

**Bylaws of the
FACULTY UNITED SERVICE ASSOCIATION
Hillsborough Community College**

ARTICLE I

This organization will be known as the Faculty United Service Association (FUSA) of Hillsborough Community College, an affiliate of the United Faculty of Florida (UFF), the Florida Education Association (FEA), the National Education Association (NEA), and the American Federation of Teachers (AFT), AFL-CIO. The acronym FUSA-HCC, or FUSA, may be used in place of the formal name of this association. Its Bylaws will conform to the Constitution of the United Faculty of Florida.

ARTICLE II

Purpose

The Association, as a chapter of the United Faculty of Florida, supports those objectives as stated in Article II of the UFF Constitution.

ARTICLE III

Members

Section 1

- A. Unless otherwise stated, the term "member" will mean "active member."
- B. Those eligible for active membership will be all faculty members employed by Hillsborough Community College who meet the unit determination as established by the Florida Public Employees Relations Commission. Membership classes will conform to the UFF Constitution.
- C. Members will be entitled to the privilege of the floor and the right to vote on all matters

considered at general membership meetings, to attend Council meetings, and to be granted the floor there in accordance with the Bylaws of the Association.

- D.** Membership will be continuous until the member ceases to be employed by Hillsborough Community College, resigns from the Association, no longer meets the qualifications of paragraph **B** above, or fails to pay membership dues in accordance with **Article X** of these Bylaws. Membership may begin at any time during the year upon completion of a membership application and either payment of dues or payroll deduction of dues.

Membership can only be terminated at the end of an academic year or upon termination of employment with the College.

- E.** The Association will be obliged to provide full benefits of membership to members only. The scope of benefits may be expanded to include non-members by a majority vote of the full Council, if conformable with NEA, AFT, and UFF constitutions and regulations. The Association shall not be required to extend benefits of membership or defend a member for actions prior to membership.

- F.** Membership will not be terminated while a member is involved in a process of dismissal or non-renewal of contract.

Section 2

Persons may be permitted classes of membership other than active by a majority vote of the full Council, subject to ratification by a majority of the membership voting, provided such membership class is in accordance with the UFF Constitution.

ARTICLE IV

The Council

The Association will have a governing body called the Council. The locations of Dale Mabry, Ybor City, Plant City, Brandon, and South Bay, which have at least one Association member, will be permitted one representative on the Council. Each location with fifteen Association members may

have two Council representatives. Another Council representative will be permitted for these locations for each bloc of fifteen members in addition to the first fifteen members at the respective location. Officers of the Association are also members of the Council.

ARTICLE V

Council Representatives

- A.** Each Council representative must be an active member of the Association. Each member of the Association will be eligible to run for a seat on the Council upon presentation of the proper form to the Council. This form will be a statement, supported by the member's signature, to the effect that the member will comply with the Constitution and By-Laws of the United Faculty of Florida and FUSA and expects to be a member of the Association for the term of the position sought.
- B.** Council representatives from a location will be elected by the Association members of that location.
- C.** Council elections will be held annually during the first or second week of February. All locations will elect their Council representatives in the same period in February except in cases of filling vacancies, including those created by recall. Council members will take office the following August 1. Elections will be conducted by the Association members at their respective locations under the supervision of the Council or of an ad hoc committee appointed by the Council.
- D.** Council representative vacancies will be filled at the discretion of the members of the Association at the location involved and may be filled by special election at any time of the year. Should a location fail to elect a representative to fill any vacancy within fifteen working days, the Council may, by a majority vote, appoint a representative to fill the vacancy. Appointees will be subject to recall in accordance with paragraph **F** of this article.
- E.** When a vacancy is filled, the new Council representative will serve out the remainder of the

vacated term of office.

- F.** Any location may recall its Council representative(s) by presenting to the Council a recall affidavit signed by at least 60 per cent of the Council representative's member-constituents. The location will hold an election (and run-off, if necessary) within two calendar weeks of the recall to choose a replacement Council representative who will be seated immediately upon being elected as that location's duly elected Council representative.
- G.** The Council may dismiss a representative who does not attend three consecutive meetings of the Council and who has been given due notice of this possibility. Such dismissal shall be by majority vote of the Council. The latter part of paragraph **F**, immediately above, shall apply.

ARTICIE VI

Officers of the Association

- A.** The elected officers of the Association will be a president and a vice president, both of whom will be elected biennially by the membership at large during the third or fourth week of February.
- B.** Other offices shall be those of a secretary and treasurer, both of whom will be appointed by the president and confirmed by a majority vote of the Council.
- C.** Each officer must be a member of the Association.
- D.** Each member of the Association will be eligible to run for elective office upon presentation of the proper form to the Council by the end of the month preceding the elections. This will be a signed statement that the member will comply with the Constitution and Bylaws of the United Faculty of Florida and the Association and expects to be a member of the Association for the term of the position sought.
- E.** Any candidate for president and vice-president must have tenure and at least three academic years of full-time employment in higher education, one year of which must be at

Hillsborough Community College.

- F.** A member will not be eligible for election to a third consecutive term as president of the Association.
- G.** The term of an officer will be for two years. No member may simultaneously hold a Council seat and a position of elected officer.
- H.** Vacancies will be filled by holding a special election not more than one month after the vacancy occurs.
- I.** The president and vice president will be elected in February of odd-numbered years and will take office the following August 1.
- J.** Any officer may be removed from office if at least 60 per cent of the Council representatives who vote and are sustained in their vote by a majority vote of the membership. No officer will be removed from office without being allowed a hearing before the Council and the officer's statements being recorded in the minutes of the hearing.
- K.** The Association will hold an election (and run-off if needed) within two calendar weeks of removal to choose a replacement for any office made vacant by recall. The replacement officer will assume the remainder of the unexpired term as soon as election results are certified by the Council.
- L.** The names of the officers will be submitted to UFF within fifteen days of their election/appointment.
- M.** The past president, if a member of the Association and not elected or appointed to an office, or not elected to a seat on the Council, will be expected to serve as a member of the Council for a term of two years.
- N.** The officers will have only those powers granted by the UFF Constitution and these Bylaws.

ARTICLE VII

UFF Senators

- A. The number of UFF senators is set in accordance with UFF Bylaws (presently one senator, including the Association president, for each twenty-five members or portion thereof). This number will be determined by the membership on file as of January 15 of each year.
- B. Senators shall be elected by and take office on March 1 of each year.
- C. Senators who expect to be absent from a UFF senate meeting will submit a UFF proxy to the Association president at least twentyfour hours in advance of the meeting.
- D. Alternates for Senate positions will be elected at the time of Senate elections. In the case of unfilled positions, alternates may be appointed by the president and approved by majority vote of the Council representatives voting.

ARTICLE VIII

Proportional Representation

It will be the policy of the Association to recognize the principle of proportional representation for ethnic minorities on all representative, bargaining, and/or governing bodies.

ARTICLE IX

Initiative and Referendum

Any member of the Association may appear before the Council to speak in reference to an initiative or referendum, upon which the member wishes the Council to take action. If the appearing member is not satisfied with the action of the Council, the member may then petition for a general membership meeting "to act on the matter, provided that such petition is signed by at least 10 per cent of the members at each location. The initiative or referendum will be enacted by a "yes" vote of at least 60 per cent of the members who vote.

ARTICLE X

Dues

- A.** Dues are set in accordance with the UFF Constitution.
- B.** Full payment of dues each year prior to the seventh month of the fiscal year of the Association is a necessary condition for membership as set forth in **Article III** of these Bylaws.
- C.** The fiscal and membership year for the Association will be from September 1 through August 31.

ARTICLE XI

Quorum

- A.** A quorum for Council meetings will be a majority of its voting members.
- B.** A quorum for general membership meetings will be the number of members present at the meeting. Voting at such meetings will be governed by **ARTICLE XIII**.

ARTICLE IX

Meetings

- A.** The president will call a meeting of the Council at least twice each semester (Fall and Spring). Upon request of the Council members at any location, the president will call a Council meeting. Minutes will be taken at all meetings and contain at least the essence of all matters considered at the meeting, all motions made, and the outcome on each voted matter. Each Council representative and officer will receive a copy of the minutes and shall make them available to Association members upon request.
- B.** There will be a meeting of the general membership, called by the Council with at least a

five-school-days notice, at least twice during the academic year. Such meeting will be held only at those times when at least a majority of the members at each location are not kept from attending by other college responsibilities where attendance is required. Minutes will be taken and preserved. Each Council representative and officers will receive a copy of the minutes and shall make them available to Association members upon request.

- C. The Council may decide to use mail balloting for the purposes of voting on any singular question, rather than calling a general membership meeting. In mail balloting, the issue to be voted on will be explained, in an accompanying letter, in such a manner that intelligent decisions can be made there from.

ARTICLE XIII

Voting

- A. Motions at any general membership meeting held during the academic year may be decided by a majority vote of those members present unless a different vote is provided for elsewhere in these Bylaws. When mailed balloting is used, the ballots will be distributed at the locations by the Council and returned within five working days after distribution. The return date will be specified on the ballot.
- B. Elections of the Association will be decided by a majority of those voting. If there is no candidate receiving a majority vote, only one run-off for each elective position will be held. The run-off election will be held between the two candidates receiving the greatest number of votes cast. In case of ties, all candidates tied for the the top two positions will be included in the run-off election. A person receiving less than 5 per cent of the votes cast in the election will be eliminated. The winner of the run-off election will be the person receiving the greatest number of votes cast in the run-off election. In case of a tie in the run-off election, the Council will decide the winner by secret ballot of Council representatives.

- C. Matters at Council meetings will be decided by majority vote of the voting members present unless a different vote is required by these Bylaws. Voting members of the Council include the vice president and all Council representatives. The president may vote in Council only to decide a tie vote.
- D. All Association elections will be conducted by secret ballot.

ARTICLE XIV

Duties of Officers

- A. The president will preside over meetings of the Council and meetings of the general membership. The president may select volunteers for committees. All selections are subject to approval of the Council by a majority vote. The president will represent the Association before the public either personally or by delegating this authority to a Council representative or other duly authorized designees. However, the president may not enter into agreement on any policy or any contract which is binding on the Association without a majority vote of the Council.
- B. The vice president will assume the duties of the president during the president's absence or inability to serve. The vice president may be given assignments by the president or the Council, including serving as a non-voting Council representative for locations with no Association members.
- C. The secretary will be responsible for taking, typing, and preserving the minutes, keeping and distributing the agenda, and typing the correspondence of the Association. The secretary may participate in discussions of the Council but will not have a vote on Council matters, unless the secretary has been duly elected to the Council as a campus representative.
- D. The treasurer will be bonded at the discretion of the Council. The treasurer will be responsible for all funds of the Association, will keep regular accounts thereof, and will

report thereon to the Council at its meetings and when requested at other times by the president. Funds of this Association will, upon receipt, be deposited in a bank selected by a majority vote of the Council and will be withdrawn as directed by a majority of the Council. Withdrawals will be by check and will require the signature of the treasurer and either the president, or vice president if the president is unavailable and payment cannot be delayed. All expenditures of Association funds will be reported by the treasurer for the approval of the Council by majority vote unless previously approved as part of the budget adoption process. Those single items in excess of \$2,000 (two thousand dollars USA) will also require approval by a majority vote of the members of the Association. The treasurer may participate in discussions of the Council but will not have a vote on Council matters, unless the treasurer has been duly elected to the Council as a campus representative. The treasurer will transmit to UFF dues currently as required by the UFF. The Council may order an audit of the Association's accounts prior to the beginning of each fiscal year.

ARTICLE XV

Powers of the Council

- A.** The Council will be responsible for the management and governance of the Association, approving expenditures for single items less than \$2,000 (two thousand dollars USA) not previously approved within the budget adoption process, carrying out policies established by the membership at large, reporting its transactions and policies for consideration at meetings of the general membership, and exercising the right to approve or invalidate membership in accordance with **Article III**. The Council will approve an annual budget, to be submitted to the UFF by the treasurer as required by the UFF. Individual expenses approved by the Council pursuant to the budget adoption process will not require further approval by Council.
- B.** The Council and the president will have the power to create special committees comprised

of volunteers. These committees will report to the Council, and any actions recommended or desired will be subject to a majority vote of the Council before being put into effect.

- C.** The Bylaws may be amended at the suggestion of the Council or the general membership through the Council. An approving vote of at least 60 per cent of the members voting (with the special campus requirements) will be necessary for adoption, as per **Article XIX**.
- D.** The Bylaws will be reviewed periodically and revised as the need arises, as per **Article XV**, paragraph **C** and **Article XIX**. A copy of the Bylaws will be submitted annually to UFF.
- E.** A brief outline indicating the methods of internal communications used by the Association will be submitted to UFF annually unless there has been no change.
- F.** The Association will comply with UFF, FEA, NEA, and AFT guidelines and standards for governance as set forth in the UFF, FEA, NEA, and AFT governing documents. Where compliance is contrary to essential aspects of the Association's local constituency, exceptions will be requested from UFF, FEA, NEA, and/or AFT.
- G.** The Council will provide for membership evaluation of the Association and its progress once every five years. Results will be sent to UFF.
- H.** The Association cannot make a merger requiring affiliation with any labor union or organization unless requested by UFF, FEA, NEA, or AFT.

ARTICLE XVI

Arbitration Board

- A.** The Association will have an Arbitration Board as the final arbiter of differences of opinion that arise with respect to the interpretation of these Bylaws. Any member of the Association may petition the Board for consideration of such matters. Petitions will be in writing and submitted to the Board. The Board will decide within three working days if the matter falls within its jurisdiction. In order to be reviewed, a matter must be approved for consideration by at least two Board members. Any matter referred to the Board by a majority vote of the Council must be considered by the Board. The Board is limited to making decisions on

matters where petitioned or required by the Council and cannot intervene in matters otherwise.

- B.** Each location recognized by the Bylaws will be allowed to have one Board member. The Board members will be elected from recognized locations by the members at that location and will be subject to recall by a majority vote of the same members. Board members must be members of the Association. If a location has no members, the Council will elect an Association member to represent that location. No Board member may simultaneously hold any other office in the Association, including the office of Council representative, or be a candidate for any office.
- C.** The Board will establish its own procedural rules; however, an advocate on each side will usually be expected to present arguments and evidence. Board members must not be approached by anyone except the advocates during the hearing stage. Board members wrongly approached or discovering a possible vested interest must reveal this to the Board and disqualify themselves or allow the Board to decide on their removal from judgement in the case at hand. Decisions will be based on the evidence presented tempered by the extensive educational experience of the Board members.
- D.** A majority of the Board participating must have ruled in favor in order that any matter become binding on the Association and its members. A ruling that rescinds any matter will render the matter null and void until any changes recommended by the Board are approved by vote of the Council. Actions already taken in such matters as the Board has ruled against will be rescinded so far as may be possible. Questions as to the possibility of rescission will be decided by the Board. Actions related to matters before the Board will be held in abeyance until a decision can be made, unless the Board allows an exception.

ARTICLE XVII

Robert's Rules of Order

- A. Robert's Rules of Order Newly Revised will be the parliamentary authority for the conduct of the Council and general membership meetings. A parliamentarian may be appointed by the president subject to a majority vote of the Council.
- B. Motions of substance at a Council meeting will not require a second unless reintroduced.

ARTICLE XVIII

Bargaining Team

- A. The Council will serve as the Bargaining Team for the Association under the Florida collective bargaining statutes; those Council representatives who do not wish to serve may decline upon their election to the Council. The president may appoint additional members to the team subject to the approval of the Council.
- B. The Council, acting as the Bargaining Team, will elect a chief negotiator by majority vote to serve for the duration of the negotiations and of the Agreement so negotiated. The chief negotiator may name a co-chief negotiator unless two-thirds of the Council refuse consent.
- C. The president of FUSA may not act as negotiator on the Bargaining Team or vote in its deliberations. The president may attend all bargaining sessions, planning meetings, and caucuses called by the Bargaining Team.
- D. Two copies of all current master agreements and/or contracts will be submitted annually to UFF.

ARTICLE XIX

Amendments

- A. The Council may propose amendments to these Bylaws by a majority vote. The proposed amendment must be ratified by an affirmative vote of at least 60 per cent of the voting members; however, 60 percent of those members voting at each and every location which

has at least fifteen members must also have voted in the affirmative for the ratification to be complete. The ratification vote will be made by ballot or at a general membership meeting having a quorum of at least 60 per cent of the membership of the Association. Ratification must be accomplished within ninety days from the mailing of the ballots.

- B.** Any member of the Association may request that Council propose an amendment to these Bylaws through the procedures established in **Article XV**.

ARTICLE XX

Dissolution

With at least 60 per cent of the membership present at a meeting of the general membership called for the sole purpose of considering dissolution of the Association, the Association may be dissolved by an affirmative vote of at least 51 per cent of the entire membership. The dissolution will not become effective until at least one year has elapsed from the time of the dissolution vote.

ARTICLE XXI

Adoption

The provisions of these Bylaws will become effective immediately after ratification in 1992.

Ratified: 16 June 1992

As amended by vote of the membership: May 9, 2006