

**CONSTITUTION & BYLAWS**  
Austin Community College (ACC)/American Federation of  
Teachers Local 6249

**ARTICLE I**  
**Name**

This organization shall be known as ACC/AFT, Local #6249, affiliated with Texas AFT, AFT, AFL-CIO.

**ARTICLE II**  
**Objectives**

The purpose of this organization shall be:

Section 1. To promote the welfare of employees and students and the advancement of community college education in the public interest;

Section 2. To promote the highest standards of teaching and professional services in higher education;

Section 3. To obtain for employees their rightful voice in shaping educational policy and establishing the conditions under which they work;

Section 4. To promote the welfare of employees by obtaining full and just compensation, including but not limited to, wages and benefits for their efforts;

Section 5. To encourage fiscal sustainability of the College and responsible expansion of its tax base;

Section 6. To unite the faculty and staff of ACC into one broad and inclusive federation for mutual assistance and cooperation;

Section 7. To secure full trade union rights, including the right to exclusive recognition and collective bargaining for all employees who are eligible for membership.

Section 8. To promote democracy, equality, civil rights, civil liberties, academic freedom, political engagement, and trade unionism in the organization, ACC and in the society at large.

Section 9: To promote a cooperative and collaborative working environment free of bullying and harassment.

Section 10: To promote diversity, equity, and inclusion in the workplace.

## **ARTICLE III Membership**

Section 1. Membership in this organization shall be open to all full and part-time employees of ACC, except administrators.

Section 2. No person shall be denied membership, nor shall this organization ever discriminate against individual members or applicants for membership on the basis of race, ethnicity, color, creed, sex, pregnancy, age, religion, sexual orientation, gender identity, physical and mental disability, social, political, or economic status, employment status, ancestry, national origin, or immigration status,

Section 3. Members who are in good standing at the time they retire may retain membership in the organization by paying retiree dues beginning the month following their retirement. The Executive Board shall establish guidelines for retiree membership, dues, and participation in the local in the form of a retiree chapter, in accordance with AFT guidelines.

Section 4. Associate Membership:

- a. Shall be subject to the approval of the Executive Board;
- b. Shall not be entitled to vote, hold office, or serve on committees;
- c. Shall be persons not eligible for full membership in any other AFT affiliate;

Section 5. A member in good standing is defined as a member who is current in the payment of dues to the organization. A member shall be notified when they are 30 days delinquent in dues. A member who is in more than 60 days delinquent in dues payment shall be a member in bad standing and shall be promptly notified of such status. A member will be removed from membership with notice, following 90 days of dues nonpayment, unless a plan to pay back dues is made and approved by both the Executive Board.

**ARTICLE IV**  
**Election of Officers**

Section 1. Elections shall be conducted in accordance with the AFT Constitution and the standards set out by the Labor-Management Reporting and Disclosure Act (LMRDA).

Section 2. Officers shall be elected in October of odd years. The terms of office for the President, the Treasurer and Secretary shall be 2- years. The organization will elect the following officers:

1. President
2. Secretary
3. Treasurer

Section 3. To be eligible to run for of President, Secretary, and Treasurer a person must be a member in good standing for 2-years prior to the date of the election.

Section 4. The Elections Committee shall consist of three members, who have been in good standing of the organization for a period of six months prior to the date of the elections. The members of Elections Committee shall be nominated by the President with the approval of the Executive Board. The Elections Committee shall elect its chair. Any member of the Elections Committee seeking elected office must vacate their position and be replaced by a new member nominated by the President and approved by the Executive Board.

Section 5. During odd-numbered year, The elections Committee will be formed by August 1. By August 15, the Elections Committee shall notify all members of the opening of nominations for officers, the offices to be filled and the date of the election.

Section 6. Nominations for office will be taken for the 30 days of the month of September. Nominations will be received by the Elections Committee by September 30 through electronic mail.

Section 7. Candidates will be provided with contact information for all members in good standing provided by the Secretary in cooperation with the Elections Committee including, but not limited to, phone, email, mailing addresses, and employee classification. Candidates may not use any lists of contact information previously provided to them by the local.

Section 8. The Elections Committee shall then conduct an election electronically for officers during a 10-day period prior to October 15. The majority of the ballots cast shall determine the outcome of the election.

Section 9. In the absence of a majority the Elections Committee shall conduct a run-off election between the two candidates who have received the most votes for the office/s in question.

Section 10. Challenges and objections to the election must be submitted in writing, with a statement supporting reasons that include specific facts as well and any documentation, to the Elections Committee within five days of the count. The Elections Committee shall issue its written opinion regarding the objection no later than ten days after receipt.

Section 11. The election results will be published and distributed to the membership within 5 days of the final count. All elections materials, including the ballots, will be kept in a secure location for one year.

Section 12. Barring delays involved in challenges or runoffs, successful candidates will assume office on November 1.

Section 13. With the exception of the President, or in the case of a recall, the President will have the power to nominate members to fill vacancies in the Executive Board membership with the approval of the Executive Board until the next general election.

Section 14. A petition signed by 25% of members in good standing and alleging constitutional violations, fiduciary breaches or acts clearly detrimental to the union, shall be sufficient to require the Executive Board to vote on whether to conduct a recall election of the officer identified in the petition. The officer subject to recall and any Executive Board member signing the petition shall not vote on the question of the recall election. If a majority of the Executive Board approves a recall election, the Elections Committee shall supervise the recall election.

## **ARTICLE V Duties of Officers**

### Section 1.

The President shall:

- a. Be the presiding officer at all meetings of the Membership and the Executive Board and to appoint a Representative in the event of his or her absence at such meetings.
- b. Prepare the agenda for all Membership and Executive Board meetings.
- c. Be an ex-officio member of all standing committees, except the Elections Committees;
- d. Appoint campus Union Representatives and establish working groups as needed,
- e. Nominate the chairs of all standing committees and the members of the Elections Committee which shall be approved by Executive Committee
- f. Nominate Employee Group Representatives which shall be approved by the Executive Committee shortly after new officers are elected;
- g. Train, support and supervise the work of the Campus Union Representatives;
- h. Be the principal executive officer of the organization;
- i. Receive, report and respond to all correspondence of the organization;
- j. Supervise all paid employees, student interns, and the Campus Union

- Representatives of the organization;
- k. Be one of the responsible financial officers of the organization and shall be authorized to co-sign financial instruments and make regular and usual disbursements of funds;
  - l. Represent the organization before bodies of the employer, including the Board of Trustees, executive and legislative officials;
  - m. Represent the organization before the public, community organizations, and the news media;
  - n. Be, by office, a delegate to the convention of the American Federation of Teachers and meetings or conventions of its affiliated bodies;
  - o. Make regular reports to the organization's membership,
  - p. Lead the process of developing a strategic plan with Executive Board a
  - q. Be able to delegate the responsibilities of the office except where otherwise specified by the Constitution.

Section 2. The Secretary Shall:

- a. Maintain the non-financial files and records of the organization;
- b. Be the custodian of the seal and charter of the organization.
- c. Record and keep accurate minutes of meetings of the membership and the Executive Board; the secretary may designate someone to take minutes if he or she cannot be present at a particular meeting;
- d. Keep minutes in a permanent location which shall be available to the President, Executive Board and members upon request;
- e. Assist the President in handling the correspondence of the organization;
- f. Perform other duties as delegated by the President or assigned by the Executive Board;
- g. Perform duties of the office as required by the Labor-Management Reporting and Disclosure Act;
- h. Maintain accurate membership records in cooperation with the Treasurer;
- i. Serve on the Executive Committee.

The local may merge the offices and duties of the Secretary and Treasurer.

Section 3. The Treasurer Shall:

- a. Receive, record and deposit all dues monies and other income in the name of the organization;
- b. Report members in good standing to the Secretary on a monthly basis;
- c. Issue notices of delinquency;
- d. Draft and maintain the annual budget for approval by the Executive Board by June 1 for approval by July 1
- e. Be one of the responsible financial officers of the organization and be authorized to co-sign financial instruments and make regular and usual disbursements of funds;
- f. Maintain all financial records of the organization;
- g. Arrange for an independent annual audit of the finances of the organization as required AFT National in cooperation with the President and make same available for the Executive Board and the membership;
- h. Transmit per-capita payments on a regular basis to the Secretary-Treasurer of the American Federation of Teachers and similar officers of all other bodies with which the organization is affiliated;
- i. Make arrangements to assume that the 990 tax-exempt form is filed with the IRS;
- j. Perform other duties as delegated by the President or assigned by the Executive Board;
- k. Perform duties of the office as required by the Labor-Management Reporting and Disclosure Act, and the guidelines developed by the AFT;
- l. Serve on the Executive Committee and  
The local may merge the offices of and duties of the Secretary and Treasurer.;

Section 4. All officers elected by the membership of the organization shall additionally be expected to:

- a. Build the union in size, power and ability to represent members and provide a diverse program to address identified needs and interests;
- b. Provide an array of membership involvement activities;
- c. Work to recruit new members;
- d. Help unorganized workers win the benefits of having a professional voice through the union.

Section 6. All officers elected by the general membership of the organization shall serve as members of the Executive Board.

## **ARTICLE VI**

### **Campus and Work Site Union Representatives**

Section 1. Campus Union Representatives, appointed by the President, shall serve as a representative of the Local on the various campuses and work sites of Austin Community College District. They shall communicate and promote the programs, activities, and efforts of the Local on their campuses and work sites.

## **ARTICLE VII**

### **Executive Board**

Section 1. The Executive Board shall meet at least 6 times-a-year, or at the call of

the President, or at the call of two or more of its members, for the purpose of initiating, overseeing, or revising the program of the organization and to conduct other business of the organization within its authority. A quorum for the Executive Board shall be one-half of its members. Votes may be conducted by email.

Section 2. The Executive Board shall consist of the following voting members:

- a. Officers of the Local;
- b. Employee Group Representatives;
- c. Chairpersons of the standing committees;
- d. The Immediate Past President (for up to 2 years after the completion of the Presidential term); Individuals may hold more than one office but will only have 1 vote on the Executive Committee.

Section 3. It shall be the duties of the Executive Board to:

- a. Propose items for the Membership meeting agenda;
- b. Carry out the directives of the Membership;

- c. Approve Employee Group Representatives and Committee Chairs nominated by the President;
- d. Participate in the process of developing a strategic plan;
- e. Approve the organization's annual budget as prepared by the Treasurer; Beyond the initial legal consultation, approval of additional sums of money from the Grievance fund for extended litigation must be approved by the Executive Board;

Section 2. The Employee Group Representatives shall be nominated by the President and approved by the Executive Board to represent Full-time Faculty, Adjunct Faculty, Professional/Technical Employees, Classified Staff, Police Officers, and Hourly Employees.

Employee Group Representatives shall:

- a. Serve on the Executive Board
- b. Represent and advocate for their respective employee constituencies and serve as a liaison to their ACC Employee Association;
- c. Serve on the Employee Issues/Grievance Committee and assist with grievances in his/her classification or other classifications as needed.
- d. Build the union in size, power, and ability to represent members and provide a diverse program to address identified needs and interests;
- e. Work to recruit new members;
- f. Provide an array of membership involvement activities;
- g. Help unorganized workers win the benefits of having a professional voice through the union;
- h. Perform other duties as delegated by the President or assigned by the Executive Board

Section 4. In the event of the resignation, incapacity to fulfill the duties, or recall of the President, the Executive Board shall have the authority to appoint an Officer or Standing Committee Chair to serve as Interim President for a period of not more than one hundred and eighty days (180) or until the next regular election of officers, whichever is shorter.

Upon taking office, the Interim President will appoint members of the Elections Committee who will call an election for a new President in accordance with Article IV of this Constitution. When an elected office other than the presidency is vacated prior to the regular election, the Executive Board shall appoint a member to serve until the next regular election.

Section 5. The Executive Board shall be empowered to make contracts and incur liabilities including the purchase of services, equipment and real property, to borrow money, to secure such obligations by mortgage or other instrument, and to otherwise engage in financial transactions to the extent permitted by applicable law or statute. The Executive Board shall have the power to sue, complain and defend on behalf of its members.

Section 6. The Executive Board shall take office upon the election of the officers and shall serve until new officers are elected.



## **ARTICLE VIII Committees**

Section 1. The standing committees of the organization are as follows:

- a. Elections
- b. Employee Issues/Grievance
- c. Membership and Organizing
- d. Political Education (COPE)
- e. Communications and Social Media Committee;
- f. Community Engagement
- g. Issue Advocacy Committee
- h. Social Committee;

Section 2. The President, with the approval of the Executive Board, shall appoint all committee chairs. Members may be added to the Committees by the Chair;

Section 3: The President will serve as interim chair of any committees in which the position of chair is vacant except for the Elections Committee;

Section 4. Each committee's plan of action shall be developed as part of the strategic plan;

Section 5. The Elections Committee shall conduct and supervise all elections of the organization. The 3 members will be nominated by the President and approved by the Executive Board as needed;

Section 6. The Employee Issues/Grievance Committee shall work with the officers in the resolution of contractual and non-contractual disputes in the workplace; shall maintain records of grievances and the disposition; and shall be responsible for the processing of grievances and disputes beyond the immediate work location. The grievance may appeal these decisions to the Executive Board. The Executive Board shall develop and adopt a policy that governs how it shall approach grievances not referred to arbitration, as well as other litigation and/or administrative appeals. The Grievance Committee shall follow this policy. Employee Group Representatives shall serve on this committee as part of their duties. The Grievance Committee Chair in consultation with the President and elected officers may approve funds for an initial employee legal consultation;

Section 7. The Membership and Organizing Committee shall develop programs and activities that shall cause all eligible persons to join and remain in the organization. The committee will work with the local's organizers;

Section 8. The Committee on Political Education (COPE) shall secure voluntary contributions to support the political work of the organization; screen and recommend endorsement of candidates for local, state, and federal office to the Executive Board; educate members on the issues of importance to the organization, its membership and clients; and develop programs to promote voter registration and to support the election of candidates who support the interests of the organization, its membership and the people that they serve. COPE Members must pay COPE dues of at least \$1 per month. A COPE vote requires at least 10 members to participate. Meetings and voting may occur in person or electronically and voting may be conducted in-person or electronically.

Section 9. The Communications and Social Media Committee shall design, produce and distribute a regular communication to the membership; a regular bulletin for officers and committee chairs; and other material for the organization as necessary. Shall develop and implement a Social Media Strategy;

Section 10. The Community Engagement Committee shall build and sustain long term relationships with students, families, community groups, other Unions and faith-based institutions based on mutual respect and trust for the purpose of collaboration and action on issues that are important to the community and impact the Union.

Section 11: The Issue Advocacy Committee shall advance efforts to advocate for legislation in state Legislature and other executive and legislative bodies. The committee will support other local initiatives including referendums in cooperation with affiliated organizations such as AFL-CIO Central Labor Council.

Section 12: The Social Committee shall organize social events including, but not limited to Happy Hours and Holiday parties.

## **ARTICLE IX**

### **Membership Meetings**

Section 1. The legislative power of the organization shall be vested in the Membership Meeting. Unless otherwise stipulated in the Constitution, action items and elections require a simple majority of votes cast in the Membership Meeting. The Membership Meeting shall approve the annual budget; shall receive and approve committee reports, including the required annual financial report or audit; and shall develop and vote on resolutions to guide the policy of the organization.

Section 2. Membership Meetings shall be held a minimum of 6 times per year.

Section 3. Quorum for a Membership Meeting shall be 5% of members of the organization.

Section 4: Any member may participate and be considered "present" in and at any meeting through the use of a conference telephone, the Internet, or other communications equipment by means of which all persons participating in the meeting can communicate with each other. Participation in such a meeting shall constitute attendance and presence in person at the meeting of the person or persons so participating.

Section 5. Electronic voting or participation through the use of a conference telephone, the Internet, or other communications equipment have four choices YES, NO, ABSTAIN, and TABLE (to force an in- person discussion and/or vote on the motion). The motion will be considered as decided when all members eligible to vote have voted, when the allotted time for discussion has expired, or when one of these three conditions has been met. The intent of allowing electronic voting or participation through the use of a conference telephone, the Internet, or other communications equipment is to increase democracy and maximize the participation of all eligible members.

Section 6. Special Meetings may be called by the President by a majority of the Executive Board or by petition to the Executive Board of fifteen percent (15%) of participating members (the majority vote of those eligible members responding) in good standing. The notice of the special meeting and the agenda shall be circulated to all members at least seven days in advance of the

meeting. Items not included on the agenda for the special meeting will not be addressed. All special meetings shall be adequately advertised and conducted according to the provisions of this Constitution.

## **ARTICLE X Affiliations**

This organization shall maintain affiliations with the following organizations:

- a. The American Federation of Teachers, AFL-CIO. Whenever possible, ACC/AFT Local 6249 will send delegates to the AFT's convention. The delegates will be elected by procedures consistent with Article IV of this Constitution.
- b. The Texas American Federation of Teachers, AFL-CIO. Whenever possible, the union will send delegates to the state federation's convention. Delegates will be elected by procedures consistent with Article IV of this Constitution.
- c. The state American Federation of Labor-Congress of Industrial Organizations
- d. Austin Central Labor Council;

## **ARTICLE XI Rules of Order**

*Robert's Rules of Order, Newly Revised* shall govern this organization and all its subordinate bodies in all matters not expressly covered by this Constitution or the By-Laws of this organization.

## **ARTICLE XII Amendment(s)**

Section 1. Thirty percent members may propose, by petition, an amendment to this Constitution to the Secretary, who shall notify the membership of the proposed amendment no later than thirty days prior to the next Membership Meeting. Alternatively, a majority of the Executive Board may vote to present a proposed amendment to the members at the next Membership Meeting. A copy of the proposed amendment, along with an explanation of said amendment shall be distributed to all members a reasonable time prior to the

Membership Meeting at which the amendment will be introduced and discussed.

Section 2. A quorum for any meeting at which constitutional amendments are to be considered and adopted shall consist of 10 percent of members of the organization.

Section 3. The membership shall vote on all amendments to the Constitution.

- a. Following the Membership Meeting at which the proposed amendment was introduced, the Elections Committee will hold a secret ballot vote on the amendment.
- b. In the alternative, following the Membership Meeting at which the proposed amendment was introduced, a special membership meeting for the purpose of voting on the proposed amendment may be called by the Executive Board. The special meeting shall be conducted in accordance with Article IX,
- c. The Elections Committee will tally the results. Two-Thirds of the membership participating shall be required for passage of the amendment.

Voting can be conducted electronically.

**ARTICLE XIII**  
**Availability of Constitution**

Section 1. Three copies of this Constitution and all subsequent amendments shall be submitted to the office of the Secretary-Treasurer of the American Federation of Teachers.

Section 2. One copy shall be sent to the similar office of each organization with which this organization is affiliated.

Section 3. The Secretary shall makes available upon request a copy to any member of the organization. The Constitution shall be posted on the local's website.

This Constitution was adopted by the membership on \_\_\_\_\_, 20\_\_ \_

Signed: \_\_\_\_\_  
President

Signed: \_\_\_\_\_  
Secretary

## Appendix: **ACC AFT Code of Conduct**

### **Purpose:**

ACC AFT is committed to providing a positive and respectful environment that is free of discrimination and harassment, regardless of an individual's race, ethnicity, religion, color, sex, age, national origin, sexual orientation, disability, gender identity or expression, ancestry, pregnancy, or any other characteristic prohibited by law. As such, ACC AFT will not tolerate discriminatory, harassing or otherwise unacceptable behavior in the workplace or at any of its activities, events, or meetings, even if the conduct has not risen to the level of a violation of law. ACC AFT expects everyone in the workplace and those who participate in any of its activities, events, or meetings to abide by this Code of Conduct.

### **Definitions:**

#### A. Discrimination

Discrimination against an individual because of a person's race, ethnicity, religion, color, sex, age, national origin, sexual orientation, disability, gender identity or expression, ancestry, pregnancy, or any other characteristic protected by law is illegal discrimination.

#### B. Harassment

Harassment is a form of discrimination that can take many forms, including physical contact, verbal comments, written communications, or other unwelcome conduct. It may include, but is not limited to, actions such as the use of epithets, slurs, negative stereotyping, jokes or threatening, intimidating or hostile acts that relate to sex, race, age, disability, or other protected categories. Harassment may also include written or graphic material that denigrates or shows hostility toward an individual or group based on protected characteristics, whether that material is sent by email or placed on walls, bulletin boards, computer screens or other devices, or elsewhere on the premises of the activity, event, or meeting.

#### C. Sexual Harassment

Sexual harassment is a form of sex discrimination. It can take many forms, including physical contact, verbal comments, written communications, or other conduct. Sexual harassment does not have to be sexual in nature; non-sexual contact, comments or conduct can still—depending on the circumstances—create an intimidating, offensive or harassing and discriminatory environment or experience.

### **Expected Behavior:**

ACC AFT is a democratic organization that values open and vigorous discussion of the issues facing ACC AFT, our members, working people and the labor movement. This Code of Conduct is not intended to restrict free and open debate, but rather is concerned with preventing unacceptable behavior.

ACC AFT expects everyone in the workplace and all participants in ACC AFT activities, events, or meetings to conform to the following Code of Conduct:

- Respect others and their views.
- Recognize and value individual differences.
- Do not engage in aggressive, bullying, or intimidating behavior.
- Do not engage in discriminatory or harassing behavior.

**If Subject to Unacceptable Behavior:**

Prior to the start of ACC AFT activities, events, or meetings with non-staff participants (affiliate leaders, staff, or members; partner organizations; employer representatives; public officials; etc.), attendees will be informed of this Code of Conduct, and the ACC AFT designee to whom complaints may be directed will be identified for all attendees. If you are subject to what you believe is unacceptable behavior under this Code of Conduct, or witness such behavior, please inform the ACC AFT designee immediately. If that person is not available, you may inform any other ACC AFT manager or officer, who will work with the ACC AFT designee to respond to the complaint.

ACC AFT takes these complaints seriously and may, at its discretion, take action that it deems appropriate upon assessing the situation. Possible responses may include a warning to or expulsion of the alleged offender from the ACC AFT activity, event, or meeting. Additionally, where appropriate, ACC AFT may inform the alleged offender's affiliate or employing entity of the offending behavior and complaint or initiate disciplinary proceedings for those who hold a position subject to discipline by ACC AFT. If needed or requested, a ACC AFT designee will help complainants contact security or local law enforcement, provide escorts, or otherwise assist complainants experiencing unacceptable behavior to feel safe for the duration of the activity, event, or meeting.

**Any ACC AFT staff person who is subject to unacceptable behavior should contact the ACC AFT President's office at [president@accaft.org](mailto:president@accaft.org)**

Any complaint brought to ACC AFT's attention will be treated confidentially to the extent possible to properly assess the situation. ACC AFT will take all appropriate steps to ensure that the complainant is no longer subject to the unacceptable behavior.

ACC AFT will not tolerate retaliation against any individual who complains of unacceptable behavior under this Code of Conduct. ACC AFT will take every step necessary and appropriate to ensure that retaliation does not occur, and if it believes that retaliation has occurred, ACC AFT will take immediate action to stop the retaliation.