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United University Professions

CONSTITUTION

ARTICLE I NAME

8 The name of this organization shall be United University Professions, also referred to in this
9 Constitution as "UUP," the "Union," or the "Local."

ARTICLE II PURPOSE

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12 The purpose of this organization shall be to improve the terms and conditions of employment of
13 those it represents; to promote mutual assistance and cooperation among the members of this
14 organization; to advance education in a democracy and democracy in education; to promote the
15 principle of unity and collective bargaining in higher education; and to defend the civil,
16 professional, and human rights of those it represents.

ARTICLE III MEMBERSHIP

Section 1. Classes of Membership.

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19 There shall be the following classes of membership in United University Professions:

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21 a. Regular Membership: Regular Membership shall be open to employees in the State University
22 of New York and in such other higher education units in the State of New York as shall be
23 determined by the Delegate Assembly;
- 24 i. Contingent membership shall extend from September 1 through August 31. Membership
25 in good standing shall be maintained through payment of dues as defined in Article III,
26 Section 4. b.i.b. and shall be on a continuing basis throughout the membership year.
- 27 b. Retired Membership: Retired Membership shall be open to any regular member in good
28 standing who has retired from active service with a minimum of five continuous years of
29 membership in good standing immediately preceding the date of retirement or continuous
30 membership beginning 30 days after the adoption of this amendment by the delegate
31 assembly, whichever is less. If a member has less than five years of continuous bargaining
32 unit employment the member must have continuous membership in good standing for the
33 length of their employment in the bargaining unit or beginning 30 days after the adoption of
34 this amendment, whichever is less.

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36 c. Sustaining Membership: Sustaining Membership shall be open to any person who has been
37 retrenched or non-renewed or who has been involuntarily terminated for any reason and has
38 litigation, grievance, or other, similar proceedings in progress. Sustaining membership
39 terminates upon reinstatement in the negotiating unit or resolution of such litigation or other
40 proceedings and is limited to the period of litigation or a three-year term, whichever is longer.
41 Sustaining members may vote but not hold office at the Chapter, Local or Affiliate levels.
42 d. Honorary Membership: Honorary Membership without vote or the right to hold office in the
43 Union, may be granted as the Executive Board or the Delegate Assembly may determine, in
44 recognition of service or dedication to the purposes of this Union as specified in Article II of
45 this Constitution;

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47 **Section 2. Categories of Membership.**

48 Membership shall be of either of two categories, "academic" or "professional:"

- 49 a. "Academic" members shall be those persons with academic rank;
50 i. "Contingent Academic" members shall be those persons appointed to any academic
51 position which does not prescribe eligibility for continuing appointment.
52 b. "Professional" members shall be those persons with professional rank;
53 i. "Contingent Professional" members shall be those persons appointed to any professional
54 position which does not prescribe eligibility for permanent appointment.

55 **Section 3. General Provisions.**

- 56 a. Membership status shall officially begin with the registration by the UUP office, either
57 through receipt of a payroll deduction authorization card or of a letter of application.
58 Membership in good standing shall be maintained through payment of dues and shall
59 officially terminate after a grace period of sixty days following the due date;
60 b. Membership shall be on a unified basis, as specified in Article XII of this Constitution;
61 c. The membership year shall extend from September 1 through August 31 and shall coincide
62 with the fiscal year;
63 d. No discrimination shall be shown individual members or applicants for membership because
64 of age, color, race, creed, religious faith, national origin, sex, gender identity or expression,
65 sexual orientation, marital status, familial status, disability, military status, predisposing
66 genetic characteristics, or political activities or belief;
67 e. An individual must be a member in good standing to be nominated for, elected to, or hold
68 office in United University Professions.

69 **Section 4. Dues.**

- 70 a. Dues for membership may vary from bargaining unit to bargaining unit and among the classes
71 of membership.
72 b. Annual dues of United University Professions shall be assessed as follows:
73 i. a. For Regular members whose salaries are at or above the minimum salary negotiated
74 for the bargaining unit, one percent of the base annual salary, provided, however, that
75 such members on leave without pay or temporarily off payroll shall be assessed for

- 76 \$25, prorated as appropriate, plus the equivalent of affiliate per-capita dues
77 payments;
- 78 b. For Regular members whose salaries are below the minimum salary negotiated for the
79 bargaining unit, nine-tenths of one percent of the annual salary, provided, however,
80 that such members on leave without pay or temporarily off payroll shall be assessed
81 for \$25, prorated as appropriate, plus the equivalent of affiliate per-capita dues
82 payments;
- 83 ii. For Retired Members, dues shall be calculated prior to each fiscal year, before adoption
84 of the Retired Membership Governing Committee annual budget, using the following
85 formula: a basic charge figured with reference to actual costs in support of retiree
86 activities as derived from the most recent complete financial records, plus an amount for
87 additional assessment for support of retiree programs as determined by the Retired
88 Membership Governing Committee in consultation with its constituency and the Finance
89 Committee;
- 90 iii. For Sustaining Members, \$25 plus the equivalent of affiliate per-capita dues payments;
- 91 v. For Honorary Members, there shall be no dues
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93 **ARTICLE IV**
94 **OFFICERS**

95 The officers of this organization shall be a President, a Vice President for Academics, a Vice
96 President for Professionals, a Secretary-Treasurer, and a Membership Development Officer.

97 **Section 1. General Responsibilities of Officers.**

98 The officers shall meet regularly and carry out the policy of the organization; shall coordinate the
99 activity of the organization's committees; shall report to the Executive Board and the Delegate
100 Assembly on the transactions, activities, and accomplishments of the Union, as appropriate; and
101 shall serve as ranking delegates to the meetings of affiliate bodies by virtue of their office.

102 **Section 2. Duties of the President.**

103 The President shall preside over meetings of the Delegate Assembly and the Executive Board;
104 shall appoint the chairpersons and members of committees, subject to the approval of the
105 Executive Board; shall be a non-voting member of all committees; shall be the administrative
106 officer of the organization; shall perform all other functions usually attributed to this office; and
107 he or she or a designee shall represent the organization before the public or appropriate bodies.

108 **Section 3. Duties of the Vice Presidents.**

- 109 a. The Vice Presidents shall function under the direction of the President and shall have as their
110 primary duties the analysis of the problems and concerns of the members of the categories
111 they represent, such analyses to be presented to the Executive Board for appropriate action,
112 and shall perform such other duties as may be assigned by the President;
- 113 b. In the event the President is absent or disabled, the Vice President from the alternate
114 category shall automatically assume the duties of the presidency until such time as the
115 Executive Board meets and appoints an Acting President.

116 **Section 4. Duties of the Secretary-Treasurer.**

117 The Secretary-Treasurer shall be the bonded financial officer of the organization. His or her
118 duties shall include: (a) the collection of all monies, properties, files and effects of the
119 organization; (b) reporting to each meeting of the Delegate Assembly; (c) the payment of all
120 monies properly authorized by the Delegate Assembly, Executive Board or the president through
121 the budget adopted by the Delegate Assembly; (d) shall prepare an annual financial statement
122 for publication and distribution to the members as directed by the Executive Board; (e) to
123 arrange annually for the audit of all books, accounts, records and financial transactions of the
124 organization by an independent auditing firm. Such audit to be provided to the officers and
125 Executive Board and published to the members; (f) to issue the Call for the convention and cause
126 the proceedings of the convention to be recorded; to maintain a roll of members; and to work
127 under the direction of the president in the performance of all other responsibilities as may be
128 given him or her by the president or the Executive Board.

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130 **Section 5. Duties of the Membership Development Officer.**

131 The Membership Development Officer shall work to promote membership growth; shall present
132 to the Executive Board recommendations with respect to membership development; shall serve,
133 by virtue of the office, as a member of the Retired Membership Governing Committee and as a
134 member of the Membership Committee; and shall perform such other membership-related
135 functions as may be directed by the President or the Executive Board.

136 **Section 6. Terms of Office and Election Procedures.**

- 137 a. Officers shall be elected to terms of three years, or until successors are elected;
- 138 b. Elections of the President, Secretary-Treasurer, and Membership Development Officer shall
139 be held in the same year, and elections of the Vice Presidents shall be held in the subsequent
140 year;
- 141 c. Officers shall be elected in accordance with the provisions of Article VIII, Section 4, of this
142 Constitution.

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**ARTICLE V
EXECUTIVE BOARD**

146 **Section 1. Composition.**

147 There shall be an Executive Board consisting of the officers and fourteen additional persons
148 elected by the Delegate Assembly. In addition, the Chair of the Retired Membership Governing
149 Committee shall serve as a limited voting member; this board member may vote on issues
150 affecting UUP Retiree Members and such items as ruled on by the chair of the Executive
151 Board, but not voting on the UUP budget, matters affecting the terms and conditions of
152 employment of bargaining unit members, contract negotiations, ratification and its
153 enforcement. The Chair of the Retired Membership Governing Committee shall not be included
154 in determining Chapter representation on the Board. Total membership on the Executive Board
155 shall reflect the approximate whole-number ratio by the categories of membership on the rolls
156 of United University Professions. The Executive Board shall include no fewer than one member

157 from each of the five types of Chapters, as defined in Article VII, Section 4, of this Constitution
158 and no fewer than one contingent member, as defined in Article III, Section 2, of this Constitution.
159 No more than two members of the entire Executive Board may be from the same Chapter.

160 **Section 2. Terms of Office and Election Procedures.**

- 161 a. Terms of office of members of the Executive Board shall be for three years, or until successors
162 are elected, and shall be staggered;
163 b. Executive Board members shall be elected in accordance with the provisions of Article VIII,
164 Section 4, Nomination and Election Procedures, of this Constitution.

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166 **Section 3. Duties, Powers and Responsibilities of the Executive Board.**

167 The Board shall:

- 168 a. Adopt an agenda for each Board meeting;
169 b. Meet at least four times during the academic year and additionally as requested by the
170 President or at the petition of one-third of the members of the Executive Board;
171 c. Determine the time and place of the meetings of the Delegate Assembly; by a two-thirds vote,
172 authorize the President to cancel or terminate a Delegate Assembly for extraordinary reasons
173 such as, but not limited to, weather emergencies and fiscal exigencies;
174 d. Recommend an Order of Business and Rules of Procedure to the Delegate Assembly;
175 e. Execute written agreements on behalf of the Union;
176 f. Employ staff and define their duties to accomplish the purposes of this organization;
177 g. Implement policies established by the Delegate Assembly;
178 h. Submit an annual budget to the Delegate Assembly and provide such financial statements as
179 are appropriate;
180 i. Act on extraordinary expenditures which may require modification of the budget, subject to
181 the review of the Delegate Assembly;
182 j. Approve appointments to committees, upon recommendation of the President;
183 k. Fill officer vacancies on an acting basis until an election for the remainder of the term at the
184 next regular Delegate Assembly;
185 l. Adopt Rules of Procedure for its own operation;
186 m. Recommend policy to the Delegate Assembly;
187 n. By a three-fifths vote, initiate referenda and establish the procedures for the conduct thereof,
188 in accordance with the provisions of Article IX, Referenda, of this Constitution;
189 o. Investigate complaints concerning chapter elections and order that new elections be held or
190 that other appropriate actions be taken;
191 p. Act on behalf of the Delegate Assembly in matters necessary to accomplish the purposes of
192 the Union.

193 **ARTICLE VI**
194 **DELEGATE ASSEMBLY**

195 **Section 1. Composition.**

196 The Delegate Assembly shall consist of delegates from the Chapters of the organization, members
197 of the Executive Board, Chairpersons of the Standing Committees, and one delegate elected by
198 and from the Retired Membership of the organization.

- 199 a. Delegates from the Chapters of the organization and members of the Executive Board shall
200 be elected in accordance with the provisions of Article VIII, Nomination and Election
201 Procedures, of this Constitution, and Chairpersons of Committees shall be appointed in
202 accordance with the provisions of Article V, Section 3.j. of this Constitution.
- 203 b. Each member of the Delegate Assembly, except Chairpersons of the Standing Committees,
204 unless duly elected as delegates, or, in the case of the Chapters, a duly seated alternate
205 delegate, shall be entitled to one vote; there shall be no proxy votes.

206 **Section 2. Duties, Powers and Responsibilities of the Delegate Assembly.**

- 207 a. The Delegate Assembly shall be the legislative and policy-forming body of this Union. Except
208 for matters decided by referendum, final authority in this Union shall rest in the Delegate
209 Assembly, and, in the case of matters decided by referendum, the Delegate Assembly may
210 not take up such matter at a Delegate Assembly until the third regular meeting succeeding
211 the referendum.
- 212 b. The Delegate Assembly shall also:
- 213 i. Act on the seating of the delegates;
 - 214 ii. Adopt an Order of Business, Rules of Procedure, and establish internal committees for its
215 operation;
 - 216 iii. Elect officers and other Executive Board members from the roll of elected delegates in
217 accordance with the procedures contained in Article VIII of this Constitution;
 - 218 iv. Propose programs for legislative action;
 - 219 v. Adopt amendments to this Constitution, in accordance with the procedures contained in
220 Article XIII of this Constitution;
 - 221 vi. Establish policies for the organization;
 - 222 vii. By a three-fifths vote, initiate referenda and establish the procedures for the conduct
223 thereof, in accordance with the provisions of Article IX of this Constitution;
 - 224 viii. Meet in special assembly upon the call of the President or following the filing with the
225 President of a written petition of one-third of the roll of the delegates; such special
226 assembly may be convened concurrent with a regular Delegate Assembly, but in no case
227 shall the President delay convening a special assembly beyond sixty days after the filing
228 of a legitimate petition;
 - 229 ix. Recall any elected officers and/or member of the Executive Board in a special meeting of
230 the Delegate Assembly, provided that any such challenged person shall have the right to
231 be heard or represented following timely notice of said meeting, and provided further,
232 that a verbatim transcript be made of such meeting and preserved in the permanent files
233 of the organization, and provided further, that removal of such challenged party or parties
234 shall be by a roll-call vote requiring a two-thirds vote of those present and voting;
 - 235 x. Convene regularly at least two times a year for Delegate Assemblies;
 - 236 xi. Adopt an annual budget.

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**ARTICLE VII
CHAPTERS**

Section 1. Composition.

Those members in a given unit of United University Professions whose representatives have been seated at any Delegate Assembly or for whom formation of a chapter has been authorized by the Executive Board, subject to approval of the Delegate Assembly, shall constitute a Chapter of United University Professions.

Section 2. Structure of the Chapters.

- a. Chapters shall develop their own structures and By-Laws, provided that no such structures or By-Laws are inconsistent with any provision of this Constitution; a copy of such By-Laws shall be filed with the Secretary-Treasurer of UUP, and any amendments shall be reported to the Secretary-Treasurer upon adoption;
- b. Each Chapter shall have, as officers, a President, a Vice President for Academics, a Vice President for Professionals, an Officer for Contingents, an Officer for Retirees, a Secretary and a Treasurer, or a Secretary-Treasurer, a Grievance Chairperson, a designee for Diversity, Equity and Inclusion, and such other officers as shall be specified in the Chapter By-Laws, who, with the exception of the Grievance Chairperson, and the designee for Diversity, Equity and Inclusion, must be elected in accordance with the provisions of Article VIII, Nomination and Election Procedures, of this Constitution, and provided that any Chapter may designate, in its By-Laws, other positions as elective;
- c. When there are no nominees for a position, and no individual who received at least five write-in votes is willing to serve if elected, the office shall be declared vacant and shall be filled by appointment by the Chapter's governing body. Delegates to the Delegate Assembly and affiliate conventions must be elected;
- d. The officers of each Chapter shall arrange for meetings, for elections, for effective communication between the Chapter, the Delegate Assembly, and other appropriate bodies, and for such other Chapter activities as may be required to accomplish the goals of the Union;
- e. Each Chapter shall periodically submit a fiscal accounting of its activities to the Executive Board of UUP, on a form authorized by the Board.

Section 3. Chapter Representation to the Delegate Assembly.

Subject to the provisions of Article VIII, Nomination and Election Procedures, of this Constitution, Chapter representation to the Delegate Assembly shall consist of the following delegates:

- a. The first delegate shall be the President of the Chapter;
- b. The second delegate shall be the Vice President elected by and from the category alternate to that of the Chapter President;
- c. The third delegate shall be the Vice President elected by and from the same category as the Chapter President, if the Chapter is entitled to an additional representative from that category;
- d. The fourth delegate shall be the Officer for Contingents. The Officer for Contingents shall be an additional delegate regardless of category. The Officer for Contingents shall not affect the delegate allocation for the chapter as specified in Article VIII, Section 2.c.;

282 e. Additional delegates and alternates shall be elected by and from the Chapter membership
283 according to category.

284

285 **Section 4. Types of Chapters and Institutions.**

286 For the purposes of this Constitution, there shall be five types of institutions and Chapters, as
287 follows:

288 a. Four-Year Colleges, including: Brockport, Buffalo State, Cortland, Fredonia, Geneseo, New
289 Paltz, Old Westbury, Oneonta, Oswego, Plattsburgh, Potsdam, and Purchase;

290 b. Health Sciences Centers, including: Buffalo HSC, Downstate Medical Center, Stony Brook HSC,
291 and Upstate Medical University;

292 c. Specialized Units, including: Empire State College, Environmental Science and Forestry,
293 Farmingdale, Maritime, Optometry, Polytechnic Institute, System Administration, and the
294 Research Foundation;

295 d. Colleges of Technology and other Two-Year Institutions, including: Alfred, Canton, Cobleskill,
296 Delhi, and Morrisville;

297 e. University Centers, including: Albany, Binghamton, Buffalo Center, and Stony Brook.

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**ARTICLE VIII
NOMINATION AND ELECTION PROCEDURES**

301 **Section 1. Chapter Election Dates.**

302 Chapter elections, except those held to fill vacancies, shall be held in odd numbered years for
303 each elective office and be completed no later than May 1, unless extraordinary circumstances
304 prevent meeting that deadline. Terms of office of those elected shall commence on June 1 of the
305 year in which they are elected; persons elected to fill vacancies shall take office at the time of
306 election.

307 **Section 2. Chapter Elections for the Delegate Assembly.**

308 a. The Chapter Secretary or a specified Chapter Election Official shall be designated in the
309 Chapter By-Laws as responsible for all Chapter elections;

310 b. Chapters may choose to conduct their own Chapter elections or request the Constitution and
311 Governance Committee to conduct their Chapter elections for them. The UUP Chapter
312 Election Guidelines shall specify the procedures to be followed for each choice;

313 c. Chapter members in each category, as specified in Article III, Section 2, of this Constitution,
314 shall elect to the Delegate Assembly delegates from their ranks, with the exception of the
315 Chapter President, and in accordance with the provisions of Article VII, Section 3, of this
316 Constitution; each category in a Chapter shall be entitled to one delegate for every seventy-
317 five members or fraction thereof in the category;

318 d. Delegates/Alternates to the Delegate Assembly shall be elected by a secret mail ballot and in
319 accordance with the UUP Chapter Election Guidelines; appropriate ballots shall be mailed to
320 the last known home addresses of Chapter members in each category who are in good
321 standing at the time of certification of membership for the election, which is 35 days prior to
322 the close of nominations; in no case shall either a delegate or an alternate be appointed;

- 323 e. Members in good standing of each Chapter must be given suitable opportunity to nominate
324 candidates for the office of delegate and/or alternate, provided, however, that any candidate
325 must be a member in good standing at the time of certification of membership for the
326 election;
- 327 f. Notice of the election, the offices to be filled, the right to make nomination, and the time,
328 place, and proper form for the submission of nominations must be sent to each Regular and
329 each Retired member at his or her last known home address and be given a prominent place
330 in the Chapter publication;
- 331 g. Each candidate for delegate or alternate must be permitted to have an observer at the
332 counting of ballots; the results of the election must be published in their entirety and all
333 election records, including ballots, must be preserved for a period of one year in accordance
334 with the UUP Chapter Election Guidelines;
- 335 h. The *UUP Chapter Election Report* shall be filed with the UUP Secretary-Treasurer within two
336 weeks following the date of the election and shall constitute the official delegate/ alternate
337 list for the year;
- 338 i. Terms of office for Chapter delegates shall not exceed two years.
- 339 j. Candidates for delegate and alternate delegate shall run for the position of delegate in their
340 respective categories of Academic and Professional;
 - 341 i. If all delegate offices are to be filled in one election year, upon completion of that election
342 the candidates who receive at least five votes in each category shall be ranked in order of
343 votes received. As of the certification date for each Delegate Assembly, naming of the
344 delegates for that Assembly shall be in order of votes received until the allotted number
345 of delegates for that Chapter is reached in each category. All others on each list shall be
346 designated Alternates in rank order of votes received. If named delegates subsequently
347 are unable to attend the Assembly or fail to confirm their intentions to attend under
348 Section 2.k. of this Article, alternate delegates shall be named to replace them in order of
349 votes received;
 - 350 ii. If all delegates are not elected in the same year, ranking shall be determined first by year
351 of election and then, within the year of election, by the process in Section 2.j.i. of this
352 Article;
- 353 k. The Chapter President shall seek confirmation by the delegates of their intent to attend each
354 Delegate Assembly. Delegates who do not so confirm to the Chapter President at least seven
355 days prior to the Assembly shall be replaced with appropriate Alternates by the Chapter
356 President. If a delegate is so replaced, that delegate shall not be eligible for seating at the
357 Assembly in place of any confirmed delegate or confirmed alternate delegate who attends
358 the Assembly;
- 359 l. Notification of an alternate's replacing a delegate at a Delegate Assembly shall be in writing
360 from the Chapter President and presented to the Constitution and Governance Committee
361 at registration. The notification shall include the name of the delegate being replaced and
362 the sessions for which that alternate is to be seated;
- 363 m. Union funds may not be used to promote the candidacy of any individual or group. Union
364 funds may be used to conduct the election – pay for ballots, notices publicizing the election,
365 postage, factual statements of issues, and similar items.

366 n. Procedures for nominations and elections, consistent with this Article, shall be determined
367 by the Executive Board subject to approval by the Delegate Assembly and shall be published
368 to the membership.
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370 **Section 3. Nomination and Election Procedures for the Retired Delegate to the Delegate**
371 **Assembly and the Other Elected Members of the Retired Membership Governing Committee.**

372 a. There shall be a delegate to the Delegate Assembly elected by and from the Retired
373 Membership of the organization;

374 b. i. There shall be eight elected members of the Retired Membership Governing Committee,
375 in addition to the Retired Delegate to the Delegate Assembly, who, shall chair the
376 Committee. Each such elected member of the Committee shall be elected by and from the
377 Retired membership designated as belonging to a given Region as defined in Section 3.b.ii.
378 of this Article. Such designation is determined by the location of the Chapter of which the
379 Retired member had been a Regular member prior to retirement, provided, that any
380 Retired member who had been a member of a Statewide Chapter prior to retirement shall
381 be designated as belonging to the Region in which the member's primary work site prior
382 to retirement was located.

383 ii. Regional Divisions for the purposes cited in Section 3.b.i. shall be as follows: Capital
384 District: Albany, Cobleskill, New Paltz, System Administration; Long Island: Farmingdale,
385 Old Westbury, Stony Brook, Stony Brook HSC; North Country: Canton, Plattsburgh,
386 Potsdam; Western New York: Buffalo Center, Buffalo HSC, Buffalo State, Fredonia, Finger
387 Lakes: Alfred, Brockport, Geneseo; Central New York: Environmental Science and Forestry,
388 Morrisville, Oswego, Polytechnic Institute, Upstate Medical University; Metropolitan:
389 Downstate Medical Center, Maritime, Optometry, Purchase; Southern Tier: Binghamton,
390 Cortland, Delhi, Oneonta. Empire State College Chapter retirees will be included in the
391 Region in which the member's primary work site was located prior to retirement.

392 c. Procedures for nominations and elections shall be determined by the Executive Board and
393 shall be published to the Retired Membership; such procedures shall be consistent with those
394 established for Chapter elections to the Delegate Assembly, as appropriate, with the
395 requirement that the term of office for the Retired Delegate to the Delegate Assembly and
396 the other Elected Members of the Retired Membership Governing Committee shall be for a
397 term consistent with that for Executive Board members;

398 d. The Constitution and Governance Committee shall be responsible for the conduct of
399 nominations and elections called for under the provisions of this section.

400 **Section 4. Nomination and Election Procedures for Officers and Executive Board Members.**

401 a. Officers and members of the Executive Board shall be elected by the membership of the
402 Delegate Assembly from the roll of elected delegates;

403 b. Nominations shall be by written petition of at least ten members of the Delegate Assembly.
404 Petitions shall be filed with the Constitution and Governance Committee at the time of the
405 Delegate Assembly;

406 c. Election of Officers and members of the Executive Board shall be by majority of those voting;
407 voting shall be by written, secret ballot, except that in cases where only one candidate has
408 been nominated for an Officership or an Executive Board seat, the Secretary-Treasurer, by a

409 two-thirds vote of those present and voting, may be directed to cast a single ballot for such
410 candidate; only those votes, including write-ins, for persons eligible to serve shall be counted
411 in determining the majority of votes cast; abstentions shall not be counted;

- 412 d. Nominations and elections shall be held for one position at a time, with results announced
413 prior to nominations for the next, in the following order: Officer positions, in constitutional
414 order; any created Officer positions, in constitutional order; Executive Board positions, in the
415 following order: to meet the type of Chapter requirement; to alternate between an academic
416 seat, and a professional seat, until all academic and professional ratios are met, beginning
417 with the at-large professional seat in 2012; provided, however, that elections to fill unexpired
418 terms of Executive Board seats vacated by an incumbent shall be held prior to those for full
419 terms; and further provided, that no nomination shall be permitted which would preclude
420 the conditions imposed by Article V, Section 1, of this Constitution;
- 421 e. In cases where there are more than two candidates and no candidate receives a majority of
422 the votes cast, a run-off shall be held; if there were no write-in candidates in the first
423 balloting, the name of the candidate who received the smallest number of votes shall be
424 dropped; if there were write-in candidates in the first balloting, the names of all candidates
425 receiving fewer than 10 votes shall be dropped. Should no candidate receive a majority of
426 the votes cast in the run-off, additional run-offs shall be held; on each additional run-off
427 ballot, the names of all candidates receiving fewer than 10 votes shall be dropped; persons
428 who have received votes may withdraw from the election, in which case subsequent votes in
429 that election for such persons shall not be counted in determining a majority. These
430 procedures shall be continued until one candidate receives a majority;
- 431 f. All elections, except those to fill vacancies, shall occur at the second Delegate Assembly of
432 UUP's fiscal year, with the President, Secretary-Treasurer, and Membership Development
433 Officer elected in the same year, and the Vice Presidents elected in the subsequent year, and
434 one-half, to the nearest whole number, of the other positions on the Executive Board elected
435 at the second Delegate Assembly of UUP's fiscal year, in each year that officer elections are
436 held;
- 437 g. Officers and Executive Board members shall assume their office on June 1 of the year in which
438 they are elected, except that persons elected to serve out unexpired terms created by
439 vacancies shall take office at the time of election;
- 440 h. When a member of the Delegate Assembly is elected as an Officer, such member's Chapter
441 seat in the Assembly shall become vacant, but he or she may retain any Chapter office; when
442 a member of the Delegate Assembly is elected to an Executive Board seat, other than an
443 Officership, such member's Chapter seat in the Assembly shall become vacant and the
444 member shall be seated at large as a member of the Executive Board;
- 445 i. Any person serving as an Officer or member of the Executive Board shall be eligible for
446 nomination, re-nomination, and election to any position elected by the Delegate Assembly
447 from the roll of elected delegates.
448

449 **Section 5. Nomination and Election Procedures for Delegates to Affiliate Conventions.**

- 450 a. This organization shall send delegates to the conventions and other meetings of its affiliates
451 in order to insure its proper representation, with the Officers serving as ranking delegates by
452 reason of their offices;

453 b. Procedures for nominations and election, when such are necessary, shall be determined by
454 the Executive Board and shall be published to the membership; such elections shall be for
455 two year terms and shall be held concomitantly with Chapter elections as specified in Section
456 1 of this Article; the Constitution and Governance Committee shall be responsible for the
457 conduct of any election called for under this provision.

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ARTICLE IX REFERENDA

461 **Section 1.**

462 The highest level of policy making in this organization shall be through referendum of the entire
463 membership. Positions or policies established by referendum shall not be subject to reversal or
464 modification by a governing body or by subsequent referendum until the second regular meeting
465 of the Delegate Assembly subsequent to the referendum.

466 **Section 2. Initiation and Procedures.**

- 467 a. A referendum may be initiated in any of the following manners:
- 468 i. By order of a three-fifths vote of the Delegate Assembly;
 - 469 ii. By order of a three-fifths vote of the Executive Board;
 - 470 iii. By petition of at least ten percent of the regular members, drawn from at least twenty
471 percent of the Chapters.
- 472 b. The referendum procedure shall be established by the Delegate Assembly or by rules adopted
473 by the Executive Board.

474

475 **Section 3.**

476 Matters not subject to referendum are:

- 477 a. Employment, assignment, promotion, discharge, or compensation of this organization's staff;
- 478 b. Powers specifically assigned to other bodies by this Constitution;
- 479 c. Amendment and/or interpretation of this Constitution.

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482

ARTICLE X COMMITTEES

483 **Section 1. Standing Committees.**

484 The Standing Committees of this organization shall be the Committees on Academic Medical
485 Programs, Black and Latino Faculty/Staff Legislative, Chapter Presidents, Chapter Vice Presidents
486 for Academics, Chapter Vice Presidents for Professionals, Compliance/Audit, Constitution and
487 Governance, Contingent Employment, Disability Rights and Concerns, Diversity, Equity and
488 Inclusion, Environmental Issues & Advocacy, Finance, Future of Public Higher Education, Gender
489 and Sexuality Interests, Grievance, Membership, Negotiations, Opportunity Programs, Solidarity,
490 Teacher Education, Technology Campuses, UUP Outreach, UUP Scholarship, Veterans Affairs,
491 Women's Rights and Concerns, and Retired Membership Governing Committee. Committees
492 discuss issues, propose solutions and/or resolutions and may form subcommittees for a

- 493 particular purpose. All Standing Committees shall report to the President, the Executive Board
494 and, through the Executive Board, to the Delegate Assembly.
- 495 a. The Academic Medical Programs Committee shall identify and analyze issues of concern to
496 the health sciences centers, hospitals, and the nursing and other health-related professions
497 in SUNY;
 - 498 b. The Black and Latino Faculty/Staff Legislative Committee shall focus on identifying goals for
499 Black and Latino Faculty/Staff Associations across UUP Chapters and on developing political
500 synergy with the New York State Association of Black, Puerto Rican, Hispanic & Asian
501 Legislators, Inc. to promote a SUNY-wide vision for Blacks and Hispanics in SUNY;
 - 502 c. The Committee of Chapter Presidents shall meet regularly to identify and discuss issues of
503 concern to UUP Chapters;
 - 504 d. The Committee of Chapter Vice Presidents for Academics shall meet regularly to identify and
505 discuss issues of concern to SUNY's academics;
 - 506 e. The Committee of Chapter Vice Presidents for Professionals shall meet regularly to identify
507 and discuss issues of concern to SUNY's professionals;
 - 508 f. The Compliance/Audit Committee shall work with the UUP Secretary-Treasurer, the
509 Comptroller's office, and the Finance Committee to ensure UUP's fiscal accountability;
 - 510 g. The Constitution and Governance Committee shall review the UUP Constitution and make
511 recommendations to the President, the Executive Board and the Delegate Assembly; shall
512 include the duties of Constitution and Governance; shall be responsible for the conduct of all
513 elections delegated to it; shall certify the credentials of the representatives to the Delegate
514 Assembly to which it shall report and make recommendations on seating of delegates and/or
515 alternates; and shall serve in such other capacities as may be assigned to it by appropriate
516 bodies;
 - 517 h. The Contingent Employment Committee shall be composed of the elected chapter Officers
518 for Contingents as well as other members appointed at the discretion of the UUP President;
519 shall encourage membership and activity of contingent members with respect to the
520 treatment of contingent academics and professionals, and their issues and concerns; shall
521 recommend policies and programs to meet the needs of contingent academics and
522 professionals; shall work with other committees as directed by the Executive Board; may
523 consider other matters referred to it; and shall draft proposals to ensure equity and fairness
524 for contingent members throughout SUNY and in the activities and policies of UUP and its
525 affiliates;
 - 526 i. The Disability Rights and Concerns Committee shall provide oversight of campus-wide
527 implementation of the Americans with Disabilities Act, New York State laws and local laws to
528 ensure compliance and to monitor discussion on same, including legal cases which may affect
529 people with disabilities; and shall encourage individuals with disabilities to actively
530 participate in their union and to fulfill their full professional potential;
 - 531 j. The Diversity, Equity and Inclusion Committee shall undertake to review UUP structures and
532 policies with respect to equal opportunities and to recommend to the Executive Board and
533 other appropriate bodies actions designed to implement affirmative action goals within UUP;
534 shall work with the Negotiations Committee to formulate contract demands to implement
535 equal opportunity goals within SUNY; and shall develop programs designed to aid members
536 and Chapters in their pursuit of equal opportunity goals on their own campuses;

- 537 k. The Environmental Issues and Advocacy Committee shall examine environmental issues
538 affecting the UUP and SUNY communities and collaboratively propose and advocate for
539 policies and programs that build a more sustainable and regenerative future.
- 540 l. The Finance Committee shall be responsible for drawing up and recommending the proposed
541 budget; shall review expenditures and the activities of the Secretary-Treasurer on a regular
542 basis; and shall administer UUP's Legal Defense Fund;
- 543 m. The Future of Public Higher Education Committee shall monitor the globalization and
544 corporatization of public higher education and resulting changes in the structure of the
545 university that are of significance to UUP and its members; and shall focus on the use and
546 effect of technology, expansion of new modes of course delivery such as online education,
547 campus-specific and statewide policies and practices pertaining to teaching and research on
548 SUNY campuses, and the privatization of public higher education activities. Special areas of
549 concern include educational quality, training, academic freedom, intellectual property rights,
550 working conditions and staffing;
- 551 n. The Gender and Sexuality Committee shall focus on advising the President and Executive
552 Board on relevant federal and state legislation affecting all aspects of the LGBTQ community
553 within SUNY; and shall focus on issues impacting UUP members who are part of the LGBTQ
554 community;
- 555 o. The Grievance Committee shall advise the President on the disposition of grievances which
556 have not gone to arbitration; and shall make recommendations, as appropriate, to the
557 Negotiations Committee;
- 558 p. The Membership Committee shall prepare policy recommendations for presentation to the
559 Officers and the Executive Board with respect to membership development programs,
560 membership growth and expansion, and such other matters as may be referred to it for
561 consideration;
- 562 q. i. The Negotiations Committee for the Professional Services Negotiating Unit of the State
563 University of New York shall be composed of a chair, one member from each Chapter,
564 one academic part-time member chosen at-large and one professional part-time member
565 chosen at large. The Committee shall reflect the approximate whole-number ratio of
566 academic and professional members of the Delegate Assembly. Prior to formulating its
567 proposals for presentation to the President for negotiation, it shall form an Ad Hoc
568 Advisory Committee, which shall consist of the members of the Negotiations Committee
569 and one academic and one professional member from each of the Chapters. The
570 members of the Advisory Committee shall be responsible for compiling and presenting
571 the concerns of the membership of each Chapter, each type of institution, and each
572 category of membership to the Negotiations Committee for consideration in such
573 formulation;
- 574 ii. The Negotiations Committees for other units represented by UUP shall provide
575 appropriate methods for the compilation and presentation of the concerns of the
576 membership in each such unit prior to formulating their proposals for presentation to the
577 President of UUP for negotiation. Such methods shall be subject to approval of the
578 Executive Board;

- iii. The appropriate Negotiations Committee shall submit the final draft of the tentative agreement to the regular UUP membership in the appropriate bargaining unit, as determined by the Executive Board, for ratification by a majority vote of those voting;
- r. The Opportunity Programs Committee shall focus on identifying and investigating issues related to the EOP and EOC programs in SUNY;
- s. The Solidarity Committee shall work as a liaison of the Union with the labor movement at large through such activities as the gathering and dissemination of information about other unions, union-related matters, social justice issues, and the role of UUP in the labor movement in this State, regionally, nationally, and internationally; shall recommend specific actions for UUP to play a larger role in multiple aspects of the labor movement; shall receive and respond to, or recommend appropriate referrals or other actions regarding, such matters as may, from time to time, be received from or referred to it by other unions, organizing committees, the Executive Board, the Delegate Assembly, the Chapters of the organization, or other appropriate bodies; shall administer a Solidarity Fund, should such be budgeted, under guidelines established by the Executive Board; and shall consider such other matters as may be referred to it;
- t. The Teacher Education Committee shall monitor directives and proposals from SUNY, the State Education Department, Board of Regents, and state legislature that impact Teacher Education and Educational Leadership programs and assist in developing UUP responses to such directives and proposals; shall assess the impact of changes and new developments in teacher education on UUP members, students, and SUNY programs; and shall help activate members to advocate for sound policies and regulations, support services, and adequate funding to enable teacher education programs to sustain high quality curriculum and recruit and retain diverse students.
- u. The Technology Campuses Committee shall focus on issues of concern to the university colleges of technology;
- v. The UUP Outreach Committee shall include both active and retiree members; shall prepare proposals for consideration by the Executive Board as legislative aims of the organization; shall participate in UUP's advocacy and campaign work; and will monitor, recommend and organize support for legislation affecting current and retiree members;
- w. The UUP Scholarship Committee shall have two subcommittees: Scholarship Development and Scholarship Selection. The Scholarship Development subcommittee will focus on exploring means of increasing contributions to the UUP College Scholarship Fund and make recommendations to the UUP Scholarship Fund Trustees. The Scholarship Selection subcommittee shall make recommendations regarding proposed recipients to the UUP Scholarship Fund Trustees;
- x. The Veterans Affairs Committee shall identify issues impacting UUP members who are veterans, inform veterans of their rights and other activities that will ensure the well-being and proper treatment of UUP members who are veterans;
- y. The Women's Rights and Concerns Committee shall work to assure respect for fair and equal treatment of women and their issues and concerns as manifested on local campuses and reflected in the activities and policies of UUP and its affiliates.
- z. The Retired Membership Governing Committee is the governing committee for the Retired Membership of UUP. It shall be composed of one statewide elected Retired Delegate, eight

623 elected regional representatives, two presidential appointees and the UUP Membership
624 Development Officer who serves ex officio with vote. The Committee shall work to encourage
625 and promote retired membership; shall make recommendations with regard to
626 organizational structures wherein retirees and the Union may continue their mutually
627 beneficial relationships; shall propose means whereby the interests of Retired members are
628 referred to appropriate bodies; and shall consider such other matters as may be referred to
629 it.

630
631 **Section 2. Ad Hoc Committees.**

632 The President shall appoint such ad hoc committees as may be necessary, subject to approval of
633 the Executive Board, such committees to be dismissed upon completion of their appointed
634 charges.

635
636 **Section 3. Terms of Office.**

- 637 a. The terms of office for chairpersons and members of Standing Committees shall normally be
638 for two years, commencing at the first regular Executive Board meeting after the Spring
639 Delegate Assembly;
- 640 b. The terms of office for chairpersons and members of ad hoc committees shall commence at
641 the time of appointment and shall expire no later than the time of completion of their
642 appointed charges.

643
644 **ARTICLE XI**

645 **MEETINGS OF THE DELEGATE ASSEMBLY AND EXECUTIVE BOARD; PARLIAMENTARY AUTHORITY**

646
647 **Section 1. Delegate Assembly.**

648 A quorum for the Delegate Assembly shall be a majority of its members representing at least one-
649 half of the duly recognized Chapters.

650
651 **Section 2. Executive Board.**

652 A quorum of the Executive Board shall be a majority of its members.

653
654 **Section 3. Parliamentary Authority.**

655 The current edition of *Robert's Rules of Order* shall govern the conduct of meetings and the
656 transactions of this organization in all matters not specifically provided for in the Constitution or
657 in special rules of procedure.

658
659 **Section 4. Parliamentarian.**

660 The President shall appoint a parliamentarian to assist him or her in the conduct of meetings; the
661 parliamentarian shall not be a member of the Executive Board.

664 **ARTICLE XII**
665 **AFFILIATION**

666
667 United University Professions shall remain affiliated with New York State United Teachers and its
668 affiliated bodies. However, the President of UUP may adjust the terms of, change, or terminate
669 such affiliation(s) with two-thirds approval of Delegate Assembly members present and voting at
670 two consecutive Delegate Assemblies. The organization shall be represented at conventions of
671 affiliates in accordance with the provisions of Article VIII, Section 5, of this Constitution.

672
673 **ARTICLE XIII**
674 **AMENDMENT**

675
676 **Section 1. Initiation.**

677 Amendments to this Constitution may be initiated by a Chapter, the Executive Board, or the
678 Delegate Assembly.

679
680 **Section 2. Procedure.**

681 Publication and notice shall be necessary before a proposed amendment may be considered for
682 adoption by the Delegate Assembly. A proposed amendment shall be submitted to the Secretary-
683 Treasurer at least sixty-five days prior to the Delegate Assembly at which it is to be considered.
684 A proposed amendment shall be submitted to delegates of record at least sixty days prior to such
685 Delegate Assembly and shall be officially published by the Union at least thirty days prior to the
686 Delegate Assembly at which it is to be considered. Copies of a proposed amendment shall also
687 be included in the agenda sent to delegates of record prior to the Delegate Assembly at which it
688 is to be considered.

689
690 **Section 3. Adoption.**

691 Adoption of amendments shall be by a two-thirds vote of the members of the Delegate Assembly
692 present and voting.

693
694 **ARTICLE XIV**
695 **SEVERABILITY**

696
697 A decision by a legal agency that any clause, section or article of this Constitution may be invalid
698 shall not invalidate any other clauses, sections, or articles of the Constitution.