

JUNEAU MENTAL HEALTH PROFESSIONALS, LOCAL 6134
ALASKA PUBLIC EMPLOYEES ASSOCIATION/AFT (AFL-CIO)
CONSTITUTION

**ARTICLE I
NAME**

The name of this organization shall be the Juneau Mental Health Professionals (JMHP), Local 6134, Alaska Public Employees Association/American Federation of Teachers (AFL-CIO), hereafter referred to as the Local Union or JMHP.

**ARTICLE II
PURPOSE**

It shall be the Local Union's purpose to advocate the best interests of the Juneau Mental Health Professionals membership.

**ARTICLE III
MEMBERSHIP**

- Section 1 **Membership Eligibility**
Membership in the Local Union will be open to all bargaining unit members employed at the Juneau Alliance for Mental Health, Inc. and/or as described by the National Labor Relations Board.
- Section 2 **Membership Requirement**
Membership in the Local Union will be voluntary, unless otherwise specified by a negotiated contractual agreement.
- Section 3 **Classes of Membership**
There will be two classes of members: Member in Good Standing and Agency Fee Payer.
- A. MEMBER IN GOOD STANDING:
- i. Member in Good Standing is a member who signed a membership card with the Local Union; and
 - ii. Is current on all monthly dues and other local assessments.
- B. AGENCY FEE PAYER:
- i. An Agency Fee Payer is an employee who chooses not to be a member of the Local Union;
 - ii. An Agency Fee Payer pays service fees that are used for purposes related only to collective bargaining, contract administration and grievance

- administration; and
- iii. An Agency Fee Payer is not entitled to the rights and responsibilities of a Member in Good Standing, including the right to vote on contracts, participate at meeting, sit on committees, or act on Local Union issues.

Section 4 **Non-Discrimination**

No person will be denied membership on the basis of race, creed, gender, sexual preference, national origin, religious or political belief, social status, or economic status.

**ARTICLE IV
EXECUTIVE BOARD**

Section 1 **Administrative Body**

The Executive Board shall be the administrative body of the Local Union, and shall consist of the President, Vice-President, and Secretary/Treasurer.

Section 2 **Purpose**

The Executive Board shall:

- A. Be responsible for interpretation, adherence to and enforcement of the Constitution of the Local Union; and
- B. Be apprised of the status of the Local Union, and develop strategic plans for the Local Union.

Section 3 **Executive Board Meetings**

The Executive Board may hold meetings as needed, but will hold no fewer than four meetings in a calendar year.

**ARTICLE V
OFFICERS AND EMPLOYEE REPRESENTATIVES**

Section 1 **Local Union Officers**

The Local Union shall elect a President, Vice President, and Secretary/Treasurer. These three (3) persons shall be the Officers of the Local Union.

Section 2 **Eligibility**

To be eligible for office a person must be a Member in Good Standing for at least two (2) months and remain in good standing through the term of office.

Section 3 **Duties of Officers**

The duties of Local Union Officers shall be:

- A. PRESIDENT:
 - i. It shall be the duty of the Local Union President to preside at all meetings of

- the Local Union;
 - ii. Be an Ex Officio member on all Committees, except the Nomination and Election Committee;
 - iii. Perform other duties as may be required or permitted by the Constitution of the Local Union;
 - iv. By office, a delegate to the American Federation of Teachers
 - v. By office, a delegate to the Alaska Public Employees Association/AFT; and
 - vi. By office, a delegate to Alaska State AFL-CIO.
- B. VICE-PRESIDENT:
- i. It shall be the duty of the Local Union Vice-President to perform the duties of the President in the absence of, or at the request of the President;
 - ii. The Vice-President shall take the place of the President should the President's office be vacated until the general membership can vote for a new President;
 - iii. By office, an alternate delegate to the American Federation of Teachers;
 - iv. By office, an alternate delegate to the Alaska Public Employees Association/AFT; and
 - v. By office, an alternate delegate to the Alaska State AFL-CIO;
- C. SECRETARY/TREASURER:
- i. The Local Union Secretary/Treasurer shall keep accurate records of all proceedings and shall be custodian of the records of the Local Union;
 - ii. Shall give notice of meetings as directed by the Local Union President;
 - iii. Shall be responsible for such other duties as required by the President or by the Local Union Constitution;
 - iv. Shall prepare copies of the minutes of all meetings of the Local Union; and
 - v. Shall be custodian of a sign-in sheet to document attendance of all present at each meeting. The sign-in sheet shall be attached to the minutes of the meeting.

Section 4

Election of Officers

Local Union Officers shall be elected in even years by the Members in Good Standing at the Annual Membership Meeting. Local Union Officers shall serve for a term of two (2) years. Local Union Officers will take office upon the written certification of the election by the Nomination and Election Committee.

Section 5

Officer Vacancies

A. PRESIDENT:

Should the President permanently vacate office voluntarily, be removed for just cause, or be unable to perform duties of the office, the Vice-President shall assume the role of the President of the Local Union.

B. OTHER OFFICERS:

- i. Should an officer, other than the President of the Local Union permanently

vacate office, be removed for just cause, or be unable to perform duties of the office the Local Union President shall appoint a replacement, with approval of the remaining officer; or

- ii. If the unexpired term of a vacant office is six (6) months or greater, the Nomination and Election Committee shall call for an election when the officer vacates the position; and
- iii. The new elected officer shall serve for the remainder of the term of the officer being replaced.

Section 6 **Employee Representatives**

Employee Representatives shall:

- A. Be appointed by the Local Union President and be confirmed by the membership at the next Membership meeting;
- B. Attend each Membership and Annual Membership meeting;
- C. Be familiar with the terms of their collective bargaining agreement, JMHP and APEA/AFT Constitutions;
- D. Assist members with job related disputes and grievances;
- E. Participate in Employee Representative training;
- F. Distribute Local Union information as needed;
- G. Orient new employees to JMHP and APEA/AFT; and
- H. Work with APEA/AFT professional staff and provide all information obtained in the investigation of a grievance or complaint.

**ARTICLE VI
LOCAL UNION COMMITTEES**

Section 1 **Committee Appointments**

The Local Union President shall appoint the Chairs of all Local Union Committees, except the Nomination and Election Committee, and the Negotiation Committee, within fifteen (15) days of the Annual Membership Meeting.

Section 2 **Committee Membership**

All Committees shall be made up of a minimum of two (2) members, but at maximum half the total number of Members in Good Standing, and shall be open to all Members in Good Standing. Neither the Local Union President nor any Members in Good Standing seeking office may be members of the Nomination and Election Committee.

Section 3 **Standing Committees**

The Constitution Committee, Nomination and Election Committee, and Negotiation Committee shall be standing committees. All other committees shall be established on an ad hoc basis.

- Section 4 **Nomination and Election Committee**
- A. The Nomination and Election Committee shall provide for the nomination, election and certification of Local Union Officers and Negotiation Committee Members, and shall be custodians of all Local Union elections;
 - B. Shall obtain membership lists from APEA/AFT for the election to certify membership;
 - C. The Committee shall certify the election results in writing to the Local Union President within three (3) days of the election.

- Section 5 **Negotiation Committee**
- A. Members in Good Standing shall elect up to (3) members of the negotiating team. The Local Union President shall be an *ex officio* member of the Negotiations Committee. These elected members of the Negotiation Committee shall serve on the committee for the life of the contract which they participated in negotiating;
 - B. The Negotiation Committee is authorized by the membership to prepare and distribute to all Local Union Members in Good Standing within the bargaining unit a survey requesting input and guidance for any upcoming negotiations;
 - C. Modify the contract proposal during negotiations by directing the APEA/AFT spokesperson;
 - D. Reach tentative agreement on a contract proposal;
 - E. After ratification of a tentative agreement sign such agreement;
 - F. Declare impasse and call for a strike vote authorization;
 - G. Communicate with the Local Union membership concerning contract negotiations in accordance with negotiation ground rules; and
 - H. Approve Letters of Agreement during the life of the negotiated contract.

- Section 6 **Other Committees**
- Other Committees may be created by the Executive Board.

ARTICLE VII MEETINGS

- Section 1 **Membership Meetings**
- A. Membership meetings of the Local Union shall be held on a quarterly basis at a time designated by the Local Union President;
 - B. Members in Good Standing shall be given at least one (1) week's written notice of the meeting's date, time, and place; and
 - C. Written notice may be made by workplace bulletin board located in a universally accessible non-work area.

- Section 2 **Annual Membership Meetings**
- A. The Annual Membership Meeting shall be held in June;
 - B. Members in Good Standing shall be given at least one (1) week's written notice of the meeting's date, time, and place; and
 - C. Written notice may be made by workplace bulletin board located in a universally accessible non-work area.

Section 3

Special Meetings

- A. Special Meetings may be held as needed. Special Meetings will be convened by the Local Union President or by written petition from at least quorum of Members in Good Standing necessary to conduct business;
- B. There will be a two (2) day written notice of the topic meeting, as well as date, time, and place; and
- C. Written notice may be made by workplace bulletin board located in a universally accessible non-work area.

**ARTICLE VIII
QUORUM**

A quorum at all Membership, Annual, and Special Meetings shall require the presence of at least one-third (1/3) of all Members in Good Standing, and the Local Union President or Vice-President. The use of proxies will be allowed to achieve a quorum.

**ARTICLE IX
ELECTIONS**

Section 1

Initiation of Elections

The Nomination and Election Committee shall set a date for an election at least thirty-one (31) days before the date of the election.

Section 2

Notification of Election Date

- A. The Nomination and Election Committee shall notify members in writing that they are accepting nominations for a particular office at least thirty (30) days before the election; and
- B. The notice shall contain as a minimum: title of position; date, time and place of election; and rules for the election.
- C. Written notice may be made by workplace bulletin board located in a universally accessible non-work area, or by mail.

Section 3

Solicitation of Nominations

- A. Nominations will be opened thirty (30) days prior to an election of Local Union officers or negotiators and will need to be submitted in writing to the Chair of the Nomination and Election Committee or APEA/AFT Juneau Filed Office, who shall then deliver them to the Nomination and Election Committee;
- B. Nominations will close fifteen (15) days prior to the election; and
- C. If a candidate is unopposed at the close of nominations, a ballot will not be required, the committee shall cast one (1) vote for the nominee and the nominee shall assume office once the election has been certified.

Section 4

Preparation and Distribution of Ballots

- A. Ballots may be prepared and distributed to all Members in Good Standing present at

the Annual Membership meeting; or

- B. Ballots may be prepared and mailed to all Members in Good Standing, and
- C. Ballots will be prepared in such a manner as to insure their secrecy.

Section 5 **Collection of Ballots**

- A. A Ballot collection box will be available for Members in Good Standing to cast their ballot at the Annual Membership meeting;
- B. The ballot collection box will be overseen by the Nomination and Election committee; and
- C. Members will have the length of the Annual Membership Meeting, but not less than one-half (1/2) hour to cast their ballot.
- D. If the election is by mail, the committee shall determine and announce the deadline for returning ballots.

Section 6 **Counting of Ballots**

- A. At least two Nomination and Election Committee members will be present when any ballots are counted; and
- B. Write-in votes are only permitted in the absence of any qualified nominee for office.

Section 7 **Certification of Election**

- A. The Nomination and Election Committee shall certify in writing that the election was conducted in accordance with the Local Union Constitution and the Labor Management Reporting and Disclosure Act;
- B. The written certification shall be sent to APEA/AFT and held by the Secretary/Treasurer; and
- C. APEA/AFT representatives present at elections will sign the written certification as observers.

ARTICLE X

RECALL AND REMOVAL OF LOCAL UNION OFFICERS COMMITTEE MEMBERS AND EMPLOYEE REPRESENTATIVES

Section 1 **Officers and Committee Members**

An officer or committee member may be expelled from office or position for just cause provided:

- A. The Officer or committee member must be served with written specific charges;
- B. The Officer or committee member must be given notice of time and place of the Special meeting proceedings where he or she may address the charges;
- C. The Officer or committee member must be given thirty (30) days' time to prepare his or her defense, gather evidence and witnesses;
- D. The Officer or committee member must be afforded a full and fair hearing at the Special meeting;

- E. The Officer or committee member may be removed through a vote of two-thirds (2/3) of the Members in Good Standing at the Special meeting; and
- F. Just cause shall include any acts or omissions which the Local Union deems injurious to the Local Union and its good name as well as for false charges against their Officers or members; injurious acts or omissions shall include three (3) consecutive unexcused absences.

Section 2 **Employee Representatives**

- A. Employee Representatives may be removed by the President with a consenting vote from the membership at a Membership, Special, or Annual Membership meeting; and
- B. The President will provide the Employee Representative in writing the good cause reason for the request for removal; or
- C. The Membership can remove an Employee Representative, through written petition of two-thirds (2/3) of the current Members in Good Standing at a Membership, Special, or Annual Membership meeting.

**ARTICLE XI
VOTING**

Section 1 **Voting**

- A. The vote on all Local Union business, unless otherwise stated in this Constitution, may be taken verbally, by a show of hands, or by mail.
- B. At the request of three (3) Members in Good Standing present, the vote shall be by secret ballot; and
- C. Votes on all Local Union business, unless otherwise stated in this Constitution, shall require a simple majority vote.

Section 2 **Proxy Votes**

Proxy votes are allowed for verbal and show of hands elections.

**ARTICLE XII
RULES OF ORDER**

The proceedings of all meetings of the Local Union or its committees shall be governed by Robert’s Rules of Order.

**ARTICLE XIII
RATIFICATION OF COLLECTIVE BARGAINING AGREEMENTS OR STRIKE AUTHORIZATION**

Section 1 **Responsibilities of the Negotiation Committee**

- A. Within fourteen (14) days of reaching a tentative agreement or impasse for a collective bargaining agreement the Negotiation Committee shall provide all Local Union Members in Good Standing a copy of the tentative agreement or the employer’s final offer;
- B. Local Union Members in Good Standing will also be provided a comparison of old contract language and all proposed changes, and a written opinion specifying the

- pros and cons of the agreement;
- C. The Negotiation Committee will conduct a contract ratification vote at a Special meeting;
- D. The vote to ratify or not ratify tentative agreements shall be by secret ballot and shall be decided by the majority of votes cast; and
- E. If the Negotiation Committee has declared impasse and has motioned for a Strike Authorization Vote all Members in Good Standing may vote by secret ballot at a Special meeting and the motion shall be decided by the majority of votes cast.

**ARTICLE XIV
LOCAL UNION AFFILIATION**

Section 1 **Affiliation with APEA/AFT, and State and Local AFL-CIO Bodies**
The Local Union shall be affiliated and remain in good standing with:

- A. The Alaska Public Employees Association/AFT;
- B. The American Federation of Teachers;
- C. The Alaska State AFL-CIO; and
- D. Any local Labor Councils in the Juneau area.

Section 2 **Exclusive Representation**
The Local Union recognizes APEA/AFT as its exclusive representative for the purpose of administration of a collective bargaining agreement. The Local Union shall control the content of contract proposals and shall direct APEA/AFT as to concerns over the content of the collective bargaining agreement during negotiations.

Section 3 **Conflicts of Constitutions**
In the event that the JMHP Constitution language conflicts with the APEA/AFT or the AFT Constitution the APEA/AFT Constitution and AFT Constitution shall prevail.

**ARTICLE XV
CONSTITUTIONAL AMENDMENTS**

Constitutional Amendments shall require a two-thirds (2/3) majority vote of the Members in Good Standing at the Local Union Annual meeting.

**ARTICLE XV
CONSTITUTIONAL TRANSITION ELECTIONS**

Upon ratification of this Constitution, incumbent officers shall remain in office until officer elections are conducted in 2016.