



United University Professions

1

CONSTITUTION

2

ARTICLE I

3

NAME

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

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ARTICLE II

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PURPOSE

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

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ARTICLE III

15

MEMBERSHIP

16 **Section 1. Classes of Membership.**

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

18 a. Regular Membership: Regular Membership shall be open to employees in the State
19 University of New York and in such other higher education units in the State of New
20 York as shall be determined by the Delegate Assembly;

21 i. Contingent membership shall extend from September 1 through August 31.
22 Membership in good standing shall be maintained through payment of dues as
23 defined in Article III, Section 4. b.i.b. and shall be on a continuing basis throughout
24 the membership year.

25 b. Retired Membership: Retired Membership shall be open to any regular member in
26 good standing who has retired from active service with a minimum of five continuous
27 years of membership in good standing immediately preceding the date of retirement
28 or continuous membership 30 days after the adoption of this amendment by the
29 delegate assembly, whichever is less. If a member has less than five years of
30 continuous bargaining unit employment the member must have continuous

- 31 membership in good standing for the length of their employment in the bargaining
32 unit or beginning 30 days after the adoption of this amendment, whichever is less.
- 33 c. Sustaining Membership: Sustaining membership shall be open to any person who has
34 been retrenched or non-renewed or who has been involuntarily terminated for any
35 reason and has litigation, grievance, or other, similar proceedings in progress.
36 Sustaining membership terminates upon reinstatement in the negotiating unit or
37 resolution of such litigation or other proceedings, and is limited to the period of
38 litigation or a three-year term, whichever is longer. Sustaining Members may vote
39 but may not hold office at the Chapter, Local or Affiliate levels.
- 40 d. Honorary Membership: Honorary Membership, without vote or the right to hold
41 office in the Union, may be granted as the Executive Board or the Delegate Assembly
42 may determine, in recognition of service or dedication to the purposes of this Union
43 as specified in Article II of this Constitution;

44 **Section 2. Categories of Membership.**

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

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

53 **Section 3. General Provisions.**

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

67 **Section 4. Dues.**

- 68 a. Dues for membership may vary from bargaining unit to bargaining unit and among
69 the classes of membership.
70 b. Annual dues of United University Professions shall be assessed as follows:

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

91 **ARTICLE IV**
92 **OFFICERS**

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

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

97 The officers shall meet regularly and carry out the policy of the organization; shall
98 coordinate the activity of the organization's committees; shall report to the Executive
99 Board and the Delegate Assembly on the transactions, activities, and accomplishments of
100 the Union, as appropriate; and shall serve as ranking delegates to the meetings of affiliate
101 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
104 Board; shall appoint the chairpersons and members of committees, subject to the
105 approval of the Executive Board; shall be a non-voting member of all committees; shall
106 be the administrative officer of the organization; shall perform all other functions usually
107 attributed to this office; and he or she or a designee shall represent the organization
108 before the public or appropriate bodies.

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

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

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

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

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

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

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

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

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ARTICLE V EXECUTIVE BOARD

148 **Section 1. Composition.**

149 There shall be an Executive Board consisting of the officers and fourteen additional
150 persons elected by the Delegate Assembly. In addition, the Chair of the Retired
151 Membership Governing Committee shall serve as a nonvoting member; the Chair of the
152 Retired Membership Governing Committee shall not be included in determining Chapter
153 representation on the Board. Total membership on the Executive Board shall reflect the
154 approximate whole-number ratio by the categories of membership on the rolls of United
155 University Professions. The Executive Board shall include no fewer than one member
156 from each of the five types of Chapters, as defined in Article VII, Section 4, of this
157 Constitution and no fewer than one contingent member, as defined in Article III, Section
158 2, of this Constitution. No more than two members of the entire Executive Board may be
159 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
162 successors are elected, and shall be staggered;
163 b. Executive Board members shall be elected in accordance with the provisions of Article
164 VIII, Section 4, Nomination and Election Procedures, of this Constitution.

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

166 The Board shall:

- 167 a. Adopt an agenda for each Board meeting;
168 b. Meet at least four times during the academic year and additionally as requested by
169 the President or at the petition of one-third of the members of the Executive Board;
170 c. Determine the time and place of the meetings of the Delegate Assembly; by a two-
171 thirds vote, authorize the President to cancel or terminate a Delegate Assembly for
172 extraordinary reasons such as, but not limited to, weather emergencies and fiscal
173 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
179 statements as are appropriate;
180 i. Act on extraordinary expenditures which may require modification of the budget,
181 subject to 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
184 at the 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
188 thereof, in accordance with the provisions of Article IX, Referenda, of this
189 Constitution;
190 o. Investigate complaints concerning chapter elections and order that new elections be
191 held or that other appropriate actions be taken;
192 p. Act on behalf of the Delegate Assembly in matters necessary to accomplish the
193 purposes of the Union.

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ARTICLE VI DELEGATE ASSEMBLY

196 **Section 1. Composition.**

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

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

- 209 a. The Delegate Assembly shall be the legislative and policy-forming body of this Union.
210 Except for matters decided by referendum, final authority in this Union shall rest in
211 the Delegate Assembly, and, in the case of matters decided by referendum, the
212 Delegate Assembly may not take up such matter at a Delegate Assembly until the third
213 regular meeting succeeding the referendum.
214 b. The Delegate Assembly shall also:
215 i. Act on the seating of the delegates;
216 ii. Adopt an Order of Business, Rules of Procedure, and establish internal committees
217 for its operation;
218 iii. Elect officers and other Executive Board members from the roll of elected
219 delegates in accordance with the procedures contained in Article VIII of this
220 Constitution;
221 iv. Propose programs for legislative action;
222 v. Adopt amendments to this Constitution, in accordance with the procedures
223 contained in Article XIII of this Constitution;
224 vi. Establish policies for the organization;
225 vii. By a three-fifths vote, initiate referenda and establish the procedures for the
226 conduct thereof, in accordance with the provisions of Article IX of this
227 Constitution;

- 228 viii. Meet in special assembly upon the call of the President or following the filing with
229 the President of a written petition of one-third of the roll of the delegates; such
230 special assembly may be convened concurrent with a regular Delegate Assembly,
231 but in no case shall the President delay convening a special assembly beyond sixty
232 days after the filing of a legitimate petition;
- 233 ix. Recall any elected officers and/or member of the Executive Board in a special
234 meeting of the Delegate Assembly, provided that any such challenged person shall
235 have the right to be heard or represented following timely notice of said meeting,
236 and provided further, that a verbatim transcript be made of such meeting and
237 preserved in the permanent files of the organization, and provided further, that
238 removal of such challenged party or parties shall be by a roll-call vote requiring a
239 two-thirds vote of those present and voting;
- 240 x. Convene regularly at least two times a year for Delegate Assemblies;
- 241 xi. Adopt an annual budget.

242 **ARTICLE VII** 243 **CHAPTERS**

244 **Section 1. Composition.**

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

249 **Section 2. Structure of the Chapters.**

- 250 a. Chapters shall develop their own structures and By-Laws, provided that no such
251 structures or By-Laws are inconsistent with any provision of this Constitution; a copy
252 of such By-Laws shall be filed with the Secretary-Treasurer of UUP, and any
253 amendments shall be reported to the Secretary-Treasurer upon adoption;
- 254 b. Each Chapter shall have, as officers, a President, a Vice President for Academics, a Vice
255 President for Professionals, an Officer for Contingents, an Officer for Retirees, a
256 Secretary and a Treasurer, or a Secretary-Treasurer, a Grievance Chairperson, a
257 designee for Diversity, Equity and Inclusion, and such other officers as shall be
258 specified in the Chapter By-Laws, who, with the exception of the Grievance
259 Chairperson, and the designee for Diversity, Equity and Inclusion, must be elected in
260 accordance with the provisions of Article VIII, Nomination and Election Procedures, of
261 this Constitution, and provided that any Chapter may designate, in its By-Laws, other
262 positions as elective;
- 263 c. When there are no nominees for a position, and no individual who received at least
264 five write-in votes is willing to serve if elected, the office shall be declared vacant and
265 shall be filled by appointment by the Chapter’s governing body. Delegates to the
266 Delegate Assembly and affiliate conventions must be elected;
- 267 d. The officers of each Chapter shall arrange for meetings, for elections, for effective
268 communication between the Chapter, the Delegate Assembly, and other appropriate

269 bodies, and for such other Chapter activities as may be required to accomplish the
270 goals of the Union;
271 e. Each Chapter shall periodically submit a fiscal accounting of its activities to the
272 Executive Board of UUP, on a form authorized by the Board.

273 **Section 3. Chapter Representation to the Delegate Assembly.**

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

- 277 a. The first delegate shall be the President of the Chapter;
278 b. The second delegate shall be the Vice President elected by and from the category
279 alternate to that of the Chapter President;
280 c. The third delegate shall be the Vice President elected by and from the same category
281 as the Chapter President, if the Chapter is entitled to an additional representative
282 from that category;
283 d. The fourth delegate shall be the Officer for Contingents. The Officer for Contingents
284 shall be an additional delegate regardless of category. The Officer for Contingents
285 shall not affect the delegate allocation for the chapter as specified in Article VIII,
286 Section 2.c.;
- 287 e. Additional delegates and alternates shall be elected by and from the Chapter
288 membership according to category.

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

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

- 292 a. Four-Year Colleges, including: Brockport, Buffalo State, Cortland, Fredonia, Geneseo,
293 New Paltz, Old Westbury, Oneonta, Oswego, Plattsburgh, Potsdam, and Purchase;
294 b. Health Sciences Centers, including: Buffalo HSC, Downstate Medical Center, Stony
295 Brook HSC, and Upstate Medical University;
296 c. Specialized Units, including: Empire State College, Environmental Science and
297 Forestry, Farmingdale, Maritime, Optometry, Polytechnic Institute, System
298 Administration, and the Research Foundation;
299 d. Colleges of Technology and other Two-Year Institutions, including: Alfred, Canton,
300 Cobleskill, Delhi, and Morrisville;
301 e. University Centers, including: Albany, Binghamton, Buffalo Center, and Stony Brook.

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ARTICLE VIII

303

NOMINATION AND ELECTION PROCEDURES

304 **Section 1. Chapter Election Dates.**

305 Chapter elections, except those held to fill vacancies, shall be held in odd numbered years
306 for each elective office and be completed no later than May 1, unless extraordinary
307 circumstances prevent meeting that deadline. Terms of office of those elected shall

308 commence on June 1 of the year in which they are elected; persons elected to fill
309 vacancies shall take office at the time of election.

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

- 311 a. The Chapter Secretary or a specified Chapter Election Official shall be designated in
312 the Chapter By-Laws as responsible for all Chapter elections;
- 313 b. Chapters may choose to conduct their own Chapter elections or request the
314 Constitution and Governance Committee to conduct their Chapter elections for them.
315 The UUP Chapter Election Guidelines shall specify the procedures to be followed for
316 each choice;
- 317 c. Chapter members in each category, as specified in Article III, Section 2, of this
318 Constitution, shall elect to the Delegate Assembly delegates from their ranks, with the
319 exception of the Chapter President, and in accordance with the provisions of Article
320 VII, Section 3, of this Constitution; each category in a Chapter shall be entitled to one
321 delegate for every seventy-five members or fraction thereof in the category;
- 322 d. Delegates/Alternates to the Delegate Assembly shall be elected by a secret mail ballot
323 and in accordance with the UUP Chapter Election Guidelines; appropriate ballots shall
324 be mailed to the last known home addresses of Chapter members in each category
325 who are in good standing at the time of certification of membership for the election,
326 which is 35 days prior to the close of nominations; in no case shall either a delegate
327 or an alternate be appointed;
- 328 e. Members in good standing of each Chapter must be given suitable opportunity to
329 nominate candidates for the office of delegate and/or alternate, provided, however,
330 that any candidate must be a member in good standing at the time of certification of
331 membership for the election;
- 332 f. Notice of the election, the offices to be filled, the right to make nomination, and the
333 time, place, and proper form for the submission of nominations must be sent to each
334 Regular and each Retired member at his or her last known home address and be given
335 a prominent place in the Chapter publication;
- 336 g. Each candidate for delegate or alternate must be permitted to have an observer at
337 the counting of ballots; the results of the election must be published in their entirety
338 and all election records, including ballots, must be preserved for a period of one year
339 in accordance with the UUP Chapter Election Guidelines;
- 340 h. The *UUP Chapter Election Report* shall be filed with the UUP Secretary-Treasurer
341 within two weeks following the date of the election and shall constitute the official
342 delegate/alternate list for the year;
- 343 i. Terms of office for Chapter delegates shall not exceed two years.
- 344 j. Candidates for delegate and alternate delegate shall run for the position of delegate
345 in their respective categories of Academic and Professional;
- 346 i. If all delegate offices are to be filled in one election year, upon completion of that
347 election the candidates who receive at least five votes in each category shall be
348 ranked in order of votes received. As of the certification date for each Delegate
349 Assembly, naming of the delegates for that Assembly shall be in order of votes
350 received until the allotted number of delegates for that Chapter is reached in each

- 351 category. All others on each list shall be designated Alternates in rank order of
352 votes received. If named delegates subsequently are unable to attend the
353 Assembly or fail to confirm their intentions to attend under Section 2.k. of this
354 Article, alternate delegates shall be named to replace them in order of votes
355 received;
- 356 ii. If all delegates are not elected in the same year, ranking shall be determined first
357 by year of election and then, within the year of election, by the process in Section
358 2.j.i. of this Article;
- 359 k. The Chapter President shall seek confirmation by the delegates of their intent to
360 attend each Delegate Assembly. Delegates who do not so confirm to the Chapter
361 President at least seven days prior to the Assembly shall be replaced with appropriate
362 Alternates by the Chapter President. If a delegate is so replaced, that delegate shall
363 not be eligible for seating at the Assembly in place of any confirmed delegate or
364 confirmed alternate delegate who attends the Assembly;
- 365 l. Notification of an alternate's replacing a delegate at a Delegate Assembly shall be in
366 writing from the Chapter President and presented to the Constitution and
367 Governance Committee at registration. The notification shall include the name of the
368 delegate being replaced and the sessions for which that alternate is to be seated;
- 369 m. Union funds may not be used to promote the candidacy of any individual or group.
370 Union funds may be used to conduct the election – pay for ballots, notices publicizing
371 the election, postage, factual statements of issues, and similar items.
- 372 n. Procedures for nominations and elections, consistent with this Article, shall be
373 determined by the Executive Board subject to approval by the Delegate Assembly and
374 shall be published to the membership.

375 **Section 3. Nomination and Election Procedures for the Retired Delegate to the Delegate**
376 **Assembly and the Other Elected Members of the Retired Membership Governing**
377 **Committee.**

- 378 a. There shall be a delegate to the Delegate Assembly elected by and from the Retired
379 Membership of the organization;
- 380 b. i. There shall be eight elected members of the Retired Membership Governing
381 Committee, in addition to the Retired Delegate to the Delegate Assembly, who,
382 shall chair the Committee. Each elected member of the Committee shall be elected
383 by and from the Retired membership designated as belonging to a given Region as
384 defined in Section 3.b.ii. of this Article. Such designation is determined by the
385 location of the Chapter of which the Retired member had been a Regular member
386 prior to retirement, provided, that any Retired member who had been a member
387 of a Statewide Chapter prior to retirement shall be designated as belonging to the
388 Region in which such member's primary work site prior to retirement was located
- 389 ii. Regional Divisions for the purposes cited in Section 3.b.i. shall be as follows: Capital
390 District: Albany, Cobleskill, New Paltz, System Administration; Long Island:
391 Farmingdale, Old Westbury, Stony Brook, Stony Brook HSC; North Country:
392 Canton, Plattsburgh, Potsdam; Western New York: Buffalo Center, Buffalo HSC,
393 Buffalo State, Fredonia; Finger Lakes: Alfred, Brockport, Geneseo; Central New

- 394 York: Environmental Science and Forestry, Morrisville, Oswego, Polytechnic
395 Institute, Upstate Medical University; Metropolitan: Downstate Medical Center,
396 Maritime, Optometry, Purchase; Southern Tier: Binghamton, Cortland, Delhi,
397 Oneonta. Empire State College Chapter retirees will be included in the Region in
398 which the member's primary work site was located prior to retirement;
- 399 c. Procedures for nominations and elections shall be determined by the Executive Board
400 and shall be published to the Retired Membership; such procedures shall be
401 consistent with those established for Chapter elections to the Delegate Assembly, as
402 appropriate, with the requirement that the term of office for the Retired Delegate to
403 the Delegate Assembly and the other Elected Members of the Retired Membership
404 Governing Committee shall be for a term consistent with that for Executive Board
405 members;
- 406 d. The Constitution and Governance Committee shall be responsible for the conduct of
407 nominations and elections called for under the provisions of this section.

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

- 410 a. Officers and members of the Executive Board shall be elected by the membership of
411 the Delegate Assembly from the roll of elected delegates;
- 412 b. Nominations shall be by written petition of at least ten members of the Delegate
413 Assembly. Petitions shall be filed with the Constitution and Governance Committee
414 at the time of the Delegate Assembly;
- 415 c. Election of Officers and members of the Executive Board shall be by majority of those
416 voting; voting shall be by written, secret ballot, except that in cases where only one
417 candidate has been nominated for an Officership or an Executive Board seat, the
418 Secretary-Treasurer, by a two-thirds vote of those present and voting, may be
419 directed to cast a single ballot for such candidate; only those votes, including write-
420 ins, for persons eligible to serve shall be counted in determining the majority of votes
421 cast; abstentions shall not be counted;
- 422 d. Nominations and elections shall be held for one position at a time, with results
423 announced prior to nominations for the next, in the following order: Officer positions,
424 in constitutional order; any created Officer positions, in constitutional order;
425 Executive Board positions, in the following order: to meet the type of Chapter
426 requirement; to alternate between an academic seat, and a professional seat, until all
427 academic and professional ratios are met, beginning with the at-large professional
428 seat in 2012; provided, however, that elections to fill unexpired terms of Executive
429 Board seats vacated by an incumbent shall be held prior to those for full terms; and
430 further provided, that no nomination shall be permitted which would preclude the
431 conditions imposed by Article V, Section 1, of this Constitution;
- 432 e. In cases where there are more than two candidates and no candidate receives a
433 majority of the votes cast, a run-off shall be held; if there were no write-in candidates
434 in the first balloting, the name of the candidate who received the smallest number of
435 votes shall be dropped; if there were write-in candidates in the first balloting, the
436 names of all candidates receiving fewer than 10 votes shall be dropped. Should no

- 437 candidate receive a majority of the votes cast in the run-off, additional run-offs shall
438 be held; on each additional run-off ballot, the names of all candidates receiving fewer
439 than 10 votes shall be dropped; persons who have received votes may withdraw from
440 the election, in which case subsequent votes in that election for such persons shall
441 not be counted in determining a majority. These procedures shall be continued until
442 one candidate receives a majority;
- 443 f. All elections, except those to fill vacancies, shall occur at the second Delegate
444 Assembly of UUP's fiscal year, with the President, Secretary-Treasurer, and
445 Membership Development Officer elected in the same year, and the Vice Presidents
446 elected in the subsequent year, and one-half, to the nearest whole number, of the
447 other positions on the Executive Board elected at the second Delegate Assembly of
448 UUP's fiscal year, in each year that officer elections are held;
- 449 g. Officers and Executive Board members shall assume their office on June 1 of the year
450 in which they are elected, except that persons elected to serve out unexpired terms
451 created by vacancies shall take office at the time of election;
- 452 h. When a member of the Delegate Assembly is elected as an Officer, such member's
453 Chapter seat in the Assembly shall become vacant, but he or she may retain any
454 Chapter office; when a member of the Delegate Assembly is elected to an Executive
455 Board seat, other than an Officership, such member's Chapter seat in the Assembly
456 shall become vacant and the member shall be seated at large as a member of the
457 Executive Board;
- 458 i. Any person serving as an Officer or member of the Executive Board shall be eligible
459 for nomination, re-nomination, and election to any position elected by the Delegate
460 Assembly from the roll of elected delegates.

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

- 462 a. This organization shall send delegates to the conventions and other meetings of its
463 affiliates in order to insure its proper representation, with the Officers serving as
464 ranking delegates by reason of their offices;
- 465 b. Procedures for nominations and election, when such are necessary, shall be
466 determined by the Executive Board and shall be published to the membership; such
467 elections shall be for two year terms and shall be held concomitantly with Chapter
468 elections as specified in Section 1 of this Article; the Constitution and Governance
469 Committee shall be responsible for the conduct of any election called for under this
470 provision.

471 **ARTICLE IX**
472 **REFERENDA**

473 **Section 1.**

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

478 **Section 2. Initiation and Procedures.**

- 479 a. A referendum may be initiated in any of the following manners:
480 i. By order of a three-fifths vote of the Delegate Assembly;
481 ii. By order of a three-fifths vote of the Executive Board;
482 iii. By petition of at least ten percent of the regular members, drawn from at least
483 twenty percent of the Chapters.
484 b. The referendum procedure shall be established by the Delegate Assembly or by rules
485 adopted by the Executive Board.

486 **Section 3.**

487 Matters not subject to referendum are:

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

492

ARTICLE X

493

COMMITTEES

494 **Section 1. Standing Committees.**

495 The Standing Committees of this organization shall be the Committees on Academic
496 Medical Programs, Black and Latino Faculty/Staff Concerns, Chapter Presidents, Chapter
497 Vice Presidents for Academics, Chapter Vice Presidents for Professionals,
498 Compliance/Audit, Constitution and Governance, Contingent Employment, Disability
499 Rights and Concerns, Diversity, Equity and Inclusion, Finance, Future of Public Higher
500 Education, Grievance, Membership, Negotiations, Opportunity Programs, Solidarity,
501 Sexual Orientations United for Liberty (SOUL), Teacher Education, Technology Campuses,
502 UUP Outreach, UUP Scholarship, Veterans Affairs, Women's Rights and Concerns, and the
503 Retired Membership Governing Committee. Committees discuss issues, propose
504 solutions and/or resolutions and may form subcommittees for a particular purpose. All
505 Standing Committees shall report to the President, the Executive Board and, through the
506 Executive Board, to the Delegate Assembly.

- 507 a. The Academic Medical Programs Committee shall identify and analyze issues of
508 concern to the health sciences centers, hospitals, and the nursing and other health-
509 related professions in SUNY;
510 b. The Black and Latino Faculty/Staff Concerns Committee shall focus on setting goals
511 for Black and Latino Faculty/Staff Associations across UUP Chapters and on developing
512 political synergy with the New York State Association of Black and Puerto Rican
513 Legislators and the Hispanic Legislative Task Force to promote a SUNY-wide vision for
514 Blacks and Hispanics in SUNY; explore ways to enhance system-wide Black and
515 Hispanic student life initiatives; and create a process for mentoring Blacks and
516 Hispanics in UUP;

- 517 c. The Committee of Chapter Presidents shall meet regularly to identify and discuss
518 issues of concern to UUP Chapters;
- 519 d. The Committee of Chapter Vice Presidents for Academics shall meet regularly to
520 identify and discuss issues of concern to SUNY's academics;
- 521 e. The Committee of Chapter Vice Presidents for Professionals shall meet regularly to
522 identify and discuss issues of concern to SUNY's professionals;
- 523 f. The Compliance/Audit Committee shall work with the UUP Secretary-Treasurer, the
524 Comptroller's office, and the Finance Committee to ensure UUP's fiscal accountability;
- 525 g. The Constitution and Governance Committee shall review the UUP Constitution and
526 make recommendations to the President, the Executive Board and the Delegate
527 Assembly; shall include the duties of Constitution and Governance; shall be
528 responsible for the conduct of all elections delegated to it; shall certify the credentials
529 of the representatives to the Delegate Assembly to which it shall report and make
530 recommendations on seating of delegates and/or alternates; and shall serve in such
531 other capacities as may be assigned to it by appropriate bodies;
- 532 h. The Contingent Employment Committee shall be composed of the elected chapter
533 Officers for Contingents as well as other members appointed at the discretion of the
534 UUP President; shall encourage membership and activity of contingent members with
535 respect to the treatment of contingent academics and professionals, and their issues
536 and concerns; shall recommend policies and programs to meet the needs of
537 contingent academics and professionals; shall work with other committees as
538 directed by the Executive Board; may consider other matters referred to it; and shall
539 draft proposals to ensure equity and fairness for contingent members throughout
540 SUNY and in the activities and policies of UUP and its affiliates;
- 541 i. The Disability Rights and Concerns Committee shall provide oversight of campus-wide
542 implementation of the Americans with Disabilities Act, New York State laws and local
543 laws to ensure compliance and to monitor discussion on same, including legal cases
544 which may affect people with disabilities; and shall encourage individuals with
545 disabilities to actively participate in their union and to fulfill their full professional
546 potential;
- 547 j. The Diversity, Equity and Inclusion Committee shall undertake to review UUP
548 structures and policies with respect to equal opportunities and to recommend to the
549 Executive Board and other appropriate bodies actions designed to implement
550 affirmative action goals within UUP; shall work with the Negotiations Committee to
551 formulate contract demands to implement equal opportunity goals within SUNY; and
552 shall develop programs designed to aid members and Chapters in their pursuit of
553 equal opportunity goals on their own campuses;
- 554 k. The Finance Committee shall be responsible for drawing up and recommending the
555 proposed budget; shall review expenditures and the activities of the Secretary-
556 Treasurer on a regular basis; and shall administer UUP's Legal Defense Fund;
- 557 l. The Future of Public Higher Education Committee shall monitor the globalization and
558 corporatization of public higher education and resulting changes in the structure of
559 the university that are of significance to UUP and its members; and shall focus on the
560 use and effect of technology, expansion of new modes of course delivery such as

561 online education, campus-specific and statewide policies and practices pertaining to
562 teaching and research on SUNY campuses, and the privatization of public higher
563 education activities. Special areas of concern include educational quality, training,
564 academic freedom, intellectual property rights, working conditions and staffing;

565 m. The Grievance Committee shall advise the President on the disposition of grievances
566 which have not gone to arbitration; and shall make recommendations, as appropriate,
567 to the Negotiations Committee;

568 n. The Membership Committee shall prepare policy recommendations for presentation
569 to the Officers and the Executive Board with respect to membership development
570 programs, membership growth and expansion, and such other matters as may be
571 referred to it for consideration;

572 o. i. The Negotiations Committee for the Professional Services Negotiating Unit of the
573 State University of New York shall be composed of a chair, one member from each
574 Chapter, one academic part-time member chosen at-large and one professional
575 part-time member chosen at large. The Committee shall reflect the approximate
576 whole-number ratio of academic and professional members of the Delegate
577 Assembly. Prior to formulating its proposals for presentation to the President for
578 negotiation, it shall form an Ad Hoc Advisory Committee, which shall consist of the
579 members of the Negotiations Committee and one academic and one professional
580 member from each of the Chapters. The members of the Advisory Committee
581 shall be responsible for compiling and presenting the concerns of the membership
582 of each Chapter, each type of institution, and each category of membership to the
583 Negotiations Committee for consideration in such formulation;

584 ii. The Negotiations Committees for other units represented by UUP shall provide
585 appropriate methods for the compilation and presentation of the concerns of the
586 membership in each such unit prior to formulating their proposals for
587 presentation to the President of UUP for negotiation. Such methods shall be
588 subject to approval of the Executive Board;

589 iii. The appropriate Negotiations Committee shall submit the final draft of the
590 tentative agreement to the regular UUP membership in the appropriate
591 bargaining unit, as determined by the Executive Board, for ratification by a
592 majority vote of those voting;

593 p. The Opportunity Programs Committee shall focus on identifying and investigating
594 issues related to the EOP and EOC programs in SUNY;

595 q. The Solidarity Committee shall work as a liaison of the Union with the labor movement
596 at large through such activities as the gathering and dissemination of information
597 about other unions, union-related matters, social justice issues, and the role of UUP
598 in the labor movement in this State, regionally, nationally, and internationally; shall
599 recommend specific actions for UUP to play a larger role in multiple aspects of the
600 labor movement; shall receive and respond to, or recommend appropriate referrals
601 or other actions regarding, such matters as may, from time to time, be received from
602 or referred to it by other unions, organizing committees, the Executive Board, the
603 Delegate Assembly, the Chapters of the organization, or other appropriate bodies;
604 shall administer a Solidarity Fund, should such be budgeted, under guidelines

- 605 established by the Executive Board; and shall consider such other matters as may be
606 referred to it;
- 607 r. The Sexual Orientations United for Liberty (SOUL) Committee shall focus on advising
608 the President and Executive Board on relevant federal and state legislation affecting
609 all aspects of the LGBTQ community within SUNY; and shall focus on issues impacting
610 UUP members who are part of the LGBTQ community;
 - 611 s. The Teacher Education Committee shall monitor directives and proposals from SUNY,
612 the State Education Department, Board of Regents, and state legislature that impact
613 Teacher Education and Educational Leadership programs and assist in developing UUP
614 responses to such directives and proposals; shall assess the impact of changes and
615 new developments in teacher education on UUP members, students, and SUNY
616 programs; and shall help activate members to advocate for sound policies and
617 regulations, support services, and adequate funding to enable teacher education
618 programs to sustain high quality curriculum and recruit and retain diverse students;
 - 619 t. The Technology Campuses Committee shall focus on issues of concern to the
620 university colleges of technology;
 - 621 u. The UUP Outreach Committee shall include both active and retiree members; shall
622 prepare proposals for consideration by the Executive Board as legislative aims of the
623 organization; shall participate in UUP's advocacy and campaign work; and will
624 monitor, recommend and organize support for legislation affecting current and
625 retiree members;
 - 626 v. The UUP Scholarship Committee shall have two subcommittees: Scholarship
627 Development and Scholarship Selection. The Scholarship Development subcommittee
628 will focus on exploring means of increasing contributions to the UUP College
629 Scholarship Fund and make recommendations to the UUP Scholarship Fund Trustees.
630 The Scholarship Selection subcommittee shall make recommendations regarding
631 proposed recipients to the UUP Scholarship Fund Trustees;
 - 632 w. The Veterans Affairs Committee shall identify issues impacting UUP members who are
633 veterans, inform veterans of their rights and other activities that will ensure the well-
634 being and proper treatment of UUP members who are veterans;
 - 635 x. The Women's Rights and Concerns Committee shall work to assure respect for fair
636 and equal treatment of women and their issues and concerns as manifested on local
637 campuses and reflected in the activities and policies of UUP and its affiliates.
 - 638 y. The Retired Membership Governing Committee is the governing committee for the
639 Retired Membership of UUP. It shall be composed of one statewide elected Retired
640 Delegate, eight elected regional representatives, two presidential appointees and the
641 UUP Membership Development Officer who services ex officio with vote. The
642 committee shall work to encourage and promote retired membership; shall make
643 recommendations with regard to organizational structured wherein retirees and the
644 Union may continue their mutually beneficial relationships; shall propose means
645 whereby the interests of Retired members are referred to appropriate bodies; and
646 shall consider such other matters as may be referred to it.

647 **Section 2. Ad Hoc Committees.**

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

651 **Section 3. Terms of Office.**

- 652 a. The terms of office for chairpersons and members of Standing Committees shall
653 normally be for two years, commencing at the first regular Executive Board meeting
654 after the Spring Delegate Assembly;
- 655 b. The terms of office for chairpersons and members of ad hoc committees shall
656 commence at the time of appointment and shall expire no later than the time of
657 completion of their appointed charges.

658 **ARTICLE XI**
659 **MEETINGS OF THE DELEGATE ASSEMBLY AND EXECUTIVE BOARD; PARLIAMENTARY**
660 **AUTHORITY**

661 **Section 1. Delegate Assembly.**

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

664 **Section 2. Executive Board.**

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

666 **Section 3. Parliamentary Authority.**

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

670 **Section 4. Parliamentarian.**

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

673 **ARTICLE XII**
674 **AFFILIATION**

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

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**ARTICLE XIII
AMENDMENT**

683 **Section 1. Initiation.**

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

686 **Section 2. Procedure.**

687 Publication and notice shall be necessary before a proposed amendment may be
688 considered for adoption by the Delegate Assembly. A proposed amendment shall be
689 submitted to the Secretary-Treasurer at least sixty-five days prior to the Delegate
690 Assembly at which it is to be considered. A proposed amendment shall be submitted to
691 delegates of record at least sixty days prior to such Delegate Assembly and shall be
692 officially published by the Union at least thirty days prior to the Delegate Assembly at
693 which it is to be considered. Copies of a proposed amendment shall also be included in
694 the agenda sent to delegates of record prior to the Delegate Assembly at which it is to be
695 considered.

696 **Section 3. Adoption.**

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

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**ARTICLE XIV
SEVERABILITY**

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