

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS
UMDNJ-NEWARK CHAPTER BYLAWS

ARTICLE I - NAME

The name of the organization shall be the UMDNJ-Newark Chapter of the American Association of University Professors.

ARTICLE II – OBJECTIVES

The objectives of the UMDNJ-Newark Chapter AAUP is to work cooperatively with UMDNJ to solve problems and take action with respect to matters of mutual concern, including:

1. The maintenance and improvement of the quality of medical, dental, nursing, and health-related professions education in New Jersey;
2. The support of the principles and policies of the AAUP, including academic freedom, tenure, and shared-governance;
3. The pursuit of quality and equity in academic employment relationships;
4. The furtherance of the economic welfare and well being of the members of the AAUP at UMDNJ and those represented by the AAUP through collective negotiations;
5. The administration and enforcement of the contract between AAUP and UMDNJ in accordance with the collective negotiations agreement and the laws of the State of New Jersey; and
6. Communication to/from its membership to/from UMDNJ and to/from the National AAUP.

ARTICLE III - MEMBERSHIP

Section 1

There shall be four categories of membership: Active, Special, Associate and Emeritus. Membership is contingent upon payment of appropriate National and local dues as determined by the Council. All members of the Chapter must be members of the National AAUP organization. Eligibility requirements for each of these categories and the extent of membership rights are as follows:

1. Active Members – Any faculty member of the New Jersey Medical School (NJMS), New Jersey Dental School (NJDS), Graduate School of Biomedical Sciences (GSBS), School of Nursing (SN), Library staff or other unit of the Newark campus or its affiliates who is included within the collective bargaining unit as defined by the New Jersey Public Employment Relation Commission

- (PERC) and/or as modified by the parties in negotiation and who have paid the membership dues may be an Active Member. Active members shall have full voting rights, may hold any office, serve on any committee or be a Chapter representative to any organization.
2. Special Members -- Any professional person associated with NJMS, NJDS, GSBS, SN and Library or other units of the Newark campus or its affiliates who is not included within the bargaining unit as defined by PERC but who by reason of his or her current or future professional function may be included in the bargaining unit by PERC; who is not otherwise excluded from membership because of administrative functions; and who is a member of a "Special Constituency" as defined below may be a Special Member. A Special Member may represent his or her special constituency to the Chapter and other organizations. Special Members shall have full voting rights on all Chapter matters except those concerned with collective bargaining. Special Members may not hold office. They are otherwise entitled to all the rights and privileges of Active Membership except for voting on matters pertaining to collective bargaining. Local dues shall be lower than those required of active members, as determined by the majority vote of Board of Governors.
 3. Associate Members -- Any professional person associated with NJMS, NJDS, GSBS, SN and Library or other unit of the Newark campus or its affiliates who is currently excluded from either Active or Special Membership by virtue of his or her administrative function may be an Associate Member. Associate Members shall have no voting rights and hold no office. Nominal dues as designated by the Chapter may be collected.
 4. Emeritus Members -- Any retiring member-Active, Special or Associate may be awarded by vote of the Board of Governors the title Emeritus Member. Emeritus Members shall have no voting rights, shall not hold office and shall pay no local dues. The Awarding of Emeritus Membership shall include the future payment of National Emeritus dues at the Chapter's expense.

Section 2

Representation Fee Payers -- In accordance with NJSA 34:13A; the AAUP collects a representation fee from all those in the bargaining unit who are not dues paying members for collective bargaining and other services performed on behalf of the faculty and Library Staff. The amounts of both the dues and the representation fee are determined by the Council.

ARTICLE IV - OFFICERS

1. The Officers of the UMDNJ-Newark Chapter AAUP shall be: President, Vice-President, Secretary, Treasurer and Past-President.
2. The terms of office shall be for one year beginning on September 15th and ending on September 14th. When it is not possible for the terms to begin on September 15th the incumbent officer's terms will be extended until the election results are counted and verified, but new officers' terms will still end on the following September 14th.
3. In case of a vacancy in the office of President, the Vice-President shall assume the full duties and responsibilities of the office. The Board of Governors shall then select an interim Vice-President from among the membership of the Board.
4. In case of a vacancy in the office of Secretary or Treasurer, the Board of Governors shall make an interim appointment to fill the vacancy until the next regular election as provided for in Article VI.
5. In the case of a vacancy in the office of Past-President, the office shall remain vacant until the next eligible individual can assume it.
6. Except for interim appointments, all officers shall be elected by secret ballot of the membership as provided for in Article VI.
7. All officers shall, by virtue of the office, be members of the Board of Governors.
8. Duties
 - a. President - The President shall preside at Board of Governors and Chapter meetings, develop agendas, be an *ex officio* member of all committees except the Nominating Committee, be the official representative of the Chapter to the Administration, the UMDNJ Council of Chapters, the AAUP Alliance, the National AAUP and to any other organization designated by the Chapter. The President may delegate the authority to represent the Chapter on a temporary basis to any other officer, member of the Board of Governors, or Active Member. When the President or his or her designee so represents the Chapter, a report of such representation must be made within two weeks of this event to the Board of Governors and/or Chapter and be placed in the permanent records. The President is authorized to sign checks and consult with the Chapter's authorized legal advisors provided a report of such activities is made to the Board of Governors. Upon completion of his or her term of office, the President shall become the Past-President. The President may not serve more than two terms in succession. This requirement can be waived at the recommendation of the Nominating Committee provided that the majority of members at the spring Chapter meeting support the waiver. Upon approval of the waiver, the incumbent President may be re-nominated for one additional year.
 - b. Vice-President - The Vice-President shall act in the absence of the President as presiding officer at Board of Governors and Chapter meetings. The Vice-

President shall assist in the duties of the President. The Vice-President shall be *ex officio* a representative to the UMDNJ Council of Chapters.

- c. Secretary - The Secretary shall be a representative to the Council of Chapters and be responsible for keeping, maintaining and distributing the minutes of Chapter and Board of Governors meetings. The Secretary shall be responsible for maintaining copies of all official correspondence, reports, records, and other documents and for their preservation in a permanent form. At the end of each term of office, the Secretary shall collect all the records for that term and be responsible for transmitting them in good order together with all previous records to the incoming Secretary. The Secretary shall be required to make any of these documents available to any Active Member upon reasonable notice. The Secretary shall preside at Chapter and Board of Governors meetings in the absence of the President and Vice President.
- d. Treasurer - The Treasurer shall be a representative to the Council of Chapters and shall be responsible for the collection of all Chapter monies, and for the discharge of all financial obligations of the Chapter. The Treasurer shall keep the official financial records of the Chapter and is authorized to sign checks.

The Treasurer is authorized to oversee the membership list and it shall be provided to the Treasurer upon request.

The Treasurer shall keep a monthly record of income and expenditures and shall present a semi-annual and annual Financial Statement. The Treasurer shall make available the financial records to any Active Member upon reasonable notice. At the end of the term office, the Treasurer shall transmit either the originals or copies of all financial records and correspondence to the Secretary for preservation in the permanent records. The Treasurer shall be authorized to:

1. Pay National dues for those Chapter members participating in dues check-off or similar plan;
2. Pay all legal and administrative fees which have been contracted for by the Board of Governors and/or Chapter;
3. Pay all other bills which have been authorized by the Board of Governors and/or Chapter;
4. Keep a petty cash discretionary account not to exceed a monthly sum determined by the Board of Governors;
5. Keep an agency account for payment to the University for services rendered; and
6. Present the books of the Chapter upon request by the Board of Governors or the Chapter, and if deemed necessary have them audited by a Certified Public Account who is not a member of the Chapter.

- e. Past-President - At the end of his or her term of office, the President shall become the Past-President during the succeeding term. The Past-President shall advise and assist the President in the duties of that office. The Past-President is eligible for any elective office.

ARTICLE V - BOARD OF GOVERNORS

1. The Board of Governors shall act for the Chapter in carrying out the purposes of the Chapter, establish Committees for the Chapter, and shall have the authority to approve expenditures and obligations for the Chapter.
2.
 - a. The Board of Governors shall consist of the Officers of the Chapter and members from each of the following constituencies of the Chapter: nine members from NJMS and four members from NJDS and one member each from SN and Library. If, in the future, PERC recognizes any Special Constituencies (cf. Article V, Section 10) as members of the bargaining unit, the number of voting members of the Board of Governors shall be enlarged. The Board of Governors may be enlarged to a maximum of five members from each new constituency. This requires a two-thirds vote of the existing Board.
 - b. Although each constituency is entitled to members on the Board of Governors, such members shall be elected by and be representatives of the Chapter-at-large, not their separate constituency.
 - c. All non-officer members of the Board of Governors shall serve for two-year terms. To the extent possible, one-half of these positions shall expire each year.
3. The Board of Governors shall elect two at-large representatives to the UMDNJ Council of AAUP Chapters and select representatives to any other bodies on which the Chapter is or may be authorized to be represented, including State and National AAUP Organizations.
4. The Board of Governors shall, through its representatives to the UMDNJ Council of AAUP Chapters, its delegates to the State and National AAUP Conferences, or its representatives to any other organizations to which it may wish to communicate or be represented, make known to such organizations the policies and purposes of the Chapter.
5. Committees.
 - a. The following committee shall be established by the Board of Governors on an ad hoc basis: Nominating and Elections Committee (cf. Article VI, Sections 1a and 1b).

- b. The Board of Governors may establish other ad hoc committees as the need arises. The charge of all ad hoc committees must be limited to a specific goal and may not exist for a period of time longer than three months without specific renewal of its charge.
 - c. The Board of Governors may establish Standing Committees as the need arises.
 - d. Establishment of ad hoc committees requires a simple majority. Establishment or termination of Standing Committees requires a 2/3 vote.
6. Meetings - Within the first month of their term of office, the President shall call a meeting of the Board of Governors at the earliest convenient date. At that meeting, the Board of Governors shall determine the dates, times and places for its meetings. The President may call Special meetings provided (1) an agenda is presented, (2) a reasonable effort is made to contact all Board members and (3) there is a quorum. The President must call Board meetings upon receipt of petition by two Board members or ten Active or Special Members subject to the same restrictions as above. Any Active or Special Member may attend Board of Governors meetings. Special Members may be excluded, at the discretion of the Board of Governors, at such times as items pertaining to collective bargaining are being discussed. The Board of Governors may, by majority vote of those present, go into executive session. The President may invite any person or persons to attend Board of Governors meetings.
7. Quorum: a quorum of the Board of Governors shall be ten persons including Officer and non-Officer members.
8. Special Constituencies: The Board of Governors may designate any readily identifiable group of professional persons within the school as a "Special Constituency." Such groups are, by definition, not currently recognized by PERC but may be potentially recognized by PERC. In the event that a special constituency is designated by the Board of Governors, that group is entitled to have at least one representative on the Board of Governors, and the members of that group may become Special Members as defined in Article III, Section 2. Representatives from Special Constituencies shall vote on all matters except those pertaining to collective bargaining. The Board of Governors may allocate up to four additional representatives. In the event that a special constituency is recognized by PERC as a part of the bargaining unit, all Special Members of that group shall become Active Members (subject to payment of dues) and that group shall be entitled to at least one full member on the Board of Governors. The Board of Governors may be expanded to include up to four additional full members for each "Special Category".
9. Parliamentary Authority: Parliamentary procedure at all meetings shall be in accord with *Robert's Rules of Order, Revised*, except when these Rules conflict with the Chapter By-Laws, or when the Board, by majority vote, determines other rules of procedure.

10. Recall: Any Officer or Board of Governor member may be removed from office by a recall vote. In the event recall proceedings are instituted, the accused Officer or Board member shall have full opportunity to make a presentation before the Chapter membership at a meeting at which a quorum of 25% of the membership must be present after notice of at least 15 days. A 2/3 vote of the membership present and voting shall be required. In the event that the President is being considered for recall, the Vice-President shall chair the meeting. If an Officer or Board Member is removed as above provided, Article VI, Section 1.c.2. shall apply.

ARTICLE VI - ELECTIONS

1. Nominating and Elections Committee

- a. The Board of Governors shall appoint a Nominating and Elections Committee consisting of at least one member from each of the following constituencies of the Chapter: NJMS-Basic Sciences, NJMS-Clinical Sciences, NJDS, plus any other Special Constituencies as defined in Article V, Section 10. The duties of the Nominating Committee shall be to ensure that there are qualified nominees for each vacant office and to ensure that those nominated have agreed, if elected, to serve. The Nominating Committee shall present its report at a regularly scheduled Chapter meeting to be held in the spring.
- b. The Nominating and Elections Committee shall submit the names of one or ~~if possible,~~ more candidates for the Offices of President, Vice-President, Secretary and Treasurer. For the Board of Governors the Nominating and Elections Committee shall attempt to submit the names of at least three candidates who represent the professional units within each of the constituencies of the Chapter. The Nominating and Elections Committee shall also submit a name of at least one candidate for any Special Constituencies as defined in Article V, Section 8.
- c. The Nominating and Elections Committee shall distribute the ballots for all elections, verify that those returned ballots are valid, count the ballots and report the results to the Board of Governors, and the Chapter. The Nominating and Elections Committee shall conduct:
 1. Elections for Officers and Board of Governors
 2. Special Elections to fill vacancies
 3. Run-off elections when necessary
 4. Voting approval of the negotiated contract(s)
 5. Any other voting procedure requiring a mailed ballot to the membership.

- d. Only Active Members and (except for matters pertaining to collective bargaining) Special Members are eligible to vote in Chapter elections.
- e. The election of Chapter Officers and Board of Governors shall ordinarily take place in the Spring, and new Officers and Board members shall take office the following September. Exceptions can be made in special circumstance with the approval of 2/3 vote of the Board of Governors, with an established quorum.
- f. At the Spring meeting at which the Nominating and Elections Committee makes its report, additional nominations may be made from the floor provided that each nominee's consent has been obtained in advance. Such additional nominations shall be seconded by Active and Special members. The names of all nominees shall be presented to the membership by ballot. Balloting shall be by secret, mail vote of Active and Special members only. Each ballot must be sealed in an envelope placed within a second envelope on which is visible the voter's signature. Unsigned envelopes or those with illegible signatures are invalid. Nominees for chapter offices receiving the greatest number of votes shall be declared elected. In case of a tie, the newly elected Board of Governors will select the Chapter officer. Board of Governors members shall be chosen according to the highest, next-highest, etc. number of votes until all positions are filled.
- g. Special Elections: In the event that a vacancy occurs, the Board of Governors shall select a person to fill the position for the remainder of the year.

ARTICLE VII - NEWARK CHAPTER

- 1. At least one Chapter meeting shall be held every year.
- 2. Special meetings of the Chapter shall be called upon petition. The petition must be signed by a minimum of ten Active or Special members and must state the reason for requesting a meeting. Special meetings must be called within three weeks after receipt of the petition by the Board of Governors.
- 3. Ten percent of the Active and Special membership of the Chapter shall constitute a quorum for a meeting of the Chapter following due notification.
- 4. Parliamentary procedure at all meetings shall be in accord with *Robert's Rules of Order, Revised* except when these Rules conflict with the Chapter By-Laws.
- 5. Chapter meetings shall be open to all members of the bargaining unit and to any other groups or persons who may wish to attend. The Chapter may, by majority vote of the Active members present, request those who are not Active Members to be excused.

ARTICLE VIII - INTERNAL GRIEVANCE PROCEDURES

1. Any active or Special Member may file a written grievance with the Board of Governors over any internal matter within the Chapter's jurisdiction. This request must include a statement of the relief sought and must be presented within ninety calendar days of the alleged occurrence of the action giving rise to the grievance. If the Board of Governors feels there is possible justification in the complaint brought by the grievant, it will appoint a Hearing Committee of three Active Members within thirty calendar days of receiving such a grievance.
2. The Hearing Committee shall hold formal hearings, but will not be bound by the formal rules of legal evidence on the matter it is charged with investigating. The decision and recommended relief, if necessary may be of lesser or greater import than that requested by the grievant. The Hearing Committee must make its final report within ninety calendar days of its formation by the Board of Governors which must, in such cases, establish a date for submission of a report. The Hearing Committee's recommendation will be final and binding on the Chapter unless appealed by a principal party to the proceedings.
3. If a written request is lodged with the Board of Governors within thirty calendar days of the issuance of the final report of the Hearing Committee, a vote of the Active Members must be taken on appeal. The appeal shall be heard at the next regularly scheduled Chapter meeting, or a Special meeting may be called. The appeal will be as to whether or not to accept the final recommendations of the Hearing Committee. The vote shall be taken by mail ballot. The vote of the Active Members shall be final and binding on the Chapter. If the decision of the Hearing Committee is not accepted, a New Hearing Committee shall be appointed by the Board of Governors. The new Hearing Committee must report its decisions and recommendations to the Chapter within thirty calendar days for acceptance subject to the same provisions as above.

ARTICLE IX - AMENDMENTS

1. Amendments to these Bylaws may be proposed for consideration at any regular or special Chapter meeting, provided that the proposed amendment shall have been included in the written notice of the meeting. Amendments may be presented by petition signed by ten percent of the Active Membership or by resolution of the Board of Governors.
2. Passage of any amendment shall require a majority of those voting. The vote shall be taken by mail ballot.

ARTICLE X - RATIFICATION

These Bylaws shall be in force upon ratification by a majority of ~~all~~ members voting by mail ballot.

Amended May, 2008