

UNION OF ESCAMBIA EDUCATION STAFF PROFESSIONALS

CONSTITUTION

PREAMBLE

We the Educational Support Personnel of Escambia County School District believing that we must institute our own self-government and secure proper recognition and responsibility for the well-being of the members adopt this Constitution and Bylaws.

Article I NAME

The name of this union shall be the Union of Escambia Education Staff Professionals, FEA, NEA, AFT, AFL-CIO hereafter, referred to as Escambia ESP or the Union.

Article II PURPOSE

The purpose of Escambia ESP shall be:

- A. To enable members to speak with a common voice in matters pertaining to their interest and to present their common interest before their employer and other legal authorities, as provided by law.
- B. To represent all educational clerical, classroom assistants, transportation, maintenance, food service, custodial, warehouse, and related education staff professionals in the bargaining unit in matters related to wages, hours, fringe benefits, and other conditions of employment.
- C. To support and strengthen the local, state and national union affiliates.
- D. To promote cooperation with groups having interest in public education.
- E. To encourage members to exercise their rights and privileges as members in the Union and as citizens, and to willingly accept leadership in the Union and in civic affairs.
- F. To work for the welfare of the school children, the advancement of public education, and the improvement of opportunities for all education staff professionals employed by the Escambia County School District.

Article III Affiliation

Escambia ESP shall be a unified local affiliate of the Florida Education Association (FEA), the National Education Association (NEA), the American Federation of Teachers (AFT) and the AFL-CIO. Escambia ESP shall participate in the Escambia FEA Service Unit.

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Article IV Membership

Membership Eligibility

- A. Membership in this Union shall be consistent with requirements for membership in its affiliates.
- B. All education staff professionals who meet the active membership requirements may, upon payment of dues as herein prescribed, becomes an active member of the Union with full rights and privileges of membership.
- C. Membership in the Union shall be open to all those eligible without regard to race, creed, religion, age, sex, handicap, or national origin.

Classes of Membership

- A. **Active.** Active membership shall be open to any person engaged in or on a limited leave of absence from education work in the Escambia County School District. Active membership shall be limited to persons who maintain membership in the local, state, and national affiliates.
- B. **Associate.** Associate membership is open to any person who is interested in advancing the cause of public education, but who is not eligible for any other class of membership in the Union.
- C. **Retired.** Retired membership shall be open to any retired member who has held active or associate membership in the Union immediately prior to retirement.

Article V Executive Officers and Directors

- ◆ The Executive Officers of the Escambia ESP shall be a President, 1st Vice-President, 2nd Vice-President, Secretary and a Treasurer, representing the general membership, which shall be elected every third year by open nomination and secret ballot vote of the active members of the Union.
- ◆ The immediate past president of Escambia ESP shall also serve as an Executive Officer.
- ◆ Fifteen (15) Directors shall also be elected biennially by nomination and secret ballot vote of the active membership of the Union. Directors shall be elected in the following numbers based on job category
 - 5 shall be school-based clerical or classroom personnel as follows:
 - 1 employed in a special center
 - 2 employed in an elementary school
 - 1 employed in a middle school
 - 1 employed in a high school
 - 2 shall be administrative center clerical personnel
 - 2 shall be employed as bus personnel (bus operators or bus assistant
 - 1 shall be employed in the Transportation Garage

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- 1 shall be employed in the Maintenance Department, Facilities Planning or the Warehouse
- 2 shall be employed in a Food Service position
- 2 shall be employed in a Custodial position

◆ *Until 2007, there will be at least two (2) Directors from job categories in the Supervisory Classification. If this does not occur as a result of the elections of the 15 directors, then one or two additional directors, as necessary, shall be elected by open nomination and secret ballot vote of the active members of the Union from job categories in the Supervisory Classification.*

◆ All Executive Officers and Directors and candidates for executive office and directors shall be active members of the Union and shall have been active members for at least six months prior to taking office. All Executive Officers and Directors shall remain members in good standing during their term of office, or shall forfeit their office.

Article VI Executive Board

◆ **Composition.** The Executive Board shall consist of the executive officers of the Union, any Union member holding a state or national office or serving on a state_or national committee and the Directors. If necessary, additional members shall be elected by the Executive Board as necessary to insure that the ethnic minority membership of the Board reflects the approximate percentage of ethnic minorities in the membership at large.

◆ **Powers and Duties.** The powers and duties of the Executive Board shall be those enumerated in the Bylaws.

◆ **Meetings**

A. The Executive Board shall meet monthly during the regular school year. Dates, times and place of such meetings shall be determined by the President, with the advice and consent of the Executive Board.

B. Special meetings may be called by the President, or at the request of a majority of the members of the Executive Board.

C. Meetings of the Executive Board shall be open to all active members of the Union, unless the Board convenes in Executive Session.

D. A majority of the members of the Executive Board shall constitute a quorum.

Article VII Representative Council

◆ **Composition.** The Representative Council shall consist of union representatives from each school or work location based upon a ratio of one (1) representative to every twenty (20) members or fraction thereof, up to a maximum of 5

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representatives for each school or work location. Each school or work location shall have at least one (1) representative.

- ◆ **Powers and Duties.** The powers and duties of the Representative Council and Union Representatives shall be those enumerated in the Bylaws.
- ◆ **Meetings.** The Representative Council shall at least seven (7) times during the regular school year on a monthly day and time established by the President with the approval of the Executive Board.

Article VIII Membership and Fiscal Year

The membership and fiscal year shall be September 1 through August 31.

Article IX Parliamentary Authority

Roberts Rules of Order, Newly Revised, shall be the authority on all questions of procedure not specifically stated in this Constitution and Bylaws.

Article X Amendments

- ◆ Proposed amendments to this Constitution may be brought forward by any member through either a majority of the Executive Board or majority of the Representative Council.
- ◆ Proposed amendments to this Constitution shall be published and distributed to all members at least thirty (30) days prior to the proposed date of the vote.
- ◆ Amendments to this Constitution shall be made at a regular general membership meeting of the Union by a two-third (2/3) vote of the members present and voting, or by printed balloting of the membership.

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191 **UNION OF ESCAMBIA EDUCATION STAFF PROFESSIONALS**

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193 **BYLAWS**

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195 **Article I Meetings**

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197 ♦ **General Membership Meetings.** General membership meetings shall be called by
198 the Representative Council or the Executive Board as needed. However, there shall
199 be at least one (1) general membership meeting each school year.
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201 ♦ **Notification.** At least, forty-eight (48) hours notice shall be given to the
202 membership, specifying date, time, place and purpose of the meeting.
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205 **Article II Quorum**

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207 ♦ The members present shall constitute a quorum for all general membership
208 meetings.
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210 ♦ The majority of the members of the Executive Board or the Representative Council
211 shall constitute a quorum at any meeting.
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214 **Article III Dues**

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216 ♦ Local dues for all membership categories of the Union shall be established by the
217 Executive Board prior to the beginning of the membership year.
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219 ♦ Dues for the Service Unit, and the State and National affiliate unions, shall be
220 those established by the respective governing bodies.
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223 **Article IV Powers and Duties of Executive Officers**

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225 **President.** The President of the Union shall:

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227 ♦ Preside at all meetings of the Executive Board, the Representative Council, and the
228 General Membership,
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230 ♦ Appoint the Chairperson of standing committees and special committees, subject to
231 approval of the Executive Board,
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233 ♦ Be an ex-officio member of all standing committees,
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235 ♦ Assist the Treasurer in preparing a preliminary budget to be presented to the
236 Executive Board,
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238 ♦ Prepare a tentative agenda for Executive Board, Representative Council, and
239 General Membership meetings.
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241 ♦ Appoint Secretary Pro Tem in absence of elected secretary

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243 ♦ Familiarize 1st Vice President with the duties and responsibilities of the office of
244 President,

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246 ♦ Be the Executive officer of the Union and be the official spokesperson for the Union
247 unless he/she delegates such authority to someone else,

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249 ♦ Make all entitled or requested appointments to Escambia County School District
250 Committees, or committees of other organizations, unless he/she delegates such
251 authority to someone else, and shall report such appointments to the Executive
252 Board and the Representative Council,

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254 ♦ Serve as a representative to the Escambia FEA Council,

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256 ♦ Serve on the FEA Governing Board as provided for in the FEA Constitution,

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258 ♦ Serve as an elected delegate to the FEA Delegate Assembly, the NEA
259 Representative Assembly, and the AFT National Convention,

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261 ♦ Present an annual State of the Union report to the membership in May of each year,

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263 ♦ Recommend to the Executive Board to declare vacant the seat of any Director who
264 has two consecutive, unexcused absences from meetings of the Executive Board,

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266 ♦ Recommend to the Executive Board to declare vacant the seat of any Executive
267 Officer who has two consecutive, unexcused absences from meetings of the
268 Executive Board or two consecutive, unexcused absences from meetings of the
269 Representative Council,

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271 ♦ Perform other functions usually attributed to the office that are not specific herein.

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273 **1st Vice-President.** The 1st Vice-President of the Union shall:

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275 ♦ Serve as the chairperson of the Standing Committees on Membership Development
276 and Representative Council,

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278 ♦ The Vice President for Membership Development and Representative Council shall
279 assume the duties of the President in the absence of the President, or in the event
280 that the President vacates or forfeits the office,

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282 ♦ Be an ex-officio member of all other standing committees,

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284 ♦ Perform such other duties as may be designated by the President or the Executive
285 Board.

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287 **2nd Vice-President.** The 2nd Vice-President of the Union shall:

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289 ♦ Serve as the chairperson of the Standing Committee on Communications/Public
290 Relations,

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292 ♦ Be an ex-officio member of all other standing committees,

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- ◆ Perform such other duties as may be designated by the President or the Executive Board.

Secretary. The Secretary of the Union shall:

- ◆ Serve on Executive Board,
- ◆ Keep the minutes of all Executive Board, Representative Council, and General Membership meetings and make available written copies to each respective body,
- ◆ Perform other duties as may be assigned by the President or the Executive Board.

Treasurer. The Treasurer of the Unit shall:

- ◆ Serve on Executive Board,
- ◆ Report the financial status of the Union at each Executive Board, Representative Council and General Membership meetings,
- ◆ Assist the President in preparing a preliminary budget,
- ◆ Annually make the financial records of the Union available to an auditing firm which shall report its findings to the Executive Board,
- ◆ Perform other duties as may be assigned by the President or the Executive Board.

Past President. The Past President of Union of Escambia ESP's shall:

- ◆ Serve on the Executive Board,
- ◆ Serve as Chairperson of the Election Committee,
- ◆ Serve on the Constitutional & By-Laws Committee,
- ◆ Be an ex-officio member of all other standing committees,
- ◆ Perform other duties as may be assigned by the President or the Executive Board.

Service Unit Council, State & National Officers and Committee Members. The Service Unit Council, State and National Officers and Committee members shall:

- ◆ Be responsible for reporting Governance Board/Committee actions to the Executive Council in a timely manner,
- ◆ Shall participate in all Board discussion only, no voting rights,
- ◆ Perform other duties as may be assigned by the President or the Executive Board.

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Directors. The Directors of the Union shall:

- ◆ Be responsible for representing and communicating the concerns and needs of the members in the various job classifications,
- ◆ Assist the Union officers in implementing the total Union program,
- ◆ Perform other duties as may be assigned by the President or the Executive Board.

Article V Election of Officers

Elections and Terms of Office.

- ◆ By May 31, of the last year of the current term, the President, 1st Vice President, 2nd Vice-President, Secretary, and Treasurer shall be elected by open nomination and secret ballot of the ESCAMBIA ESP membership, or if unopposed, by acclamation to a three-year term commencing on June 15,
- ◆ By May 31, the Directors shall be elected by open nomination and secret ballot of the membership, or if unopposed, by acclamation. Directors shall serve two-year staggered terms commencing on June 15 of the year of the election for that position,
- ◆ Executive Officers shall be limited to two consecutive terms.

Vacancies.

- ◆ In the event of a vacancy in the office of the President, the 1st Vice-President shall serve as acting President. A successor will be elected following open nomination and secret ballot of the ESCAMBIA ESP active membership during the next regularly scheduled election, or within 120 days, whichever comes first. The person elected shall fill the vacant office for the remainder of the existing term. Following the completion of the existing term, the person may be elected as President for up to two consecutive terms.
- ◆ In the event of a vacancy in the office of 1st Vice-President, 2nd Vice-President, Secretary, or Treasurer. During the interim period, the President shall recommend for the Executive Board's approval, a member of the Executive Board to carry out the duties of that office. A successor will be elected following open nomination and secret ballot of the ESCAMBIA ESP active membership during the next regularly scheduled election, or within 120 days, whichever comes first. The person elected shall fill the vacant seat for the remainder of the existing term. Following the completion of the existing term, the person may be elected to that same office for up to two consecutive terms.
- ◆ In the event of a vacancy in the office of Director, the President shall recommend for the Executive Board's approval, a member in the appropriate job category to carry out the duties of that office. Following the completion of the existing term, the person may be elected to as a Director for up to two consecutive terms.

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399 **Article VI Delegate Selection to Affiliate Organizations**

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401 Representatives on the Escambia FEA Council shall be elected in accordance with the
402 Escambia FEA Council Guidelines.

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404 ♦ The President of ESCAMBIA ESP shall serve as a delegate to the FEA Delegate
405 Assembly, the NEA Representative Assembly, and the AFT National Convention.
406 Should the President be unable to fulfill any of these obligations a replacement
407 delegate shall be elected in accordance with FEA, NEA AFT, and AFL-CIO Bylaws,
408 rules and policy. All other delegates to affiliate conventions shall be elected in
409 accordance with affiliate bylaws, rules and policies.

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411 ♦ Directors to the FEA Governing Board shall be elected in accordance with FEA
412 Bylaws, rules and policy, and in accordance with Escambia FEA Council Guidelines.

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415 **Article VII Powers and Duties of the Executive Board**

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417 ♦ The Executive Board shall perform the duties and responsibilities, and have
418 authority to act for the Union in all matters, except as stated in the Constitution
419 and Bylaws.

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421 ♦ The Executive Board shall act upon the recommendation of the President to declare
422 vacant the seat of any Director who has two consecutive, unexcused absences from
423 meetings of the Executive Board.

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425 ♦ The Executive Board shall act upon the recommendation of the President to declare
426 vacant the seat of any Executive Officer who has three consecutive unexcused
427 absences from meetings of the Executive Board and the Representative Council.

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429 ♦ The Executive Board shall adopt an annual budget and establish dues which shall
430 be presented to the Representative Council.

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432 ♦ The Executive Board may impeach the President for dereliction of duties by a two-
433 thirds majority vote of the Board members, at a meeting to be called by a member of
434 the Executive Board with at least thirty days advance notice of the meeting at
435 which the vote is to be taken.

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437 **Article VII Powers and Duties of the Representative Council**

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439 The Representative Council shall:

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441 ♦ Receive a report of all policy decisions made by the Executive Council and shall
442 have the authority to override all decisions of the Executive Council,

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444 ♦ Submit to the President agenda items for all General Membership meetings,

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446 ♦ Exercise final authority in all matters of the Union and enact such other measures
447 as may be necessary to achieve the goals and objectives of the Union, which are not
448 in conflict with the Constitution and Bylaws.

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451 The members of the Representative Council shall be the Union Representatives and
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- 454 ♦ Represent the members of his/her school, department and/or job category at all
455 meetings of the Representative Council,
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- 457 ♦ Keep members within his/her school, department and/or job category informed
458 about pertinent matters of the Union through regular communications and
459 distribution of the Union materials,
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- 461 ♦ Conduct the election of Union Representative(s) within his/her school or
462 department,
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- 464 ♦ Perform such other duties as may be assigned by the President or the Executive
465 Board.
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468 **Article IX Union Committees**

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470 Standing Committees of the Union shall be the following:

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- 472 ♦ Membership, Representative Council, Communications/Public Relations,
473 Professional Concerns, Constitution and Bylaws, and Elections.
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- 475 ♦ Each Standing Committee shall consist of a Chairperson and at least three (3)
476 members.
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- 478 ♦ The 1st Vice-President shall be the Chairperson of the Membership and
479 Representative Council committees.
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- 481 ♦ The 2nd Vice-President shall be the Chairperson for the Communication/Public
482 Relations committee.
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- 484 ♦ The President shall appoint the Chairperson of all other Standing Committees, and
485 any ad hoc union committee, subject to the approval of the Executive Board.
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487 Ad Hoc Committees shall be those considered necessary by the President, and approved
488 by the Executive Board.

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490 The Chairperson of any committee shall be responsible for making a report on the
491 progress of work and activities of the committee to the Executive Board, Representative
492 Council and General Membership meetings.

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494 Committee composition should be representative of the various work areas within the
495 unit as much as feasible and desirable.

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498 **Article X Elections**

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- 500 ♦ The Elections Committee shall establish election procedures, which guarantee that
501 all elections shall provide for open nominations, secret ballot procedures and

502 preservation of ballots for at least one (1) year.

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504 ♦ Election of Union officers shall be conducted no earlier than April 1 nor later than
505 May 31 of each election year.

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507 ♦ All Executive Officers shall be elected at-large by the open nomination and secret
508 ballot of the membership. All Directors shall be elected by open nomination of the
509 membership and secret ballot of the members in the work site and/or classification
510 represented by that Director.

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512 ♦ Executive Officers and Directors shall be elected by a majority vote of the members
513 voting.

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515 ♦ The Executive Board shall certify the Election Committee report and publish results
516 of the election.

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518 ♦ It shall be the goal of the Union to actively involve members of minority races in
519 leadership roles of the Union.

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521 **Article XI Amendments**

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523 ♦ Proposed amendments to the Bylaws may be brought forward by a majority of the
524 Executive Board or the Representative Council.

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526 ♦ Proposed amendments to the Bylaws shall be published and distributed to all
527 members at least fifteen (15) days prior to the proposed date of the vote.

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529 ♦ Amendments to the Bylaws may be made at a General Membership meeting of the
530 Union by a majority vote of the members present and voting or by printed balloting
531 of the membership.

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534 *Adopted 12/05.*

535 *Revision 9/06.*

536 *Revised and adopted 3/07*