

# CONSTITUTION OF THE UNIVERSITY OF DETROIT MERCY PROFESSORS' UNION

(Amended 1975 Amended multiple times; Amended 2002; Amended 2020)

## ARTICLE 1: NAME

**Section 1:** The name of this organization (a non-profit corporation organized under the laws of Michigan) shall be the University of Detroit Mercy Professors' Union (hereinafter referred to as the UDMPU), an affiliated unit of the Michigan Education Association (hereinafter referred to as the MEA) and the National Education Association (hereinafter referred to as the NEA).

## ARTICLE 2: PURPOSE

**Section 1:** To enable members to speak with a common voice in matters of University policy pertaining to the profession and to present their common interests before the Board of Trustees and other legal authorities as provided by law.

**Section 2:** To unify and strengthen the faculty by securing and maintaining the salaries, retirement, tenure, and other working conditions necessary to quality teaching and research, including through collective bargaining, and the promotion of the professional growth of its members.

**Section 3:** To develop and promote the adoption of such ethical practices, personnel policies, and standards of preparation and participation as mark a profession.

**Section 4:** To work for the welfare of the University of Detroit Mercy, its employees, and its students, the advancement of education, and the improvement of instructional opportunities for all.

## ARTICLE 3: MEMBERSHIP

**Section 1:** All full-time faculty members employed full time as of 16 August 1975, and any time thereafter, at the University of Detroit Mercy in the School of Architecture, College of Business Administration, College of Engineering and Science, College of Health Professions and McAuley School of Nursing, College of Liberal Arts and Education, and all full-time professional librarians serving in a non-supervisory capacity as defined by the National Labor Relations Act, may, upon payment of dues herein described, become members of the Union with full rights and privileges of membership.

**Section 2:** Members who meet the requirements established by the MEA for the payment of dues shall be considered active members in good standing and shall be entitled to the rights, privileges and benefits of membership.

**Section 3:** Active members of the UDMPU shall also be members of the MEA and the NEA.

**Section 4:** The President, Provost, Vice-Presidents, Associate and Assistant Vice-Presidents, Deans, Associate and Assistant Deans, and other administrative employees (excepting full-time faculty serving as department and program chairs, directors and/or coordinators of programs, administrators at the University and college/school level and libraries) shall not be eligible for membership in the UDMPU.

**Section 5:** No member of the UDMPU shall be censured, suspended or expelled without a due process hearing conducted by the Board of Directors of the UDMPU. A member may appeal the decision of the UDMPU Board of Directors to the MEA Board of Reference.

#### **ARTICLE 4: OFFICERS OF THE UDMPU**

**Section 1:** The elected officers of the organization shall consist of a President, a Vice President, a Secretary, and a Treasurer. These elected officers shall constitute the voting members of the Executive Committee of the organization.

**Section 2:** Terms of office for all elected officers in Section 1 shall be two years and shall commence on the date of May 1 following local elections.

**Section 3:** No officer shall be eligible to serve in more than one position named in Section 1.

**Section 4:** The Contract Maintenance Officer and the Grievance Officer shall serve as *ex-officio* members of the Executive Committee.

**Section 5:** No person shall be a candidate for officer or hold an officer position, whether elected or appointed, unless they are an active member in good standing. Any officer, whether elected or appointed, who does not maintain active membership in good standing shall be removed from office after notice and opportunity to return to good standing within 30 days.

#### **ARTICLE 5: MEA/NEA/MAHE REPRESENTATIVES**

**Section 1:** There shall be one (1) elected representative and one (1) elected alternate for each one hundred fifty (150) active members and/or major fraction thereof within the UDMPU to the Michigan Education Association Representative Assembly (MEA-RA). The terms of office shall be two years, and shall commence on the date of May 1 following local elections. Each MEA-RA delegate shall also serve as a Region Council delegate.

**Section 2:** There shall be one (1) elected representative and one (1) alternate elected from the general membership to the Michigan Association of Higher Education (MAHE) Board. The terms of office shall be two years, and shall commence on the date of May 1 following local elections.

**Section 3:** There shall be one (1) elected representative and one (1) elected alternate for each one hundred fifty (150) active members and/or major fraction thereof within the UDMPU to the National Education Association Representative Assembly (NEA-RA). The terms of office shall be two years, and shall commence on the date of May 1 following local elections.

**Section 4:** Only duly elected alternates shall be designated to fill vacancies in the offices of the MAHE, MEA-RA, NEA-RA delegates.

**Section 5:** The representation of Minority Persons, 3-1G, shall be in compliance with the constitutions and bylaws of the National Education Association and the Michigan Education Association. In the event that the representation of Minority Persons, 3-1G, is less than required by the constitutions and bylaws of the MEA and NEA, the Board of Directors shall establish rules and procedures to ensure proportionate ethnic minority representation. Minority Persons, 3-1(g) and representatives of Minority Persons, 3-1(g) shall be defined in the MEA Bylaws.

## **ARTICLE 6: BOARD OF DIRECTORS**

**Section 1:** There shall be a governing body known as the Board of Directors, which shall consist of the following:

- A. The officers named in Article 4, Section 1, whose terms of office shall be as stated in Article 4, Section 2.
- B. Delegate(s) to the MEA Representative Assembly as stated in Article 5, Section 1.
- C. Delegate(s) to the MAHE Board as stated in Article 5, Section 2.
- D. Delegate(s) to the NEA Representative Assembly as stated in Article 5, Section 3.
- E. One elected unit representative for every 30 members or fraction thereof from the following units: School of Architecture, College of Business Administration, College of Engineering and Science, College of Health Professions & McAuley School of Nursing, College of Liberal Arts and Education, and Libraries. Terms of office for all unit representatives shall be two years, and shall commence on the date of May 1 following local elections.
- F. The Contract Maintenance Officer and the Grievance Officer, who shall serve as *ex-officio* members of the Board of Directors. The appointment and terms of office for these positions shall be as indicated in the Bylaws.

**Section 2:** Any member of the Board who is absent without proper justification from three consecutive regularly scheduled meetings of the Board may no longer be considered a member of the Board, and the position may be declared vacant by a majority vote of the Board. Vacancies in officer

positions shall be filled by the Board for the remainder of the unexpired term except for a vacancy in the office of the President. If the Presidency is vacated, the Vice President shall preside until the next regular election. Vacancies in the position of MAHE, MEA, or NEA Representative Assembly delegate(s) shall be replaced by the duly elected alternate(s). Vacancies in office from unit representatives shall be filled by special election in that unit within 30 days of notification of the unit, failing which the Board shall attempt to fill the position for the remainder of the term.

**Section 3:** The representation of Minority Persons, 3-1G, shall be in compliance with the constitutions and bylaws of the National Education Association and the Michigan Education Association. In the event that the representation of Minority Persons, 3-1G, is less than required by the constitutions and bylaws of the MEA and NEA, the Board of Directors shall establish rules and procedures to ensure proportionate ethnic minority representation. Minority Persons, 3-1(g) and representatives of Minority Persons, 3-1(g) shall be defined in the MEA Bylaws.

## **ARTICLE 7: COMMITTEES**

**Section 1:** Committees of the organization shall include the following three categories: Standing committees, Ad Hoc committees, and Professional Negotiating Committee. The enumeration of these categories is as follows:

- A. **Standing Committees:** The list of standing committees shall be as follows: Grievance committee, Elections committee, and Audit committee. The membership, charges and responsibilities of each standing committee shall be as outlined in the Constitution and Bylaws. These committees shall report directly to the Board of Directors regarding their deliberations.
- B. **Ad Hoc Committees:** Ad hoc committees shall be created by the Board of Directors to address ongoing short-term issues and concerns raised by deliberations of the Board of Directors or general membership. The membership, charges and responsibilities of each ad hoc committee shall be established at the time of creation of the committee. These committees shall report directly to the Board of Directors regarding their deliberations.
- C. **Professional Negotiating Committee:** The Professional Negotiating Committee (hereinafter called the PNC) shall be established when the Union is to enter into negotiations with the employing unit for purposes of establishing a legally binding agreement. The membership, charges and responsibilities of the PNC shall be as defined in the Bylaws.

**Section 2:** All committees shall operate in a manner consistent with the Bylaws.

## **ARTICLE 8: DIRECT LEGISLATION**

**Section 1:** The rights of popular initiative shall rest with the active membership in good standing of the association. Upon receipt of a petition signed by 15% of the membership of the Union, the Secretary

shall announce a general election or ballot as indicated on the petition within fifteen (15) calendar days for the purposes presented in the petition. A majority of the total active membership in good standing shall be required for its adoption, which shall take effect thirty (30) days later.

**Section 2:** The rights of referendum shall rest with the active membership in good standing of the association. Upon receipt of a petition signed by at least fifteen percent (15%) of the active membership in good standing of the association, the Secretary shall announce a general meeting or ballot as indicated on the petition within fifteen (15) calendar days for the purposes presented in the petition. A majority of the total active membership in good standing shall be required for its adoption, which shall take effect thirty (30) days later.

**Section 3:** The right of recall of all elected positions shall rest with the electing body. Upon receipt of a petition signed by at least fifteen percent (15%) of the membership in good standing of the electing body, the Secretary shall announce a general meeting or ballot by the electing body as indicated on the petition within fifteen (15) calendar days for the purposes presented in the petition. A majority of the total active membership in good standing shall be required for its adoption, which shall take effect thirty (30) days later. Delegates to the MEA Representative Assembly may only be recalled for just cause.

**Section 4:** Petitions shall be filed with the Secretary. However, if the Secretary is the subject of the petition, the petition shall be filed with the most senior member (determined by years of service to the Board) of the governing body not subject to the petition.

## **ARTICLE 9: MEMBERSHIP AND FISCAL YEAR**

**Section 1:** The fiscal years shall be July 1 through June 30.

## **ARTICLE 10: AUTHORITY**

**Section 1:** The latest edition of Robert's RULES OF ORDER shall be the authority on all questions of procedure not specifically stated in this constitution.

**Section 2:** Any part of this constitution that is in conflict with the MEA or NEA constitution and bylaws will be declared null and void.

## **ARTICLE 11: AMENDMENTS**

**Section 1:** Amendments to this Constitution may be introduced by the membership by petition signed by fifteen percent (15%) of the total active membership in good standing and submitted to the

Secretary. Amendments to the Constitution may also be introduced by the Board of Directors. These proposed amendments shall be acted upon at a subsequent meeting of the membership in good standing or by ballot within at least sixty (60) days of submission. A copy of the proposed amendment, together with the recommendation of the Board of Directors, shall be sent to each member of the Union in good standing at least fifteen (15) days prior to voting. Provided that the total number of these voting is not less than half the total membership, a two-thirds affirmative vote of those voting is required to adopt the proposed amendment, which shall become effective immediately upon adoption unless otherwise provided.

## **ARTICLE 12: DISSOLUTION**

**Section 1:** In the event of dissolution of the association, any assets remaining, after the payment of all expenses, shall be distributed to its successor so long as the successor is affiliated with the Michigan Education Association or to the Michigan Education Association, a Michigan nonprofit corporation exempt from tax under Section 501(C)(5) of the Internal Revenue Code of 1986.