Article I – Name

The name of this organization shall be the East Williston Teachers’ Association

Article II – Purposes

The purposes of this Association shall be:

1. To promote the interests of public education and district education.
2. To advance the standards of the teaching profession as a whole, and within the school district.
3. To promote the general welfare of members.
4. To promote good relationships among the faculty, the Board of Education and the community as a whole.
5. To promote better understanding of educational problems among teachers and lay citizens.

Article III – Membership

Membership in the EWTA shall be open to all full and part-time unit members who pay dues to the EWTA, NYSUT and its national affiliates. Part-time teaching personnel must pay full EWTA dues and the amount specified by the affiliate organizations for part-time membership.

Article IV – Executive Assembly

Eligibility for membership in the Executive Assembly shall be limited to EWTA members in good standing.

Section 1
The Executive Assembly shall consist of four representatives and one Vice President from Wheatley: two representatives and one Vice President from Willets Road, two representatives and one Vice President from North Side. Representatives shall be elected in September by secret ballot within their schools. The number of representatives shall, in each school, be diminished by one or two, if the Secretary and/or Treasurer are from that school.

Section 2
The Assembly shall:

a. adopt an annual budget
b. set and collect dues
c. establish negotiation procedures
d. confirm chairpersons of committees
e. provide for the administration of elections
f. keep records
g. establish rules of procedure
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h. meet at least once every 60 calendar days
i. in the event of the President’s resignation or inability to carry out the duties of the office, name one of the Vice Presidents to succeed to the office
j. in the event of the President’s inability to be first delegate to a convention, provide for election of the same
k. meet only if six elected members or more are present

Section 3
The Assembly may:

a. establish permanent and temporary committees
b. call special meetings
c. appropriate additional funds as necessary

Section 4
All Executive Assembly meetings shall be open to all members in good standing of the East Williston Teachers’ Association and participation shall be subject to the rules of the Assembly.

Section 5
Any decision of the Executive Assembly can be overruled by a 2/3 referendum of the general membership. A motion for a referendum can be made at any general meeting provided for in Article 6, Section II of the Constitution.

Article V- Officers

Eligibility for election as an officer shall be limited to EWTA members in good standing.

Section 1

a. The President shall be elected in June by the general membership by secret ballot.
b. The Vice Presidents shall be elected in June by their respective schools by secret ballot.
c. The Secretary and Treasurer shall be elected in June by the general membership by secret ballot.
d. In the event of elevation of a Vice President to the office of President, or the resignation of a Vice President, a special election, for that position shall be held within that school building by secret ballot.

Section 2
The President shall:

a. chair all General Assembly meetings
b. chair all meetings of the Executive Assembly
c. be an ex-officio member of all committees
d. appoint chairpersons of all committees
e. see to it that the Constitution and the law determinations of the Executive Assembly shall be carried out
f. designate who shall chair meetings in the President’s absence or resignation
g. be first delegate to all association conventions
h. provide for nominating and election procedures consistent with law
Section 3
The President may:

a. call special meetings of the general membership and the Executive Assembly
b. vote on all procedural and substantive issues in the Executive Assembly

Section 4
The Vice Presidents, in addition to being voting members of the Executive Assembly, shall be liaison officers between the President and the membership of their respective buildings with respect to the President’s duties under Section 2.

Section 5
The Treasurer shall keep an accurate account of all Association finances for the fiscal year (which shall be from July 1st to June 30th) and report monthly to the Executive Assembly.

Section 6
The Secretary shall:

a. attend all meetings of the Executive Assembly and of the general membership
b. keep minutes of all meetings and distribute copies within a reasonable time to the general membership
c. be responsible for attending to all Association correspondence as directed by the President and the Executive Assembly

Article VI – General Meetings

Only EWTA members in good standing shall be entitled to attend membership meetings of any kind and vote upon any resolutions or other votes put to the membership at such meetings.

Section 1
Meetings of the general membership shall require a quorum of one-fourth of the membership.

Section 2
The Presidents shall call a general membership meeting upon petition by twenty members.

Section 3
The general membership shall ratify all contracts by a general membership majority vote.

Article VII – Elections

The East Williston Teachers’ Association shall have an Election Committee consisting of two members from each building in the district. The Election Committee shall consist only of EWTA members in good standing. These members shall be appointed by the President of the Association with the approval of the Executive Assembly.

The Election Committee shall set the date of the election of officers and representatives to the Executive Assembly. Such date shall be during the month of June.
It shall set a cut-off date for the submission of nominating petitions. The submission date shall be three weeks prior to the election date.

Members of the EWTA in good standing wishing to run for office may obtain a nominating petition from their building Vice President at least four weeks prior to the election. The required number of signatures shall be twelve.

The Election Committee shall post prominently in each building a certified list of candidates for office within three days after the submission date. Elections shall be by secret ballot in each building.

At the discretion of the Election Committee, primary and run-off elections may be held.

The Election Committee shall be responsible for preparing, distributing and counting ballots as well as conducting campaign procedures and The election committee shall also be responsible for the security of the elections.

Article VIII – Amendments

Only EWTA members in good standing shall be able to offer amendments to the Constitution and vote upon any proposed amendment.

Section 1
An amendment to the constitution may be introduced in writing at any meeting of the Executive Assembly or general membership by an active member of the Association a member of the EWTA in good standing and shall be presented for action with recommendations of the Assembly not later that the second regular membership meeting following the introduction of the amendment.

Section 2
Notices of the proposed amendment shall be posted in each building at least ten days prior to the meeting at which the amendment is to be voted upon.

Section 3
Amendments, when approved by a two-thirds vote of the membership by referendum, shall become a part of the Constitution.

Article IX – Retired Teachers Chapter

Section 1
A Retired Teachers’ Chapter shall be established within the EWTA for the purpose of:
   a. maintaining the ties of the professional unity between the active and retired teachers of the East Williston Union Free School District,
   b. representing and promoting the interests of the retired teachers, and
   c. providing a forum for the exchange of information of interest and benefit to the retired teachers and for the expression of their views.
Section 2
Membership shall be open to all members of the EWTA who retire from District service and who were members of the EWTA in good standing at the time of their retirement. The Retiree Chapter shall establish the rate of dues for membership.

Section 3
All privileges of membership in the EWTA shall apply to retired members with the exception of voting privileges.

Section 4
All members of the Retired Teachers’ Chapter of the EWTA shall simultaneously hold membership in the New York State United Teachers and the American Federation of Teachers on a retired member basis.

Section 5
The Retired Teachers’ Chapter shall annually elect a Chairperson and such other officers as may be necessary.

Section 6
The Chairperson of the Retired Teachers’ Chapter shall serve as a member of the Executive Assembly of the EWTA.

Article X – Ratification
This Constitution shall be established and or modified by a two-thirds majority of the membership by referendum.

Article XI – Good Standing
The term “good standing” shall mean that a member has paid all dues mandated by the EWTA, NYSUT and its national affiliates at the time the member seeks to invoke any right or privilege of membership in the EWTA.

Article XII – Membership
1. There shall be the following membership categories:
   a. Active. Active membership in the EWTA shall be open to any person, whose title is delineated in the collective bargaining agreement with the school district and who remains a member in good standing.
   b. Special (Retiree). Retiree membership in this organization shall be open to employees who have retired from active membership and who were members in good standing at the time of retirement.
2. Membership in good standing shall be maintained through the payment of all required dues.

3. Membership in good standing, as defined herein, is continuing during the period of a member’s employment in his/her job title. Membership is continuing for members that transfer to another job title also represented by the EWTA. Members that leave service for a period of up to two years or are placed on a voluntary or involuntary leave of absence for any length of time automatically have their active membership reinstated upon return to active service with the employer in a job title represented by the EWTA.

4. A member who wishes to revoke his/her membership must do so within the annual revocation period beginning on August 1st and ending on August 31st. A member who drops his/her membership at any other time during the year shall nonetheless be obligated to continue payroll dues deduction until the beginning of the next official drop period. Notice of intention to drop one’s membership must be made in writing by certified mail to the President of the EWTA.

5. A non-member may request reinstatement as a member of the EWTA at any time. The conditions of reinstatement of membership are as follows:

a. The non-member shall sign a membership enrollment form containing a payroll dues deduction authorization.

b. The Executive Board shall receive, consider and act upon all requests for reinstatement of membership. The Executive Board may reject an application for reinstatement if reliable evidence exists that the applicant has knowingly taken actions that were detrimental to the best interest of the EWTA.

For the period of non-membership, the non-member shall pay a reinstatement fee equal to the dues assessment for number of years of non-membership. The fee shall be prorated for periods of less than a full year. In addition, the non-member, upon re-entry shall be assessed an administrative fee of $250, to cover the costs of implementing the re-entry of the new member.

**Article XIII – EWTA Membership Rights**

In accordance with the applicable provisions of the Taylor Law, only members in good standing of the EWTA shall be entitled to representation by the EWTA, NYSUT and/or its affiliate organizations except that non-EWTA unit members shall be entitled to representation by the EWTA to enforce rights provided exclusively by the applicable collective bargaining agreement.

Non-EWTA unit members shall not be entitled to representation in matters covered by the Education Law and/or Commissioner’s Regulation and/or the Taylor Law, including, but not limited to:

- Education Law 3020-a (discipline of tenured teachers)
- Education Law 3019-a (notice of termination)
- Education Law 913 – (medical examinations)
- Education Law 2510/3013 – (layoff and recall)
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- Commissioner’s Regulations Part 83 (moral character complaints/revocation of certification)
- APPR appeals
- Proceedings before PERB.

Non-EWTA unit members shall not be entitled to representation in matters covered by the Civil Service Law including, but not limited to:
- Section 71-73 (ordinary disability and work-related disability leaves)
- Section 75 (discipline and discharge)
- Section 80 (layoff and recall)

Non-EWTA unit members shall not be entitled to representation in matters covered by other laws, regulations and agencies, including, but not limited to:
- Unemployment Insurance hearings
- FLSA/Wage and Hour Compliance
- Retirement System Advocacy
- Workers Compensation Claims
- Disability Claims
- NYS Division of Human Rights, EEOC claims
- FMLA and ADA claims.

Non-EWTA unit members shall not have the right to be represented by the EWTA at disciplinary hearings, meetings, or interviews with administrators, supervisors, lawyers or their agents that may lead to disciplinary action.

Non-EWTA unit members shall not have the right to access any EWTA, NYSUT or national affiliate benefit plan purchased by any of these parties whose eligibility is limited to membership in good standing in any of these organizations.

Non-EWTA unit members shall be ineligible to participate in any Union activity reserved for EWTA members in good standing or to participate in any social, collegial, professional or other such events conducted by or for the EWTA.

Non-EWTA unit members shall be entitled to representation in the grievance/arbitration process concerning any alleged violation of a contractually guaranteed right to the same extent as is provided to an EWTA member in good standing and shall be entitled to any benefit in the contract (e.g.s., insurance, leave time, etc.) as is provided to an EWTA member in good standing.

No part of this Constitution shall create a right to representation for any individual where he/she does not have one pursuant to law and/or the applicable collective bargaining agreement.

3/11/2020