

**BY-LAWS OF THE ALBUQUERQUE TEACHERS FEDERATION LOCAL 1420
AMERICAN FEDERATION OF TEACHERS AFL-CIO**

Revised December 15, 2009

**ARTICLE I
MEMBERSHIP AND DUES**

- Section 1. Membership in the Albuquerque Teachers Federation must be made on the official membership application. Qualifications for membership are: the status of a contractual teacher, full or part time. Retired teachers, who have served under contractual agreements, teachers who are presently on leave from contractual agreements, and other persons desiring membership may do so by petition to the Executive Council. (*Article III*)
- Section 2. Dues must be paid through deduction or in annual, bi-annual, or monthly installments at the beginning of said period directly to the Treasurer.
- Section 3. The dues structure shall be as follows:
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| Members of the bargaining unit with a full contract: | Regular dues |
| Members of the bargaining unit on a .5 to .9 contract: | ½ dues |
| Members of the bargaining unit in their second year of teaching: | ½ dues |
| Members of the bargaining unit on a .1 to .4 contract: | ¼ dues |
| Members of the bargaining unit in their first year of teaching: | ¼ dues |
| All other members (retired, on leave, etc.): | ¼ dues |
| Teachers on leave who are inactive in the Federation: | No dues |
- Section 4. The dues shall be from September 1 through August 31.

**ARTICLE II
ELECTIONS**

- Section 1. As required by the ATF Constitution, Article IV, election of officers will be governed by the election code as follows.
- A. Safeguards
1. All candidates must be treated equitably. Privileges extended to one candidate must be extended to all.
 2. The Union may not use any funds received from its dues, assessments or from any source to promote any candidate.
 3. A member has the right to support candidates of his/her choice without being subjected to penalty, discipline, interference or reprisal of any kind by the Local or any of its members.
- B. Nomination Procedures
1. The ATF must provide notice of the offices to be filled, the time and place for submitting nominations, and the date, time and place of election to all members in good standing not less than 60 days before said election.
 2. Notice of the election may be by mail, timely publication in the Union newspaper, or other effective means.
 3. Any member in good standing is eligible to run for any office, except for the office of president. Such candidates must have been a member in good standing of the Federation for one (1) year prior to running for that office.
 4. All candidates for office shall declare their candidacy by certified letter to the Secretary of the ATF no later than thirty (30) days prior to the election.
 5. The ATF shall inform candidates of rules and regulations controlling the election, upon each declaration of candidacy.

C. Campaign Rules

1. Candidates may run for office and campaign as slates of candidates or as individual candidates.
2. Each candidate is entitled to a copy of the most recent membership list. This list should contain membership by school, home address and phone number. Such a list must be provided within forty-eight (48) hours of the request. No request for a membership list may be made prior to 60 days before the election. Also, each candidate is entitled to one list of Federation Representatives at each site and one corresponding set of interschool mailing labels at no charge. If requested, additional lists and labels will be provided at cost to the candidate.
3. ATF must honor reasonable requests by candidates for such a list to distribute campaign literature, at their own expense, to members in good standing, whether the distribution is by mail or other means.
4. Campaign literature may be sent via inter-school mail, in which case the Federation Representative should impartially distribute all campaign literature to the members in his/her school.
5. No candidate may use any Union publication for campaign purposes. However, the Union website may be utilized to post candidate biographies and statements submitted to the ATF office, provided that this is done in a uniform, unbiased manner.
6. No staff member or employee of the ATF shall be involved in the production or dissemination of campaign material, nor shall the ATF office be used in any way as a campaign office for any candidate. Candidates will have equal access to use ATF office machines or equipment, but each must provide his/her own paper and supplies.
7. Also, candidates will be allowed use of the ATF postal bulk mail permit stamp to send campaign literature and material, provided that it is used in the ATF office during regular business hours. The candidate must pay for the postage of mail sent using the bulk mail permit stamp.
8. No staff member or employee of the ATF shall be involved in delivering campaign material for distribution through the U.S. Post Office or inter-school mail. This function may be only carried out by a declared candidate personally or by his/her designee.

D. Election Procedures

1. The election of officers of the Federation will be conducted by sending and receiving ballots via U.S. Mail.
 - a. For contested elections of ATF officers, a mail-in ballot will be sent to each union member in good standing at the time of the mailing.
 - b. The mailing will include a ballot and two envelopes: an inner envelope to contain the ballot, and an outer envelope to display identifying information for the purpose of verifying the voter's eligibility.
 - c. Office staff will receive mail-in ballots. After verifying voter eligibility and marking the voter's name on the master list, staff will place the ballots in a locked box at the ATF office.

- d. The mailing of ballots to members will occur at least two weeks prior to the election date—the first Tuesday after the first Monday in May.
 - e. An outer envelope containing a returned ballot must be postmarked before the election date to be valid. Ballots postmarked after the election date will be invalid.
 - f. A member will have the options of voting at the ATF office or delivering his/her ballot to the ATF office on or before the election day. All such ballots must be placed in the locked box by 6:00pm on the election day.
 - g. If a ballot is lost or has not been received by an eligible voter, he/she may vote at the ATF office, provided that his/her name is recognized on the master list, or the member presents the most recent pay stub showing ATF dues deduction, or is identified as a new member by ATF office personnel.
 - h. To ensure that ballots postmarked by the established deadline arrive via U.S. Mail at the ATF office, the vote count will take place at 5:00pm on the second Tuesday after the first Monday in May.
2. Candidates' names will be arranged on the ballot by office with candidates drawing lots for positions on the ballot.
 3. All handling of ballots from printing through final vote tabulation must be controlled by the election committee. Staff may assist with ballot preparation.
 4. Members may cast a vote for each at-large officer and for their constituent vice-president.
 5. The election committee shall oversee counting the ballots. It shall certify the results, and announce the elected officers immediately after the vote count is completed.
 6. Election to office, except for Elementary Vice-Presidents, shall be by a majority of the votes cast for each office. If no candidate receives a majority of the votes on the first ballot, a runoff election will be held between the two candidates receiving the most votes. In elections for ATF Elementary Vice-Presidents, the two candidates receiving the highest number of votes shall be deemed elected to the office.
 7. Each candidate is permitted to have two (2) observers at the ballot counting. A candidate may select as observers persons who are not part of the ATF bargaining unit, if so desired. A person eligible for ATF membership who is not an ATF member shall not be allowed to serve as an observer of the ballot counting.
 8. Ballots, both used and unused, envelopes used to return marked ballots, tally sheets and all related election documents must be kept on file for one (1) year.

Section 2. Election of AFT Convention Delegates

- A. The election of delegates shall be conducted on the third Tuesday of the month prior to the submission of the credentials list for the national convention.
- B. Notice of election of delegates shall be sent by US Mail to each member fifteen (15) days in advance of the election.
- C. Notice of call for nomination of delegates shall be sent to all members at least twenty-five (25) days before notice of the election is mailed.
- D. A secret ballot election is required under the Landrum-Griffin Act.

ARTICLE III MEETINGS

Section 1. Policy Changes

In all meetings where proposed Federation policy changes are to be presented to the membership, the nature and wording of such changes must be distributed to members at least seven (7) days before the meeting.

Section 2. Executive Council Meetings

A. Time

The Executive Council shall meet at least once a month throughout the calendar year. Time, date, and place of regular Executive Council meetings shall be announced to the Federation Representatives in an appropriate manner.

B. Special Meetings

Special Executive Council meetings may be called by order of the President or by a quorum of the members of the Council itself, provided that 12 hours advance notice is given to all its members.

C. Agenda and Minutes

The agenda for regularly scheduled Executive Council meetings and minutes of the previous meeting must be mailed to the members in time to be received the day previous to the meeting.

Section 3. Federation Representative Council

A. Federation Representative Council

Federation Representatives and The Fed Rep Council are defined in the ATF Constitution under Articles VII and VIII.

B. Council Membership

The Fed Rep Council shall consist of designated Federation Representatives and co-representatives as specified under Article VII, Section 1, 3 and 4 of the ATF Constitution.

C. Representation

1. As specified by Article VII of the ATF Constitution, members shall be elected from each work location.
2. Each work location shall elect one Federation Representative for each 20 members, or part thereof. They may also see fit to elect (2) co-representatives for each Federation Representative.
3. The name of each duly elected Federation Representative, as well as their corresponding co-representative(s), will be placed on file at the ATF office, along with the statement verifying the election results with the signature of the counter and at least one witness.
4. The Federation Representative Council may vote to seat Fed Reps and/or co-reps whose credentials are in doubt.

D. Meetings

1. A quorum will consist of a number of duly elected Fed Reps which is equal to 30% of the work locations from which there is a duly elected Fed Rep. Only duly elected Fed Reps or their properly selected co-reps may be counted for the quorum. (*Article VII, Section 1*)
2. The number of work locations will be determined by the Credentials Committee.

3. Fed Rep is defined in ATF Constitution Article VII and Article III, Section 3 of these bylaws. Co-rep is defined in ATF Constitution Article VII, Section 4 and Article III, Section 3 and of these bylaws.

E. Voting Procedures

1. Each duly elected Federation Representative from a certified work location is entitled to one vote.
2. A co-representative from the same certified work location may cast his/her ballot in lieu of the Fed Rep, should that Fed Rep be absent.

F. Election Procedures for Fed Rep

1. Elections will occur in the last month of the school year, as specified in the Constitution. (Article VII, Section 2)
2. Nominations will be made and posted prior to the election date.
3. If there is no existing Fed Rep, the members at the work locations shall appoint a temporary chairperson to oversee the election process.
4. All ballots shall be counted at the work location, provided it be done in the presence of witnesses.
5. Any ATF members at that location may challenge the result of the election.
6. Should the number of ATF members at the work location increase sufficiently to allow the addition of a Fed Rep and his/her corresponding co-rep(s), the election shall be held within 30 working days after verification by the ATF Credentials Committee.

G. Recall Procedures for Fed Rep

1. Should a situation arise where the members at a location decide that an elected Fed Rep is not fulfilling their role and/or accurately representing the ATF members, they may choose to follow the process and guidelines below to recall the Fed Rep in question.
2. This process may only be initiated by ATF membership of school or location.
3. A formal recall request must be made in writing, in the form of a petition. An ATF member may contact the ATF office to request an official recall petition form; the date of that request is the *date of origination*.
4. A petition signed by 50% + 1 of the membership at that location, as of 30 days prior to date on which the petition is originated, is required to pursue a recall vote. Only those who were active ATF members as of 30 days prior to the date on which the petition is initiated are eligible to sign in favor of a recall vote. The request must be submitted to the ATF president.
5. The ATF president will arrange a recall vote, to be held at that location, within 10 work days of the date upon which it was received. All ATF members will be asked to vote via secret ballot, as to whether or not the Fed Rep in question should indeed be recalled.
6. 75% of the membership must vote in favor of the recall for it to pass. Only those who were ATF members at least 30 days prior to the date of origination of the petition for a recall are eligible to vote.
7. In the event that the ATF membership at a location does indeed pass the recall vote, that Fed Rep position becomes vacant. The ATF president and/or staff will then coordinate a membership meeting at a future date to take nominations for a new election to fill that position.

H. Credentials Committee

1. The President shall appoint the Credentials Committee.
2. The Credentials Committee will consist of at least three duly elected Fed Reps, one from each level.

3. The Chair of the Credentials Committee shall be appointed by the president and shall act as sergeant-at-arms at all Federation Representative Council meetings.
4. The Credentials Committee shall review the results of each location's Fed Rep election.
5. The Credentials Committee shall be responsible for distributing the voting cards to the Fed Reps or their designated co-rep at each Fed Rep Council meeting.
6. The Credentials Committee shall be responsible for overseeing the list of duly elected Fed Reps and their properly selected co-reps.

ARTICLE IV ELECTED OFFICERS AND STAFF RELATIONS

- Section 1. All staff salaries are to be scaled to the Federation President's salary in such a manner as the Executive Council shall determine.
- Section 2. An annual review of all salaries is to be made providing for compensation based on cost of living, accomplishments, responsibilities and time spent. Consideration must be given to additional benefits such as insurance, retirement, travel, personal leave days, sick days, etc.
- Section 3. All staff members are directly responsible to the President, who reports to the Executive Council.
- Section 4. The President will submit staff evaluations to the Executive Council for input.
- Section 5. ATF staff members are NOT to be involved in a partisan manner in internal Union politics, whether at the Local, State or National level. Any violation of this provision shall be considered as grounds for immediate dismissal.

The following activities will be considered as political involvement:

- A. Lobbying ATF Executive Council members on a given issue.
- B. Lobbying AFT NM Executive Council members on a given issue.
- C. Lobbying AFT NM Convention Delegates on an issue or candidates for office.
- D. Lobbying for a certain individual to fill a vacancy on the Executive Council.
- E. Lobbying for or against an ATF member at the National (AFT) level.
- F. Acting in a partisan manner in a Federation election.
- G. Communicating internal business beyond the Local.

**ARTICLE V
CONSTITUENT COMMITTEES**

Section 1. In order to implement ATF Constitution Article V, Section 5, paragraph 1, there shall be three (3) constituent committees, one for each of the three levels (high school, middle school, elementary school).

Section 2. Membership

- A. The members of the constituent committee will consist primarily, but not solely, of the Fed Reps and co-Reps from the schools of those levels.
- B. Other interested Federation members may be active in the constituent committee of their level.

Section 3. Leadership

- A. In order that they may fulfill their duties as outlined in the ATF Constitution, the constituent vice-presidents will chair these committees.
- B. The two elementary vice-presidents may either co-chair or alternately chair the elementary committee.

Section 4. Purpose

- A. The purpose of the constituent committees is to facilitate the fulfillment of the duties of the constituent vice-presidents by communicating the needs and desires of the members in their constituency to the Executive Council.
- B. The constituent vice-presidents shall use their committees to organize these concerns and survey the constituency on what their relative priority should be.
- C. The constituent vice-presidents shall use their committees to write proposals, position and policy papers, form sub-committees and anything else which helps to communicate the needs and desires of the members in their constituency to the Executive Council and/or make it Federation policy.

Section 5. Record Keeping

- A. Agendas for all such meetings must be published in advance.
- B. Minutes shall be kept of all such meetings and submitted to the Executive Council by the constituent vice-president.

**ARTICLE VI
REQUIREMENTS FOR OBTAINING A WAIVER TO THE NEGOTIATED AGREEMENT**

Section 1. All unit-wide proposals for waivers to the negotiated agreement shall be approved by 2/3 vote of the Federation Representative Council. Such proposals shall be introduced at a regular council meeting, or a special meeting, and voted on no later than the next regularly scheduled meeting. Such proposals shall be published to the membership in an appropriate and timely publication.

- Section 2. In the event such request for waiver applies to an individual site, the waiver shall be granted if seventy-five (75) percent of union members at the affected site vote in favor of the waiver. Such a vote shall be conducted only after all members at that site have had the opportunity to review and debate the issue at a site meeting. ATF staff and officers shall be available to provide information and assistance in conducting such site meetings and publish the results to all members district wide.
- Section 3. Any proposal for contract waivers shall be published with explanations in a timely manner in an appropriate union publication.

***ATF By-laws Revised
by Executive Council Action
on December 15, 2009***