

CONSTITUTION & BYLAWS

UNITED TEACHERS OF NEW ORLEANS

**AFT/LFT/AFL-CIO
LOCAL #527**

ORGANIZED 1972

AS AMENDED AUGUST 30, 2023

TABLE OF CONTENTS

CONSTITUTION

PREAMBLE

ARTICLE I – NAME

ARTICLE II – AFFILIATIONS

ARTICLE III – OBJECTIVES

ARTICLE IV – MEMBERSHIP

ARTICLE V – OFFICERS

ARTICLE VI –EXECUTIVE COUNCIL

ARTICLE VII – CHAPTERS AND PROGRAM AND POLICY COUNCILS

ARTICLE VIII – REVENUES

ARTICLE IX – ELECTIONS

ARTICLE X – MEMBERSHIP MEETINGS

ARTICLE XI – AMENDMENTS

ARTICLE XII - SUPREMACY OF THE CONSTITUTION

BYLAWS

ARTICLE I – MEMBERSHIP

ARTICLE II – DUTIES OF OFFICERS

ARTICLE III – EXECUTIVE COUNCIL

ARTICLE IV – CHAPTERS AND PROGRAM AND POLICY COUNCILS

ARTICLE V – COMMITTEES

ARTICLE VI – CONDUCT OF MEETINGS

ARTICLE VII – AMENDMENTS OF BYLAWS

CONSTITUTION

PREAMBLE

"UTNO" THE TEACHERS CHOICE

The United Teachers of New Orleans was organized in August 1972 as the result of a merger between Local 527, American Federation of Teachers, AFL-CIO and the Orleans Educators' Association (an affiliate of the Louisiana Education Association and the National Education Association). Since 1978 UTNO has been exclusively affiliated with the AFT and AFL-CIO.

MISSION STATEMENT

United Teachers of New Orleans, AFT Local 527, is a union of professionals, organized to collectively and democratically ensure quality and equity in public education for students, parents, teachers, and communities in order to protect dignity and civil rights for all.

ARTICLE I - NAME

This organization shall be known as the United Teachers of New Orleans (UTNO). It is established as a result of the merger of the American Federation of Teachers, Local 527 AFL-CIO and the Orleans Educators' Association.

ARTICLE II - AFFILIATIONS

This organization shall affiliate with the American Federation of Teachers, the Louisiana Federation of Teachers, the Louisiana AFL-CIO, and the Greater New Orleans AFL-CIO, in accordance with the laws of these organizations. UTNO shall be a completely autonomous organization.

ARTICLE III – OBJECTIVES

The objectives of this organization shall be:

SECTION III-A. To secure and maintain Collective Bargaining for all teachers, educational support staff, and clerical staff in Orleans Parish K-12 schools and institutions of higher education.

SECTION III-B. To protect the rights of its members and advance their interest and welfare.

SECTION III-C. To promote professional excellence among educators.

SECTION III-D. To encourage the hiring and retention of qualified teachers and other educational workers, the maintenance of modern well-equipped schools and the promotion of such educational programs and conditions in all educational institutions in Orleans Parish as will enable students to better equip themselves in order that they may take their places in the economic, social and political life of the community.

SECTION III-E. To promote the welfare of students by providing progressively better educational opportunities for all.

SECTION III-F. To fight all forms of bias in education based upon race, creed, gender, disability, age, sexual orientation, religious affiliation, national origin, or social, political or economic status, or beliefs.

SECTION III-G. To promote the creation of a single state-wide teacher organization directly affiliated with the state labor movement.

SECTION III-H. To promote the merger of the National Education Association and the American Federation of Teachers.

ARTICLE IV – MEMBERSHIP

There shall be the following membership categories: Regular, Staff and Retired.

SECTION IV-A. Regular: Membership in this organization shall be open to eligible employees of public schools, private schools, parochial schools, institutions of higher education, or education-related private/non-profit organizations in Orleans Parish. Persons who occupy the position of principal, assistant principals, central office administrators, or those who are engaged in the hiring or firing of employees shall not be eligible to hold membership in this organization. Persons who are already organized by other unions in their school or education-related organization are not eligible to hold membership in this organization. Any elected or appointed officer of this organization who resigns or retires from their position of employment with the Orleans Parish School Board, or the State Board of Elementary and Secondary Education for the purpose of working or volunteering for this organization shall retain regular membership status and shall have all rights and privileges of a regular member as long as they hold an elective office or an appointive position within this organization.

SECTION IV-B Staff: UTNO employees are only eligible for Staff Membership in UTNO. Persons with Staff Membership shall pay annual dues that are \$10.00 less than the dues for regular membership for teachers, paraeducators or clericals as determined by the UTNO Executive Council. UTNO employees in good standing who were members of UTNO in good standing at the time of hiring by UTNO shall retain all rights, privileges and obligations of UTNO membership while employed with UTNO. However, persons with Staff Membership are entitled to all the rights and privileges of regular members with the exception of the right to seek election to any position on the Executive Council.

SECTION IV-C Retiree: Any educator, paraeducator or clerical person, who has retired from an AFT Chapter who at the time of their retirement held a position which would have met the requirements as a "Regular Member" of that Chapter, may become a "Retiree Member."

SECTION IV-D. No discrimination shall be shown toward individual members or applicants for membership because of race, creed, gender, disability, age, sexual orientation, religious affiliation, national origin, beliefs, or social, political or economic status or beliefs.

SECTION IV-E. The Executive Council shall be the sole judge of admission to membership. The action of the Executive Council shall be final and not subject to review.

SECTION IV-F. All members shall agree to subscribe to the goals and objectives of this organization and to abide by its Constitution and Bylaws.

SECTION IV-G. Membership shall be continuous unless terminated by the member in accordance with applicable requirements or for cause as prescribed by the Constitution and Bylaws.

SECTION IV-H. A member whose conduct is not in harmony with the principles of this organization and tends to bring it into disrepute shall be subject to censure, suspension or expulsion.

SECTION IV-I. A member who violates the principles of this organization, or tends to bring it into

disrepute and/or for other sufficient cause may be subjected to disciplinary action to include but not be limited to censure (defined as a written expression of disapproval or condemnation), temporary suspension (defined as a period of suspension from membership and its rights and privileges), or permanent expulsion from the organization upon the written and signed charges by two or more members in good standing. Disciplinary action shall only be considered when such charges and documentation are presented to the Executive Council.

The Executive Council shall appoint a review panel consisting of three members of the Executive Council, which shall conduct an investigation, hold a hearing, and submit its decision to the Executive Council. If by a majority vote the review panel finds no cause for censure, suspension, or permanent expulsion, its decision shall be final and not subject to appeal or further review. If by a majority vote the review panel finds cause for censure, suspension, or permanent expulsion, the member shall have the right to appeal such decision to the Executive Council not later than fifteen work days after receipt of the decision. In such event, the Executive Council shall hold a hearing, and by majority vote render a final decision, which shall not be subject to appeal.

At all hearings, the member shall be provided with a copy of the charges and all documents considered or to be considered in support of the charges, and shall have the right to representation by a representative of his/her choice. All hearings shall be conducted in accordance with this Constitution and any rules promulgated by the entity conducting the hearing. A two-thirds vote of the Executive Council is required to suspend a member for the equivalent of one school year or more, or to permanently expel a member.

SECTION IV-J. The right to vote shall be limited to regular members as defined in Articles IV-A of this Constitution. The right to hold elective office or appointive position in this organization shall be limited to regular members as defined in Article IV-A of this Constitution.

SECTION IV-K Membership Eligibility Waivers: UTNO recognizes that forces beyond members' control sometimes interfere with members' ability to continue to safely meet employment eligibility requirements. During severe public crises or states of emergency, members may request and the Executive Council may grant temporary membership eligibility waivers, on a case-by-case basis. Such waivers may be granted only to members who were in good standing when the crisis or emergency began, and only to members who promise to return to eligible employment after the crisis or emergency ends. The Executive Council has the sole authority to grant, revoke, and determine the period of membership eligibility waivers. A two-thirds majority of Executive Council members present is required to grant, revoke, or determine the period of any membership eligibility waiver. Membership eligibility waivers may not be granted to and must be revoked from persons who occupy the position of principal, assistant principals, central office administrators, or those who are engaged in the hiring or firing of employees.

ARTICLE V – OFFICERS

SECTION V-A. The officers of this organization shall be: President, Executive Vice President, Vice President of Membership, Vice President of Professional Development, Vice President of Political Action/Education, Vice President of Community Engagement, Secretary-Treasurer, Recording Secretary, (which shall comprise the Executive Board), two (2) Pre-K to 12 members-at-large, one (1) Paraprofessionals and School-Related Personnel (PSRP) member-at-large, one (1) Higher Education member-at-large, one (1) representative from each Charter School Bargaining Unit (CSBU), and one (1) representative from each Higher Education Bargaining Unit (HEBU) of 25 members or more that has gained legal recognition for UTNO as its exclusive collective bargaining representative.

ARTICLE VI – EXECUTIVE COUNCIL

SECTION VI-A. The Executive Council shall consist of the officers as defined in Article V. Section A, and the Chairperson of the Retiree Chapter.

SECTION VI-B. The Executive Council shall:

1. Execute the policies and objectives of this organization, and enact such measures as may be necessary to achieve the goals and objectives which are not in conflict with this Constitution or its Bylaws.

2. Be responsible for the management of UTNO and for its business affairs.

3. Approve the Annual Budget. Establish the proper procedures for safekeeping and accounting of all funds, and approve expenditures and budget transfers in excess of two thousand dollars (\$2,000).

4. Hire and remove employees, establish their compensations and duties, and secure such agreements and bonds as required to ensure faithful service.

5. Employ attorneys, accountants, consultants, and other persons as necessary.

6. File and defend lawsuits and complaints.

7. Make contracts and incur liabilities which may be appropriate to enable it to accomplish any or all of its purposes; to borrow money for organizational 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 or deed of trust of all or any of its property and income.

8. To invest the funds of the organization in any real or personal property; to take and hold real and personal property as security for the security of funds so invested or loaned, and to sell, convey, mortgage, pledge, lease as lessor and otherwise dispose of all or any part of its property and assets.

9. Purchase, take, receive, lease as lessee, take any gift, devise or bequest, or otherwise acquire and to own, hold, use, deal in or with any real or personal property of any interest therein, and to establish trusts or other agencies to hold and administer any such gifts or devise, and provide for appointment of trustees or managers thereof, upon such conditions as it may determine.

10. 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, and limited liability companies or individuals, and to sell, mortgage, loan, pledge, or otherwise dispose of such shares, interests, or obligations.

11. Have the authority to recommend modifications of dues for final approval, modification, or rejection by the General Membership.

12. Have the authority to recommend procedures for ratifying collective bargaining contracts, and procedures for calling and terminating strikes to the General Membership.

13. Appoint representatives to meetings, conferences or conventions for which the funds of the organization are spent, except the Executive Council shall not elect or name delegates to the conventions of its state and national affiliates or the delegates to the Greater New Orleans

AFL-CIO.

14. Elect delegates as needed to fulfill the delegate allotment to the Greater New Orleans AFL-CIO.

15. Appoint the members of the Nominations and Elections Committee.

16. Approve or reject political endorsements (including but not limited to candidates for public office, propositions and proposed amendments to the Louisiana Constitution).

17. Recommend policies to the General Membership.

18. Assign duties of the Vice President of Membership, Vice President of Professional Development, Vice President of Political Action/Education, Vice President of Community Engagement, teacher members-at-large, and PSRP member-at-large, as needed.

SECTION VI-C. The Executive Council shall direct the business of this organization.

ARTICLE VII – CHAPTERS

SECTION VII-A. Chapters shall be established for each of the following:

1. Schools operated by the New Orleans Public School System (NOPS);
2. Charter Schools authorized by the New Orleans Public School System (NOPS Charter Schools);
3. Charter Schools authorized by the State.
4. PSRP Members working in all of the Systems.
5. Charter Schools/Networks that have gained legal recognition for UTNO as their exclusive collective bargaining representative (CSBUs).
6. Higher Education institutions that have gained legal recognition for UTNO as their exclusive bargaining representative (HEBUs).
7. Retiree Chapter

SECTION VII-B. No Chapter and/or its officers or members may publicly announce policies or positions of the Chapter contrary to policies and positions of the organization without the expressed approval of the President or the Executive Council.

SECTION VII-C. Upon receipt of a written petition signed by at least one-third of the members of a Chapter requesting the removal of the Chairperson from office, the President shall assign a person who is not a member of the Chapter to conduct a referendum. All members of the Chapter or Program and Policy Council shall be entitled to vote. If two-thirds of the Chapter members voting in the referendum favor the removal of the Chairperson from office, a vacancy in that position shall be declared and a new Chairperson shall be elected to take office immediately for the balance of the school year.

SECTION VII-D. The Retiree Chapter shall be financially self-sustaining. If the chapter has expenses beyond its means, it may formally request financial assistance from the Executive Council. The Retiree Chapter shall provide its membership roster to the Secretary-Treasurer of the UTNO Executive Council annually by September 1.

ARTICLE VIII –REVENUES

SECTION VIII-A. Subject to the provisions of Section B, the dues assessment shall not be changed without approval of the Executive Council and the General Membership.

SECTION VIII-B. Dues shall automatically increase when an organization with which UTNO is affiliated increases its assessment.

SECTION VIII-C. All other matters pertaining to dues shall be determined by the Executive Council.

SECTION VIII-D. Authorization for deduction of annual membership dues shall remain in force from year to year unless the organization receives written authorization during the month of June to cancel membership.

SECTION VIII-E. To the extent allowed by law, the organization shall assess a service fee to members of the Bargaining Units who are not members of the organization. The Executive Council shall establish the amount of such service fees to cover expenses allowed by law.

SECTION VIII-F. AMOUNT OF DUES

1. EDUCATOR DUES: The maximum amount of annual dues for teachers shall be established at twice the amount that is required to be paid to organizations with whom UTNO is affiliated. However, the Executive Council may establish a lower amount, and may establish different amounts for teachers employed in NOPS, Higher Education institutions, and Charter Schools.

2. PARAEDUCATOR AND CLERICAL DUES: The annual dues for NOPS paraeducators/clericals shall be equal to 50% of the annual dues for NOPS teachers. The annual dues for RSD and Charter School paraeducators/clericals shall be equal to 50% of the annual RSD and Charter School teachers.

3. RETIREE DUES. The annual retiree dues shall be established, collected, and maintained by the Retiree Chapter.

ARTICLE IX - ELECTIONS

SECTION IX-A. The Nominations and Elections Committee shall prepare rules and procedures that shall govern elections, to be approved by the Executive Council, and shall conduct elections.

SECTION IX-B. The Nominations and Elections Committee shall consist of five members in good standing selected by the Executive Council. Any member of the Nominations and Elections Committee nominated for or seeking office must vacate their position, and shall be replaced by the Executive Council.

SECTION IX-C. Beginning with the 2010 election, nominations for officers shall take place at the regular membership meeting in April of every third year.

SECTION IX-D. Beginning with the 2010 election, election of officers shall take place in May of every third year.

SECTION IX-E. Voting shall be by secret ballot. For each position being filled the candidate receiving the majority of the valid ballots cast shall be declared elected. In the event that no candidate receives the majority of votes cast, there shall be a run-off election between the two candidates receiving the highest number of votes. The Executive Council may select an outside entity to conduct the election and count votes.

SECTION IX-F. The term of offices shall begin upon installation of officers in the first week of June. The term of office shall be for three (3) years.

SECTION IX-G. All nominations for an office shall be by petition signed by at least two percent (2%) of the members eligible to vote for that position based on the membership as of January 1 of the election year. No more than ten (10) signatures may be obtained from any one worksite.

SECTION IX-H. Should a vacancy occur in the Office of President, the Executive Vice President shall become President. Should a vacancy occur in any other elected office except for CSBU or HEBU positions, the Executive Council shall appoint a replacement for the remainder of the term. CSBU and HEBU position vacancies shall be filled by a special election by the respective CSBU or HEBU members.

SECTION IX-I. No member shall be eligible to hold office who has not been a regular member in continuous good standing for at least one (1) year immediately preceding the final date for nominations. Good standing is defined as being current in dues payments. No member shall be

a candidate for more than one elective position in any single election. Any member of the Executive Board who retires from active employment during his/her term of office shall be eligible to hold any Executive Board office by retroactively paying in one lump sum regular member dues for one (1) year preceding the final date for nominations.

SECTION IX-J. Winners of the members-at-large seats shall be determined by plurality vote.

SECTION IX-K. Winners of the CSBU or HEBU seats shall be determined by vote of only the members of the respective CSBU or HEBU.

SECTION IX-L. The Nominations and Elections Committee shall conduct a recall election of any officer upon receipt of a petition signed by thirty percent (30%) of the membership, seeking his/her recall. Upon receipt of the petition, the Nominations and Elections Committee shall schedule and conduct an election. The officer shall be recalled and the position shall be declared vacant if a majority of the votes are cast in favor of recall. Should that occur, the Nominations and Elections Committee shall then schedule and conduct a special election to fill the vacant position.

SECTION IX-M. Any Executive Council vacancies shall be filled for the remainder of the term, until the next regularly scheduled election.

ARTICLE X– MEMBERSHIP MEETINGS

SECTION X-A. GENERAL MEMBERSHIP MEETINGS. A meeting of the General Membership shall take place in October, January, April and during at least two additional months of each year at a time and place designated by the President or the Executive Council.

SECTION X-B. SPECIAL MEMBERSHIP MEETINGS. Special membership meetings may be called by a majority vote of the Executive Council or by the President. Only matters relating to the specific purpose(s) for which the meeting was called may be discussed at a special meeting.

ARTICLE XI– AMENDMENTS TO CONSTITUTION

SECTION XI-A. A proposed amendment to this Constitution must be sponsored in writing by not less than one-third (1/3) of the entire membership of the Executive Council, or by not less than ten percent (10%) of the membership of the organization.

SECTION XI-B. The proposed amendment shall then be submitted at a meeting of the Executive Council for which notice containing a verbatim statement of the proposed amendment shall have been sent at least ten (10) days in advance. It shall then be submitted to the General Membership on similar notice within the next three months.

SECTION XI-C. If the proposed amendment is approved by a two-thirds (2/3) vote of both the Executive Council and the General Membership present, it shall become a part of this Constitution.

ARTICLE XII - SUPREMACY OF THE CONSTITUTION

SECTION XII-A. This constitution and every part thereof shall take precedence over any Bylaws, motions, resolutions, or any other act or measure.

SECTION XII-B. No part of this Constitution may be eliminated, suspended, revised or limited in force and effect except by amendment to this Constitution.

BYLAWS

ARTICLE I - MEMBERSHIP

SECTION I-A. The membership, subject to the procedures determined by the Executive Council, shall ratify collective bargaining contracts, approve Meet and Confer Agreements and call and terminate strikes.

SECTION I-B. All members shall be eligible to receive services, and to receive reports and publications of the organization.

SECTION II – DUTIES OF OFFICERS

SECTION II-A. Duties of President.

The President shall:

1. Serve as the Chief Executive Officer, administer all of the affairs and execute policies of the organization as determined by the Executive Council and the General Membership.
2. Be the chief spokesperson for the organization.
3. Preside at all meetings of the Executive Council and the General Membership.
4. Prepare the Agenda for each meeting of the Executive Council subject to modification and approval by the Executive Council.
5. Appoint the chairperson of all standing committees with the approval of the Executive Council.
6. Call regular and special meetings of the Executive Council and the General Membership.
7. Be an ex-officio member of every committee of the organization.
8. Be the ranking delegate to the Greater New Orleans AFL-CIO Central Trades and Labor Council and all other conventions of organizations with which this organization is affiliated.
9. Direct and supervise all employees.
10. Fulfill such other duties as the office requires which are consistent with this Constitution and the Bylaws.
11. The President shall be eligible for all retirement options that do not affect employment status, that are available to educators as currently provided by law and regulations promulgated by the Teachers' Retirement System of Louisiana.

SECTION II-B. Duties of Executive Vice-President: The Executive Vice President shall:

1. Perform the duties of the President in his/her absence.
2. Be a delegate to the Greater New Orleans AFL-CIO Central Trades and Labor Council and all conventions of the state and national affiliates.

3. Serve as chairperson of the Budget Committee.

4. Perform such other duties as are stipulated by this Constitution, and the Bylaws, President and Executive Council.

SECTION II-C. Duties of Secretary-Treasurer. The Secretary-Treasurer shall:

1. Receive all funds and be responsible for their safekeeping, expending and accounting.

2. Prepare and present monthly financial reports as required by the Executive Council.

3. Be a delegate to the Greater New Orleans AFL-CIO Central Trades and Labor Council and all conventions of the state and national affiliates.

4. Perform such other duties as are stipulated by this Constitution and the Bylaws.

SECTION II-D. Duties of the Recording Secretary. The Recording Secretary shall:

1. Be responsible for preparing records of all official meetings and for distributing the minutes of all such meetings.

2. Be a delegate to the Greater New Orleans AFL-CIO Central Trades and Labor Council and all conventions of the state and national affiliates.

3. Perform such other duties as are stipulated by this Constitution and the Bylaws.

ARTICLE III – EXECUTIVE COUNCIL

SECTION III-A. A quorum shall consist of fifty percent (50%) plus one of the membership of the Executive Council.

SECTION III-B. The Executive Council may, by a vote of a majority of its members present, declare vacant the position of any member of the Executive Council who has been absent from either three (3) consecutive regular meetings of the Council, or a total of five (5) meetings within the period of the school year.

SECTION III-C. The Executive Council shall meet at least once per month, with the exception of July. Meetings shall be held at a time and place set by the Executive Council or President, and shall be open to all members, except during executive session.

SECTION III-D. Special meetings of the Executive Council may be called by the President or a majority of the Executive Council. Only matters relating to the specific purpose(s) for which the meeting was called may be discussed at a special meeting.

SECTION III-E. The Executive Council shall transact its business only at regular and special meetings.

SECTION III-F. Any member of the Executive Council who files to run for public office shall immediately vacate their position on the Executive Council.

ARTICLE IV – CHAPTERS

SECTION IV-A. All actions of the Worksite Chapters are subject to the review of the Executive Council.

SECTION IV-B. The election of Worksite Chapter delegates shall be held annually between May 1-May 10. The Chapter Chairperson shall be responsible for the conduct of the election. Voting for Worksite Chapter Chairpersons shall be by secret ballot. A majority vote of those voting shall be necessary to elect the Chairperson. The results of the election shall be forwarded to the UTNO office no later than May 15. Whenever a vacancy occurs or chapter growth entitles a chapter to additional delegates, the chapter shall elect a new delegate and immediately notify the Executive Council. The new delegate shall serve until the next regular delegate election. A delegate shall immediately relinquish his/her position when he/she is transferred from the School.

SECTION IV-C. It shall be the duty of the Worksite Chapter Chairperson or their designated representatives:

1. To distribute UTNO literature.
2. To solicit membership in UTNO.
3. To present grievances or recommendations to the UTNO office.
4. To call and preside at Worksite Chapter meetings.
5. To carry out UTNO policies.

ARTICLE V – COMMITTEES

SECTION V-A. STANDING COMMITTEES. The Standing Committees shall be:

1. Education Issues/Professional Development
2. Committee on Political Education
3. Contract Development
4. Budget
5. Organizing
6. Resolution
7. Member Benefits
8. Nominations and Elections
9. Leadership Development
10. Negotiations
11. Community Involvement
12. Student & Parent Relations

SECTION V-B. The Executive Board, either on its own initiative, or at the direction of the Executive Council, may establish ad-hoc committees.

SECTION V-D. Upon appointment by the President and approval by the Executive Council, committee chairs shall have thirty (30) days to select committee members and present their names to the Executive Council for approval.

SECTION V-E. Within thirty (30) days of formation each committee shall present its annual program of action to the Executive Council.

SECTION V-F. The Committee on Political Education shall have the authority to collect a \$10.00

per year political action contribution from every UTNO member via payroll deduction on a negative check-off basis, and \$10.00 per year from every retired member.

ARTICLE V – CONDUCT OF MEETINGS

Roberts' Rules of Order, Revised, shall govern the conduct of all meetings of all bodies, except where otherwise provided in the Constitution and Bylaws.

ARTICLE VI - AMENDMENTS OF BYLAWS

The Bylaws may be amended in accordance with Sections A, B and C of procedures for amending the Constitution as provided in Article XV of the Constitution except that the adoption of an amendment to the Bylaws requires a majority vote of both the Executive Council and the General Membership present.