

# Constitution for the United Faculty and Staff of UW-Whitewater

## Article I: Preamble

The United Faculty and Staff of UW-Whitewater (UWWU) exists to uphold the safety, quality, and academic integrity of the programs and employees of the University of Wisconsin-Whitewater. This includes robust support of the Wisconsin Idea, shared governance, excellent working conditions for those employed in the UW System, and solidarity with others in the quest for economic and social justice. We undertake this effort to better serve our students, our university, the State of Wisconsin, higher education, and ultimately, the common good.

## Article II: Objectives

The purpose of UWW United shall be to:

1. Advance the value of higher education, realize and protect shared governance, support academic freedom, and promote the commitment to public service and public value expressed in the Wisconsin Idea.
2. Maintain and enhance the safety and general welfare of UW-Whitewater and its students through the support of working conditions which foster excellence in teaching, scholarship, and service, including support of the UW Worker Bill of Rights (see Appendix A).
3. Serve as an effective advocacy body for the faculty and academic staff, by promoting democratic leadership, economic justice, social awareness, and solidarity with others. This includes increasing public awareness of the workload, standards, and responsibilities involved in being an academic professional.

## Article III: Membership

1. Membership shall be Active or Associate.
  - a. All UW-Whitewater employees serving as regular Faculty or Academic Staff are eligible to be Active Members. Employees who have access to privileged employment information, who have direct and singular authority of hiring and firing (this does not include tenured and tenure-track faculty who are eligible to serve on search committees), and employees who are eligible for representation by another union are not eligible for Active membership.

- b. Those eligible for Associate membership include all retired and/or emeritus Faculty and AS, employees on leave of absence, students, and UW-Whitewater employees holding an administrative position higher than unit chair. Department Chairs are eligible for Active membership.

2. No person among the Faculty or Academic Staff shall be denied membership, nor will UWW United discriminate against individual members on the basis of race, creed, sex, sexual orientation, gender identity, disability, social, political, or economic status, or national origin.

3. Active Members pay dues to the UW-Whitewater American Federation of Teachers local unit and are eligible to hold offices in UWW AFT, vote in elections, and actively participate in membership meetings. Associate Members who are not current UWW Faculty or Academic Staff must be approved by the Executive Board. Associate Members pay dues, are invited to open meetings, and may participate in meetings when recognized by the presiding officer. They are not eligible to hold offices or to vote in UWWU elections or meetings.

4. Active and Associate Members who have missed a monthly dues payment will be notified, and arrangements discussed to remedy the shortfall. After three months of lapsed dues, the Executive Board may declare a member to no longer be an Active or Associate Member of UWWU.

#### **Article IV: Officers**

1. **Officers:** The organization will elect the following general officers

- A. President
- B. Vice President
- C. Membership and Recruitment Coordinator
- D. Recordkeeper and Treasurer

2. **Terms and Timing:** Each term of office will be for two years, with the exception of the inaugural election, where the President and Membership and Recruitment Coordinator will serve one-year terms. Incumbents are eligible for reelection. Transition to new officers will take place on July 1.

The first elections will take place no later than 6 weeks after the adoption of this constitution

3. **Eligibility and Nominations:** Those eligible for election must be Active Members in good standing, and, except for the initial election, must have been members of UWWU for at least one year. Nominations for office can be secured by individuals interested in serving by collecting the signatures of 15% of the UWWU membership. Additionally, nominations from the floor may be made at a membership meeting held after Spring

Break. Nominations from the floor require a second and the affirmative acceptance of the individual nominated.

**4. Conduct of Elections:** An Elections Committee, consisting of three members appointed by the President and approved by the Executive Board, will conduct UWWU elections and certify results. This committee will notify all Active Members of the candidates by email, sent at least two weeks prior to the election. Associate Members and Affiliates of UWWU will also be informed about who is on the ballot via email. Elections will take place at the last regularly scheduled membership meeting of the academic year and will be conducted by secret ballot, which may be conducted electronically. If there is no majority result for an office, the individual with the lowest number of votes will drop out of contention and the election will be re-run with the remaining nominees. This process will be repeated until one candidate secures a majority of votes. Results will be sent promptly to all Active Members, Associate Members, and Affiliates of UWWU by the Elections Committee.

**5. Resignation/Filling Vacancies:** In the case of resignation or other vacancy, a special election will be held to fill the office in question as soon as possible, with the winner serving out the remainder of the term. If the Presidency is vacant, the Recordkeeper/Treasurer will serve as Acting President until the special election is completed. For the other leadership positions, the President is empowered to appoint someone to fill the vacancy in an Acting capacity with the approval of the Executive Board, until an election can be held.

**6. Removal from Office:** A petition for recall with signatures of 25% of the Active Members will trigger a special election. There must be a general membership meeting intervening between the submission of the petition and the special election, so that the members may discuss the reasons for and against the recall.

## **Article V: Duties of Officers**

### **1. President**

- A. Serve as presiding officer at all meetings of the members and the Executive Board
- B. Serve as the official spokesperson of UWWU
- C. Communicate regularly with Active and Associate Members
- D. Supervise union activities, including the work of other officers, the Executive Board, and Stewards
- E. Serve as Liaison to the Faculty Senate and Academic Staff Assembly, and lead communications with administration.
- F. Carry out other duties to support the UWWU mission
- G. Assign and delegate responsibilities to officers, the Executive Board, Active Members, and any active issues committees.
- H. Serve as a delegate to the AFT and AFT Wisconsin conventions

- I. Write an annual report disseminated to Active Members, Associate Members, and Affiliates of UWWU

## **2. Vice President**

- A. Work with the President to oversee operations of UWWU and execute the duties and responsibilities of the President, as outlined above
- B. The Vice President is a voting member of the Executive Board

## **3. Membership and Recruitment Coordinator**

- A. Encourage growth in the number of Active Members
- B. Implement membership/recruitment portion of the organizing plan for the union
- C. Chair the Membership and Recruitment Committee
- D. Coordinate the activity of the Stewards
- E. Communicate and consult regularly with Affiliates of UWWU
- F. Oversee the work of unit representatives
- G. Perform other duties deemed appropriate by the President and Executive Board
- H. Serve as a delegate to the AFT and AFT Wisconsin conventions

## **4. Recordkeeper and Treasurer**

- A. Maintain records of UWWU, including meeting minutes and financial reports
- B. Be the custodian of the UWWU constitution and other organizational materials
- C. Prepare and distribute accurate minutes of meetings of the membership and the Executive Board
- D. Be the primary financial officer of UWWU
- E. Prepare a yearly financial report for UWWU

## **Article VI: Executive Board**

**1. Composition:** The Executive Board shall consist of the four officers of UWWU and one representative from each of UW-Whitewater colleges: Arts and Communication, Education and Professional Studies, Letters and Sciences, Business and Economics, and Integrated Studies. Elections to the Board will take place at the same meeting as elections of the Officers. Nominating and volunteering for positions on the Executive Board can occur by email or in person at the membership meeting when elections are to take place. Board members serve one-year, renewable terms. A quorum of the Executive Board shall be a majority of the filled seats.

Each member votes for the staff and faculty positions open in his/her college regardless whether the voter is faculty or staff. When there are multiple seats open (in cases where positions were added to a college due to lack of membership in one or more of the colleges), voters select that number of candidates from among those who accepted nominations. If there are not enough nominated members to fill the available staff or

faculty positions within a college, they are left open (unfilled staff positions, for example, do not become additional faculty positions).

**2. Duties:** The Executive Board shall

- A. Determine the policies and actions of the union in accordance with this constitution
- B. Meet at least monthly during the fall and spring semester
- C. Create standing or ad hoc committees necessary to carry out union business
- D. Designate chairs of standing or ad hoc committees
- E. Plan a yearly budget for UWWU
- F. Carry out decisions of the majority of the Board
- G. Place voting issues on the agenda for membership meetings
- H. Consider and approve a yearly organizing plan

**3. Meetings:** Any three members or the president may call for a meeting in addition to the regular monthly meeting. The President will distribute a meeting agenda prior to the meeting and call for additional items for consideration from the Executive Board.

#### **Article VII: Stewards**

Active members in each department or program may choose at least one Steward from among themselves for a renewable one-year appointment; if there is only one Active Member in a unit, that person may be the Steward. Stewards are to be the primary point of contact and advocacy for UWWU within their department and encourage the growth of Active membership. They will relay information from Active Members and Affiliates of UWWU to the Executive Board. All Stewards are welcome to attend Membership and Recruitment Committee meetings.

#### **Article VIII: Membership Meetings**

**1. Powers and Responsibilities:** The primary legislative power of UWWU shall be vested in the membership. Action items and elections require a simple majority vote of the membership. The membership shall receive and approve committee reports and develop resolutions to guide policy for the UWWU.

**2. Meeting Frequency and Quorum:** A membership meeting shall be held at least once per academic semester at a place and time determined and publicized at least 10 days in advance. The President, a majority of the Executive Board, or a petition of 15% of the Active Members may call a meeting in addition to ones that are regularly scheduled. A quorum for business at any membership meeting is 20% of the total Active membership.

In the event that a meeting(s) need to be called to discuss or act on urgent business, the President, a majority of the Executive Board, or a petition of 15% of the Active Members

may call such a meeting with less than 10 days notice. This meeting does not replace the normal membership meeting.

**3. Agenda and Referenda:** The Executive Board will be responsible for finalizing an agenda for membership meetings, with an initial agenda proposed by the president. Any petition item signed by at least 15% of Active Members will be placed on the agenda; any referendum proposal signed by at least 25% of Active Members will be discussed and, if a majority of the membership present wishes to vote on the item, voted on.

**4. Presiding Officer and Rules of Order:** The UWWU President is to be the presiding officer of the membership meetings. In case of the temporary absence or incapacity of the President, the Recordkeeper/Treasurer will preside over the membership meeting. Robert's Rules of Order will govern the organization's processes, its Executive Board, and its committees.

#### **Article IX: Committees**

**1. Elections:** The Elections Committee is responsible for running each election for candidates and for member decisions.

**2. Membership and Recruitment:** The Membership and Recruitment Coordinator serves as Chair of the Membership and Recruitment Committee. The responsibilities of this committee are to implement the recruitment plan of the Coordinator, to increase membership in UWWU, to retain members, and to maintain visibility of the organization among the Faculty and Academic Staff.

**3. Ad hoc Committee(s):** The president and a majority of the Executive Board may convene special committees to address or lobby on specific issues or emergencies pertaining to the faculty/staff. The makeup of such committees will be determined by the Executive Committee and ratified by a majority vote of the regular members.

#### **Article X: Ratification of this Constitution and Amendments**

Ratification of this constitution will require majority approval of the membership. Subsequent amendments to this document may be proposed by a majority of the Executive Board or introduced by a petition of 30% of the Active Members of UWWU. Amendment language must be clear and indicate whether any current clause of this constitution will be changed. The proposed amendment and explanation for its passage should be distributed to all Active Members at least 15 days in advance of a membership meeting on which a vote would be taken. Adoption of amendments requires a two-thirds majority of the Active Members at a membership meeting.

# Appendix A

## THE UW WORKER BILL OF RIGHTS: STANDARDS FOR THE WORKERS WHO MAKE PUBLIC HIGHER EDUCATION WORK IN WISCONSIN

### Preamble:

The Constitution of the State of Wisconsin provides for “the establishment of a state university at or near the seat of state government, and for connecting with the same, from time to time, such colleges in different parts of the state as the interests of education may require.” And state law furthermore calls on the University of Wisconsin “to develop human resources, to discover and disseminate knowledge, to extend knowledge and its application beyond the boundaries of its campuses, and to serve and stimulate society by developing in students heightened intellectual, cultural, and humane sensitivities, scientific, professional and technological expertise, and a sense of purpose.” All who work in the University of Wisconsin System thus contribute to what has come to be known as the Wisconsin Idea—the pursuit of truth and the quest to educate our students and the communities where we live. Hence the conditions under which we work are directly related to knowledge creation, undergraduate and graduate instruction, and public outreach. We assert that for our university to be an environment where scholarship and learning can thrive, it must also be equitable. To that end, the AFT-W Higher Education Council affirms the following ten rights as fundamental:

### The UW Worker Bill of Rights:

1. The right to an affordable, high-quality, publicly funded UW System
2. The right to meaningful shared governance
3. The right to academic freedom
4. The right to stable employment and reasonable notice
5. The right to due process
6. The right to fair pay
7. The right to affordable healthcare
8. The right to affordable childcare and paid family leave
9. The right to an inclusive workplace, equity, and affirmative opportunities
10. The right to organize in a labor union and collectively bargain

### 1. The right to an affordable, high-quality, publicly funded UW System

Over the past decade, the most drastic budget cuts since the formation of the UW System, combined with a tuition freeze, have caused instability and uncertainty at campuses across the system. All university workers serve in the interests of the entire state’s citizenry. Thus, both the university workers and the public have the right to a fully funded tuition freeze and restoration of the UW System funding that has been lost.

Currently, state funding on a per capita basis is below \$7,000 per full time equivalent (FTE) student, the lowest it has been since the establishment of the UW System in 1973. To restore funding even to Republican Governor Tommy Thompson's last budget (2001), the state should budget for at least \$10,000 per student.

## **2. The right to meaningful shared governance**

A university is a community, and all workers should have access to meaningful shared governance that goes beyond merely an "advisory" role. Our universities should model the democracy we expect our society to be. All university workers, in addition to students, have the right to meaningful academic governance that adheres to the principles of the American Association of University Professors (AAUP) on academic freedom. Meaningful shared governance considers that "the variety and complexity of the tasks performed by institutions of higher education produce an inescapable interdependence among governing board, administration, faculty, students, and others. The relationship calls for adequate communication among these components, and full opportunity for appropriate joint planning and effort."

Note, however, that the right to shared governance does not supplant the labor rights that all university workers enjoy (see right #10).

## **3. The right to academic freedom**

All employees who teach or do research have the full right to academic freedom as per the guidelines of the AAUP's 1940 statement on academic freedom. No university worker should be fired or disciplined for legitimate academic activities or for extramural or intramural speech, as recognized by the AAUP's 1994 statement on freedom of expression and campus speech codes.

## **4. The right to stable employment and reasonable notice**

While there are exceptional circumstances in which an instructor and the university might mutually benefit from a short-term relationship (e.g., teaching one class), all university workers have the right to continuous contracts following a reasonable probationary period. Temporary contracts should not be used as a permanent means to pay less, reduce benefits, halt professional growth, or diminish voice in the workplace. No university worker should be forced into a continuing series of temporary contracts. Any appointment to a position with new duties should come with enough notification so that the worker has adequate time to prepare. Similarly, any cancellation of courses should come with enough notification so that the worker has adequate time to pursue other employment opportunities.

## **5. The right to due process**

All those who work in the UW System have a right to "just cause" for termination or release from a contract. In order to enforce this right, all workers must have access to meaningful due process procedures, some portion of which is outside the control of



campus administration. In the event of a financial emergency or verifiable educational consideration that leads to termination without “just cause,” these campus workers are entitled to severance pay commensurate with their level of professional credentials and length of service at the university.

#### **6. The right to fair pay**

All university workers deserve fair pay for their labor, and fair pay means at a minimum being able to live on one’s wages. All university employees should make at least \$15/hour with regular raises tied to cost of living increases. Moreover, since high-quality learning experiences and innovative research almost always result from collaborations that are impossible to measure, campuses should prioritize internal equity over so-called “market value” in setting wages, salaries, and benefits for their workers.

#### **7. The right to affordable healthcare**

We cannot expect dedicated commitment to the university mission, including excellence in knowledge creation and instruction, if workers are not physically and mentally well. Universities must provide free or affordable high-quality healthcare for all university workers.

#### **8. The right to affordable childcare and paid family leave**

We expect our university workers to commit to the campus and the community in which the campus is located. To facilitate this commitment, all UW campuses should make high-quality, affordable childcare available to all. All university workers are also entitled to twelve weeks of paid, job-protected family leave to bond with a new child, care for a loved one with a serious health condition, or help relieve family pressures when someone is called to active military service.

#### **9. The right to an inclusive workplace, equity, and affirmative opportunities**

Although Civil Rights law protects all university workers against discrimination on the basis of “race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 or older), disability or genetic information,” our public universities in Wisconsin have a particular obligation to ensure that historically marginalized groups have equitable conditions and opportunities on campus. University workers have the right to a workplace that takes affirmative steps to ensure equality regardless of race, gender identity, sexual orientation, citizenship status, and other marginalized identities.

#### **10. The right to organize in a labor union and collectively bargain**

The first amendment of the U.S. Constitution and state law already protect university workers’ freedom to form labor unions, but this should be extended to include all of the same rights that private sector workers enjoy under the National Labor Relations Act. Ultimately, legislators need to amend state law accordingly, but in the interim individual chancellors should partially extend these rights by agreeing to meet-and-confer relationships with different worker constituencies on campus.

