

**TAUP CONSTITUTION & BYLAWS**  
**Revised and approved by TAUP membership May 27, 2016**

**TAUP Constitution**

***Preamble***

The present document is an outline of the basic principles for the bargaining unit of the Temple Association of University Professionals. The specifics are outlined in the attached Bylaws. All time limits shall refer to calendar days unless otherwise specified.

***Article I: Name***

Temple Association of University Professionals (TAUP), American Federation of Teachers, AFTPA, AFL-CIO, local 4531

***Article II: Mission***

TAUP is a democratic union of faculty, librarians, and academic professionals that protects academic freedom and faculty governance in 11 schools and colleges at Temple University. We are committed to the historic mission of Temple University, to our obligations to our students, and to the Commonwealth of Pennsylvania. We uphold the ideals of Opportunity, Quality, and Accountability and maintain that faculty, librarians, and academic professionals, on all tracks and of all ranks, must be treated as professionals. TAUP seeks to improve the working conditions of faculty, the learning conditions of students, and the well-being of the wider community through collective bargaining, organizing, political action, community engagement, and the work of our members.

***Article III: Active Members***

1. Membership shall be open to all faculty in the Schools and Colleges of Temple University, to academic professionals, and to librarians who are eligible according to the PLRB, and/or as modified by the parties in negotiation.
2. Membership is contingent upon payment of appropriate dues to TAUP. All members in good standing shall also be members of TAUP national, state, and local affiliates to whom the chapter pays dues on behalf of the members.
3. Adjunct members shall be considered in good standing until the start of the second consecutive semester that they are not working at Temple.
4. All members in good standing shall be entitled to the full privileges and benefits of membership.

***Article IV: Membership Meetings***

1. The Executive Committee shall call general Membership meetings no less than once a year.
2. The Executive Committee may call additional meetings of the membership.

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3. At least one open meeting must be held to solicit the views of the members during the preparation of contract proposals.

***Article V: Definitions***

1. Tenured faculty – faculty who have been granted tenure by the Temple University Board of Trustees.
2. Tenure Track Faculty – faculty hired with the possibility of achieving tenure.
3. Nontenure-track faculty – full-time faculty who are on fixed-term appointments.
4. Adjunct faculty – faculty who are hired on a per-course basis.
5. Academic Professionals - a full-time employee of the University whose work is necessary or adjunct to the teaching of students or to research functions of the University.
6. Librarians - full-time professional librarians functioning primarily as librarians, on the Paley Library budget or in a College or School included in the bargaining unit.

***Article VI: Retiree Members***

- a. Retiree membership shall be open to all retiree members of TAUP who have held active membership in the TAUP for at least one year prior to retirement.
- b. A retiree chapter shall be established within the TAUP for the purpose of:
  - i. Maintaining the ties of professional unity between working members and retirees
  - ii. Representing and promoting the interests of retiree members
  - iii. Providing a forum for exchanging information of interest and benefit to retiree members and for the expression of their views.
- c. All members of the retiree chapter shall hold simultaneous membership in the state and national affiliates as a retiree.
- d. The retiree chapter shall establish bylaws that delineate membership, officers, committees and their responsibilities.
- e. The retiree chapter president or a designee shall serve as a member of the TAUP executive committee and may have voting privileges on all matters except Unfair Labor Practice charges, contractual considerations including grievances, and similar considerations.

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***Article VII: Officers***

1. The Executive Officers shall be:
  - a. President
  - b. Vice President
  - c. Treasurer
2. Election of officers
  - a. The President, Vice President, and Treasurer shall be elected by the membership at large.
  - b. Term of office for officers is two (2) years, from May 1 to April 30.

***Article VIII: General Responsibility Of Officers***

1. President
  - a. Shall be the presiding officer at all meetings of the membership, the Executive Committee and the Representative Assembly
  - b. Shall be an *ex-officio* member of all standing committees except the Elections Committee
  - c. Shall appoint, with the approval of the Executive Committee, the chairs of all standing and special committees
  - d. Shall be the principal executive officer of the organization
  - e. Shall receive reports and respond to correspondence of the organization
  - f. Shall supervise all employees of the organization
  - g. Shall be one of the responsible financial officers of the organization and shall be authorized to co-sign financial instruments and make regular and usual disbursements of funds
  - h. Shall represent the organization before bodies of the employer, government executives, and legislative officials
  - i. Shall represent the organization before the public, community organizations, and the news media
  - j. Shall be, by office, a delegate to the Central Labor Council, and the state AFL-CIO body

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- k. Shall be, by office, a delegate to the convention of the American Federation of Teachers and meetings or conventions of its affiliated bodies
- l. Shall make an annual report to the organization's membership
- m. Shall be able to delegate the responsibilities of the office except where otherwise specified by the Constitution.

**2. Vice President**

- a. Shall assume the duties of the President in the event of the absence, illness, or death of the President
- b. Shall perform other duties as delegated by the President or assigned by the Executive Committee
- c. Shall co-sign financial instruments in the absence of the President or Treasurer
- d. Shall be, by office, a delegate to the Central Labor Council, and the state AFL-CIO body
- e. Shall be, by office, a delegate to the convention of the American Federation of Teachers and meetings or conventions of its affiliated bodies

**3. Treasurer**

- a. Shall maintain all financial files, non-financial files and records of the organization, or assure that the executive director is properly carrying out these duties.
- b. Shall be the custodian of the seal and charter of the organization
- c. Shall receive, record and deposit all dues monies and other income in the name of the organization, or assure that the executive director is so doing.
- d. Shall maintain accurate membership records, issue membership cards and notices of delinquency, or assure that the executive director is so doing.
- e. Shall be one of the responsible financial officers of the organization and be authorized to co-sign financial instruments and make regular and usual disbursements of funds
- f. Shall arrange for an independent audit of the finances of the organization annually and make same available to the Executive Committee, Representative Assembly and membership
  - g. Shall transmit per capita payments on a regular basis to the Secretary-Treasurer of the American Federation of Teachers and similar officers of all other bodies with which the organization is affiliated

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- h. Shall be, by office, a delegate to the Central Labor Council, and the state AFL-CIO body
- i. Shall be, by office, a delegate to the convention of the American Federation of Teachers and meetings or conventions of its affiliated bodies.

**Article IX: Executive Committee**

- 1. The highest-level decision making body shall be the Executive Committee.
- 2. Its members shall comprise:
  - a. President
  - b. Vice President
  - c. Treasurer
  - d. Four Constituency Chairs (tenured & tenure-track faculty; nontenure-track faculty; adjunct faculty; and librarians)
  - e. One At-Large member from each of the three faculty Constituency Councils
  - f. One Academic Professional representative
  - g. Retiree Chapter President
- 3. Constituency Chairs
  - a. Shall assist the President and Vice President in the execution of their respective duties.
  - b. Shall bear responsibility for calling meetings of their respective Constituency Councils and of the Representative Assembly.
  - c. Shall preside at meetings of the Constituency Councils and rotate among themselves the chairperson duties of the Representative Assembly.
  - d. Shall communicate and meet with members of their constituencies
  - e. Shall be responsible for member engagement and mobilization among their constituency
  - f. Shall be, by office, delegates to the Central Labor Council, and the state AFL-CIO body
  - g. Shall be, by office, delegates to the convention of the American Federation of Teachers and meetings or conventions of its affiliated bodies

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4. Powers and Duties of the Executive Committee
  - a. Adopt an agenda for each Executive Committee meeting
  - b. Meet at least once per month and additionally as requested by the President or at the petition of one-third of the members of the Executive Committee
  - c. During contract negotiations meet often enough to keep apprised of all developments, proposals, and counterproposals.
  - d. Decide on legal action and job actions
  - e. Develop and monitor budget
  - f. Develop policy
  - g. Approve expenditures
  - h. Approve political endorsements
  - i. Conduct elections (oversee nomination and election process)
  - j. Carry out strategic plans
  - k. Approve written agreements on behalf of TAUP
  - l. Employ staff and define their duties to accomplish the purposes of this organization
  - m. Delegate responsibilities to any committees it may appoint or to any established by the membership. All such committees are responsible to and shall report to the Executive Committee. The Executive Committee shall determine the membership of all committees, including the Negotiating Team.
  - n. Oversee Standing Committees and receive regular reports from them:
    - i. Grievance Committee
      - i. Has primary responsibility over grievances, arbitration, discipline proceedings, and any other sort of difficulty that may arise between a member of the collective bargaining unit and Temple Administration
    - ii. Organizing Committee
      - i. Has primary responsibility for working with Constituency Councils to organize active members and potential members and to recruit and engage new members.
    - iii. TAUP Staff Personnel Committee

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- i. Has primary responsibility for staff evaluations, proposing salary levels and increases, hearing staff complaints, recommending discipline or termination, consulting with the Executive Committee on policies concerning staff members.
- o. Approve appointments to committees, upon recommendation of the President, and may, by majority vote, create or alter the membership of any committee at any time.
- p. Fill officer vacancies on an acting basis until an election can be held for the remainder of the term as provided in the Bylaws.
- q. Adopt Rules of Procedure for its own operation
- r. Discuss any TAUP business with the Representative Assembly
- s. Formulate policies for the operation of TAUP.

***Article X: Constituency Councils***

- 1. There shall be four (4) Constituency Councils, each with its own Chair elected by the constituent representatives.
- 2. The Constituency Councils are:
  - a. Tenured/Tenure-track faculty
  - b. Nontenure-track faculty
  - c. Adjunct Faculty
  - d. Librarians
- 3. For the three faculty constituencies, the Council membership shall be determined by electing the number of representatives equal to 1 member per 100 bargaining unit members in that constituency, to the nearest hundred. For Librarians, all dues-paying members shall comprise the Council.
- 4. Election of Constituency Council representatives
  - a. The dues-paying membership of each faculty constituency respectively will elect at-large representatives from their constituency. Dues-paying Librarians will elect their Constituency Chair.
  - b. Terms of office for representatives will be up to three (3) years from May 1 to April 30.
- 5. Each Constituency Council shall meet once a semester, or as needed.

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6. Duties of Constituency Councils
  - a. Their principal functions are:
    - i. To organize active members and potential members around issues and concerns related to their jobs at Temple University, and higher education as a whole.
    - ii. To identify issues and solutions around possible contract violations, reporting them to the Executive Officers.
    - iii. To create and foster an engaged and mobilized membership that will ensure the growth and furthering of the goals of TAUP.
    - iv. To recruit and engage new members of TAUP.

***Article XI: Representative Assembly***

1. The Representative Assembly consists of the four Constituency Councils with the Executive Officers and will serve as a consultative body for the Executive Committee.
2. Responsibilities of the Representative Assembly:
  - a. Review legal actions taken by the Executive Committee.
  - b. Review annual budget approved by the Executive Committee.
  - c. Review hiring of staff approved by the Executive Committee.
  - d. Review appointments to committees, including Negotiating Team and Chief Negotiator approved by the Executive Committee.
  - e. Advise the Executive Committee on any TAUP matter.

***Article XII: Delegates***

1. In addition to the three Executive Officers, there shall be delegates whose function is to attend city, state, or national affiliate councils and conventions.
2. Delegates shall be elected for a period of twelve (12) months from May 1 to April 30, at the same time as the annual election for Executive Committee members.
3. The number of delegates to be elected shall be determined in accordance with the Constitutions and Bylaws of our affiliate organizations.
4. Delegates shall not have voting power over any issue, except at the meetings of our affiliate organizations.



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***Article XIII: Recall***

1. All officers, members of the Executive Committee, and delegates are subject to recall by the membership.
2. A petition brought by fifteen (15) percent of current dues-paying members shall require the Executive Committee to institute a recall vote by the membership by secret ballot on an officer or delegate. A petition brought by fifteen (15) percent of the members of a Constituency shall require the Executive Committee to institute a recall vote of a member of the Constituency Council by secret ballot of the members in that Constituency.
3. The Executive Committee shall within fifteen (15) days have the signatures on such a petition verified by the Nominating Committee that served for the immediately preceding election. If sufficient valid signatures exist, ballots shall be sent within ten (10) additional days to all members who were in good standing as of fifteen (15) days prior to the receipt of the petition for recall by the Executive Committee.
4. A majority of the votes cast in the secret ballot shall constitute recall. Due diligence shall be taken to assure anonymity and that each person is limited to one vote.
5. No recall vote on an officer, Executive Committee member, or delegate shall be conducted within one (1) year after a recall of this individual has failed to achieve a majority of those voting. No recall vote shall be held within ninety (90) days preceding the termination of a collective bargaining agreement, or between the expiration of an agreement and forty (40) days following the ratification of its replacement by TAUP and Temple.

***Article XIV: Negotiations***

1. The Executive Committee shall choose a Negotiating Team of TAUP members a reasonable time before the current TAUP-Temple contract expires to prepare for and then conduct negotiations.
  - a. It shall be the duty of this team to meet with Temple management and negotiate a successor agreement.
  - b. Generally, the Negotiating Team shall include a chief negotiator, the President, and the Vice President. At least one (1) member from each Constituency Council plus a Librarian and Academic Professional shall make up the rest of the team. In special circumstances, other members may be added when their unique abilities or knowledge would prove useful to the negotiations.
  - c. Any member of the team may be chosen as chief negotiator, or a specially designated person from within or without TAUP may be chosen.
2. Conduct of Negotiations

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- a. The negotiating team shall meet with the Executive Committee as often as necessary to keep them fully apprised of the proposals both sides may make, all tentative agreements as they may occur, and any other important aspects of the negotiations.
- b. The chief negotiator, the president and other members of the negotiating team shall discuss with the Executive Committee strategy, responses to Temple's proposals and actions, and all other vital issues or questions that arise during negotiations. The Executive Committee shall help formulate decisions about what to do, and shall vote to approve or disapprove any such actions that are contemplated.
- c. When a Tentative Agreement is reached between Temple and TAUP, the members of the negotiating team must vote among themselves whether to approve or disapprove the document.
- d. Should the Tentative Agreement fail to gain a majority of the negotiating team's votes, negotiations must continue.
- e. Should a majority of the negotiating team vote "yes" on the Tentative Agreement, it shall then be presented to the Executive Committee for their vote.
- f. The Executive Committee shall meet to discuss the Tentative Agreement for as long as necessary. Then a vote shall be taken.
- g. If a majority of the Executive Committee votes "no" on the Tentative Agreement, then negotiations with Temple must start again.
- h. If a majority votes yes, then the Tentative Agreement will be presented to the members of TAUP for their vote.
- i. A simple majority of members voting is sufficient for ratification of the Tentative Agreement.
- j. If the Tentative Agreement is rejected by a majority of the votes cast, negotiations between Temple University and the TAUP Negotiating Team must resume.

[Contract ratification procedures are found in the Bylaws, VI]

***Article XV: Affiliation***

TAUP shall remain affiliated with the American Federation of Teachers (AFT) and its affiliated bodies until a referendum of membership shall determine otherwise, in accordance with the provision on Amendments to the Constitution. Officers and delegates shall represent TAUP at conventions and meetings of affiliates.

***Article XVI: Amendments to the Constitution***

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1. Amendments to the Constitution may be proposed by the Executive Committee or by petition containing verified signatures of no fewer than ten (10) percent of the dues-paying members.
2. The Executive Committee shall distribute these proposed changes, along with its recommendations, via email, to the membership at least twenty-one (21) days prior to voting. A referendum on the amendments shall be held for dues-paying members no later than thirty (30) days after a proposed amendment has been approved by the Executive Committee or has been received by petition.
3. Votes on amendments shall take place only during the normal academic year between September 1 and May 31.
4. Approval by two-thirds of those voting shall be required for the amendment(s) to pass.
5. Voting shall be by secret ballot, with all due diligence taken to ensure anonymity and a limit of one vote per person.

***Article XVII: Use Of Income And Assets***

1. TAUP is a labor organization exempt from federal income tax under Section 501 (c) (5) of the Internal Revenue Code.
2. No part of the net earnings of this organization shall inure to the benefit of or be distributed to any officer, Executive Committee member, delegate, employee or other individual, partnership, estate, trust or corporation having personal or private interest in the TAUP. Compensation for services actually rendered and reimbursement for expenses actually incurred in attending to the affairs of the TAUP shall be limited to reasonable amounts.
3. Upon dissolution of TAUP, its assets shall be disposed of in accordance with the Constitution of the American Federation of Teachers.

**TAUP Bylaws**

***I: Election Procedures***

1. The Nominating Committee
  - a. For annual elections the Nominating Committee shall be appointed by the Executive Committee no fewer than ten (10) weeks prior to the annual election, which shall be held in April of each academic year.
  - b. Before the election date, the Nominating Committee shall present to the membership a slate of nominations for Officers, Constituent Council representatives, and Delegates.

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**2. Nomination by Petition**

- a. Nomination by petition shall require at least fifteen (15) signatures of members in good standing.
- b. The petition must be received by the Nominating Committee at least thirty (30) days prior to the election.
- c. The Nominating Committee shall present a ballot to the membership containing all candidates.

**3. Ballot and Voting**

- a. Elections shall be held by secret ballot. The balloting means shall be secure, either electronic or paper, or a combination. The completed ballot shall be returned to a third party. There shall be appropriate guarantees that no member can vote more than once and that all voting is anonymous.
- b. An impartial party selected by the Executive Committee will draw candidates for ballot positions.
- c. Paper mail ballots will be provided if members specifically request them. An announcement to this effect will be included with the announcement of the slate of candidates when it is sent.
- d. All positions begin on May 1 and end on April 30 of the relevant year.
- e. The terms of Constituency Council representatives will be staggered, so that at least one-third of the positions will come up for election each year.
- f. If there are only as many candidates as there are open positions, the secret ballot will be foregone and the candidates will be considered elected.
- g. For Constituency Councils, if there are only as many nominees as there are open positions, and if all open positions are for full three-year terms, the secret ballot procedure will be foregone and the nominees will be considered elected.
- h. If not all of the open Constituency Council positions are for three years, the persons receiving the highest vote totals will get the three-year terms, up to the number of three-year terms open.
- i. Similar procedures will be used to assign two-year or one-year terms.
- j. If there are only as many candidates as there are open terms, the candidates may by mutual agreement determine who will fill the three-year terms and other terms and thereby forego the secret ballot procedure.

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- k. Should no candidate receive a majority of the votes cast for an office, the Nominating Committee shall within fifteen (15) days conduct a run-off election between the two candidates receiving the most votes in the initial balloting.
- l. This run-off will be conducted with the same procedures as the initial balloting.
- m. No more than half of the members elected to any Constituency Council or the Executive Committee shall come from any one school or college. If more than half of those with the highest number of votes are from a single school or college, candidates will be dropped until this criterion is met, starting with the candidate with the fewest votes and working upward.
- n. If not enough candidates are elected to fill all positions on any Constituency Council, the TAUP President, in consultation with the other officers, shall appoint TAUP members to fill the empty positions until the next election. The President shall endeavor to follow the spirit of representation among schools and colleges as outlined in the prior paragraph.

***II: Membership***

- 1. Every candidate for President, Vice President, Treasurer, Constituency Council representative, or Delegate, every signer of a nominating or other petition, and every voter must be a member in good standing in TAUP.
- 2. To be a member in good standing, one must be on dues check-off, or have paid TAUP dues for the calendar year.
- 3. Adjunct faculty members in the defined bargaining unit who have signed dues authorization cards shall be considered members in good standing. Once the first collective bargaining agreement that includes adjuncts is ratified, adjunct dues will be collected.

***III: Membership Meeting Procedures***

- 1. The President or his/her designate shall preside at all meetings of the membership.
- 2. Robert's Rules of Order shall be followed except that a quorum shall be 20 percent of the members.
- 3. A ballot shall be required on any issue if one-half (1/2) of the members present so request except a strike vote, which shall be conducted by secret ballot at a meeting in which the current state of negotiations has been reported by the Executive Committee and opportunity for questioning and discussion by the membership has been provided.

***IV: Executive Committee Procedures***

- 1. Only dues-paying members may serve on the Executive Committee, standing committees or committees that the Executive Committee appoints.

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2. The tentative agenda of the upcoming meeting and minutes of the previous meeting shall be made available to members of the Executive Committee at least one week before meetings.
3. Executive Committee meetings shall operate by Robert's Rules of Order. Five (5) members shall constitute a quorum.
4. The Executive Committee shall meet no less frequently than once every two weeks when negotiations are in progress and upon call of the President, but no less frequently than once a month during the academic year. If there has not been a meeting for more than a month, any three (3) members of the Executive Committee can ask for a meeting. If they do, the President shall call a meeting within five (5) days. The officers by majority vote shall set the time and place of the meetings.

***V: Replacement Of Executive Committee Members & Officers***

1. Any member of the Executive Committee who fails to maintain his/her membership in the TAUP in good standing shall be dropped from membership on the Committee ten (10) days after notice of such lapse has been given by the Executive Committee unless the situation has been corrected within the ten (10) days of notice.
2. Any member of the Executive Committee who fails for reasons other than health, work assignment, off-campus duties for the University, or extraordinary personal circumstances to attend three (3) consecutive meetings may be deemed to have resigned, unless the Executive Committee approves of the extended absence.
3. Whether vacancies occur from resignation, removal, or recall the Executive Committee shall hold elections for replacing Officers, Constituency representatives or Delegates, as needed, within sixty (60) days to fill the unexpired term(s), provided that more than one hundred twenty (120) days remain in a term.
4. The procedures to be followed for filling vacancies are those generally specified for regular elections, except that no election may be held between May 31 and September 1, or December 15 and January 15.
5. When fewer than one hundred twenty (120) days remain in the term of an officer, Executive Committee member or Delegate, the Executive Committee shall appoint a member to fill out the balance of the unexpired term.

***VI: Contract Ratification Procedures***

1. The full details and a written explanation of the tentative agreement reached with the Temple administration shall be distributed to all members prior to the opening of voting.
2. Meetings of TAUP members shall be held on one or more campuses after the tentative agreement has been made available to members to explain and discuss the terms of the proposed contract before the ratification votes are counted

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3. Voting on ratification will be held during the regular academic year between September 1 and May 31.
4. Voting shall be by secret ballot conducted by the TAUP office and overseen by a neutral party. The vote on the tentative agreement may be held electronically, as long as all standard precautions for anonymity and limiting each person to one vote only are taken. The ballots will be counted at an open meeting of the membership.

***VII: Dues***

1. Changes in the dues structure must be made by the membership voting by secret ballot. The proposed change must be distributed to the members no fewer than twenty-one (21) days prior to the balloting. A simple majority of votes cast is required for passage of changes to the dues structure.
2. Annual TAUP dues shall be:
  - a. Untenured faculty, Probationary Librarians and Academic Professionals – 0.85% of base salary;
  - b. Tenured faculty, Librarians on regular appointment, and post-probationary Academic Professionals – 1.1% of current annual base salary.
  - c. The upper limit to TAUP dues shall be based on the average salary of a full professor at Temple University, as reported annually in the AAUP publication *Academe*. This limit shall be adjusted every July 1 following the publication of 'Academe's' annual salary survey.
  - d. Those who are on half dues currently for the first year will continue at that rate until their first year is up.
  - e. In addition to above percentages, dues will include all constitutionally mandated increases passed on to TAUP by our affiliate unions since 2002, in accordance with the constitutions of the AFT and AFTPA.
  - f. For adjunct faculty, 0.55% of base monthly pay, plus required per capita fees to our affiliates and all accumulated pass-throughs from affiliates.

***VIII: COPE Fund***

1. Individual members may voluntarily make payments, either through payroll deduction or directly, by an amount they choose.
2. These payments shall be transferred to the TAUP COPE Fund and may not be commingled with TAUP's general funds.
3. A member who wishes to take advantage of this provision will give written authorization to TAUP, specifying the amount contribution the member wants transferred in this manner.

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4. A member may change the specified amount once per year, to take effect January 1 of the following calendar year.
5. A member may revoke authorization for this voluntary amount. Such revocation shall be effective January 1 of the following calendar year.
6. Changes in the specified amount or revocation of authorization to collect COPE contributions must be received in writing at the TAUP office by December 31 in order to take effect the following January 1.

***IX: Amendments to the Bylaws***

1. Amendments to the Bylaws may be proposed by the Executive Committee or by petition containing verified signatures of ten (10) percent of the dues-paying members.
2. These proposed By-Law changes shall be distributed via email to the membership by the Executive Committee with its recommendations at least twenty-one (21) days prior to the balloting. Voting must be by secret electronic ballot.
3. Two-thirds of those voting shall be required for approval.
4. Votes on amendments to the Bylaws shall take place only between September and May of the academic year.