

By-Laws of the North Shore Community College Professional Association

ARTICLE I - NAME OF THE ASSOCIATION

The name of the Association shall be the North Shore Community College Professional Association (NSCCPA), hereinafter referred to as “the Chapter”.

ARTICLE II - OBJECTIVES

- 2.01 To improve the professional and economic status of the Chapter members.
- 2.02 To serve as a liaison between the Massachusetts Teachers Association (MTA), the Massachusetts Community College Council (MCCC), and the unit members of the MCCC Chapter as defined by the Massachusetts Labor Relations Commission.
- 2.03 To be responsible for the conduct of all business relative to the local level of operation as indicated by the contract.

ARTICLE III - MEMBERSHIP

- 3.01 Membership
 - A. Full time chapter members are those members of the College who are full time members of the MCCC.
 - B. Part time chapter members are those members of the College who are part time members of the MCCC, including both DCE faculty and day professional staff.
- 3.02 Voting and Office Holding Privileges
 - A. Each full time unit member shall have one (1) vote, regardless of work load.
 - B. Each part time unit member shall have one-fourth (1/4) vote, regardless of work load. Part time members may hold any office, and in the capacity of office holder have one (1) vote.
- 3.03 Membership Year

The membership year shall commence on July 1 and end on June 30, with the exception of new members whose membership will begin as of the effective date of their employment. The current membership lists will be updated by December 31 of each year.

ARTICLE IV – OFFICERS and REPRESENTATIVES

- 4.01 The Officers of the Chapter

The Officers of the Chapter shall be the President, two Vice Presidents (one in Lynn and one in Danvers), a Secretary, a Treasurer, and a chapter representative to the Board of Directors of the MCCC.
- 4.02 A. Staff Representative

There will be one Staff Representative; this person will represent the viewpoint of the Professional Staff.
- B. DCE Representative

There will be one DCE Representative; this person will represent the viewpoint of the part time faculty.
- 4.03 Powers and Duties of the Officers
 - A. The President shall
 1. preside over meetings of the executive committee and of the general membership,
 2. call for members to serve on any committees established by vote of the general membership,
 3. represent the chapter as a delegate to the MCCC Delegate Assembly,
 4. perform all other functions usually attributed to this office.
 - B. Each Vice President shall
 1. act for the President in any circumstances in which the President is unable to function,
 2. either serve as the Chairperson of the Grievance Committee,
 3. or attend the meetings of NSCC’s Board of Trustees, writing a summary of the meeting to be distributed to the membership via the chapter newsletter,
 4. represent the chapter as second and third delegates to the MCCC Delegate Assembly,
 5. be an ex-officio member of all committees and serve as chair pro-temp at the organizational meeting of all committees,
 6. be responsible for running union meetings on the campus from which the President is absent,
 7. perform all other functions usually attributed to this office.
 - C. The Secretary shall
 1. keep and distribute minutes of all meetings of the Executive Committee and the general membership,
 2. maintain official files and shall assist the President with the Chapter correspondence,

3. prepare election ballots and distribute them to the membership,
 4. represent the chapter as the third delegate to the MCCC Delegate Assembly,
 5. act for the Vice-President in any circumstances in which the Vice-President is unable to function.
- D. The Treasurer shall
1. maintain a roll of the members, collect dues, and transmit amounts due to the MCCC and MTA,
 2. keep accurate accounts of receipts and disbursements and shall report to each meeting of the general membership,
 3. prepare an annual financial statement in accordance with state and federal regulations and shall present this to the general membership at the last meeting of the academic year,
 4. hold the funds of the Chapter and disburse them in accordance with budget allowances,
 5. seek input from officers and committee chair-persons in order to prepare a proposed annual budget which will be presented to the membership for approval at a meeting in May,
 6. represent the Chapter as the fourth delegate to the MCCC Delegate Assembly,
 7. receive Executive Committee approval for disbursements in excess of \$250.
- E. The Representative to the Board of Directors shall
1. attend the monthly meetings of the Board of Directors,
 2. report on MCCC business at each meeting of the general membership of the Chapter or by written communication to the membership after each MCCC Board meeting,
 3. act for the Secretary or Treasurer in any circumstances in which the Secretary or Treasurer is unable to function.
- 4.04 A. Powers and Duties of the Professional Staff Representative
The Professional Staff Representative shall
1. represent the viewpoint of the Professional Staff unit members, both part and full time, at Executive Committee and General Membership meetings
 2. explicitly solicit Professional Staff input for the Negotiations Committee representative.
 3. be given first choice to fill vacant delegate seats at the MCCC Delegate Assembly,
 4. be familiar with the Contract as it applies to Professional Staff and assist Professional Staff members in contract interpretation and enforcement.
- B. Powers and Duties of the DCE Representative
The DCE Representative shall
1. represent the viewpoint of the DCE unit members at Executive Committee and General Membership meetings and at any required faculty meetings.
 2. explicitly solicit DCE input for the Negotiations Committee representative.
 3. be given first choice to fill vacant delegate seats at the MCCC Delegate Assembly,
 4. be familiar with the DCE Contract as it applies to members and assist DCE members in contract interpretation and enforcement.
 5. serve as chapter representative to the MCCC Adjunct Committee
- 4.05 Terms and Succession
- A. The Professional Staff Representative, the DCE Representative and the treasurer will serve a two year term of office. Other officers will serve a one year term of office. Elected Executive Committee members may stand for re-election.
 - B. Election of officers and representatives will occur in March or April. New members of the Executive Committee shall assume the duties of office on July 1.
 - C. If the membership finds it necessary to remove from office an elected official, a petition to this effect carrying the signatures of 30% of the active members shall be presented to the Executive Committee. Within ten (10) working days from receipt of this petition the Executive Committee shall hold a recall vote which will require a two-thirds (2/3) majority of the active members for removal from office. If that removal is voted, the official is removed, and the Executive Committee shall, within thirty (30) days, hold a special election to fill the office vacated.
 - D. If an officer or building representative resigns the Executive Committee shall hold a special election to fill that office within thirty (30) days.

ARTICLE V - EXECUTIVE COMMITTEE

5.01 Membership

The Executive Committee shall consist of the officers, Staff Representative, and the DCE Representative, who have been elected by the membership at large, and the Grievance Coordinators and two (2) ad hoc members, who have been appointed by the president.

- 5.02 Powers and Duties
- A. Governed by the policies established by the general membership, the Executive Committee shall be responsible for the management of the Chapter.
 - B. It shall report its transactions to the general membership and suggest policies for consideration by them.
 - C. It shall prepare an annual budget for the operation of the Chapter.
 - D. It shall, by September 30, prepare, publish and distribute to the members a list of deadlines called for by the current contract.
 - E. Its members shall serve as Chapter delegates to the MCCC Delegate Assembly.

ARTICLE VI - MEETINGS

- 6.01 The Executive Committee shall meet during the school year on a schedule to be determined by the Executive Committee. Additional meetings will be held at the request of at least three members.
- 6.02 General Membership Meetings
There shall be at least two general membership meetings each semester in a bi-semester year. These shall be determined by the Executive Committee. Three weeks prior to each meeting, the Executive Committee will solicit from all members, through a memo, items for the agenda. One week prior to each meeting, the Executive Committee shall prepare an agenda, including all items submitted by members, and shall circulate it to all members.
- 6.03 Special Meetings
Special meetings of the general membership may be held at the call of the President or upon written request to the Executive Committee from five percent (5%) of the membership. Business to come before special meetings must be stated in the call which shall be sent in writing to each member at least five working days prior to the meeting.
- 6.04 Quorum
- A. The majority of their members shall be a quorum for the Executive Committee.
 - B. A quorum for general membership meetings shall be twenty percent (20%) of the full time members.
- 6.05 Absentee Voting
- A. In the event that a member cannot personally attend a general or special meeting due to specifically assigned regularly scheduled classroom, clinical or professional duties as contractually mandated, that member may vote on an issue in balloting held at that meeting. The member may vote by submitting an absentee vote, which specifies his/her position on the issue, in writing to the President of the Executive Committee in a sealed envelope at least three (3) hours prior to the start of the meeting. This sealed envelope shall bear a notation indicating the issue which the vote relates to. This sealed envelope shall be contained in a larger sealed envelope which has been signed by the absentee voter. Immediately prior to the vote count, the outer sealed envelope will be opened by the President or designee and the inner sealed envelope will be handed to the designated vote counters.
 - B. In the event that a member cannot personally attend a general or special meeting due to specifically assigned regularly scheduled classroom, clinical or professional duties as contractually mandated, that member may vote on an issue by proxy in balloting held at that meeting. (Proxy voting shall allow an agent, who shall be any voting member, to cast a vote representing the absentee.) The absentee shall, in a personally signed statement, express his/her desire to vote by proxy and identify his/her agent to the President of the Executive Committee at least three (3) hours prior to the start of the meeting. No agent shall be allowed to cast proxy votes for more than one member.

ARTICLE VII - COMMITTEES

- 7.01 Organization
There shall be the following standing committees having the specific functions outlined below:
- A. Members of the Chapter interested in serving on committees shall submit their names to the President.
 - B. Members of the Chapter interested in serving on ad-hoc committees shall submit their names to the Vice-President.
- 7.02 Meetings
Each standing committee shall meet regularly according to the needs of the Chapter.
- 7.03 Reports
The chair of each committee shall be prepared to report to the general membership meeting on the work of the committee or on items requiring action.
- A. Each committee shall choose a Secretary who shall record the activities of the committee and assist the chair with correspondence, reports, etc.
 - B. Each committee shall prepare an annual written report before June 1 to be given to the Chapter Secretary and filed as part of the records of the Chapter. Ad-hoc committees shall submit their reports when their specific function has been discharged.

7.04 Committee Titles and ResponsibilitiesA. Membership Committee

Shall organize and conduct membership enrollment among non-members and inform members of the policies, programs, services and accomplishments of the Chapter. It further shall aid in or develop programs for the orientation of new personnel to the college, the Chapter and the community.

B. Grievance Committee

1. The Executive Committee shall act as the Grievance Committee; the Day Grievance Coordinator shall act as chair and the Secretary as Secretary.
2. Generally the Chapter's position in processing grievances will be one of advocacy -- speaking in behalf of the member's cause and utilizing Chapter resources to effect a remedy. Such advocacy, however, cannot be automatic. The committee must be satisfied, and must make the judgment, that a genuine grievance does exist.
3. The contract negotiated with the Massachusetts Division of Higher Education shall provide the outline of steps in processing grievances.
4. Written records should be kept denoting time, place, persons present, and other relevant information at each step of the grievance process.
5. Confidentiality shall be observed on grievances while being handled at the campus level if so requested by the individual concerned.

C. Nominating/Election Committee

Committee shall be responsible for preparing a slate of candidates to be presented to the general membership and for supervising elections as specified in Article IX, Section 4.

D. Special Committees

Ad-hoc committees shall be established as needed by simple majority vote at general membership meetings and shall have a term of one (1) year.

ARTICLE VIII - NEGOTIATION COMMITTEE REPRESENTATIVE

8.01 Powers and Duties

A. The Negotiation Committee Representative shall

1. attend regularly scheduled negotiation committee meetings,
2. gather information from the general membership useable in negotiation activities,
3. report to the general membership on business conducted at the negotiation committee meetings.

8.02 Election and Length of Service

- A. Any active member of the Chapter is eligible for this position.
- B. The Negotiation Committee Representative shall be elected, as needed, by the general membership.
- C. The Negotiation Committee Representative shall serve until the asking package has been approved by the MCCC Executive Board.

ARTICLE IX - RULES AND PROCEDURES

9.01 Roberts Rules of Order Newly Revised shall be the authority of the Chapter.

9.02 The President may appoint a parliamentarian to assist at general membership meetings of the Chapter.

9.03 The business year shall be July 1 to June 30.

9.04 Election Procedures

- A. The slate will be drawn up by the Nominating/Election Committee and presented to the general membership fourteen (14) days prior to the election date. The 14 day requirement may be waived in the event of a special election or if there are uncontested races/ vacancies on the ticket.
- B. The slate will be presented to the membership at a general meeting in order to allow nominations from the floor.
- C. Ballots will be prepared by the Secretary of the Chapter and distributed to the membership.
- D. Ballots will be returned by individual members to a specified voting area. Names will be checked against the official Chapter membership list and ballots will be tabulated by the Nominating/Election Committee.
- E. To be elected a candidate must receive a majority of the votes. If no candidate receives a majority, a run-off election between two (2) candidates with the largest number of votes will be held, such election to be supervised by the Nominating/Election Committee.

ARTICLE X - THE AMENDMENT PROCESS

These by-laws may be amended by a two-thirds (2/3) vote of the members present and voting at any regular meeting of the Chapter provided that copies of the proposed amendments have been provided to members of the Chapter at least two (2) weeks in advance of the meeting.

ADDENDUM: PERSONNEL AND POLICIES

Policy on Stipends to Chapter Officers

It is the policy of the Chapter that officers serve primarily on a voluntary basis. This policy recognizes that all officers provide substantial services to the unit, that the burden of these duties varies from semester to semester and with the individuals fulfilling these duties, and that adequate recompense on an hourly basis is beyond the fiscal resources of the unit.

The President, Vice President, Treasurer, and Secretary shall receive a predetermined stipend computed and paid on a per semester basis.

The semester stipend paid to the President shall be computed at the rate of \$3 per unit member, plus \$250. The number of unit members shall be determined by the unit treasurer as soon as practicable after the first week of classes in each semester.

The semester stipend of each Vice-President(s) shall be \$100.

The semester stipend of the Secretary shall be \$250.

The semester stipend of the Treasurer shall be \$3 per unit member.

The semester stipend of the Day Grievance Coordinator shall be \$250.

The semester stipend of the DCE Grievance Coordinator shall be \$250.

The semester stipend of the Representatives, Professional Staff and DCE, shall be \$75.

It shall be the executive committee's policy to solicit a written or oral report from each member of the executive committee, as well as accept such a report from any unit member, towards the end of each academic year and recommend stipends or increases to stipends to any chapter member(s) who have contributed inordinately to the chapter in that year.

Such recommendations, with rationale, shall be presented to the membership in writing by the executive committee to be modified and voted upon. Any vote on a stipend recommendation should be by secret ballot. An inordinate contribution is a time/energy commitment well beyond that which might have been expected of that office/individual.

Policy on Appointments to MACER (Day and DCE), Day Grievance Coordinator and DCE Grievance Coordinator, and Ad-Hoc Members to the Executive Committee

MACER: As stated in the day contract, the members of the MACER committee will be appointed by the president of the chapter, and the chair of the committee will also be appointed by the president of the chapter: "Such representatives [of MACER] shall be respectively appointed by the President of the College and the President of the Chapter. In addition, the President of the College shall designate the Chairperson for the College and the President of the Chapter shall designate the chairperson for the Association" (page 74 Article XXII). The chapter president may change the appointments to this committee at his/her pleasure.

As stated in the DCE contract, the members of the DCE MACER committee will be appointed by the president of the chapter, and the chair of the committee will be appointed by the president of the chapter: "There shall be established at each Community College a DCE Management Association Committee on Employee Relations (DCE MACER) comprised of three management representatives appointed by the President of the College and three DCE unit members appointed by the President of the Chapter" (page 3 Article 2.07). The chapter president may change the appointments to this committee at his/her pleasure.

Day and DCE Grievance Coordinators: The grievance coordinators are appointed by the chapter president and serve at the pleasure of the president. The chapter president may change the appointments to this position at his/her pleasure. The Day and DCE Grievance Coordinators shall: advise day and DCE faculty and staff regarding day and DCE grievances and procedures; coordinate Day and DCE grievances with MCCC day and DCE Grievance Coordinators if necessary, especially chapter or statewide grievances; consult with Grievance Committee; and attend MCCC day and DCE Grievance Coordinator meetings.

Ad-Hoc Members of the Executive Committee: Two members of the NSCC/PA who do not hold other office in the chapter are appointed by the chapter president to serve on the Executive Committee. These appointments are at the pleasure of the president.