

**Supervisory Unit
of
State of Alaska**

Local #4900

APEA/AFT

AFL-CIO

BY LAWS

Article I ORGANIZATION

- Section 1. The Supervisory Unit (SU) represents the non-exempt supervisors employed by the State of Alaska. The SU is affiliated with the Alaska Public Employees Association/ American Federation of Teachers (APEA/AFT) the American Federation of Teachers (AFT), American Federation of Labor and Congress of Industrial Organizations (AFL-CIO).
- Section 2. The SU is subdivided into regional chapters to facilitate communication and representation for employees within geographically defined regions. The regions are: Northern, Southcentral, Southeast, and others as defined by the Executive Board of the SU.

Article II EXECUTIVE BOARD

- Section 1. The Executive Board as defined by the Constitution, shall be the administrative body of the SU.
- Section 2. The Executive Board shall schedule meetings as necessary and appropriate, but in no case fewer than three (3) times per year, one of which shall be in conjunction with the APEA/AFT Biennial Caucus. A quorum shall consist of four (4) members present. Unscheduled meetings, including teleconferences, may be held within budgetary limits at the call of the President for the purpose of initiating, overseeing, or revising the policies of the SU and to conduct other business of the SU that is within its authority.
- Section 3. The Executive Board shall appoint such committees, as it deems necessary, not inconsistent with this Constitution and Bylaws.
- Section 4. The Executive Board will prepare and present an annual operations budget at the annual meeting prior to the end of the fiscal year.
- Section 5. The SU Executive Board shall be responsible for interpretation, adherence to, and enforcement of the Constitution and Bylaws of the SU. The SU Executive Board may establish policies as deemed necessary to assist with the governance of the SU.
- Section 6. No one member may cast more than one vote on any issue before the Executive Board. If an SU member is elected to more than one office which has a seat on the Executive Board, that member must declare from which office he/she intends to cast a vote prior to the start of any meeting in which a vote will be required. The alternate office holder for the other

seat(s) held, must be contacted and notified to appear at the meeting to represent his/her constituency.

Article III MEETINGS

Section 1. The Executive Board shall meet at such times and places as it may determine, or upon the call of the President. Notice of meetings shall be given by the Secretary/Treasurer to all members of the Executive Board at least seven days preceding the day of the meeting unless such notice shall have been waived. At least three meetings of the Executive Board shall be held in each fiscal year. These meetings may be held by teleconference.

Section 2. General Membership meetings of SU shall be held not less than one time yearly. One such meeting, the Annual membership meeting, shall be held within 90 days prior to the end of the fiscal year. The President shall preside at all general membership meetings of the SU.

The Executive Board shall determine the time and place of the general membership meetings. The Executive Board will give at least 15 days' notice to the general membership on the time and place of meetings. All Board members shall preside in person if possible. Teleconferencing may be made available when possible for members who wish to participate long distance.

Section 3. Special Meetings of the SU membership may be called at any time by the Executive Board. The Executive Board will make every reasonable effort to provide seventy-two (72) hours' notice, but not less than 48 hours, to the membership for any special meeting. The Executive Board shall call a special meeting upon petition of twenty five percent of the members in good standing.

Article IV OFFICER DUTIES

Section 1. **PRESIDENT**

Length of term: Two (2) years.

Election Procedure: In accordance with Article VI of the SU Constitution.

Duties:

The President shall preside over all meetings and special meetings, maintain day-to-day affairs, receive and report all pertinent correspondence, and perform other duties that pertain to this office. The President shall represent the organization before the public, community organizations, and legislative/governmental bodies. The President shall make an annual report to the membership of the SU. The President shall be one of the responsible financial Officers of the SU and be authorized to co-sign financial instruments and make regular and usual disbursements of funds.

Section 2. SECRETARY/TREASURER

Length of term: Two (2) years

Election: In accordance with Article VI of the SU Constitution

Duties:

The Secretary/Treasurer shall submit a financial statement at Executive Board meetings upon request and submit a financial statement and report at the annual membership meeting. The Secretary/Treasurer shall, in the absence or disability of the President perform the duties and exercise the powers of the President.

Due to the extreme distances between offices and regions, the Secretary/Treasurer works closely with, and relies upon, full time APEA staff to provide data and support to fulfill many of the duties described. All permanent financial and membership records are stored and maintained in APEA headquarters. All SU Officers have full time access as needed to those records to perform their respective duties.

The Secretary/Treasurer shall

- Attend all meetings of the Executive Board and General Membership Meetings
- keep and maintain a book of minutes of all meetings, showing the time and place of the meeting, whether it was regular or special, and if special, how authorized, the notice given and the names of those present at the Executive Board
- record and keep accurate minutes of the proceedings thereof
- keep and maintain a current membership list showing the names of members and their addresses.

- assist the President in handling the correspondence of the SU.

The Secretary/Treasurer shall transmit to the APEA/AFT Business Manager of the APEA/AFT, a copy of the minutes of meetings.

The Secretary/Treasurer shall have

- custody of the funds of SU.
- keep full and accurate accounts of receipts and disbursements in books belonging to the SU
- deposit all moneys and other valuable effects in the name and to the credit of the SU in such depositories as may be designated by the Executive Board.
- disburse SU funds as may be ordered by the Executive Board, taking proper vouchers for such disbursements, and
- render to the President and the general membership at its regular meetings, or when the Executive Board so requires, an accurate accounting of all transactions and of the financial conditions of SU.

Article V OFFICER ELECTIONS

Section 1. The offices of President and Secretary/Treasurer shall be elected on a statewide basis.

- (a) Sixty (60) days prior to the date of the regular annual membership meeting the committee shall notify all SU members of the opening of nominations for office.
- (b) Nominations shall be received by the committee until thirty (30) days prior to the Annual membership meeting. In the event of an unopposed nomination for a position, a formal election (mailing and processing ballots) need not be held for that position. Announcement will be made at the annual meeting as if a vote had been taken.
- (c) A ballot shall be prepared by the committee and mailed to each member in good standing at least twenty-one (21) days prior to the Annual Membership meeting. The ballots shall be returned to the election committee no later than two (2) business days prior to the Annual meeting.
- (d) The ballots will be tallied prior to the Annual Membership meeting and submitted to the SU Executive Board. The President will then announce the elected Officers at the Annual Membership meeting.

Section 2. Special/Recall Election Procedures. The Nomination/Election Committee upon the receipt of a recall petition set out in Article VII of the SU Constitution, shall within 15 days prepare and mail a ballot to all members in good standing. The ballots shall be returned to the committee no later than 15 days from the date of the original mailing.

- (a) A SU Officer accused of malfeasance, misconduct, dereliction of duties or failure to carry out objectives and policies of the SU and the office held, will upon petition by thirty (30) percent of the members empowered to elect, be subject to a vote to recall. The narrative of the petition shall include the charges. The petition shall include documentation of the charges. A copy of the petition shall be provided to the SU Officer at least ten (10) days prior to the election to recall.
- (b) If an Officer is recalled, the Nomination/Elections Committee shall open nominations for the office for 15 days. Upon the closing of nominations, a ballot will be prepared and mailed to members in good standing. The ballots shall be returned to the committee no later than 15 days from the date of the original mailing.
- (c) The ballots will be tallied at a special meeting and the elected Officers will be announced by the Chairperson of the Nomination/Elections committee.
- (d) If no nominations are obtained, the vacancy shall be filled by appointment by a majority vote of the Executive Board.

Article VI COMMITTEES/DELEGATES

Section 1. The President shall, subject to the approval of the Executive Board, appoint such standing and special committees as the President shall deem necessary.

The President shall be an ex officio member of all committees, except the Nomination/Elections Committee, and shall have all the privileges of membership thereon.

Each committee shall transact such business as is delegated to it in the Bylaws and such additional business as may be referred to it by the President or the Executive Board. Except where special authority is given by the Executive Board, such committees shall not take action until a report has been made and approved by the Executive Board.

Section 2. STANDING COMMITTEES

- (a) The standing committees shall function as defined in the SU Constitution, Article VIII.
- (b) Constitution & Bylaws Committee.
Appointment, Qualifications, Term of Service:
 - A. The Constitution & Bylaws Committee members will be announced by the President at the annual meeting.
 - B. The Constitution & Bylaws Committee shall elect a Chair from among themselves.
 - C. Committee members shall serve a two (2)-year term.
 - D. All members of the Constitution & Bylaws Committee shall be members in good standing of the SU.
 - E. A quorum shall be four (4) members of the Committee.
- (c) Class 1 Member Committee.
 - A. Consists of one member from each region appointed by the President and announced at the annual meeting.
 - B. Committee members shall serve a two (2) year term.
 - C. The Committee will elect a Chairperson from among themselves.
 - D. The Committee will provide information and assist the Executive Board as necessary.
 - E. The Committee will appoint a non-voting liaison to the Negotiations Team during contract negotiations to assist as needed.

Section 3. DELEGATES

- (a) APEA/AFT Biennial Caucus. Shall be in accordance with Section IX of the APEA/AFT State Federation Constitution.
- (b) AFT Convention. Shall be in accordance with Section X of the APEA/AFT State Federation Constitution and Article VIII of the AFT Constitution.
- (c) AFL-CIO Convention.
 - (A) Vice Presidents. The President, Secretary/Treasurer and Chapter Chairpersons by order of per capita of chapter, shall be the SU Vice Presidents of the AFL-CIO.Delegates. The delegates to the AFL-CIO shall be appointed by the Executive Board.
 - (B) Any SU member holding a statewide office or Negotiating Team position, including alternates, will automatically become an approved SU delegate to any AFT or APEA/AFT function for the length of their term.

- (d) Any SU member holding a statewide office or Negotiating Team position, including alternates, will automatically become an approved SU delegate to any AFT or APEA/AFT function for the length of their term.
- (e) The SU Executive Board will determine if delegates at large will be nominated and elected to fill remaining and allowable allocations at AFT or APEA/AFT functions. Terms will be for two (2) years.

Article VII CHAPTERS

Section 1. The SU will be divided into regional Chapters, representing employees within geographical boundaries to facilitate communication. The regions are Northern, Southcentral, and Southeast, and others as defined by the Executive Board. The organizational structure and authority of any new Chapter will be the same as existing SU Chapters on the SU Executive Board.

Section 2. Organization of Chapters:

Chapter Chairpersons for each region will be the elected Vice-Presidents of the APEA/AFT Board of Directors for existing regional chapters. Any officers of newly created Regional Chapters will be treated by the SU as non-voting Vice-Presidents of APEA/AFT until such time as APEA/AFT amends its by-laws to recognize the new regional officers.

Section 3. CHAPTER MEETINGS:

A. Chapter meetings shall be held at least three (3) times annually, as called by the Chapter Chair, one third (1/3) of the Employee Representatives from that Chapter, or upon the request of the SU President or SU Executive Board. Such meetings shall include any business requested by the SU Executive Board. Chapter members will be notified as soon as possible upon scheduling a meeting.

The SU President and SU Executive Board will be copied on notices of all meetings.

B. A directory of Officers and Employee Representatives shall be published and updated and posted to the website.

C. Minutes shall be taken for all of all Chapter meetings and be sent to the SU Secretary/Treasurer and the APEA/AFT Business Manager for posting on the APEA/AFT website, no later than thirty (30) days after each Chapter meeting.

Section 4. Committees:

Regional Chapters Chairs may create Chapter committees to facilitate the business of the Chapter. The Chapter Chair shall appoint committee members.

Section 5. Voting:

Election and removal of Officers shall be by secret ballot. Written notice of the nomination's procedure must be provided to each member and published on the APEA/AFT website at least fifteen (15) days before nominations are closed. Members shall have the ballot delivered or mailed to them at least fifteen (15) days before the election. All other voting procedures shall be in conformance with the SU Bylaws and APEA/AFT guidelines.

Section 6.

Employee Representatives are Statewide, not limited to one site. The number allotted is determined by the Collective Bargaining Agreement.

A. Define work site(s) for Employee Representatives.

Section 7. Qualifications:

Chapter Officers shall be a member in good standing PER Art. XI, Sec. 3.

Section 8. CHAPTER OFFICERS:

A. Chair and Vice Chair are elected in accordance with the APEA/AFT Constitution.

B. The Secretary and Lead Rep Chapter Officer positions shall be appointed by the Regional Chapter Chair with concurrence of the SU Executive Board.

Section 9. Duties of Chapter Officers:

A. Chairperson:

The Chairperson is a Vice-President to the APEA/AFT Board of Directors. The Chairperson shall preside at all meetings of the Chapter, appoint all necessary committees and Employee Representatives, and perform such duties as required or permitted by the Bylaws of SU or the Chapter. The Chairperson shall be a delegate to the APEA/AFT Caucus and the Alaska AFL-CIO Convention. The Chairperson may approve business leave to be used for Chapter business, as set out by the SU Executive Board.

B. Vice Chairperson:

The Vice Chairperson is the alternate Vice-President to the APEA/AFT and the elected alternate member of the State Federation Board of Directors. It shall be the duty of the Vice Chairperson to perform the duties of the Chairperson in the absence of, or upon the request of the Chairperson.

C. Secretary:

The Secretary shall keep accurate records of all proceedings and shall be custodian of the records for the Regional Chapter. The Secretary shall give notice of meetings as directed by the Chairperson and shall prepare copies of the minutes of all meetings of the Chapter. Copies shall be sent to the Local SU Secretary/Treasurer and Business Manager within thirty (30) days of the meeting. Any subsequent corrections or revisions to the minutes will be included with the minutes of the following meeting. The Secretary shall be responsible for such other duties as may be required by the Chapter Chairperson or the Bylaws of the Local SU and the Chapter. A roll call attendance of all Employee Representatives and Chapter Officers shall be recorded by the Secretary, along with the total number of members present at all Chapter meetings.

D. LEAD EMPLOYEE REPRESENTATIVE (Lead Rep):

The Chapter Chair shall appoint the Lead Rep from the Chapter Employee Representatives.

This position serves as part of the Chapter Leadership Team to support the Chapter and the SU for the duration of their term as an employee representative. This position must be appointed every two (2) years, or sooner if the position is vacant. This position serves as a member of the Chapter management team with the primary duties of providing a communication channel to and from the Chapter Employee Representatives. Duties include, but are not limited to: being the point of contact for Chapter Employee Representatives, and APEA/AFT staff, assist in trainings, conduct meetings, and disseminate information to the Chapter Employee Representatives to be shared with members, in addition to duties defined in Article VIII.

Section 10. Removal Procedures:

- A. A Chapter Officer accused of malfeasance, misconduct, dereliction of duties or failure to carry out objectives and policies of the SU and the office held, will upon petition by thirty (30) percent of the members empowered to elect, be subject to a vote to remove. The narrative of

the petition shall include the charges. The petition shall include documentation of the charges. A copy of the petition shall be provided to the Chapter Officer at least ten (10) days prior to the election to remove.

- B. Membership status of the petition signers must be verified within fifteen (15) days by APEA/AFT staff.
- C. Within fifteen (15) days of verification of the petition for election a ballot shall be sent out. Included with the ballot shall be the written accusation and written rebuttal by the accused if submitted. Members voting will have fifteen (15) days to return their ballots.
- D. Retention or removal will be decided by a simple majority of votes cast.
- E. Within five (5) days, the election results will be announced, and will take effect immediately.
- F. The Chapter Chairperson shall be responsible for verification of the petition, conducting the election, and notifying the accused of the results. If the Chairperson is the accused, a neutral third party shall be appointed by the Vice Chairperson of the Chapter.

Section 11. Bylaws:

Each Chapter may establish Bylaws for the operation of the Chapter. Chapter Bylaws should be concise and shall not conflict with the provisions of the SU Constitution and Bylaws, or the Restated Articles of Incorporation or Constitution of the State Federation. Chapter Bylaws shall also conform to the APEA/AFT and AFT Constitutions. All Chapters shall submit their Chapter Bylaws to the SU Executive Board for approval and filing in Headquarters. Chapter Bylaws in existence prior to July 1, 2019 are hereby repealed.

Section 12. Chapter Assets:

All assets of Chapters are property of the SU, Local 4900.

Section 13. Chapter Membership:

Comprises members in good standing of SU whose primary worksite is within the Chapter's designated geographical boundary.

Article VIII
EMPLOYEE REPRESENTATIVES

Section 1. Purpose:

To serve as a fair and objective union advocate for all SU Members. An Employee Representative must be a member in good standing.

Section 2. APPOINTMENT AND TERM

A. Length of Term: Two (2) years from date of appointment.

B. An Employee Representative is appointed by the Regional Chapter Chair upon concurrence of the SU President. All disputes arising from the appointment may be appealed to the SU Executive Board. The SU Executive Board shall address appeals at a special meeting of the Board.

Section 3. DUTIES:

A. Shall be familiar with the terms of the bargaining unit agreement, SU Constitution and Bylaws.

B. Assist members with job related disputes and grievances.

C. Participate in Employee Representative training.

D. Distribute SU, APEA/AFT and AFT information.

E. Orient new employees to the SU.

F. Conduct polls and surveys as requested by the SU Executive Board.

G. Organize members for employee action.

H. Solicit information for the Negotiating Team.

I. Work with professional staff and provide all information obtained in the investigation of a grievance or complaint; and

J. Attend Chapter meetings.

Section 4. REMOVAL:

The Regional Chapter Chair or the SU Executive Board may remove an Employee Representative for the following reasons:

- A. Failure to perform identified duties.
- B. Unexcused absences at required meetings.
- C. Actions or conduct deemed detrimental to the union.

The affected Employee Representative may appeal the removal decision to the SU Executive Board. Such appeal must be submitted in writing within ten (10) business days of the removal notice.

Article IX CONTRACT NEGOTIATIONS

Section 1. CONTRACT PROPOSAL

For purposes of contract negotiations, only the dues paying members of the SU will determine the content of a proposal or settlement.

Section 2. SELECTION OF THE NEGOTIATING TEAM

The team shall consist of a maximum of three (3) positions. Alternates shall be elected for each position. The team shall be comprised of one (1) member elected from each Region, except the Elected Chapter Chairperson cannot hold the position of the elected lead regional negotiator at the same time.

Alternates to the Negotiating Team shall be the individual receiving the next highest vote count for that respective region. In the event of an unopposed nomination for a position, a formal election need not be held for that position.

In accordance with the APEA/AFT Constitution, an APEA/AFT staff member shall be on the Negotiating Team and shall serve as the chief spokesperson for all negotiations.

In the event no elected negotiators or alternates are "Class I" members, the President will appoint a representative(s) from the "Class I" membership ranks to assist the Negotiations Team as necessary throughout contract negotiations.

At least nine (9) months prior to the expiration of a bargaining unit agreement, the SU Executive Board will send notification soliciting candidates for the positions of negotiators.

Each candidate shall be allowed one (1) typed, single-page resume to be mailed to the membership by the SU for consideration as a Negotiating Team member.

Alternates shall possess the authority of the regional negotiator only in the absence or resignation of the negotiator. The alternate will assume the regional negotiator position in the event of a vacancy. The SU President shall appoint a new alternate negotiator, with concurrence of the SU Executive Board, to fill the remainder of the term.

Section 3. AUTHORITY OF THE NEGOTIATING TEAM

- A. Prepare and distribute to all bargaining unit members, with input from the Employee Representatives and Chapter Officers, a membership-wide survey requesting input and guidance for any upcoming negotiations.
- B. Modify the contract proposal during negotiations.
- C. Reach tentative agreement on a contract proposal.
- D. After ratification of a tentative agreement along with the President sign such agreement.
- E. Declare impasse and call for a strike vote authorization.
- F. During negotiations, in conjunction with the President, make news releases pertaining to negotiations.
- G. Communicate with the membership of SU concerning contract negotiations.
- H. With the concurrence of the SU Executive Board, select for hire one or more assistants, who need not be members of the SU to act in a capacity designated by the negotiating team.

Section 4. RESPONSIBILITIES OF THE NEGOTIATING TEAM

- A. During negotiations, the negotiations team shall inform the SU Executive Board and Employee Representatives at least monthly of the progress and development of negotiations.
- B. Provide all members of the collective bargaining unit a copy of the tentative agreement or the employer's final offer in a suitable format to show comparison of old contract language and all proposed changes, and a written opinion specifying the pros and cons of the agreement.

- C. Through consultation with, and concurrence of, the Employee Representatives determine what visits are required to answer questions about the tentative agreement before ratification ballots are mailed to the membership.
- D. Conduct a ratification vote of SU members of the bargaining unit.
- E. Oversee the implementation of and approve any changes to the contract through the life of the term of the agreement.

Section 5. IMPASSE PROVISIONS

If an impasse occurs during negotiations, the negotiating team with concurrence of the Executive Board and in accordance with applicable law, shall poll all of the Chapter Chairs and Employee Representatives of the bargaining unit as to whether a strike vote should be taken. The question shall be decided by a majority of votes cast. The Chapter Chairs shall provide all of their members with such information and statements and shall cast their vote according to the will of a majority of their members.

If the majority vote is cast yes, then the negotiating team and the Executive Board shall poll all the members of the bargaining unit regarding a strike vote.

Section 6. LETTERS OF AGREEMENT

All affected members within the bargaining unit shall be polled on letters of agreement. The members of the Negotiations Team shall then approve or reject any modifications or Letters of Agreement to the collective bargaining agreement with the State of Alaska.

**Article X
AMENDMENTS**

Section 1. These Bylaws may be amended in three ways. An amendment may be proposed by a simple majority of the members voting at the annual membership meeting. An amendment may be proposed by a resolution approved by a majority of the executive board. Any member of the SU may propose an amendment to the Bylaws upon a petition signed by ten (10) percent of the membership, by members in good standing.

Section 2. Amendments:

- A. Any proposed amendment shall be submitted in proper format to the Constitution & Bylaws Committee no later than the convening of the Constitution & Bylaws Committee meeting at the SU annual meeting.

- B. All properly proposed amendments will be sent to the SU annual meeting by the Committee with a recommendation of "DO PASS" or "DO NOT PASS" for discussion and resolution.
- C. If the bylaw receives a "DO PASS" by the SU annual meeting, it will be sent to the membership for ratification.
- D. Amendments to these Bylaws shall be made by the members if approved by two thirds (2/3) of all votes cast.
- E. A copy of amended Constitution & Bylaws shall be sent to the membership within twenty (20) days of ratification.
- F. If a proposed amendment increases a budget line item, the amendment justification must include a statement about the source of funding for the amendment and the total yearly costs.

Section 3. Amendment Format:

Amendments will be submitted typed, identifying the Constitution or Bylaw section, paragraph, subparagraph, etc. It will state how the portion to be amended currently reads, how it is proposed to read when amended, the justification for the change, the identification of the submitter, a statement of the pros and cons of the amendment submitted and the financial impact of the amendments if any.

**Article XI
RIGHTS OF MEMBERS**

Definition: Member in good standing is a State of Alaska employee who is a dues paying member of the SU for a period of thirty (30) days and has remained a member subsequently.

Section 1. Members in good standing shall be eligible to vote on all general administrative matters coming before the SU. Only members of SU shall be eligible to vote on contract administration matters pertinent to their local, i.e. contract ratification, strike votes, legal defense, etc.

Section 2. Members in good standing shall be eligible to elect: SU Officers, Chapter Officers of their respective region, delegates to the AFT convention; delegates to the APEA/AFT biennial caucus and negotiators.

Section 3. Members in good standing for at least ninety (90) days shall be eligible to hold office, serve as employee representatives, and serve on committees.

Section 4. Official publications of the SU shall be sent without charge to members in good standing and may at the discretion of the SU Executive Board be sent to State of Alaska employees who are not members.

