



**CONSTITUTION
OF THE
BERKELEY COUNCIL OF CLASSIFIED EMPLOYEES
AFT LOCAL 6192**

Article I — NAME

The name of this organization is the Berkeley Council of Classified Employees, CFT/AFT and will be referred to as Local 6192 elsewhere within this document and the accompanying bylaws.

ARTICLE II — OBJECTIVES

The objectives of the organization are as follows:

- Section 1. To promote free and open expression by staff members and encourage wide participation among all those represented by Local 6192 and to bring all members together for mutual assistance and cooperation.
- Section 2. To secure and promote the participation of the staff in the decision making and policy setting of the Berkeley Unified School District (BUSD) for the benefit of all.
- Section 3. To fight all forms of bias and/or discrimination in education which are prohibited by law.
- Section 4. To advance the cause of the staff, to provide services to members and to represent the bargaining unit in all matters related to collective bargaining.
- Section 5. To promote a close relationship and mutual cooperation with the labor community

ARTICLE III — MEMBERSHIP

- Section 1. All classified, non-confidential employees of the BUSD Instructional Assistant/Paraprofessional Unit (IAPP), the BUSD Office, Technical & Business Services Unit (OTBS) and the Operations and Support Services Unit (OSS) as defined in the Collective Bargaining Agreement, excluding all management, supervisory and certificated employees of the BUSD are eligible for membership in Local 6192. Members who move to supervisory or management positions are automatically removed from membership on the effective date of the change. Provisional, Limited-term and Temporary classified employees are also encouraged to become members, but those so classified will not be eligible to hold office or to vote in contract ratification referenda until such time as the unit definition is modified to include one or more of these classifications of employment status.
- Section 2. Membership is granted upon payment of all dues described in the Local 6192 Bylaws. Members are entitled to introduce matters before the general membership, to vote in all Local 6192 elections and to receive the benefits and services offered by Local 6192.
- Section 3. Any member, who fails to pay dues upon expiration of payroll deduction or within sixty (60) days of the due date, shall be dropped from the rolls and his/her name shall be removed from the records at the AFT national office. The member may be reinstated upon payment of the amount in arrears plus the current month.

- Section 4. No discrimination shall be shown toward any individual member or applicant for any purpose prohibited by law, including, race, creed, political activities or belief, sex, age, economic status, national origin or physical handicap.
- Section 5. Employees who retire or who leave the bargaining unit for any reason, except to accept a supervisory position, are eligible to continue membership in Local 6192 as a Retired Member or as an Adjunct member, and shall have the same rights and privileges as a Regular Member, except they may not vote in elections and may not run for any office.

ARTICLE IV — OFFICERS

- Section 1. The officers of the Local 6192 are President, Vice President – OTBS, Vice President – IAPP, Vice President – OSS, Secretary and Treasurer. All officers shall be elected by the general membership for two-year terms in May of even-numbered years. Hereafter, this group shall be known as the Local 6192 Executive Committee. Officers may run for reelection.
- Section 2. Membership in good standing for at least one year is required to hold an executive office except during the first year after the chartering of Local 6192.
- Section 3. Nominations for office shall be made at the May membership meeting in even-numbered years. Notification of the nomination meeting and the mail ballot election shall be given fifteen days in advance of the meeting. Elections shall be conducted by secret ballot until a candidate has won by a simple majority of the members voting.
- Section 4. The term of office for officers shall commence on July 1 immediately following the election.
- Section 5. Vacancies shall be filled by special election.
- Section 6. Recall of any officer may be initiated by a petition signed by at least forty percent (40%) of the general membership. Following the submission of such a petition to any Local 6192 officer, an election notice of at least fifteen (15) days shall be sent to all members. Recall will be accomplished by a simple majority of those voting by mail ballot.

ARTICLE V — OFFICERS' DUTIES

- Section 1. Duties of the President
- a. To preside at all meetings of Local 6192
 - b. To chair meetings of the Local 6192 Executive Committee and to be an ex officio member of all committees except the audit committee and election committee.
 - c. To represent Local 6192 when and where necessary.
 - d. To cast the deciding vote in the event of a tie.
 - e. To sign all necessary documents and to co-sign Local 6192 checks.
 - f. To serve as a Local 6192 delegate to any Local 6192 affiliate.
- Section 2. Duties of the Vice Presidents

- a. To perform the duties of the President in the absence of the President
- b. To serve in the place of the President at the direction of the President.
- c. To serve as a Local 6192 delegate to any Local 6192 affiliate.

Section 3. Duties of the Secretary

- a. To keep minutes at all official meetings, including all membership and Executive Committee meetings.
- b. To issue all notices and handle correspondence at the direction of the President.
- c. To be the custodian of the Charter and seal of Local 6192.
- d. To maintain all Local 6192 non-financial records and archives.
- e. To serve as a Local 6192 delegate to any Local 6192 affiliate.

Section 4. Duties of the Treasurer

- a. To keep all membership records of Local 6192.
- b. To collect, deposit, and disburse all funds of Local 6192
- c. To co-sign authorized checks.
- d. To prepare and present the annual financial statement of Local 6192.
- e. To prepare and present the annual budget of Local 6192 at the first membership meeting of the year.
- f. To serve as liaison between Local 6192 and the financial officers of the CFT and AFT.
- g. To chair the budget committee.
- h. To serve as a Local 6192 delegate to any Local 6192 affiliate.

ARTICLE VI — COMMITTEES

Section 1. The Executive Board of Local 6192 shall consist of the President, Vice President – IAPP, Vice President – OTBS, Vice President – OSS, Secretary, and Treasurer. In addition, the Executive Board shall appoint the Negotiations Chair, the Grievance Officer, and the Communications Officer. These persons shall be voting members of the Executive Committee. The Executive Committee shall be authorized to do the following:

- a. Administer the policies of Local 6192
- b. Take emergency actions on behalf of Local 6192 when such policies cannot be set by the membership.
- c. Set the time and place of Executive Committee meetings.
- d. Make contracts and incur liabilities appropriate to accomplish the purposes of the Local 6192
- e. Appoint Local 6192 representatives to District committees.
- f. Report on its activities to the membership.

Section 2. The Executive Board shall hire employees as it shall deem necessary to assist the Local 6192 President and Executive Board to:

- a. Maintain, interpret and enforce the contract.
- b. Develop and maintain an ongoing service relationship for members.

- c. Develop and maintain professional relationships with the following entities: School Board and Personnel Commission and appropriate management staff of the Berkeley Unified School District; legislature, governor's office, and regulatory agencies.
- d. Create public relations information and develop a positive image between Local 6192 and the media.
- e. Assist with the creation of Union publications and communications.
- f. Draft letters, press releases, training materials, newsletter articles, etc.
- g. Develop and implement, as appropriate, organizing programs, such as membership and fair share campaigns, job actions, and professional development.
- h. Assume other duties as assigned by the President and the Executive Board of Local 6192.

Section 3. Local 6192 Representative Council.

The Representative Council (Rep Council) shall consist of the Executive Committee and elected Council members. Council members shall consist of the following:

- a. Building committee representatives elected by the membership at a given site. A site shall be accorded one building committee representative for each ten (10) union members or fraction thereof. [Examples: A site with three union members would have one representative; as site with 14 union members would have two representatives; a site with 21 union members would have three representatives. At a site with multiple representatives, it is preferred to have a balance between the IAPP, the OTBS, and the OSS units serving as representatives.]
- b. The duties of Representative Council members include:
 - Attending Representative Council meetings
 - Distributing union literature and information to members at one's worksite
 - Serving on site committees as a union representative
 - Being the "eyes" and "ears" of the union
 - Reporting back to the union leadership concerns raised by members
 - Handling problems/grievances that arise, according to one's level of training
 - Referring members' problems to the appropriate union official
 - Conducting site meetings to keep union members informed
- c. The Rep Council shall meet monthly. Reps shall serve a one-year term and may be re-elected.
- d. In the event of a vacancy at a given site, the Executive Board shall appoint representative(s) to the Site Representative Council after consultation with the members at the given site.

- Section 4. The Negotiations Committee shall be selected by the Executive Committee annually and shall meet at such times and places so as to prepare bargaining proposals for presentation to the Executive Committee and to /district management representatives.
- Section 5. The Grievance Officer shall be appointed by the Executive Committee and shall serve a one-year term.
- Section 6. The Communications Officer shall be appointed by the Executive Board and shall serve a one-year term. The duties of the Communications Officer will be as follows:
- a. To coordinate electronic and print communications to members and the general public
 - b. To manage social media content for Local 6192
 - c. To serve as liaison between Local 6192 and media outlets
 - d. To recruit and coach members for public speaking events
- Section 7. Other committees, sub-committees, and/or task forces of Local 6192 may be created as required upon a majority of those present and voting at a membership meeting. Duration of these committees will be specified upon formation.
- Section 8. In the event of a committee vacancy, the President shall appoint a member to fill the position with the approval of the Executive Committee.

ARTICLE VII — MEETINGS

- Section 1. Membership meetings of Local 6192 will be held at least once per academic semester.
- Section 2. A quorum shall consist of ten percent (10%) of the membership plus two officers.
- Section 3. Notification of general membership meetings shall be given at least three (3) days in advance; preferably 5 days notice should be given.
- Section 4. All meetings shall be conducted according to Roberts' Rules of Order, Revised.

ARTICLE VIII — FINANCE

- Section 1. Local 6192 dues will be set by a majority vote of the members according to the terms and conditions set forth in the Bylaws.
- Section 2. Notice of changes in dues shall be provided members at least one month in advance.
- Section 3. Changes in affiliate per capita payments will result in an automatic change in total dues.

Article IX — AFFILIATIONS

- Section 1. AFT Local 6192 is affiliated with the American Federation of Teachers, the California Federation of Teachers, the California Labor Federation and the Alameda County Central Labor Council.
- Section 2. Whenever possible Local 6192 will send elected delegates to affiliate conventions

ARTICLE X — AMENDMENTS

Section 1. Proposals

- a. Amendments to this constitution may be proposed by a two-thirds majority of the Local 6192 Executive Committee
- b. Amendments to this constitution may be proposed by petition to the Executive Committee by fifteen percent (15%) of the general membership.

Section 2. Ratification: Proposed amendments to the constitution will be ratified by a two-thirds (2/3) majority of votes cast by the membership of those voting in a secret ballot.

ARTICLE XI — AVAILABILITY OF THE CONSTITUTION

Section 1. Three copies of this constitution and any bylaws and all future amendments will be submitted to the National office of the American Federation of Teacher. One copy of this constitution and any bylaws and all future amendments shall be submitted to the state office of the California Federation of Teachers.

Section 2. Copies of this constitution will be made available to the affiliated organizations upon request.

Section 3. Copies of this constitution will be available for any members of the local upon request to the Secretary.



**BYLAWS
OF THE
BERKELEY COUNCIL OF CLASSIFIED EMPLOYEES
AFT LOCAL 6192**

ARTICLE I — DUES

- Section 1. The monthly dues for Local 6192 members shall be 1.47% of gross earnings for the 2006-07 dues year. For 2003-04 and beyond, dues may be increased based on affiliate increases or a simple majority vote of the membership.
- Section 2. The dues year shall begin October 1 of each year. Dues not paid through payroll deduction are due by the fifteenth of the month for that month.

ARTICLE II — FINANCES

- Section 1. The fiscal year shall run from January 1 through December 31 of the following calendar year.
- Section 2. Two signatures shall be required for all checks and payments issued by Local 6192. Normally, the Treasurer and the President are the two designated signers.
- Section 3. There will be an annual audit of the funds of Local 6192 at the conclusion of each fiscal year. The audit will be conducted by a person or persons other than the Treasurer or President.
- Section 4. Expenditures of more than \$100 must be approved by either the Executive Committee or the Representative Council.

ARTICLE III — MEETINGS

- Section 1. General membership meetings will be held at least once per semester.
- Section 2. Additional meetings may be called by the Executive Committee or by ten percent (10%) of the membership. Five days notice shall be given for these meetings.
- Section 3. The Local 6192 Executive Committee shall meet monthly during the academic year or as needed.

ARTICLE IV — NEGOTIATIONS

- Section 1. The Negotiating team shall consist of no fewer than five members.
- Section 2. The Negotiations Committee shall solicit issues and items as potential topics for negotiation from members of the bargaining unit.
- Section 3. The Negotiations Committee shall have the authority to reach tentative agreement with BUSD on all issues before the Negotiations Committee. Said tentative agreement shall be presented to the Representative Council for recommendation/presentation to the membership.

ARTICLE V — AMENDMENTS

Bylaws may be amended by a majority vote of the membership. The proposed amendment shall be submitted to the members in writing fifteen (15) days prior to the meeting at which the vote is scheduled.

ARTICLE VI — ELECTIONS

In the event that there is only a single candidate for a particular office, that candidate shall be deemed elected by acclamation and no election for that office need be conducted.

ARTICLE VII — GRIEVANCE APPEAL PROCESS

In the event that the Executive Committee of the Local 6192 determines that a grievance shall not be taken to arbitration, the grievant may appeal that decision in writing to the Executive Committee, setting forth why she/he feels the matter should be carried forward. The Executive Committee shall convene an emergency meeting, if necessary to comply with the contractual time limits, to hear the presentation by the grievant. In closed session, the Executive Committee shall make its decision, which shall be final.

ARTICLE VIII — CONTRACT RATIFICATION

Only members in good standing shall have the right to vote on contract ratification.

ARTICLE IX - POLITICAL ACTION COMMITTEE

- Section 1. The Executive Board is authorized to establish a political action committee.
- Section 2. The political action committee shall be a body that makes recommendations to the Executive Board of Local 6192 but will not be a final decision making body. That authority rests with the Executive Board.
- Section 3. The name of this committee shall be the Berkeley Council of Classified Employees Political Action Committee (PAC).
- Section 4. The general purpose of the Committee is to support and further the goals and policies of Local 6192. The specific purposes are:
- a. To support candidates and positions on ballot measures endorsed by Local 6192.
 - b. To further the common good and general welfare by promoting improvements in public education
 - b. To promote the welfare of our active and retired members and classified support staff in general.
 - c. To encourage the improvement of benefits, compensation, working conditions and retirement status of our active and retired members and classified support staff in general.
- Section 5. Members of Local 6192 may make contributions to the Committee directly or through payroll deduction.

The Committee may accept contributions from persons who are not members, subject to the approval of the Executive Board.

Section 6. The control and direction of the Political Action Committee (PAC) shall be vested with the Executive Board of Local 6192. The Executive Board shall have control over the funds and affairs of the PAC and shall establish and carry out all policies and activities. The Executive Board may delegate all or some of the responsibilities of the PAC.