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AFT 2008 Constitution

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Constitution

of the American Federation of Teachers, AFL-CIO

NOTE: Underlined words indicate new language adopted at the 2008 convention. Strikethroughs indicate deleted language.

ARTICLE I

Name

Name

This organization shall be known as the American Federation of Teachers, with divisions known as AFT Teachers, AFT Paraprofessionals and School-Related Personnel, AFT Healthcare, AFT Higher Education and AFT Public Employees.

Section 4. To improve standards for teachers, paraprofessionals and school-related personnel, higher education faculty and professionals, state and local public employees, healthcare employees and other workers, by promoting better preparation, encouraging relevant in-service training and securing the working conditions essential to the best performance of professional service.

Improve Professional Standards

ARTICLE II

Objects

Bargaining Rights

Section 1. To obtain exclusive bargaining rights, including the right to strike, for teachers, paraprofessionals and school-related personnel, higher education faculty and professionals, state and local public employees, healthcare employees and other workers.

Section 5. To improve the standards for registered nurses, allied health professionals and other healthcare employees by advancing economic status, promoting better preparation in basic education programs, encouraging and promoting continuing education, securing working conditions essential to the best performance of services and the most effective delivery of healthcare.

Improve Health Standards

Mutual Assistance

Section 2. To bring local and state federations of teachers and other workers into relations of mutual assistance and cooperation.

Section 6. To improve standards for public employees by working for the passage and strengthening of collective bargaining and civil service legislation in the states, promoting continuing education for state employees and securing working conditions conducive to the best performance and delivery of public service.

Improve Public Employee Standards

Worker Rights

Section 3. To obtain for teachers and other workers all of the rights to which they are entitled in a free society.

Improve Education	<p>Section 7. To encourage the hiring and retention of competent teachers, paraprofessionals and school-related personnel, the maintenance of modern, well-equipped schools and the promotion of such educational programs and conditions in American schools as will enable their students to equip themselves better to take their places in the economic, social and political life of the community.</p>	<p>healthcare employees, state and local public employees and other workers organized in conformity with the provisions of this constitution. Other employees may be members of any local whose constitution so permits.</p>	Program and Policy Councils
Child Welfare	<p>Section 8. To promote the welfare of children by providing progressively better educational opportunities for all, regardless of race, color, creed, sex and social, political or economic status.</p>	<p>Section 2. A program and policy council shall be created to represent each division of membership. Members of program and policy councils and their chairpersons shall be appointed by the AFT executive council, upon recommendation by the AFT president. Recommendations from the program and policy councils will be presented to the AFT executive council for its consideration.</p>	
Promote Welfare	<p>Section 9. To promote the welfare of the healthcare consumer by promoting progressively better access to and utilization of healthcare resources in this country.</p>	<p>Section 3. Classroom teachers with supervisory authority may be admitted to membership by any local whose constitution so permits.</p>	Membership
Oppose Bias	<p>Section 10. To fight all forms of bias due to race, creed, sex, social, political or economic status or national origin.</p>	<p>Section 4. Any employee residing outside of the jurisdiction of an established local who is otherwise eligible for membership under this article may be accepted as a member of the nearest local or as a member at large of the state federation. The state federation shall have full jurisdiction in the determination of a procedure for participation by these at-large members in all activities of the state federation.</p>	Membership Outside Local Jurisdiction
Promote Democracy	<p>Section 11. To support and promote the ideals of democracy as envisioned in the Constitution of the United States of America, its Bill of Rights and other Amendments, to work for passage and retention of just laws that will improve the educational climate for students, teachers and other workers in education and to encourage them to exercise their proper rights and responsibilities under these laws.</p>	<p>Section 5. The executive council may exercise its discretion in the chartering of groups of teachers, paraprofessionals and school-related personnel, higher education faculty and professionals, nurses, allied health professionals, other healthcare employees, state and local public employees or other workers.</p>	Charters
Organize Retirees	<p>Section 12. To encourage state federations and locals to organize retired members.</p>	<p>Section 6. Locals may establish the following special classes of membership:</p>	Classes of Membership
<hr/> <p>ARTICLE III</p> <hr/> <p>Membership</p> <hr/>			
Divisions	<p>Section 1. This organization shall consist of divisions of public and private school teachers, paraprofessionals and school-related personnel, higher education faculty and professionals, nurses, allied health professionals and other</p>	<p>(a) Employees who are eligible for membership whose salary is less than the beginning teacher's salary or employees whose salary is less than \$18,000, whichever salary is higher: Such locals pay per capita tax for such members at one-half the regular rate.</p>	

(b) Employees earning under \$12,000: Such locals pay per capita tax for such members at one-quarter the regular rate.

(c) Laid-off employees or employees on unpaid leave: Such locals shall pay per capita tax for such members at the rate of \$1 per month.

(d) Locals that represent contingent employees, such as adjunct instructors, making less than \$12,000 per year in circumstances where it can be demonstrated that the payment of one-quarter AFT per capita would be an actual hardship for both the employees and the local may apply for a reduction in per capita below the one-quarter rate. Applications for such reduction may be made on behalf of a bargaining unit or other clearly identified group within a local. The executive council shall adopt guidelines to govern the filing and consideration of such applications. Where appropriate, the executive council may grant to locals a reduction from the otherwise required per capita for a one-time, non-renewable period of four years. Locals that qualify for the exemption shall pay per capita tax for the covered members at the rate of \$1 per member per month.

Such members shall be entitled to receive full benefits of membership.

Section 7. Where a local of the American Federation of Teachers exists in or near a college or university having a department of education, that local may accept prospective teachers as student members. Annual dues of \$5 per year shall be paid directly to the national office by the local for each student member. Student members shall have only visitors' privileges at the convention. A student teacher may also be accepted as a member at large of the state federation.

Section 8. In jurisdictions where there are no college or university locals of the American Federation of Teachers, membership may be granted to individual college and university teachers by a

local in that vicinity. Such membership may be maintained until there is chartered a college or university local in which such a member would be eligible for membership.

Section 9. In jurisdictions where there is no local, employees may be admitted as associate AFT members without AFT voting rights but with rights to participate in the benefit programs otherwise available to the general membership. The dues for associate AFT members shall be determined by the AFT executive council.

Former active members who are not eligible to continue their active membership may be admitted as associate members without voting rights but with the right to participate in benefit programs such as insurance, travel and discount buying services. The dues for this category of associate member shall be determined by the AFT executive council.

The AFT executive council is authorized to establish an organization(s) of associate AFT members without AFT voting rights. Associate AFT members in such organization(s) shall elect their chief executive officer.

Section 10. Effective September 1, 1990, an active member who retires from his/her present position shall be admitted as an AFT retiree member whose sole AFT voting rights are provided in Article VIII, Section 6, and with the right to participate in the benefit programs otherwise available to the general membership.

Section 11. No discrimination shall ever be shown toward individual members or applicants for membership because of race, creed, sex, sexual orientation, disability, social, political or economic status or national origin. Locals may establish procedures for admission of new members except that no discrimination shall ever be shown toward individual members or applicants for membership because of race, creed, sex, sexual orientation, disability, social, po-

Associate
Membership

Dues
Determination

Retiree
Membership

Anti-
Discrimination

Student-Teacher
Members

Membership
of Individual
College
Teachers

Supervisory
Membership

litical or economic status or national origin.

Section 12. Nothing contained in this article shall permit this organization to admit into membership any organization of nonteaching persons who hold the position of principal or any higher position. This provision shall not be applicable to locals chartered prior to its adoption.

Nothing contained in this article shall permit locals to admit into or retain in membership any nonteaching person who holds the position of principal or any higher position. This provision shall not be applicable to holders of such positions who held membership in any local prior to the adoption of this article.

The executive council may permit locals to admit such persons into membership only where the exclusion of such persons from membership would legally bar a local from achieving exclusive representation for classroom teachers.

can Federation of Teachers, except when fewer than three locals represent jurisdictions embracing 50 percent of the teacher strength in the state. No dues shall be assessed on the state federations by the national organization except for the members at large as provided in the constitution.

Section 4. Charters may be granted by the AFT executive council to organizations of retired members upon payment of a charter fee of \$5. Applications for such charters shall be made only by established local unions, state federations or regional councils.

The AFT executive council shall make such rules and regulations as are necessary for the administration of this section such as, but not limited to, the number of retirees required for issuing a charter and a definition of retiree.

The voting status of such organizations shall be as defined in Article VIII, Section 6, of this constitution.

Retiree
Organizations

ARTICLE IV

Charters

Constitutions

Local
Charters

Section 1. Ten or more teachers and/or other workers, upon application to the executive council and the payment of \$25, may be granted a charter, and such locals shall establish and maintain at least a minimum dues of \$50 per year unless, in the opinion of the executive council, special circumstances exist.

Section 5. All locals and state federations shall submit three copies of their constitution and bylaws to the national organization within three months of receiving their charter or as of September 1, 1955, whichever is the later date, and they shall similarly submit all subsequent amendments to their constitution and bylaws. No such constitution or bylaws shall be in conflict with the constitution of the American Federation of Teachers. Effective September 1, 1994, and thereafter, the constitution and bylaws of each affiliated local and state federation shall provide for regular meetings of an executive body and regular meetings of the general membership or a representative body of the general membership. The conduct of elections shall be consistent with the standards for such elections developed under Title IV of the Labor-Management Reporting and Disclosure Act (LMRDA). Terms of office for officers shall not exceed four years, or fewer if required by applicable state or federal laws.

Locals'
Meetings and
Elections

Nonpublic
Charters

Section 2. Upon application to the executive council and the payment of a fee of \$25, a charter may be issued to 10 or more teachers in educational institutions not supported by public funds.

State
Charters

Section 3. Charters may be granted by the executive council to state federations upon the payment of a charter fee of \$10. A state federation shall consist of no fewer than three locals of the Ameri-

Pass-Through

Section 6. Each affiliated local shall increase the local dues to equal any increase in per capita payments that are required to be made to the American Federation of Teachers and any increase to either the state federation or the regional council with which the local is affiliated.

litical or economic status or national origin or permits the practice of such jurisdiction shall be recognized as valid, and the practice of any local in limiting its membership on account of race, creed, sex, sexual orientation, social, political or economic status or national origin shall render its charter void.

Minimum Membership

Section 7. The charter granted to any local shall not be revoked or suspended because it has a membership of fewer than 10 but not fewer than seven.

Section 11. A student federation of teachers may be chartered in any college or university. There must be a minimum of 10 members. Per capita for each member to the national organization shall be \$5, payable annually.

Student Charters

Suspension of Charter

Section 8. A charter issued to any local or state federation may be suspended or revoked by the executive council when the existence of such local or state federation is detrimental to the development of democracy in education. However, except for the nonpayment of dues to this organization, no local or state federation shall have its charter suspended or revoked until the executive council has (a) served the local or state federation with written specific charges, (b) provided the local or state federation a reasonable time to prepare its defense and (c) afforded a full and fair hearing within the jurisdictions of the local or state federation.

A student federation of teachers may be chartered in any high school upon an application of the sponsoring local and payment of not less than \$10 per year for such organization of at least 10 members. Locals may establish reasonable dues for members of the student federation.

The executive council shall make such rules and regulations as are necessary for the administration of this section.

Such student-teacher members shall have no voting status in either the national or state federations.

Suspension Appeal

Except for nonpayment of dues, such suspension or revocation may be appealed to the next national convention. The appeal shall be the first order of convention business. The local may present its own case without the right to vote. A two-thirds vote of the convention shall be required to sustain such suspension or revocation.

Section 12.

A. Jurisdiction of Locals

The executive council shall have power to allocate and define and, from time to time, redefine and reallocate the jurisdictions within which locals may exercise their jurisdictions. In doing so, the executive council shall be guided by the primary purpose of the American Federation of Teachers, which is to organize teachers and other workers into strong, effective unions for the purpose of achieving and engaging in collective bargaining.

Executive Council Allocation of Jurisdiction

Disbanding of Local

Section 9. In the event a local or state federation disbands, the balance in the treasury shall be forwarded to the Defense Fund of the American Federation of Teachers.¹

B. Rules for Defining and Allocating Jurisdiction

(1) In the exercise of this power, the executive council shall give preference

Geographic Jurisdiction

Anti-Discrimination

Section 10. No charter of the American Federation of Teachers that defines or recognizes jurisdiction on a basis of race, creed, sex, sexual orientation, social, po-

¹ IRS regulations prohibit the assets of defunct, nonprofit organizations from accruing to the personal benefit of former officers or members of the organization.

to a local operating within a specific geographic area whose members shall constitute a bargaining unit of employees of a single employer or employees of two or more employers within a geographic area. Where a statute, regulation or decision by a court or other regulatory agency defines a bargaining unit on some other basis, exceptions may be made to conform thereto.

(2) It will not be considered an infraction of this principle if there are several employers of teachers and other workers within the same general geographic area and the employees of each such employer are organized separately.

(3) No teacher or other worker who is a member of the bargaining unit of a local in a defined jurisdictional area may be a member at large of a state federation or be a member of a local having a general jurisdiction.

(4) A teacher or other worker who is a member at large of a state federation or a local having a general jurisdiction and is employed within the jurisdiction of another local now or hereafter chartered shall terminate such membership within 30 days.

(5) No local shall have or maintain jurisdiction in an area that crosses state lines or has jurisdiction in more than one state without the specific approval of the executive council.

(6) Nothing in this section shall prohibit a local from representing educational workers employed by labor organizations (other than the AFT) in worker education or by other private employers or government agencies or in places where no AFT local is chartered, but any person so employed shall cease to be a member of the first-mentioned local within 30 days after the chartering of a local that has jurisdiction of the employees of the employer of any such person.

(7) Nothing in this section shall prohibit the existence or chartering of locals of educational workers other than teachers (such as clerks, truant officers, nurses, librarians and the like) where such local is otherwise in conformity with this section; nor shall anything in this section prohibit locals of nonpublic teachers and other educational workers in the same or overlapping geographic area as another local.

(8) The executive council may make rules to carry out any of the provisions of this section and shall determine all questions arising hereunder.

(9) All decisions of the executive council that the executive council makes in the exercise of the powers defined in Article IV, Section 11, of this constitution may be appealed to the next national convention.

ARTICLE V

Officers

Section 1. The elected officers of the AFT shall be a president, secretary-treasurer, executive vice president, and 39 vice presidents. All divisions must be represented among the 39 vice presidents. These 42 shall constitute the executive council. They shall be elected in the even years by the convention for the term of two years. Vacancies shall be filled as provided in Article VI of this constitution.

Section 2. The president shall be the chief executive officer of the federation and administer all of the affairs of the federation and execute policies of the federation as determined by the convention and the executive council. The president shall employ, supervise, direct, promote, discipline and discharge staff and retain counsel, accountants and other professional personnel. Initial employment, promotion and compensation of such persons, to the extent that such is not determined pursuant to collective bargaining agreements, shall be

Charter of
Other
Educational
Workers

Rules

Appeal

Executive
Council

President

Multi-
Employer
Jurisdiction

Member-at-
Large
Restriction

State
Jurisdiction

Duplicate
Membership

subject to the approval of the executive council.

Duties of the Secretary-Treasurer

Section 3. The secretary-treasurer shall be the financial officer of the federation. His or her duties shall include:

(a) the collection of all monies, properties, files and effects of the federation;

(b) the payment of all monies properly authorized by the council or the president through the adopted budget of the federation;

(c) to arrange from time to time but no less than annually for the audit of all books, accounts, records and financial transactions of the federation by an independent auditing firm. Such audit to be provided to the officers of the federation;

(d) to issue the Call for the convention and cause the proceedings of the convention to be recorded; and

(e) to work under the direction of the president in the performance of all other responsibilities as may be given him or her by the president or the executive council.

Executive Vice President

Section 4. The executive vice president shall assist the president in performing the duties of the chief executive officer of the federation and shall carry out those additional functions and responsibilities assigned by the president.

Officer Requirement

Section 5. No one shall be elected an officer of the federation unless he/she is a member of an affiliated local or a state federation.

Vice President Employment

Section 6. No vice president, except the executive vice president, shall be a full-time salaried employee of the American Federation of Teachers.

AFL-CIO Delegates

Section 7. The delegates to the convention of the American Federation of Labor and Congress of Industrial Organizations shall be the president, the secretary-treasurer, the executive vice president and other delegates elected by the biennial convention.

ARTICLE VI

Executive Council

Section 1. It shall be the duty of the executive council to obey the instructions of national conventions, except that any action by the convention involving expenditure of funds shall be referred to the executive council with power to revise in conformity with the budget.

Section 2. Employees not covered by collective bargaining agreements shall be employed by individual contracts with provision for orderly dismissal with the right of hearing and representation by counsel in accordance with a procedure recommended by the president and approved by the executive council.

Other employees may be employed by union contract, and procedures shall be established in all such contracts for orderly dismissal with the right of hearing and representation by counsel unless otherwise provided in a union contract. The provisions of this section shall not apply to officers of the federation.

Section 3. The executive council shall have the power to designate one of the officers of the federation to act in place of the president in the event of a temporary or permanent vacancy of the office during his/her term.

Section 4. The executive council, upon recommendation of the president, shall fill a temporary or permanent vacancy in the office of the secretary-treasurer.

Section 5. The executive council, upon recommendation of the president, shall fill a temporary or permanent vacancy in the office of the executive vice president.

Section 6. The executive council shall set the salaries of the president, the secretary-treasurer and the executive vice president. Such salaries shall not be diminished during their terms in office.

Convention Mandates

Staffing

Acting President

Acting Secretary-Treasurer

Executive Vice President's Vacancy

Salary of President, Secretary-Treasurer and Executive Vice President

Council Vacancies	<p>Section 7. The executive council shall have the power to fill vacancies in its membership until the next regular convention.</p>	<p>(ii) upon the appeal by a two-thirds vote of the officers and executive board of a state federation or by state convention action or by 30 percent of the locals affiliated with a state federation; or</p>	Appeal
Additional Representation	<p>Section 8. When a significant need for additional representation on the council arises between conventions, the president, with the approval of a two-thirds vote of the executive council, may add a temporary seat(s) to the executive council until the next convention.</p>	<p>(iii) upon the appeal of locals representing 30 percent of the membership of the American Federation of Teachers within the state.</p>	
Duties	<p>Section 9. The executive council shall have the authority to assign duties and areas of responsibility for each vice president.</p>	<p>The executive council may authorize a similar investigation of a state federation or of disputes between a local or locals and a state federation upon the appeal of one or more locals of that state.</p>	Investigation of a State Federation
Interpretation and Enforcement of Constitution	<p>Section 10. The executive council shall have the power to interpret and enforce this constitution and to make rules not in conflict with this constitution and shall report such rules to the succeeding convention for approval or rejection. Any interpretation of the constitution by the executive council may be appealed at any subsequent convention.</p>	<p>In any of these situations, the committee shall conduct an investigation and make a full report with recommendations to the executive council, which shall have full power to take appropriate action to resolve the matter. One-third of the cost of the investigation shall be borne by the national office. The executive council shall require the initiating party to advance \$250 before proceeding, but may, in its final decision, assess up to two-thirds of the cost against the parties in such manner as it deems just. At its discretion, the executive council may return the \$250, or any portion of it, advanced by the initiating party.</p>	Report
Appeal			Assessment
Committees	<p>Section 11. The executive council shall appoint such committees as it deems necessary, not inconsistent with the constitution.</p>		
Council Meetings	<p>Section 12. The executive council shall meet at its discretion during the period between conventions. The expenses of executive council meetings shall be paid by the American Federation of Teachers, each member of the executive council submitting an expense account to the national office.</p>		
Expenses			
Council Authority	<p>Section 13. The executive council shall have authority to deal with all of the affairs of the federation in the period between the conventions.</p>		
Investigation of a Local	<p>Section 14. (a) The executive council may authorize the president to appoint a committee of the executive council to conduct an investigation of a local:</p>	<p>Section 14. (b) The executive council may, by a two-thirds vote, authorize the president to appoint a committee to investigate a local or state federation where an election appears to have been conducted in violation of the local or state federation constitution, the AFT constitution or applicable federal law or a local whose conduct is not in harmony with the principles of the AFT and tends to bring the AFT into disrepute or a local that fails to maintain affiliation mandated in Article XI, Sections 2 and 3. The local or state federation shall be given an opportunity to present its position to the committee. The committee shall submit its findings and recommendations to the council, which shall have the power to take action to resolve the matter, including the imposition of the penalty contained in Article XI, Section 3, of this</p>	Investigations of a Local or State Federation
	<p>(i) upon the appeal of the officers or of the executive board or 30 percent or more of the membership of that local;</p>		

constitution and/or other appropriate penalties. The action of the council in such cases shall be final. The cost of such an investigation shall be borne by the national office.

Section 14. (c) The executive council may authorize the president to investigate the alleged failure of local unions and state federations to comply with provisions of the AFT constitution. Such an investigation shall determine whether or not a violation exists, and if so, what steps must be taken by the state federation or local to comply with the AFT constitution as well as what assistance may be offered by the national union to help the state federation or local to address circumstances that may have led or contributed to the violation. If such an investigation, or assistance provided as a result of such an investigation, fails to bring the state federation or local union into compliance with the AFT constitution, then the president shall submit findings and recommendations to the council, which shall have the power to take action to resolve the matter, including but not limited to the following, plus any other measures enforceable through legal action or any other means:

- (i) the ordering and enforcement of compliance;
- (ii) communication to the members of the state federation or local that informs them about the violation and how it affects their status as AFT members;
- (iii) the withholding of any AFT services or assistance provided to the state federation or local;
- (iv) the denial of access to the AFT Militancy Fund and/or the AFT Defense Fund;
- (v) the denial of delegate representation to the AFT convention;
- (vi) suspension or revocation of charter as provided for in Article IV, Section 8, of this constitution; and

(vii) in the case of delinquent per capita to the national union or a state federation, interest levied on the amount in arrears and/or suspension as provided for in Article IX, Section 5, of this constitution.

Section 15. (a) **Grounds.** In exceptional and unusual circumstances where an AFT state or local affiliate is incapable of taking adequate remedial measures on its own initiative, the AFT may establish an administratorship for the purpose of:

- (i) restoring the rights of members in situations where there has been a significant failure either in election procedures or representation required under the AFT or affiliate constitution(s); or
- (ii) correcting financial malpractice or misappropriation or loss of funds.

Section 15. (b) **Process for Approval of an Administratorship.** Where the executive council has reason to believe that the grounds set forth in paragraph (a) above exist to consider an administratorship, the president shall be authorized to appoint a committee of the council to investigate and conduct a hearing. That hearing shall be scheduled within 30 days, at which time the affected parties will be able to appear and present evidence, witnesses and arguments. Notice of such hearing and a written statement of the grounds for the proposed administratorship will be provided to the affected local or state federation before the hearing. The committee shall submit its findings and recommendations to the council for final approval. Thereafter, the executive council, by a two-thirds vote, shall have the power to authorize the president to establish an administratorship and appoint an administrator. In situations where an administratorship has been approved, the members of the affected AFT affiliate will be notified of the reasons for such decision, including an explanation of the administrator's duties and functions.

Emergency
Administratorship

Section 15. (c) Emergency Administratorship. Under grounds pursuant to Article VI, Section 15(a), the AFT president, upon the unanimous decision of the AFT president, secretary-treasurer and executive vice president, is authorized to invoke an emergency administratorship in situations requiring immediate action for the purpose of securing and safeguarding an affiliate's assets and vital records from immediate threat, provided that the executive council by a two-thirds vote approves such emergency action within five business days of its having been invoked. Within 24 hours thereafter, the president shall appoint a committee of the council, in keeping with Article VI, Section 15(b) of the AFT constitution, to investigate and conduct a hearing; and the normal processes, timetables, hearing rights and approval requirements under Article VI, Section 15(b) of this constitution shall apply.

Powers

Section 15. (d) Powers of the Administrator. The administrator will report to the president or his or her designee and will be authorized to take full charge of the affairs of the local or state affiliate and to take such actions as are necessary to protect the interests of the membership. Where required, such authority shall include:

- (i) supervising the local or state affiliate's employees and other representatives;
- (ii) taking possession of the books, records, funds and other assets of the state or local federation; and
- (iii) suspending officers and staff of the local or state federation for the duration of the administratorship.

Termination of
Administratorship

Section 15. (e) Termination of Administratorship. The executive council shall terminate an administratorship as soon as the cause for its establishment has been remedied. Where officer positions have been vacated as a result of the administratorship, then, prior to the termination of an administratorship, an

administrator shall conduct an election in accordance with the applicable provisions of the governing documents of the affected local or state federation and the AFT constitution to fill such positions. Such officers will take office as of the date of the termination of the administratorship. At such time, an administrator shall also return control of the books, records, funds and other assets to the local or state federation.

Section 15. (f) Limitation of Liability. No financial obligation or liability of the local or state federation that may exist at the time an administratorship is established or that may be incurred during administratorship shall be assumed by or become an obligation of the American Federation of Teachers.

Section 16. The executive council shall have power to accept gifts and devise to the American Federation of Teachers if the conditions or purposes of any such gift or devise are not inconsistent with this constitution. The executive council may establish trusts or other agencies to hold and administer any such gift or devise and provide for appointment of trustees or managers thereof, upon such conditions as it may determine, subject to ratification at the next regular convention.

Section 17. The executive council shall have the power to carry on all the business affairs of the American Federation of Teachers, including, without limitation, the power to do on its behalf any or all of the following:

- (a) to sue and be sued, complain and defend on behalf of and for the use of the federation;
- (b) to adopt an official seal, which may be altered at pleasure, and to use the same by causing it or a facsimile thereof to be impressed or affixed or in any manner reproduced;
- (c) to purchase, take, receive, lease as lessee, take any gift, devise or bequest or otherwise acquire and to own, hold, use,

Financial
Liability

Gifts

Council
Power

To Sue

Adopt a Seal

Acquire
Property

	deal in or with any real or personal property or any interest therein;	locals affiliated with existing state federations on July 1, 1981.	
Sell Property	(d) to sell, convey, mortgage, pledge, lease as lessor and otherwise dispose of all or any part of its property and assets;	Section 18. (c) The executive council shall establish and the AFT shall collect additional per capita from such locals to provide services to the regional councils with the approval of the executive council.	Additional Per Capita
To Purchase	(e) to purchase, take, receive or otherwise acquire, own, hold, vote and use shares or other interests in or obligations of domestic or foreign corporations, associations, partnerships or individuals and to sell, mortgage, loan, pledge or otherwise dispose of such shares, interests or obligations;		
To Contract	(f) to make contracts and incur liabilities that may be appropriate to enable it to accomplish any or all of its purposes; to borrow money for federation purposes at such rates of interest and terms and conditions as they may determine; to issue notes, bonds and other obligations; and to secure any of its obligations by mortgage, pledge or deed of trust of all or any of its property and income;	Section 1. Effective in 1984, conventions of this organization shall be held biennially in even-numbered years at such time and in such place as the previous convention or the executive council may determine.	Time and Place
To Invest	(g) to invest the funds of the federation from time to time in any real or personal property and to take and hold real and personal property as security for the security of funds so invested or loaned; and	Section 2. A special convention may be called in odd-numbered years by a two-thirds vote of the executive council or upon request from at least 30 locals representing a minimum of 30 percent of the AFT membership then in good standing from at least five states.	Special Convention
	(h) to do anything it deems necessary or appropriate to the exercise of the foregoing power or any other power granted to the executive council in this constitution.	Section 3. The members of the executive council who are not delegates from their local or state federation shall be ex-officio delegates at the convention and shall have one vote, <u>except that such members shall not nominate or elect officers,</u> at the convention.	Executive Council Delegates
Regional Councils	Section 18. (a) The executive council may establish and/or revise regional councils to facilitate organization, professional growth, political and legislative activities and other purposes for the good of the union.	<hr/> ARTICLE VIII <hr/> Representation <hr/>	Election of Delegates
Membership Eligibility	Section 18. (b) The executive council may provide for the affiliation of locals to a regional council in lieu of the requirement of Article XI, Section 2, of this constitution and that these locals shall not be comprised of employees of local education agencies, colleges or universities or	Section 1. (a) Delegates and/or alternates to the convention from a local or retiree organization shall be elected by secret ballot. Members of each local must be given suitable opportunity to nominate candidates for the office of delegate and alternate. Notice of the right to make nominations must be sent to each member or given a prominent place in the local publication and on bulletin boards. Notice of the right to make nominations and notice of the	

election may be combined in one notice. Written notice announcing the time and place of election of delegates must be mailed to each member at least 15 days prior to the election. The results of the election must be published and the ballots kept for one year.

Section 1. (b) Locals with fewer than 100 members each, but in the aggregate fewer than 300 members from a contiguous geographic area, may form councils of locals for the exclusive purpose of electing a common delegate to the convention. Locals that form such a council under this section: (1) shall adopt a common resolution to establish the council in a regular meeting of such local no later than four months prior to the convention; (2) ~~shall nominate at the same meeting of each local a member or members, if any, for thereafter shall~~ provide notice of nominations and elections to each member, as set forth in Section 1(a) above, to be the council's delegate to the convention; (3) shall elect at a meeting of each such local or by mail ballot agreed to by all locals in the council and in conformity with federal law no later than three months prior to the convention a delegate and alternate, if any, by a secret ballot common to each local in the council listing all nominees and their local numbers, the nominee receiving the highest number of votes totaled among all locals in the council to be the delegate, and the second highest, if any, the alternate; (4) shall forward properly signed credentials from each local in the council for the duly elected delegate and alternate, if any, of the council in time to reach the national office no later than two months prior to the convention; and (5) the executive council shall approve procedures consistent with the requirements of this section for the election of the council delegate. The secretary-treasurer shall forward such procedures to all locals reporting fewer than 100 members in per capita and to all state federations seven months prior to the convention. No local participating in the council shall have any other delegates seated in the convention. The voting

strength of the council's delegate shall be based on the aggregate of the members in the locals that credential the council's delegate.

This section shall also authorize the executive council to recognize a council of locals organized for the convenience of doing business with one employer common to all of the council's locals for the purpose of electing delegates to the convention. Nomination procedures shall be established by such council to permit all such locals to nominate from their respective memberships at least 30 days in advance of the election, which shall be conducted by mail ballot in conformance with federal law. The election of such council's delegates shall be further subject to the provisions of Article VIII, Section 2, of this constitution, provided that no other delegates shall be seated in the convention from any individual local of the council unless such local has notified the national office three months prior to convention that it is not participating in such council for the purposes of electing delegates to the convention. The voting strength of such council shall be based upon the aggregate membership of all such locals that individually credential all delegates common to the council.

Section 1. (c) Delegates and alternates of state federations shall be nominated and elected according to its constitution, provided that the delegates to the state convention are themselves nominated and elected by secret ballot as herein provided in Section 1(a) of this article, subject to applicable federal and state laws and rules and regulations promulgated pursuant thereto.

Section 1. (d) Each local, state federation or retiree organization must send by registered or certified mail or any other reliable means, including electronic transmission, that provides proof of receipt to the national office a certified list of all elected delegates and alternates not later than 30 days prior to the opening date of the convention. Only delegates and alternates on this

Councils

State
Federation
Delegates

Delegate
Lists

certified list shall be registered and seated at the convention.

Section 1. (e) In the event of non-delivery to the national office of the certified list of the elected delegates and alternates, the executive council may recommend the seating of the delegates and alternates only upon the submission by the president, secretary or ranking delegate of the local, state federation or retiree organization of a statement certifying the list of elected delegates and alternates accompanied by the duly authorized duplicate credentials and receipts showing that the originals were sent to the national office by registered or certified mail, or any other form of mail service providing a return receipt, postmarked no later than ~~15~~30 days prior to the opening date of the convention.

Section 1. (f) To be entitled to representation at the convention, the full per capita tax of the local and all other monies due the American Federation of Teachers shall be paid through the two months immediately preceding the convention date, such payment to be made to the national office no later than the last day of the second month prior to the opening date of the convention.

Section 2. One delegate to the convention may be elected by each affiliated local having a membership of 25 or fewer. (For each 100 members or major fraction thereof, one additional delegate may be elected.)

Section 3. Effective July 1, 1986, for the purpose of this article, membership shall mean the average number on which the per capita tax has been paid for the first 24 months of the 26-month period immediately preceding the month in which the convention meets, provided:

(a) that no local in arrears for more than two months at the time of the convention shall be entitled to representation; and

(b) that, in the case of locals that have been chartered during the two years preceding the convention, the average shall be computed on the basis of the number of months of affiliation, the minimum for such computation to be two.

Section 4. That, in the case of locals that receive fees from nonmembers for representing them under an agency shop agreement, the average number on which the per capita tax has been paid shall be increased by including, as if it were per capita tax, the sum equal to the per capita tax paid as required by Article VIII, Section 1, of the bylaws.

Section 5. State federations, upon compliance with Article VIII, Section 1, of this constitution shall have the right to send delegates to the conventions of the American Federation of Teachers. Each state federation may elect one delegate to the convention, regardless of its at-large membership. Additional delegates may be elected by the state federations, according to their at-large membership, by applying the formula established for locals as set forth in Section 2 of this article.

All such delegates shall be either members of the state federation or its affiliated locals, provided such locals are in full compliance with Section 1 of this article. All state delegates shall be members of the convention, with all privileges, and shall be entitled to cast votes for their state federation pursuant to Section 6 of this article.

Section 6. Each chartered organization of retired members may elect one delegate to the AFT convention in the manner prescribed by Sections 1(a) and 1(d) of this article and shall be entitled to one vote at the convention. Such delegates shall be entitled to all rights and privileges of a delegate except that such delegate shall not be entitled to nominate any candidate for federation office or cast a vote in the election of federation officers unless such delegate has been elected to that position by secret-ballot vote.

Seating of Delegates

Per Capita Qualifications

Delegate Allocation

Determining Average Membership

Local Eligibility

Delegate Strength— Agency Fees

State Federation Delegates

Retiree Convention Delegates

Full-Time Staff Restrictions

Section 7. Locals entitled to two delegates may not elect more than one who is a full-time paid elected official of the local. Locals entitled to more than two delegates may not elect more than one-third who are full-time paid elected officials of the local.

Roll-Call Voting Strength

Section 8. On all roll calls at the convention, each local represented shall be entitled to a number of votes equal to the average membership as defined in Section 3 of this article.

Distribution of Votes

The votes of a local shall be distributed ~~as evenly as possible~~ among the delegates present at the time of the voting. The credentials committee shall evenly divide votes to four (4) decimal positions at the time of tabulation. ~~but votes shall not be fractioned. All additional votes shall be assigned by lot or by an objective formula that has been previously reported to the secretary-treasurer of the American Federation of Teachers with no delegate getting more than one of the additional votes.~~ In the election of officers and delegates to the AFL-CIO convention, all voting shall be by roll-call vote and each local represented shall be entitled to the average membership as defined in Section 3 of this article.

Alternates

Section 9. When a delegate leaves the convention, his/her place in the convention may be taken by an alternate, if any has been certified as provided in Article VIII, Section 1, of this constitution and in the order as listed. No other transfer or substitution of voting rights shall be allowed.

ARTICLE IX

Revenues

Militancy/Defense Fund

Section 1. Twenty-seven cents of each member's per capita shall be set aside for a joint AFT Militancy/Defense Fund. The executive council shall establish clear guidelines and procedures that guarantee that the benefits available through the fund

shall be distributed on an equitable basis. Strike benefits shall not be provided unless the strike action is in conformity with the AFT strike policy. An annual financial report of the Militancy/Defense Fund shall be made to the AFT executive council and to the convention, the purpose of which shall be in part to ensure that there is an adequate reserve to pay anticipated strike benefits.

Section 2. The payment of the per capita tax shall entitle each active member to a subscription to the official periodicals of the American Federation of Teachers.

Section 3. State federations shall pay to the national office, for each member at large, the prevailing per capita tax required for each member of a chartered local.

Section 4. Effective September 1, 1990, the treasurer of each affiliated local shall fill out and forward to the national office, on or before the 15th day of each month, the report of active members in good standing and retiree members who have retired since the last reporting period. Members in good standing of chartered retiree organizations shall be reported to the national office on or before the 15th day of each month together with mailing addresses, on the first day of that month, together with all taxes and assessments due the American Federation of Teachers. Locals that have once submitted names and addresses of the members shall revise and correct the membership list with each per capita payment. The report shall be subject to an audit by the secretary-treasurer's office.

Section 5. Any affiliated local not paying its per capita tax on or before the 15th of each month shall be notified of the fact by the national office. A local that is more than three months in arrears shall pay interest on all monies owed in excess of three months' per capita. The rate of interest shall be at the rate then paid or payable for borrowed funds by the AFT, unless the executive council by a two-thirds vote shall decide to waive the inter-

Publications

Members at Large

Per Capita Reports

Audit

Per Capita Delinquency

Interest on Arrearage

Appeal	<p>est provision where there is substantial justification. The local shall become suspended from membership and can be reinstated only by a majority vote of the executive council upon payment of arrearages in full. A local that the executive council refuses to reinstate shall have the right to appeal to the next convention.</p>	<p>March 15 and must be sent by the national office to the locals by April 15.</p>	Two-Thirds Vote Requirement
Treasurer's Certification of Member- ship	<p>Section 6. The treasurer of each affiliated local shall report monthly to the national office on forms furnished by the latter for that purpose and shall certify that the report is for the full number of members in good standing in the local.</p>	<hr/> ARTICLE XI <hr/> Affiliation <hr/>	AFL-CIO
Executive Council's Audit Powers	<p>Section 7. The executive council shall have power to employ an auditor to examine the books of any affiliated local or state federation upon the direction of a majority vote of the executive council.</p>	<p>Section 1. This organization shall immediately affiliate with the American Federation of Labor and Congress of Industrial Organizations and shall permanently maintain that affiliation.</p>	State Federation Requirements
Procedure	<hr/> ARTICLE X <hr/> Amendments <hr/>	<p>Section 2. Effective September 1, 1968, each local union of this organization shall maintain affiliation with its state federation, and delegate representation of each local in the state federation shall be no less than the formula delineated in Article VIII, Section 2, of this constitution. Each state federation shall, in its convention, follow all voting procedures as delineated in Article VIII, Section 8, of this constitution.</p>	Local and State AFL-CIO Labor Councils
Referendum Vote	<p>Section 1. Proposed amendments to the constitution may be submitted to the convention either by request of the executive council or the convention or executive council of any state federation or by request of a local. All amendments shall bear the signature of at least two elected officers of the federation introducing the amendment. The officers signing the amendment shall certify that the amendment was approved for submission to the convention by the executive board or membership of the local or by the executive board or convention of the state federation or by the executive council of the AFT.</p>	<p>Section 3. Effective September 1, 1969, each local union of this organization shall maintain affiliation with its AFL-CIO state labor council and its local AFL-CIO labor council(s) if such council(s) exist. Failure of any local union to maintain the affiliations as required in Sections 2 and 3 of this article shall be grounds for denial of delegate representation at any state or national convention of this organization or other appropriate penalties set by the executive council, except that the executive council may, by a two-thirds vote, waive these requirements for good and sufficient reasons.</p>	Per Capita Tax
Time Limitations	<p>Section 2. Proposed amendments may be submitted to a referendum vote under the procedure set up in Article XII of this constitution.</p>	<p>Section 4. The AFT executive council, by majority vote, may require each affiliated local to pay for each member the per capita tax levied by its respective AFL-CIO state central labor body to the AFT on the regular AFT per capita forms. The AFT shall submit payment to each</p>	
	<p>Section 3. If a proposed amendment is to be submitted to a national convention, it must reach the national office by</p>		

state AFL-CIO central labor body in accordance with the AFL-CIO constitution.

ARTICLE XII

Referenda

Initiation

Section 1. Proposed actions, including actions of the convention and amendment to the constitution and the bylaws, shall be submitted to a referendum vote by order of the convention or of the executive council or by request of 15 or more locals representing not less than 15 percent of the members then in good standing or by petition signed by not less than 10 percent of the members, except that the executive council shall not order a convention action to be submitted to referendum; provided, however, that in no case shall a referendum be held whose termination date is between June 1 and November 1; and provided that actions taken by the executive council concerning:

(a) actions of the convention involving expenditure of funds;

(b) the employment, re-employment or dismissal of officers, organizers, office employees and other general employees who are appointed and whose salaries or other remuneration are fixed by the executive council;

Limitations

(c) the power to interpret and enforce the constitution and to make rules and bylaws not in conflict with the constitution subject to report to succeeding convention for approval, rejection or modification;

(d) the power to appoint committees not inconsistent with the constitution;

(e) the time and place for the meetings of the executive council and the expenses involved therein;

(f) the power to fill vacancies on the executive council; and

(g) the power to investigate locals shall not be the subject of referendum; and further provided, that action taken by the convention under authority of the bylaws, Article VI, governing Nominations and Elections Procedures, shall not be the subject of referendum.

Section 2. After receipt of order or request for referendum, it shall be the duty of the AFT president to transmit the question to be voted on to the locals within two weeks of its receipt by him/her. Following this, there shall be a period of six weeks during which the proponents and opponents shall be given opportunity to debate the issue through the regular channels of the union, at the end of which time the president shall send to the individual members of all locals in good standing ballots upon which the members shall cast their votes and shall also send to the members at large of the state federations, ballots upon which the members at large of the state federations shall cast their votes.

Section 3. The president of the AFT shall rent a postal deposit box. The individual members will mail the ballots to this postal box. The closing date of the referendum shall be 30 days from the date ballots are mailed from the national office. At the end of 30 days, the president, or the president's representative, accompanied by at least two representatives of each side of the issue on the ballot, shall remove the ballots and cause them to be counted. Ballots received after the opening of the postal box will not be counted. In the alternative, the president, with the consent of the executive council, may engage an independent agency to conduct the balloting and to count the votes. In such event, the agency shall count only those ballots received during the 30-day period following the mailing of the ballots to the members.

Time Limit

Ballot-
Counting
Procedure

Section 4. The number of the local shall appear on the ballot, and only those ballots of members of locals or of state federations in good standing shall be counted. These votes shall not exceed in number the number of members and members at large for which per capita was last paid prior to the date on which ballots were sent from the national office. Should the number of ballots cast by any local or state federation exceed the number to which that local or state federation is entitled, the “ayes” and “nays” shall be reduced proportionately to come within the required number.

Section 5. The president shall notify the locals of the results of the referendum as soon as possible but no later than two weeks following receipt of the count. The president shall also publish the results in the official publications of the American Federation of Teachers.

Section 6. AFT policy adopted by referendum shall not be considered by the first convention following the referendum.

ARTICLE XIII

**Parliamentary
Authority**

The rules contained in *Robert's Rules of Order Revised* shall govern this federation in all cases to which they are applicable and in which they are not inconsistent with rules regularly adopted by the federation.

Bylaws

NOTE: Underlined words indicate new language adopted at the 2006 convention. Strikethroughs indicate deleted language.

ARTICLE I

Special Rules of Order for Conventions

Program

Section 1. The convention shall be called to order and conducted according to the printed program as prepared by the convention committee and approved by the executive council subject to such modification as the convention may make from time to time.

dered. The ballots shall be distributed to the ranking delegates or their designees of each delegation under the direction of the presiding officer of the credentials committee. (These ballots shall be prepared in advance by the president or his/her representative.) Each delegate voting shall enter on his/her ballot ~~the number of the roll call, the number of his/her local, his/her full name, the number of votes he/she is casting, how he/she is voting, how he/she is voting~~ and will sign the ballot. This record shall be included in the convention proceedings. The ranking delegate shall ~~tabulate the votes of the delegation on a summary sheet and submit the sheet along with the ballots to the credentials committee~~ collect the ballots from his/her delegation and submit ballots to the credentials committee. If a delegate's ballot is not collected promptly, he/she may deliver his/her ballot directly to the committee on credentials. No ~~vote-roll-call-ballot~~ shall be accepted later than ~~one~~ three hours following the ordering of a roll-call vote. The results of the roll-call vote shall be tabulated by the committee on credentials and reported to the convention immediately upon completion of the tabulation according to the following procedure:

(a) the total vote shall be read;

(b) if any delegate challenges the vote of his/her local, the roll of delegates

Vote
Challenge

Adjournment

Section 2. The convention shall adjourn when the business of the convention has been finished.

Speech Time
Limitations

Section 3. Limitations of speeches in debate shall be three minutes instead of 10 minutes as provided in *Robert's Rules of Order Revised* unless time is extended by majority vote of the convention.

Roll-Call Vote

Section 4. A motion calling for a roll-call vote shall require a one-fourth vote for adoption. When a roll-call vote has been ordered, the presiding officer shall at once call for the next item on the agenda, action on the pending motion being automatically postponed pending the tabulation of the results of the roll-call vote. No debate, amendment or other motion affecting the question on which the roll-call vote was ordered may be made after a roll call has been or-

from that local shall be read, and each delegate shall rise as his/her name is called, ~~and announce his/her vote and state the number of votes he/she is casting;~~

(c) the report on the roll-call vote shall then be revised to agree with the oral vote just taken; and

(d) a copy of the roll-call vote shall be posted showing the vote of each delegate and shall remain posted until the end of the convention.

Section 5. Delegates shall be seated upon acceptance by the convention of the report of the credentials committee, and the list of delegates shall be made available to the members of the convention. The right of any delegate to be seated as a member of the convention shall be subject to challenge within a 24-hour period after he/she has been declared seated by the convention. Delegates may vote unless or until successfully challenged but, in the event of a roll-call vote, a successful challenge invalidates the individual's vote.

Section 6. In the case of locals represented by fewer delegates than the number of votes to which they are entitled, the votes shall be distributed in accordance with the constitutional provision (Article VIII, Section 8), and any remaining votes shall be distributed as determined by the delegation.

Section 7. The order of business for business sessions of the convention shall be as follows:

(a) report of committee on credentials (credentials committee shall make supplemental reports at the beginning of each business session of the convention);

(b) action on minutes of the previous convention as summarized in the delegate's reports prepared by the convention reporter;

(c) reports of officers and executive employees;

(d) report of executive council;

(e) reports of convention committees;

(f) reports of special committees; and

(g) installation of officers.

Section 8. Reports of officers and executive employees given before the seating of delegates shall be referred without debate and without action of the convention to the appropriate committees.

Section 9. A quorum for the conduct of business at a convention shall be 25 percent of the delegates who have been seated.

ARTICLE II

Committee on Credentials

Registration of delegates and visitors.

Section 1. The committee on credentials shall be appointed by the executive council and shall be notified of their appointment at least two weeks prior to the convention. The committee shall consist of at least five members and shall be responsible for registration of delegates, council members and visitors.

Section 2. Registration of delegates, members of the executive council and visitors shall begin at 1 p.m. or at a time approved by the executive council on the day preceding the convention. Before the time for registration, the president shall furnish the committee on credentials with copies of the lists of delegations and the duplicates of credentials as reported to him/her by the various locals. Each delegate, member of the executive council and visitor shall be furnished with an appropriate official badge to be worn at the convention.

ARTICLE III

Convention Program

Section 1. The committee on convention program shall be appointed by the executive council. This committee shall

Reports

Quorum

Appointment

Registration Procedure

Badges

Program Committee

Delegate Seating

Vote Distribution

Order of Business

prepare the tentative program of the next convention and shall submit it to the president. The president shall send a copy of the tentative program to each delegate as soon thereafter as possible.

Section 2. The convention program shall provide for business sessions, including one for nominations.

ARTICLE IV

General Convention Procedure

Section 1. The convention shall convene during the months of July and/or August at the time and place determined by the executive council.

Section 2. In case any motion is passed that any convention address be reproduced, the maker and seconder of the motion shall constitute a committee to secure the address in printable form and to submit it to the president.

Section 3. Only credentialed delegates and members of the executive council shall be admitted to the convention floor except invited guests participating in the program of the convention. All visitors shall secure a pass from the credentials committee and shall be seated only in a special section reserved for them.

Section 4. Resolutions to the convention may be introduced by locals, state federations or the executive council of the American Federation of Teachers. No resolution shall be introduced later than six weeks prior to the opening of the convention except by two-thirds vote of the convention. All resolutions shall bear the signature of at least two elected officers of the federation introducing the resolution. The officers signing the resolution shall certify that the resolution was approved for submission to the convention by the executive board or membership of the local or by the executive board or convention of the state federation or

by the executive council of the American Federation of Teachers. The resolution shall contain the title and shall be submitted to the president of the American Federation of Teachers ~~in typewritten form, in quadruplicate.~~ Properly signed resolutions may be mailed, e-mailed in PDF format or faxed to the president. Resolutions so submitted shall be mailed from the AFT national office to locals and state federations prior to the convention.

Section 5. The president or presiding officer of the convention shall appoint an appropriate number of ushers whose duty it shall be to see that only persons entitled to admission shall be admitted to the convention hall. The ushers shall see that visitors are seated in the section assigned to them. They shall assist the presiding officer in such other ways as may be directed.

Section 6. The constitutional amendments committee shall be heard in full prior to other committee reports. The constitutional amendments committee shall report only the proposed amendments that it recommends for adoption, with or without amendments. At the conclusion or immediately after the conclusion of the committee's full report, any delegate may move adoption of a proposed amendment not recommended by the committee. The chair shall allow one statement for the proposed amendment and one statement against the proposed amendment. The chair shall then immediately put the question of whether the convention desires to debate the proposed amendment. If this motion prevails by a one-third vote, the proposed amendment shall be before the convention.

Section 7. Each other committee shall select the three resolutions or items of business it considers most important for its initial report. When these have been acted upon or at the end of an hour, of each committee's partial report, whichever comes first, debate shall be closed and all pending questions shall be put to a vote immediately unless the time of

Sergeants at Arms

Priority of Constitutional Amendments Committee

Debate

Committee Reporting

Time and Place

Speech Duplication

Convention Floor Admission

Resolution Procedure

debate is extended by majority vote of the convention. After all committees have had an opportunity to make their first reports, additional committee reports may be made in the order selected by the president.

Section 8. Resolutions upon which no action has been taken shall die when the convention adjourns.

Section 9. A copy of the rules should be provided for delegates and visitors upon convention registration and should be voted on at the opening session on the first day of the convention.

ARTICLE V

Convention Committees

Section 1. Convention committees shall be appointed by the executive council. In appointing such committees, the council shall give consideration to the expressed choices of delegates as indicated on the committee choice cards, which shall be sent by the president to each delegate promptly upon receipt of credentials. However, the council shall not be bound by the choice cards but shall give equal weight and consideration to service on standing committees and to the proper balancing of committees. Members of standing committees who are delegates shall be appointed to the corresponding convention committees so far as feasible in order to coordinate the work of convention and standing committees.

Section 2. A delegate interested in a specific problem of a resolution shall have an opportunity to present his/her viewpoint to the appropriate committee at a time designated by the committee chair.

Section 3. Changes in assignments of delegates to committees shall be made only by a committee of the executive council upon application. Such application shall include a written statement of

the reason for desiring the change. ~~No change shall be made after 5 p.m. on the first day of the convention.~~ Committee changes may be requested up to two hours prior to the start of the convention committee meetings.

Section 4. Reports of convention committees shall be received at the time designated in the printed program or as designated by the convention. Reports shall be made in the order assigned by the chair of the convention committee and the president who shall make such assignments upon application by the chair of committees except as the convention may desire to receive reports in a different order.

Section 5. Debate in committees may be limited by a two-thirds vote of the committee.

ARTICLE VI

Nominations and Election Procedures

Section 1. All nominations of officers shall be by petition signed by at least 50 delegates and presented to the secretary-treasurer no later than 8 a.m. on the third day of the convention. Declination of nominations shall be made prior to 8:30 a.m. on the same day. Candidates shall be introduced to the convention between 8:30 a.m. and 10 a.m. on the same day with the option of making a two-minute speech of acceptance. Candidates for president, secretary-treasurer and executive vice president shall be allotted five minutes for their acceptance speeches and remaining time allotted equally among vice-presidential candidates with the option of pooling their time. Nominations of delegates to the AFL-CIO convention will be made at the AFT convention that immediately precedes the AFL-CIO convention; nominations shall be by petition signed by at least 50 delegates and presented to the secretary-treasurer no later than 8 a.m. on the third day of the convention. Declination of nominations for delegate shall be made prior to

Resolutions
Duration

Rules
Adoption

Appointment

Committee
Choice

Committee
Changes

Order of
Committee
Reports

Debate
Limit

Procedures

Speech
Limitation

8:30 a.m. on the same day. Furthermore, candidates for delegate to the AFL-CIO convention shall be allotted two minutes for their speech with the option of pooling their time. No other business shall be conducted during this time.

possible shall be appointed at the post-convention meeting of the council.

Continuity

Election

Section 2. Balloting for election of officers shall take place from 4:30 p.m. until 7:30 p.m. of the third day of the convention under the supervision of the elections committee. No other official business of the convention shall be conducted during balloting. Only delegates who are seated by 5 p.m. of the second day of the convention may vote in the election.

Section 2. As a matter of policy, the executive council shall endeavor to maintain continuity of personnel of standing committees.

Written Reports

Section 3. Each standing committee shall make a written report for submission to the appropriate convention committee.

Committee on Civil and Human Rights

Section 4. In addition to the standing committees established and appointed by the executive council, there shall be a standing committee on civil and human rights. The executive council shall appoint the chair and other members of the committee, which shall perform the following functions:

President, Secretary-Treasurer & Executive Vice President Vote Requirement

Section 3. A majority of the votes cast for the offices of the president, the secretary-treasurer and the executive vice president shall be required to elect the president, the secretary-treasurer and the executive vice president. In the event that no candidates for the positions of president, the secretary-treasurer or executive vice president receive a majority, a runoff election between the two candidates receiving the highest number of votes shall be conducted by roll-call vote.

(a) recommend strategies for encouraging and coordinating local and regional conferences on civil and human rights in education, and work with locals to help establish effective local committees on civil and human rights;

Recommend Strategies

(b) identify resource materials on African-Americans and other minorities and recommend the development of such materials for use by educators;

Identify Resources

(c) recommend strategies for identifying, supporting, actively recruiting and retaining minority teachers and other employees; and

Retain Minority Teachers and Other Employees

(d) conduct a national conference on civil and human rights.

The committee shall submit a report on its activities to the convention, and a copy shall be sent to each local.

Vice-Presidential Vote Requirement

Section 4. Vice presidential candidates receiving the highest number of votes corresponding to the number of positions to be filled shall be declared elected subject to the provision of Article V, Section 1, of this constitution. In the event that there is a tie for the final positions, a runoff election for that position between the tied candidates shall be conducted by roll-call vote.

ARTICLE VII

Standing Committees

ARTICLE VIII

Per Capita, Budget and Audits

Appointment

Section 1. The standing committees shall be established and appointed by the executive council not later than the midyear meeting of the council each year. The presiding officer and as many members of standing committees as

Section 1. (a) Effective September 1, 2006, each local shall pay a per-capita tax of ~~\$13.95~~ \$15.35 per month.

Per Capita Tax

Effective September 1, ~~2007~~2009, each local shall pay a per capita tax of ~~\$14.70~~ \$16.00 per month. The national office shall pay back to the office of each state federation for each member of the state a per capita of 20 cents per month.

ployee(s) may not object to expenditures of his/her portion of such payments used for collective bargaining including, but not limited to, negotiating, organizing, servicing, educational research and union administration. That portion of such fees spent by the union, local, state and national level for the above-described purposes will be determined in each fiscal year by the respective chief fiscal policymaking body, and rebate of a prorated portion of his/her service or fair-share fees corresponding to such proration shall be made to each individual who has filed a timely notice of objection each year.

Section 1. (d) The procedures adopted shall provide for the right to object during a specific time by registered/certified mail and for the determination of appropriate portions of money spent for purposes described in Section 1(b) and (c). The employee(s) shall have rights of appeal internally and, if not satisfied, shall have the right to appeal to an independent, outside review panel whose decision shall be final and binding.

In the event that service or fair-share fees are established through procedures of state law in such a way as to meet the above objections, then Section 1(c) and 1(d) shall not apply.

Section 2. The budget shall be prepared and adopted annually by the executive council and shall be subject to subsequent revision when needed.

Section 3. It shall be the responsibility of the executive council to cause the auditing of the financial records of the organization annually and to submit said audits to each convention.

Section 4. Ten cents of each member's per capita tax shall be set aside each month in a building fund to finance the purchase of an AFT building. The fund shall continue until such time as the purchase has been completed and any additional financial costs of the building not covered by income from the building have been met.

Agency Fees

State Rebate

Time Limitations

Appeal

State Laws

Budget

Audit

Building Fund

Section 1. (b) Where a local receives fees from nonmembers for representing them under an agency shop agreement, it shall pay to the national office a sum equal to the per capita tax for all such nonmembers and shall also pay to the state federation of teachers a sum equal to the per capita of the state federation for all such nonmembers. Effective September 1, 1977, each affiliated local that has members within a unit where the bargaining rights have been won by another organization and where the other organization has obtained an agency shop or fair-share clause in the contract, the local shall pay per capita tax at one-fourth the regular rate on those members required to pay agency or fair-share fees to another organization. Representation at the American Federation of Teachers or the state convention shall also be computed at one-fourth the constitutional formula for apportionment of delegate and voting strength. Locals whose members pay agency or fair-share fees to another organization may elect to pay full per capita for such members and receive full representation.

Section 1. (c) Any local that receives service or fair-share payments in lieu of dues from employee(s) represented by the local shall adopt procedures for such employee(s) to object during a specific time period each year to the expenditure of his/her portion of such payments for certain purposes. Such procedures shall provide that employee(s) may object to expenditure of his/her portion of such payments for activities or causes of a political nature only incidentally related to collective bargaining. Employee(s) may object to the expenditure of his/her portion of such payments for activities or causes involving controversial issues of public importance only incidentally related to collective bargaining. Em-

Procedure for Objections to Agency Fees

Per Capita
Tax Changes

Section 5. Proposed changes in per capita must be sent to the national office by March 15 and must be sent by the national office to the locals by April 15.

fiscal year, an audit of its financial statements—in accordance with generally accepted auditing standards—by an independent CPA whose firm does not have responsibility for the affiliate’s regular bookkeeping or for preparation of its routine financial statements. The audit must be prepared in accordance with generally accepted accounting principles. Appended to the audit submission must be a letter signed by the affiliate’s principal officer and the auditor certifying that the audit has been presented at a specified regular or special meeting of the affiliate’s governing body and published and made available to the members.

Funding for
Albert
Shanker Insti-
tute

Section 6. Five cents of each member’s per capita tax shall be set aside each month for the Albert Shanker Institute, a tax-exempt organization recognized under §501(c)(3) of the Internal Revenue Service Code.

Solidarity
Fund

Section 7. Effective September 1, ~~20062008, 80 cents~~ \$1.25 and effective September 1, ~~20072009, \$1~~ \$1.50 of each member’s per capita tax shall be set aside each month in a special fund that will function to assist the AFT and its affiliates in participating in legislative and political activities with significant potential impact on members of the AFT and the institutions where they work. Such assistance shall be collected and utilized in accordance with the provisions of applicable state and federal law. The executive council will adopt guidelines to implement this provision, including the development of criteria and an application for assistance. Where a state affiliate has a fund that is approved by the AFT and similar to the Solidarity Fund, in that it functions to assist the affiliate in participating in legislative and political activities with significant potential impact on the members and the institutions where they work, then the AFT will pay effective September 1, ~~20062008, 30 50 cents~~ and effective September 1, ~~20072009, the AFT will pay 40~~ 60 cents per member per month to be deposited in such similar state fund.

Section 2. Effective January 1, 2005, AFT affiliates with fewer than 1,000 members, excluding retirees, are required to submit to the AFT annually, and within six months of the close of the affiliate’s fiscal year, an audit of its financial statements by an independent CPA in accordance with generally accepted auditing standards, or a financial review of the affiliate’s financial statements conducted by an internal audit committee in accordance with AFT guidelines for audit committees. Appended to the audit or financial review must be a signed certification by the affiliate’s principal officer that the current audit or financial review has been presented at a specified regular or special meeting of the affiliate’s governing body and published and made available to the members.

Audit
Guidelines

Section 3. Where a required audit or financial review has not been performed and received by the AFT within six months of the close of an affiliate’s fiscal year, the AFT president is authorized to have the applicable audit or financial review, pursuant to Section 1 or 2 of this Article, conducted at the affiliate’s expense. Such a review will include an examination of the financial records and a reporting of the results to the membership of the affiliate and to the AFT executive council.

Late
Audits

ARTICLE IX

Affiliate Audit and Financial Review Requirements

Affiliate
Audits

Section 1. Effective January 1, 2005, AFT affiliates with 1,000 or more members, excluding retirees, are required to submit to the AFT annually, and within six months of the close of the affiliate’s

Requirements
for Good
Standing

ARTICLE X

Good Standing

Section 1. To be in good standing in the AFT, affiliates must meet the following requirements:

(a) payment of per capita to the AFT on all members, with arrears not to exceed two months, and to the applicable state federation consistent with its constitution;

(b) current in submission of the affiliate's annual audit or financial review in keeping with Sections 1 and 2 of Article IX of the AFT bylaws;

(c) current in submission to the AFT of names and addresses for the principal executive and financial officers;

(d) current in submission to the AFT of the names and addresses of current members of the affiliate's executive board;

(e) current in submission of a membership roster; and

(f) current in submission of a copy of the affiliate's up-to-date constitution.

Section 2. Only affiliates in good standing shall be eligible for:

(a) representation at the AFT convention. In order to satisfy such good-standing requirements and in addition to the deadlines otherwise set forth in the AFT constitution and bylaws, each affiliate must provide the AFT with the information required in paragraphs 1(b)-(f) above no later than 30 days prior to the opening date of the convention.

(b) participation in the AFT Occupational Liability program;

(c) coverage under the AFT Militancy/Defense Fund; and

(d) participation in programs that include staff and financial assistance from the AFT.

ARTICLE XI

Suspension of Rules and Amendment of Bylaws

Section 1. The special rules of order contained in Article I of these bylaws may be suspended by a two-thirds vote in the same manner as provided by *Robert's Rules of Order Revised* for the suspension of all regular rules of order.

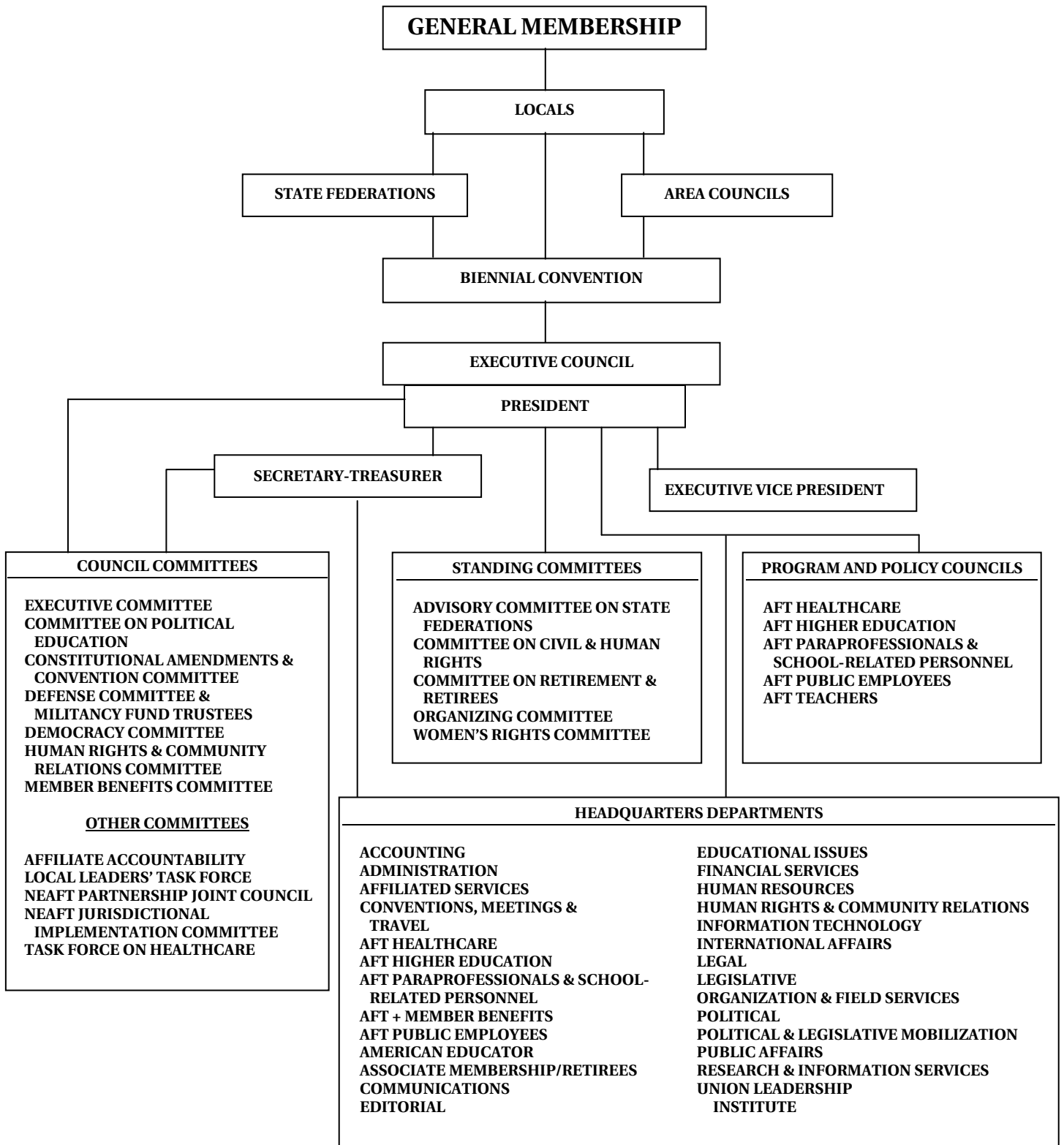
Section 2. The bylaws may be amended by the same procedure as in Article X, Sections 1 through 3, of the constitution. All such amendments shall require a majority vote for their adoption, except those relating to bylaws, which themselves require more than a majority vote, in which case the same vote shall be required to adopt the amendment as required by the bylaws to be amended.

Suspension
of Bylaws

Amendment
of Bylaws

AMERICAN FEDERATION OF TEACHERS

TABLE OF ORGANIZATION



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