tentative CBA applies at least four days before the close of voting, so that these RCMs may discuss the tentative CBA. The announcement of such a meeting must be made at least three days before the meeting.
- 7. When Ohio Revised Code 4117 or unusual circumstances require a quick response of the members, the Executive Committee will call a meeting for ratification but is not obligated to adhere to the time constraints that would otherwise apply.
- 8. At any meeting called in relation to ratification of a tentative CBA, the chapter President will preside and Executive Committee members may attend. However, these persons will have voting rights only if they are in the collective bargaining agreement to which the tentative CBA applies.
- 9. Major modifications of a collective bargaining agreement in the interim period between contract negotiations must be approved by RCMs to whom the CBA applies, following the process specified in the other provisions of this Article X C.
- 10. The chapter shall comply with all rules and regulations of the Ohio State Employment Relations Board which are applicable to contract ratification and resolution of contract disputes.

D. Procedures for a Strike Authorization Vote and Strike Vote

1. Preamble

A strike authorization vote (3 below) is a vote to empower the AAUP-WSU Executive Committee (EC) to call a strike (4 below) if circumstances merit. The strike authorization vote demonstrates a will to act collectively to protect our collective bargaining rights and the collective bargaining agreement itself, including but not limited to our role in shared governance and our academic freedom.

2. Voting in the EC

In voting of the EC specified in (3) and (4) below, the Chief Negotiator shall not be eligible to vote.

3. Strike Authorization Vote

In taking a strike authorization vote, the EC will act in accordance with the following minimum requirements:

- a. The EC shall call a meeting of the RCMs, wherever feasible, with at least 72 hours advance notice, whenever feasible, and present the issue or issues involved that warrant a strike authorization vote. If a meeting is not feasible, then the EC shall present said issue(s) in a message to all RCMs, which shall be sent at least 72 hours before voting begins pursuant to 2 (b) below.
- b. The RCMs shall vote by secret ballot on the question of whether or not a strike will be authorized. The EC will choose whether voting will be (i) by paper ballot or (ii) electronic (i.e., online). Voting must utilize a means that provides for secrecy and for one vote per RCM.

- c. A 60% supermajority of the RCMs voting is required for the strike authorization vote to pass.
 - d. The results of strike authorization vote shall be sent to the President and the Chief Negotiator of the AAUP-WSU.
4. EC Vote to Call a Strike

With an affirmative strike authorization vote and after the results of the strike authorization vote are communicated to the RCMs, the EC is empowered to call a strike to begin at any time no later than 100 days after the strike authorization vote ended. In voting whether to strike, AAUP-WSU Executive Committee will act in accordance with the following minimum requirements:

- a. All members of the EC who are eligible to vote will be invited to register a vote for or against a strike.
- b. A 60% supermajority of the EC voting shall be required to call a strike.
- c. The President or designee shall communicate the outcome of the strike vote to all Regular Chapter Members.
- d. The EC shall determine the terms and conditions required to end the strike.
- e. A simple majority of the EC voting shall determine whether to end the strike.

E. (untitled sub-article)

In the event of a strike, the Executive Committee may vote to authorize the creation of a loan fund for RCMs. Upon consultation with the treasurer, they shall allocate specific amount of money to a loan pool. Loans shall bear no interest, and the term of the loan shall not exceed 270 days. In the event a loan to an RCM is not paid in full at the end of the term, it shall convert to an interest-bearing loan.

Article XI: Amendments

These Constitution and Bylaws may be amended by a two-thirds (2/3) affirmative vote of RCMs present at a regular or special chapter meeting, or by two-thirds (2/3) of the RCMs responding to a written ballot, or by two-thirds (2/3) of the RCMs responding to electronic or online voting. However, as long as there is more than one Bargaining Unit under the auspices of AAUP-WSU, no amendment shall be enacted unless it is supported by a majority of RCMs in the “original” bargaining unit who vote, and also by a majority of RCMs not in the “original” bargaining unit who vote. A notice of the proposed amendment(s) including reasons and any known objections shall be sent to each RCM at least 15 calendar days prior to the vote (that is, prior to the meeting, or prior to the due date for the return of a written ballot, or prior to the closing date for electronic or online voting). The Executive Committee or a petition of ten (10) percent of the RCMs may initiate amendments.

Article XII: Chapter Council

A. Overview

In addition to the elected officers enumerated in Article IV A, the at-large Nominating Committee member (Article VI A 1), and the appointed officers (Grievance and Contract Administration Officer(s) and Chief Negotiator), the chapter shall form a standing body, the Chapter Council.

B. Composition

- 1. The President (or, as called for by Articles IV A 2 and IV A 5, the Vice President and Treasurer respectively) of AAUP-WSU shall preside over meetings of the Chapter Council but will have no vote.

2. The Chief Negotiator, or a designee approved by the Executive Committee, may attend meetings of the Chapter Council but will have no vote.
3. Each voting member of the Chapter Council must be a Regular Chapter Member.
4. For Chapter Council representation, the Colleges are
 - i. the College of Education and Human Services
 - ii. the College of Engineering and Computer Science
 - iii. the College of Liberal Arts
 - iv. the College of Nursing and Health
 - v. the College of Science and Mathematics
 - vi. the Lake Campus, and
 - vii. the Raj Soin College of Business.
5. Each of the aforementioned colleges will have two voting representatives on the Chapter Council.
 - i. One of the two voting representatives from each college must be a member of the “original” Collective Bargaining Unit.
 - ii. One of the two voting representatives from each college must not be a member of the “original” Collective Bargaining Unit.
6. The voting members of the Chapter Council will select a recording secretary, who may be a voting member of the Chapter Council or one of the persons named in Article XII B 1-2, to record draft minutes of each meeting and present them for consideration (including possible modification) and approval at the subsequent meeting. A copy of the minutes so approved will be given to the Executive Committee.

C. Voting

Whenever the Chapter Council votes, the voting members of the Chapter Council shall have voting rights as follows.

1. Each voting member who is a member of the “original” Collective Bargaining Unit shall cast a number of votes equal to the sum of
 - a. The number of RCMs in the “original” Collective Bargaining Unit in the college from which the voting member comes, and
 - b. The percentage (rounded to the nearest integer) of BUFMs in the “original” Collective Bargaining Unit in the college from which the voting member comes who are RCMs.

However, such voting members shall not have the right to vote on matters pertaining to a collective bargaining agreement that would apply only to RCMs who are not in the “original” Collective Bargaining Unit.

2. Each voting member who is a not member of the “original” Collective Bargaining Unit shall cast a number of votes equal to the sum of
 - a. The number of RCMs not in the “original” Collective Bargaining Unit in the college from which the voting member comes, and
 - b. The percentage (rounded to the nearest integer) of BUFMs not in the “original” Collective Bargaining Unit in the college from which the voting member comes who are RCMs.

However, such voting members shall not have the right to vote on matters pertaining to a collective bargaining agreement that would apply only to RCMs who are in the “original” Collective Bargaining Unit.

3. The number of votes to be cast as specified in 1-2 above shall be determined by the Executive Committee promptly following the University’s annual report to AAUP-WSU regarding the Bargaining Unit(s) (ref. Article 8.8.1 in the 2011-2014 CBA). The number

of votes to cast, so determined, shall last until the chapter receives the next annual report. Thus, the number of votes cast will be determined approximately once per year.

D. Election of Voting Members of the Chapter Council

1. The Executive Committee shall publish the responsibilities of Chapter Council and shall call for nominations from among the RCMs in each college. For the inaugural Chapter Council, the Executive Committee shall do so within thirty days of the adoption of this Chapter Constitution and Bylaws. Subsequently, the Executive Committee shall do so in January 2015 and in every subsequent January following the expiration of a CBA applicable to the “original” collective bargaining unit.
 - a. Only RCMs in the “original” Collective Bargaining Unit may nominate persons who are in the “original” Collective Bargaining Unit.
 - b. Only RCMs not in the “original” Collective Bargaining Unit may nominate persons who not are in the “original” Collective Bargaining Unit.
2. As soon as the Executive Committee declares that the nominations are closed, but in no event less than 14 days nor more than 40 days after the first call for nominations was distributed, the Executive Committee will arrange for a secret ballot election in any case for which the number of nominees exceeds the number of seats to be filled.
 - a. Only RCMs in the “original” Collective Bargaining Unit may vote in an election to select a Chapter Council member in the “original” Collective Bargaining Unit.
 - b. Only RCMs not in the “original” Collective Bargaining Unit may vote in an election to select a Chapter Council member not in the “original” Collective Bargaining Unit.
 - c. Candidates receiving the highest number of votes will be elected.
3. The term of office of each person selected pursuant to 2 above shall last until the seat is filled by a subsequent election.

E. Responsibilities of the Chapter Council

Meet at least once per month during the academic year

Jointly meet with the Executive Committee for at least three of the aforementioned mentioned meetings

Provide regular recommendations to the Executive Committee about issues of concern to the RCMs

Serve as liaison with RCMs, including communications from RCMs to the Executive Committee, Negotiating Team, etc. as well as communications to RCMs from those bodies

Organize actions and otherwise help mobilize the RCMs, as needed

Suggest ways to increase engagement of RCMs in the affairs of the chapter

Undertake surveying or collection of data in support of chapter objectives in general and CBA negotiations in particular

Recommend modifications to existing CBA language, deletions of existing CBA language, or additional CBA language to the Executive Committee

Recommend such modifications to draft bargaining proposals, to the Executive Committee and Negotiating Team, pursuant to Article X A

Review tentatively agreed upon contract proposals, and recommend to the Executive Committee and Negotiating Team approval of or modifications to these proposals, pursuant to Article X A

F. Replacements

The Executive Committee will replace Chapter Council members who resign, fail to meet their responsibilities as indicated in Article XII E, or miss three consecutive Chapter Council meetings; such replacements shall be sought from runners-up (if selected by election) or volunteers from the RCMs of that college. Each replacement must meet the qualifications that were applicable to the Chapter Council member being replaced.

Article XIII: Travel Policy

A. Overview

1. Reimbursement by the chapter for expenses associated to travel on chapter business, and pre-payment of such expenses by the chapter, requires the approval of the Executive Committee.
2. Any deviation from the rules established in Article XIII B will require, on a case-by-case basis, a vote of the Executive Committee with a quorum present and for two-thirds of those voting to approve the deviation.

B. Rules

1. All reimbursements, other than those for local travel, will require receipts.
2.
 - a. AAUP-WSU will pay “standard airfare”, which is defined to be the economy, round-trip, non-refundable airfare from the Dayton area to the site of travel. Reimbursement for airfare from a city other than Dayton entailing a higher total cost will require approval by Executive Committee on a case by case basis.
 - b. If a traveler drives rather than flies, then reimbursement will be for mileage (at the standard IRS rate) up to a maximum of the standard airfare. Parking fees will be reimbursed.
3. AAUP-WSU will reimburse attendees for the registration fee which may include meals, as well as either lodging in a dormitory or an AAUP sponsored hotel.
4. AAUP-WSU will pre-pay on travel costs for airfare, registration, or lodging, if the receipts or other documentation of the expenses are presented and the item has been approved by Executive Committee. If the AAUP-WSU representative does not attend the conference/meeting, then AAUP-WSU will be reimbursed, except in cases of an unforeseen emergency.
5. AAUP-WSU will not pay for a rental car unless it costs the same or less than local transportation. The Executive Committee of AAUP-WSU must preapprove any car rental -- for example, flying to Boston and renting a car to get to New Hampshire.
6. AAUP-WSU will pay for parking in the destination city if the BUFM has driven there and satisfies the criterion in 2 b above. This will be in lieu of local transportation costs.
7. AAUP-WSU will pay all reasonable meal costs using the current Wright State University per diem allowance as a general guideline. Receipts will be required unless per diem is declared. Meals covered in registration fees will not be reimbursed by either per diem or by receipt.

Article XIV: Friends, Affiliates, and Allies of AAUP-WSU

AAUP-WSU recognizes that some persons affiliated with Wright State University may be members (actual or potential) of national AAUP but not eligible for membership in AAUP-WSU; among these are academic

professionals, faculty in the Boonshoft School of Medicine and the School of Professional Psychology, adjunct faculty, emeritus faculty, and graduate students. AAUP-WSU further recognizes that it shares interests and values with such persons. Therefore AAUP-WSU is committed to supporting the development of an advocacy chapter(s) that will address the concerns and advance the interests of those groups within our university and beyond.