Constitution and By-Laws

Of the

Lincoln University Chapter-American Association of University Professors

(LUC-AAUP)

Adopted: 14 December 1972

Amended: November 2013
Constitution
And By-Laws
Lincoln University Chapter
American Association of University Professors

ARTICLE I. NAME

The name of the organization shall be the Lincoln University Chapter of the American Association of University Professors (LUC-AAUP).

ARTICLE II. PURPOSE

The purpose of this organization shall be to promote the interests of higher education, to advance the standards, ideals, and welfare of the profession, and to serve as the collective bargaining agent for the faculty and libraries of the University.

ARTICLE III. MEMBERSHIP

1. Active Membership. An Active Member is a member of the Lincoln University Collective Bargaining unit under the definition of the unit by the Pennsylvania Labor Relations Board (PLRB) who has paid the current national, state, local, and collective bargaining dues. Only Active Members may hold elective office in the Chapter, vote in the elections of the Chapter, or vote on any business that concerns the Chapter as a collective bargaining agency.

2. Associate Membership. An Associate Member of the Lincoln University Chapter is a person who has paid national, state, and local dues, but not collective bargaining dues. An Associate Member may not hold elective office in the Chapter, vote in the election of their Chapter, or vote on any item of business that concerns the Chapter as a collective bargaining agency. An Associate Member may be a person in any of the following groups:
   a. A person classified as an Associate Member by national AAUP and who is not a member of the collective bargaining unit:
   b. An active Member of the National AAUP who is not within the local collective bargaining unit as defined by PLRB;
   c. A person who is within the collective bargaining unit and who has paid national, state, and local dues, but not the collective bargaining dues;
   d. An Emeritus Member, i.e., a person no longer eligible for active membership by virtue of retirement.
ARTICLE IV.  DUES

The Chapter shall establish dues (a combination of national, state, local, and collective bargaining dues) and regulation that define the lapsing of Active Membership on account of default in dues payments. For this purpose, the Chapter shall receive recommendations from its Committee F.

ARTICLE V.  OFFICERS

1. The Chapter shall have a President, Vice President, Secretary, Treasurer, and Grievance Committee Chairperson.

ARTICLE VI.  DUTIES OF OFFICERS

1. The President and Vice-President shall have the duties usually associated with these offices. Authority for performing the administrative duties of the Chapter is vested in the President, who shall be the official representative of the Chapter. The President shall preside over all meetings of the Chapter and the Executive Committee, and shall be the official Chairperson of the Bargaining Council. S/He shall be a non-voting member ex-officio of every committee, not to be included in the quorum count, unless appointed as a voting member in the usual manner.

2. The Vice-President shall act in the absence of the President as the presiding official of the Chapter, Executive Committee, and the Bargaining Council, and shall assist in the duties of the President.

3. The Secretary and the Treasurer shall have the duties usually associated with these offices. The Treasurer shall present an annual financial report, and shall make available the financial records to any Active Member of the Chapter, provided that adequate notice is given.

4. The Chapter Grievance Committee Chairperson shall advise members of the bargaining unit in their individual grievances, and shall help solve all tenure, academic freedom, or grievance matters through the use of existing procedures such as the Chapter Grievance Committee and Committee A, and by advising members of the bargaining unit who may choose to utilize the formal University or contractual grievance procedures.

ARTICLE VII.  ELECTION OF OFFICERS

The officers shall be elected for three-year terms and may re-elected to succeed themselves no more than twice in the same office. Election of the Chapter Officers shall take place at the end of the spring and will become effective the first day of the fall term following their election. If contract negotiations are underway on the first day of the fall term, the Chapter may postpone the installation date of the new officers until ten days after the contract has been ratified and extend the tenure of the incumbent officers until that date. The president-elect shall become ex-officio a member of the Executive Committee immediately upon election.
1. Any Chapter offices which become vacant shall be filled, as soon as possible, by a special electron of the unexpired term, except that if the University is not in session when a vacancy occurs, the President may make an interim appointment until the University reconvenes.

2. Any or all officers of the Chapter may be removed from office by a recall vote. A two-thirds majority of those Active Members voting (those voting being not less than half of the Active membership) shall be necessary for recall. Vote shall be by secret ballot. One-third of the Active Members of the Chapter or thirty (30) Active Members, whichever is least, must petition for a recall in order to institute these proceedings.

ARTICLE VIII. EXECUTIVE COMMITTEE

1. The Executive Committee shall consist of the officers of the Chapter and the past President. The President may, with the approval of the Chapter, appoint additional members to the Executive Committee.

2. The Executive Committee shall meet at the request of the President to consult with, advise, and assist him in the performance of the administrative duties of the Chapter.

ARTICLE IX. GRIEVANCE COMMITTEE

The Chapter shall elect a Grievance Committee consisting of two Active Members and the Grievance Committee Chairperson.

ARTICLE X. STANDING COMMITTEES

1. The President shall constitute annually, with the approval of the Chapter, those of the regular AAUP Standing Committees (listed A through Z by the National Association) that are necessary to the purposes of the Chapter.

2. The President shall appoint the members and chairpersons of these committees, subject to the approval of the Chapter.

3. In addition to their normal duties, these committees shall study, analyze, and prepare recommendations for the Chapter and the Bargaining Council on those issues of collective bargaining which fall within their purview and the President of the Chapter may direct.

ARTICLE XI. AD HOC COMMITTEES

1. The President may at his discretion establish special ad hoc committee to further the business of the Chapter and he shall establish such committees as the Chapter may request.

2. Members and chairpersons of committees establish upon request of the Chapter shall be chosen according to the stipulations of the Chapter.
ARTICLE XII. MEETING AND QUORUM

1. The President shall schedule Chapter meetings at least three times each semester.
2. The President shall call special meetings upon the request of the Active Members. At least ten percent (10%) of the Active membership must sign such a petition, and the meeting must be called within two weeks after the President receives the petition.
3. A quorum shall be ten percent (10%) of the Active membership, but not less than 15 Active Members.

ARTICLE XIII. COLLECTIVE BARGAINING ORGANIZATION

   a. The Active Members of the Chapter and the members of the collective bargaining unit, in general, shall make known their concerns for collective bargaining issues through a Bargaining Council that appropriately reflects the composition of the bargaining unit and that shall be established for each contract period.
   b. The Council shall consist of Active Members elected for one contract period and ex-officio members as defined in paragraph “e” of this section.
   c. Prior to each election of the Council, the Chapter shall establish specific guidelines relative to the size and composition of the Council and to the manner of electing and recalling Council members. For the purpose of establishing these guidelines, the Chapter shall receive specific proposals from its Committee O.
   d. The President of the Chapter shall be the Chairperson of the Bargaining Council; he shall have the deciding vote in the case of a tie, but shall not vote otherwise.
   e. The members of the Executive Committee shall be ex officio non-voting members of the Bargaining Council. This ex-officio membership shall not prejudice the eligibility of the Executive Committee member to be elected as a voting member of the council.
   f. Fifty percent of the elected members of the Council shall constitute a quorum.
2. Duties of the Bargaining Council
   a. The Bargaining Council shall define the collective bargaining issues to be negotiated by the Negotiation Team.
   b. The Chapter may establish regular procedures for transmitting proposals to the Bargaining Council, but such procedures shall not inhibit any unit member or group of members from making his or its interests known directly to the Council.
   c. The Bargaining Council shall, during the period of negotiations and while the University is in session, report to the Chapter at least once a month on the course of the negotiations.
3. Negotiation Team
   a. The President, with the approval of the Bargaining Council, shall appoint a Negotiating Team to negotiate a contract with representatives of the Board of Trustees of Lincoln University.
   b. The President, with the approval of the Bargaining Council, may modify the composition of the Negotiation Team.
   c. The Negotiation Team shall automatically disband when a contract has been ratified by both the Chapter and the Lincoln University Board of Trustees.

Any contract negotiated by the Negotiation Team shall become binding when ratified by the Board of Trustees of Lincoln University, and by a majority of the voting Active membership of the Chapter, voting by secret ballot.

ARTICLE XIV. PARLIAMENTARY AUTHORITY

The authority for the conduct of all Chapter, Council, and committee meeting shall be Robert’s Rules of Order, Revised, except when these Rules conflict with the Chapter Constitution and By-Laws.

ARTICLE XV. AMENDMENTS

Amendments to this Constitution and By-Laws may be proposed for consideration at any regular or special meeting, provided that the proposed amendment shall have been included in the written notice of the meeting. Amendment may be presented by petition signed by ten percent (10%) of the Active membership, or by resolution of the Executive Committee, or by report from Committee o. Passage of any amendment shall require a two-thirds majority of those voting (those voting not less than half of the Active membership).

ARTICLE XVI. EFFECTIVENESS

This Constitution and By-Laws shall come into full effect and replace the previously existing “Constitution” and By-Laws of the Constitution” of the Lincoln University Chapter of the AAUP upon the affirmation vote of the majority of voting Active Members at a meeting called to ratify this instrument in accordance with Article VI of the previously existing Constitution.
APPENDIX I


The Bargaining Council shall consist of twelve (12) Active Members elected as follows:

One elected by the Active Members who are professional librarians;

One elected by the Active Members of the Department of Physical Education;

Two from different departments elected by the Active Members of the Humanities Division;

Two from different departments elected by the Active Members of the Division of the Natural Science and Mathematics;

Two from different departments elected by the Active Members of the Division of the Social Sciences exclusive of the Physical Education Department;

Four elected at large by the Active Members of the Chapter.


1. If a vacancy occurs among the elected members of the Bargaining Council, the President shall arrange for the group that had elected the vacating member to elect a replacement.

2. An elected member may be recalled from the Council, if ten percent of the group that had elected the member petition the President for a recall meeting and if fifty-one percent of the eligible members of the group vote at that meeting in favor of recall. In case of an affirmative vote, the group shall proceed at the meeting to elect a new member.