

APPROVED

BYLAWS

Governance Documents Review Committee
Reviewed by: DON DAWSON
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MOUNTAIN VIEW TEACHERS ASSOCIATION/CTA/NEA

I. NAME AND LOCATION

The official name of this Association shall be the Mountain View Teachers (El Monte) Association/CTA/NEA in Los Angeles County.

II. PURPOSES

The primary purposes of this Association shall be:

- A. To represent its members in their relations with their employer, and to seek to be the exclusive representative of appropriate units of school employees in all matters relating to employment conditions and employer-employee relations including, but not limited to, wages, hours, and other terms and conditions of employment;
- B. To form a representative body capable of developing group opinion on professional matters to speak with authority for members;
- C. To provide an opportunity for continuous study and action on problems of the profession;
- D. To promote cooperation and communication between education support professionals and certificated educators;
- E. To provide a means of representation for its ethnic-minority members;
- F. To raise the standards for education support professionals;
- G. To promote professional attitudes and ethical conduct among members;
- H. To encourage cooperation and communication between the profession and the community; and
- I. To foster good fellowship among members.

III. AFFILIATION WITH THE CTA/NEA

- A. The Mountain View Teachers Association shall be a chartered chapter of the California Teachers Association (CTA).
- B. The Mountain View Teachers Association shall be an affiliated local association of the National Education Association (NEA).

IV. MEMBERSHIP

- A. The primary category of membership shall be Active members.
- B. Active membership shall be open to any person who is engaged in or who is on limited leave of absence from professional educational work, is an employee of the Mountain View School District, and whose primary assignment is such as not to hold evaluative responsibility over other certificated employees to such an extent as not to be represented in the negotiations process by the teacher bargaining unit
- C. Membership may be granted upon initiation of payroll deduction or upon payment of annual Chapter/CTA/NEA dues appropriate to the class of membership.
- D. The right to vote and to hold elective office or appointive position within the Association shall be limited to Active members.
- E. Members shall, shall receive special services, obtain assistance in the protection of professional and civil rights, and receive reports and publications of the Association.
- F. Active members shall adhere to The Code of Ethics of the Education Profession.

- G. The rights to and privileges of membership shall not be abridged in any way because of age, sex, race, color, ethnic group, marital status, national origin or sexual orientation.
- H. No member of the Association may be disciplined by the chapter without due process. Due process includes the right to select representation, to present evidence on his/her behalf, to confront and cross-examine his/her accuser and any other witnesses against him/her, and to examine and refute all evidence considered by the hearing panel, whether or not such evidence is presented at a hearing. The member has the right to appeal the decision of the hearing panel to the governing body.
- I. The membership year shall be that period of time from September 1 of any given calendar year through August 31 of the following calendar year, inclusive.
- J. Unless otherwise expressly provided by law, persons who tender agency fees shall have no rights or privileges within this Association.

V. DUES, FEES, AND ASSESSMENTS

- A. The basic annual dues level for Active members, and representation fee for non-members represented in the bargaining unit, shall be sufficient to cover the operating expenses of the Association, the dues of CTA, and the dues of NEA.
- B. The Association's portion of the basic annual dues, and the representation fee for non-members, shall be established by action of the Representative Council at the last regular meeting of the school year.
- C. The Association shall apportion any negotiated representation fee or organizational security fee on the same percentage basis as the Chapter/CTA/NEA dues.
- D. Membership shall be continuous after initial enrollment until delinquent or until a change in professional status shall make the member ineligible for that class or category. If by October 31 of any calendar year a member has not either paid the established annual membership dues for the current membership year, or made satisfactory arrangements for payment, then that person's membership shall be considered delinquent and the name dropped from the rolls.

VI. POLICY-MAKING BODY

- A. The policy-making body of the Association shall be a Representative Council. The Representative Council, comprised of Active members of the Association, derives its powers from and shall be responsible to the Active membership.
- B. The Representative Council shall be composed of the following Active members:
1. Voting members of the Executive Board
 2. Representatives elected on the basis of one-person one-vote;
- C. The Representative Council shall:
1. Establish Association policies and objectives;
 2. Adopt the annual budget of the Association on or before the first meeting of the school year;
 3. Approve the establishment or discontinuance of committees recommended by the Executive Board; and
 4. Establish the dues of the Association.
- D. The Representative Council shall meet at least once during each school month; the number, place and time of meetings to be decided by the Executive Board.
- E. Special meetings of the Representative Council may be called by the President, the Executive Board, or by the petition of twenty percent (20%) of the Active membership.

- F. Special meetings of the Representative Council shall be called for a specific purpose and no business other than that for which the meeting is called may be transacted.
- G. Notices and agendas for all meetings of the Representative Council shall be sent to all members of the Representative Council at least two days prior to the date of the meeting.
- H. For emergency meetings of the Representative Council during crisis situations, the Executive Board shall adopt procedures to notify representatives of meeting dates, places, and times.
- I. A quorum for all meetings of the Representative Council shall consist of a majority of all voting members of the Representative Council.

VII. REPRESENTATIVES

- A. Representatives shall be elected by and from the Active membership at each school site for each faculty group. Such election shall be by open nominations and by secret ballot.
- B. Representatives shall serve a term of one (1) year.
- C. Each faculty, site or site unit shall be entitled to at least one representative for each fifteen (15) Active members on the staff, or major fraction thereof.
- D. Active members who are not represented through an individual school group shall be counted as a special faculty group entitled to the same representation on the Representative Council as individual school faculty groups.
- E. Vacancies: Vacancies in the office of Representative for whatever cause may be filled by elected replacements.
- F. Faculty Representatives shall:
 1. Conduct constant and ongoing liaison between the Representative Council/Association and the Active members of each school site;
 2. Serve as the official channel through which written communications and publications can be easily and quickly transmitted between the Association and the members;
 3. Represent the views and input of the Active membership of the faculty in votes taken in the Representative Council, conducting frequent and regular polls of such membership for this purpose; and
 4. Perform such additional duties as prescribed by the Executive Board.
 5. A Faculty Representative may not conduct an election in which he/she is a candidate.

VIII. OFFICERS

- A. The officers of the Association shall be a President, a Vice President, a Secretary, and a Treasurer.
- B. These officers shall be and remain currently paid-up local, state, and national (Active) members as a condition for nomination to and service in their respective positions during their terms of office.
- C. These officers shall be elected by and from the Active membership of the Association. Such election shall be by open nominations and secret ballot.
- D. Officers shall be elected for a term of two (2) years, commencing on July 1 of any calendar year.
 1. The officers shall be elected in May in accordance with voting procedures outlined in the Bylaws. The officers will be elected for a term of two (2) years. Their terms shall begin on July 1 and expire on June 30 of the applicable year except the treasurer, whose term shall start on September 1 and continue to August 31 of the applicable year.
 2. These Officers commencing on July 1, of the year of their election shall serve their terms on a staggered cycle: The President, Treasurer, shall be elected in odd numbered years. The Vice-President, Secretary shall be elected in even numbered years.

- E. A vacancy shall be deemed to exist in the case of death, resignation, or inability to serve in any of the offices of the Association. If there is a vacancy occurring in the office of the President, the Vice-President shall assume the office. In the event a vacancy occurs in the other offices, a special election shall be held to elect successors to fill the unexpired terms.
- F. The President shall be the chief executive officer of the Association and its policy leader.

The President shall:

1. Serve as president for a term of two years;
2. Preside at all meetings of the Association, the Representative Council and Executive Board;
3. Prepare the agenda for the meetings of the Associations General Membership, the Representative Council and the Executive Board;
4. Be the official spokesperson for the Association;
5. Be familiar with the governance documents of the Association, CTA, and NEA;
6. Appoint all chairpersons and members of committees, with the approval of the Executive Board; by the beginning of each school year.
7. Appoint the chairperson and members of the Bargaining Team with the approval of the Executive Board, by the beginning of the school year.
8. Propose the procedures for grievance processing for ratification by the Executive Board and the Representative Council;
9. Call meetings of the Associations General Membership, Representative Council and the Executive Board;
10. Suggest policies, plans and activities for the Association and be held responsible for the progress and work of the Association;
11. Attend meetings of the Service Center Council of which the Association is a part;
12. Attend other CTA/NEA meetings when advisable and as directed by the Representative Council; and
13. Co-sign all checks with the treasurer drawn upon the treasury.

G. The Vice President shall:

1. Serve as assistant to the President in all duties of the President;
2. Assume the duties of the President in the absence of the President;
3. Work with the President and be responsible for the formation and distribution of all communications issued by the Executive Board, including the Association's calendar of activities
4. Attend all meetings of the General Membership, Representative Council, and the Executive Board; and
5. Serve as coordinator of committee activities at the direction of the President.

H. The Secretary shall:

1. Keep a careful and accurate record of the proceedings of each meeting, regular or special, of the Associations General Membership, Representative Council, and the Executive Board;
2. Be responsible for the distribution of minutes, notice of meetings, and agendas for all meetings to members, with the help of the Executive Board, to the Representative Council and Executive Board; and to the membership when appropriate;

3. Keep an accurate roster of the membership of the Association and of all committees;
4. Carry on the correspondence pertaining to the affairs of the Association as directed by the President.
5. Distribute all communications issued by the Executive Board;
6. Keep and provide a roster listing the names of all Faculty Representatives for purposes of accountability; and
7. Maintain an accurate roster of the membership of the Association and of all standing committees and their chairpersons.

I. The Treasurer shall:

1. Receive all funds belonging to the Association and be responsible for their safekeeping and accounting;
2. Pay out such funds upon orders of the President in conjunction with the Executive Board;
3. Prepare and provide a written financial report for each regular meeting of the Representative Council and Executive Board;]
4. Be responsible for an annual audit of the books of the Association and distributing a summary of this audit to the membership upon request; and
5. Be responsible for submitting membership and financial reports to CTA, NEA, and other agencies as required by law.

IX. EXECUTIVE BOARD

- A. The Executive Board shall be composed of the officers and three members elected at large from the Active membership, as long as this complies with the "one-person – one-vote" rule.
- B. All members of the Executive Board shall be and remain currently paid-up local, state, and national (Active) members as a condition for nomination to and service in this position.
- C. The at-large members of the Executive Board shall be elected with open nominations and by secret ballot.
- D. The at-large members of the Executive Board shall be elected for a term of one (1) year from the membership within their respective levels, one from preschool to grade three, one from upper elementary grades four thru six, and one from middle/intermediate school (grades six thru eight) commencing on July 1, of any calendar year.
- E. Vacancies in the position of at-large members of the Executive Board shall be deemed to exist in the case of death, resignation, or inability to serve in this position. If there is a vacancy occurring in this position, a special election to fill the vacancy shall be held within thirty days.
- F. The Executive Board shall be held prior to each regular meeting of the General Membership, Representative Council and at such other times, as the President may deem necessary, or upon written petition of a majority of the members of the Executive Board.
- G. The duties and the responsibilities of the Executive Board are:
 1. Coordinate the activities of the Association;
 2. Act for the Representative Council when school is not in session;
 3. Direct the bargaining activities and grievance processing of the Association, subject to policies set by the Representative Council;
 4. Approve by majority vote appointment and by a two-thirds (2/3) vote removal of bargaining team members;
 5. Recommend a budget for the Association to the Representative Council;

6. Approve by a majority vote all appointment and removal of committee members including chairperson;
 7. Approve all appointments to Committee including chairpersons;
 8. Adopt grievance procedures;
 9. Direct the grievance activities of the Association;
 10. Adopt/establish the Standing Rules for the Association; and
 11. Exercise all the business and organizational powers and duties for the Association as prescribed by law and these bylaws, subject to any restrictions that may be imposed by the Representative Council.
- H. A quorum for all meetings of the Executive Board shall consist of four (4) voting members of that body.

X. MEETINGS OF THE GENERAL MEMBERSHIP:

- A. Meetings of the Association may be called by the President, the Executive Board, or by written petition of twenty percent (20%) of the Active membership.
- B. Notices of the Association meetings including date, place, time, and purpose of the meeting shall be made available to all members of the Association at least two days before the meeting except during crisis situations.
- C. For emergency meetings during crisis situations, the Executive Board shall adopt procedures to notify the Association membership of meeting dates, places and times.
- D. A quorum for meetings of the Association shall be fifty percent plus one (50%+1) of the active membership.

XI. BARGAINING TEAM

- A. The duties of the Bargaining Team are to represent and to bargain for all bargaining unit members.
- B. The President shall appoint all members, alternates, and the chairperson of the Bargaining Team with the concurrence of the Executive Board.
- C. Vacancies created by resignation or inability to serve shall be filled by the Executive Board from the list of alternates.
- D. The Executive Board, by two-thirds (2/3) majority, may remove a member of the Bargaining Team.
- E. The Bargaining Team shall be under the direction of the Executive Board, and shall report its activities to the Executive Board, as the Board requires.
- F. Responsibility and authority for directing the bargaining process on behalf of the Association are vested in the Executive Board subject to policies established by the Representative Council. The Executive Board is distinct from the Bargaining Team
- G. Employees in each appropriate bargaining unit shall be surveyed to determine contents of the proposed contract demands, and the contract proposal for each appropriate unit shall be approved by Active members in that unit.
- H. The Executive Board shall provide for the dissemination of information regarding bargaining and the activities of the Bargaining Team to the general membership.
- I. The bargaining team is empowered to reach tentative agreements with the district. Such agreements shall be considered tentative and not binding upon the Association until such agreements have been ratified by the membership in the appropriate unit unless such ratification shall have been specifically waived or otherwise delegated by the active membership.

XII. GRIEVANCE PROCESSING

- A. The Executive Board shall adopt, with the approval of the Representative Council, the procedures for grievance processing.
- B. These procedures shall include, but not be limited to, the following:
 - 1. Provide for representation to assist all members of the bargaining unit(s) in processing grievances;
 - 2. Training for handling grievances; and
 - 3. Evaluation of the Association's grievance policies and procedures

XIII. XIII NOMINATIONS AND ELECTIONS

The Chapter shall follow and members are entitled to the rights contained in the *CTA Requirements for Chapter Election Procedures* publishes annually with the *CTA Elections Manual*.

The chapter president must provide Active members an opportunity to vote. Chapter presidents do not have the option of deciding that such elections shall not be held.

- A. The Elections Committee and Chairperson shall be appointed by the president and approved by the Executive Board to which it is responsible at the beginning of each school year.
The duties of the Elections Committee shall be to:
 - 1. Ensure that all Association/CTA/NEA election codes and timelines are followed;
 - 2. Establish election timelines;
 - 3. Develop and carry out timelines and procedures
 - 4. Prepare ballots for election of officers and such other elections as may be necessary;
 - 5. Count the ballots and certify the results; and
 - 6. Handle initial challenges.
- B. Elections shall be conducted with:
 - 1. Open nomination procedure;
 - 2. Secret ballot;
 - 3. All Active member vote;
 - 4. Record of voters receiving or casting ballots;
 - 5. Majority vote, unless otherwise specified.
- C. State Council Representative Elections shall be conducted in accordance with CTA rules after the chapter or service center council has been notified to do so by the CTA Elections Committee.
- D. NEA State Delegate elections shall be conducted in accordance with CTA rules.
- E. NEA Local Delegate elections shall be conducted in accordance with NEA/CTA rules.

XIV. COMMITTEES

- A. The appointment of committees shall be at the recommendation of the President, subject to approval by the Executive Board. The appointment of Committee Chairpersons and committee members shall be at the discretion of the President, subject to concurrence by the Executive Board.
- B. The President with concurrence of the Executive Board shall establish such task forces/add hoc committees as are from time to time required to accomplish the responsibilities of the Executive Board.
- C. The President with concurrence of the Executive Board shall approve Association participation in Joint District-Association Committees. The Executive Board shall also approve Association participation in District developed committees when the Association is requested to appoint members to participate.

- D. Committees, except as otherwise provided in these bylaws, may be established and discontinued by the President and Executive Board.
- E. There shall be either committees or task forces appointed as needs arise.
- F. Each committee shall submit periodic reports to the Executive Board and Representative Council upon request.
- G. The following standing committees duties shall be articulated in the Standing Rules of the Association:
 - 1. Membership Committee
 - 2. Social Committee
 - 3. Bargaining Committee/Team
 - 4. Newsletter Committee
 - 5. Welfare Committee
 - 6. Health and Benefit Committee
 - 7. Elections Committee
 - 8. Human Rights/Minority Affairs/Women's Rights
 - 9. Catastrophic Leave Committee
 - 10. Political Action Committee
 - 11. Grievance Committee

XV. PARLIAMENTARY AUTHORITY

Robert's Rules of Order, Newly Revised, latest edition, shall be followed at all meetings of the Association, the Representative Council, and the Executive Board.

XVI. AMENDMENTS/PROCEDURES:

These Bylaws may be amended by a two-thirds (2/3) vote of the representatives at any regular or special meeting of the Representative Council. Notice in writing of a proposed Bylaws amendment shall have been submitted to the Secretary and provided to members of the Representative Council at the meeting preceding the one at which it is to be voted upon.

The bylaws shall be reviewed and revised as necessary every five (5) years.

California Labor Urges Congress to Stand Up for Good Jobs, Reject Fast Track Legislation for Trade Agreements

Statement by California Labor Federation Executive Secretary-Treasurer Art Pulaski

"Democracy is dependent upon transparency and open, public debate. Yet, with today's introduction of legislation that would put potentially devastating trade deals on the fast track to approval without proper congressional oversight or public input, Senators Wyden (D-OR) and Hatch (R-UT) are playing a dangerous game with livelihoods of working people across California and the country. Previous fast-tracked trade deals like the North American Free Trade Agreement (NAFTA) and normalizing trade relations with China have cost California 650,000 jobs. Not just any jobs, but good, family supporting jobs that sustain our state's middle class.

"There's currently no reason to believe the proposed Trans-Pacific Partnership (TPP) trade agreement would be any different from previous trade deals that have ripped hundreds of thousands of California workers from the middle class. The TPP, a huge trade deal that covers 12 countries and 40 percent of the world's GDP, is being negotiated secretly by former corporate lobbyists with little information available to the public about the impact on jobs and our economy. That's unacceptable.

"Protecting middle-class jobs should be a top priority for every member of Congress. We simply can't afford another bad trade deal that further erodes good jobs and exacerbates record income inequality. If the TPP really is different than previous deals like NAFTA that have led to enormous trade deficits and lost jobs, then there should be nothing to fear from a transparent, deliberate and open process. We strongly urge Senators Feinstein and Boxer and every member of Congress in California to reject fast track legislation that keeps the public in the dark on a trade deal that has the potential to undercut our middle class, raise drug prices for seniors, hinder innovation and allow for global corporations and other countries to game the system to America's disadvantage."

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