

Constitution

United Academics of The University of New Mexico



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1 **ARTICLE I**

2 **Name**

3
4 This union shall be known as United Academics of the University of New Mexico (UA-UNM),
5 American Association of University Professors/American Federation of Teachers Local XX, AFL-
6 CIO.
7

8
9 **ARTICLE II**

10 **Objectives**

11
12 Our primary goal is to build a proactive, member-run union that reflects the diversity of our
13 faculty across campuses, departments, and academic ranks. We faculty serve our students and
14 the people of New Mexico through our world-class teaching, research, creative work, and
15 public service. Our actions as educators are guided by our majority-minority student
16 population, and we affirm our commitment to our state’s valuable economic, linguistic, racial,
17 ethnic, gender, ability, religious, and cultural diversity.
18

19 We promote principles of equitable teaching loads and compensation, due process, and
20 academic freedom for all faculty, including the right to represent faculty interests to university,
21 local, state, and federal officials. We advocate for faculty hiring, promotion, and retention
22 policies that maximize diversity, equity, and inclusion, and we support a defined path to job
23 security for all faculty.
24

25 The purpose of this organization shall be:

26
27 **Section 1.**

28 To secure full trade-union rights--including the rights to exclusive recognition and collective
29 bargaining--for all employees who are eligible for membership.
30

31 **Section 2.**

32 To advance the economic, societal, and professional well-being of the membership.
33

34 **Section 3.**

35 To improve the employment conditions of the membership.
36

37 **Section 4.**

38 To facilitate mutual understanding and cooperation among the membership.
39

40 **Section 5.**

41 To voice the interests of communities who are served by the membership.
42

43 **Section 6.**

44 To advocate for the success and quality of the institutions for which our members work.

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Section 7.

To promote democracy, equality, and trade unionism in society at large.

**ARTICLE III
Membership**

Section 1.

Faculty with the following positions who are members in good standing as defined in Article III, Section 4 are voting members of Unit 1: professor (assistant, associate, full); professor of practice; research professor (assistant, associate, full); lecturer I, II, and III; principal lecturer I, II, and III; senior lecturer I, II, III; research lecturer I, II, and III; instructor; and senior instructor.

Section 2.

Faculty with the following positions who are members in good standing as defined in Article III, Section 4 are voting members of Unit 2: adjunct faculty, including temporary term and part-time term faculty.

Section 3.

No person shall be denied membership, nor shall this union ever discriminate against individual members or applicants for membership on the basis of political beliefs; individual or group identity characteristics, such as race, color, religion, national or ethnic origin, age, sex, sexual orientation, gender identity or expression; marital or civil union status; or disability.

No member in good standing shall be denied the opportunity to serve as committee members, officers, representatives, or delegates of UA-UNM on the basis of political beliefs; individual or group identity characteristics, such as race, color, religion, national or ethnic origin, age, sex, sexual orientation, gender identity or expression; marital or civil union status; or ability.

Section 4.

A member in good standing is defined as a bargaining unit member who has been actively employed by the university in a bargaining unit position at any time during the last twelve months, has signed a union membership card, and pays regular membership dues while employed by the university.

- a. Members in good standing have voting rights as described in the relevant section(s) below. The term “member” is used throughout this document, except in Article VIII, to mean a member in good standing.

1 **Section 5.**

2 Faculty who hold positions that require managing or supervising other faculty are excluded
3 from Unit 1 and Unit 2 membership. These positions are: provost, senior vice provost, associate
4 vice provost, deputy provost, chancellor, dean, associate dean, assistant dean,
5 department/division chair, and academic director.

6
7 **Section 6.**

8 Also excluded from Unit 1 and Unit 2 are all visiting faculty, working retirees, and all faculty
9 positions at the UNM Health Sciences Center.

10
11 **Section 7.**

12 Faculty retain membership for one year following the cessation of teaching duties, with the
13 exception of faculty assuming managerial/ supervisory duties as listed in section 5 above. If the
14 faculty member resumes teaching, or teaches in a subsequent semester, the one-year
15 extension is reset.

16
17
18 **ARTICLE IV**
19 **Election of Officers**
20

21 **Section 1.**

22 Elections shall be conducted in accordance with the AFT and AAUP constitutions and the
23 standards set out by the Labor-Management Reporting and Disclosure Act (LMRDA).

24
25 **Section 2.**

26 Officers shall assume office within thirty (30) days of the conclusion of the election. Terms of
27 office shall be two years. No person may serve more than two successive terms as President.
28 The organization will elect the following officers:

- 29 a. President
30 b. Secretary
31 c. Treasurer
32

33 In addition, the union will elect up to six vice presidents, each representing one of the following
34 specific constituencies:

- 35 a. Vice-President (Unit 2)
36 b. Vice-President (Albuquerque)
37 c. Vice-President (Gallup)
38 d. Vice-President (Los Alamos)
39 e. Vice-President (Taos)
40 f. Vice-President (Valencia)
41

1 **Section 3.**

2 Interim officers of Academic Year 2021-2022: For the first academic year after the ratification of
3 the union’s Constitution, UA-UNM will have interim officers. Elected interim officers will fill the
4 roles described in the above section and will be assigned the same duties of these positions.
5 These officers will be democratically elected in a process that is similar to, but shorter than, the
6 processes and guidelines described in this article as outlined in the following paragraph. To be
7 eligible for an interim officer position, candidates must fulfill the requirements as set out in
8 Section 4 of this article.

9
10 In the event of ratification in Spring 2021, an elections committee of 3 members who are not
11 running for office will be assembled and meet no later than July 15, 2021. Nomination forms for
12 interim officers are received by the union no later than July XX and ballots are mailed out to
13 eligible voters no later than August XX. All eligible ballots must be postmarked no later than
14 September 3, 2021 and received no later than September 9.

15
16 Interim officers will serve until a full election can be run the following Spring semester of 2022
17 and are eligible to run in subsequent elections. Serving as an interim officer does not count
18 toward the two successive terms limit outlined in Section 2 of this Article.

19
20 **Section 4.**

- 21 a. To be eligible for office a person must be a member in good standing of the
22 organization.
- 23 b. To be eligible for Vice-President of a constituency, a person must meet all other
24 qualifications for office under this article and must be employed in the constituency
25 area for which they are seeking office as Vice-President.

26
27 **Section 5.**

28 The Elections Committee shall conduct all general, Representative Assembly, and special
29 elections and referenda of the organization.

- 30 a. The Elections Committee shall consist of three members in good standing selected by
31 the Representative Assembly at its first meeting of the year.
- 32 b. Any member of the Elections Committee nominated for or seeking office must vacate
33 their position and will be replaced by a member nominated by the President and
34 approved by the Executive Council.
- 35 c. Members of the Elections Committee are prohibited from campaigning for any member
36 during their time on the committee.
- 37 d. The Elections Committee shall supervise all aspects of the recall process.

38
39 **Section 6.**

- 40 a. Sixty (60) days prior to the date of the election, the Elections Committee shall
 - 41 i. Determine the manner of the election (e.g. mail ballot, ballot box).
 - 42 ii. Notify all members of the opening of nominations for officers, convention
43 delegates, the offices to be filled, and of the election date by email to the
44 members' email addresses on file.

- b. To be nominated for office, a candidate or nominating member must submit to the Elections Committee a petition containing the signatures of ten (10) members. Said petitions must be submitted no later than thirty (30) days following the notice of the opening of nominations.
- c. Nominations may also be made from the floor at the membership meeting in Spring.
- d. Members nominated to run for office must affirmatively accept their nomination no later than twenty-four (24) hours following the close of nominations in order to be placed on the ballot.
- e. The Elections Committee shall determine whether the nominations were timely and if the nominees are eligible for office.

Section 7.

At least twenty (20) days prior to the last day of the election, the Elections Committee shall notify all members of the election date(s) and the candidates for office by sending notice to the members' last known contact information.

Section 8.

The Elections Committee shall solicit a candidate statement from all candidates and post their statements to the union website.

Section 9.

- a. The elections committee shall decide whether to conduct elections by mail, polls, or electronically.
- b. If a mail ballot is used:
The Elections Committee shall prepare and send ballots by U.S. Mail to all members in good standing for the preceding sixty (60) days, in such a manner as to ensure the secrecy of the ballot, no later than ten (10) days following the close of nominations. The period between the mailing and return date for the ballots shall be no fewer than twenty (20) calendar days. Ballots must be postmarked by the deadline to be valid.
- c. If polls are used:
No later than ten (10) days following the close of nominations, the Elections Committee shall set up polling locations at reasonable times and reasonable places and allow all members in good standing for the preceding sixty (60) days to vote in such manner as to ensure the secrecy of the ballot. Such time and places shall be announced prior to nominations.
- d. If electronic voting procedures are used:
With the assistance of the Election Committee, the Election shall be conducted by a responsible third-party provider that can guarantee the anonymity of voters. All members in good standing for the preceding sixty (60) days shall have no fewer than seven (7) days to submit their vote. The third-party provider will report the results to the Election Committee.

1 **Section 10.**

- 2 a. All elections conducted by the Elections Committee shall be by secret ballot, as defined
3 in the LMRDA.
- 4 b. All elections will be conducted using a conventional preference vote system when there
5 are two or fewer candidates.
- 6 c. Elections will be conducted using an “Approval Voting” system when there are more
7 than two candidates. Under this system, all members will have the opportunity to vote
8 for all candidates they approve of (one or more), and the candidate with the most votes
9 (the most approval) will win. In the case that no candidate receives approval votes from
10 at least a simple majority (50% + 1) of the ballots cast, a runoff election between the
11 two candidates with the most approval votes will be held to determine the winner. The
12 ballots shall be tabulated by the Elections Committee.
- 13 d. In the event of a tie, the Elections Committee shall determine the winner through
14 random selection.
- 15

16 **Section 11.**

17 Challenges and objections to the election must be submitted in writing, with a statement of
18 supporting reasons that includes specific facts as well as any documentation, to the Elections
19 Committee within five (5) days of the count. The Elections Committee shall issue its written
20 opinion regarding the objections no later than ten (10) days after receipt of such objections.

21

22 **Section 12.**

23 The election results will be published and distributed to the membership within thirty (30) days
24 of the count. All elections materials, including the ballots, will be kept in a secure location for
25 one (1) year.

26

27 **Section 13.**

28 Winners of elections shall assume office within thirty (30) days of the conclusion of the election.

29

30 **Section 14.**

31 With the exception of the President or in case of a recall, the Executive Council will have the
32 power to fill vacancies within the Executive Council or in the Representative Assembly until the
33 next general election.

34

35 **Section 15.**

36 A petition signed by thirty percent (30%) of the membership, alleging constitutional violations,
37 fiduciary breaches, or acts clearly detrimental to the union, shall be sufficient to require the
38 Executive Council to vote on whether to conduct a recall election of the officer identified in the
39 petition. The officer subject to recall and any Executive Council member signing the petition
40 shall not vote or be present during the vote on the question of a recall election. If a majority of
41 the Executive Council approves a recall election, the Elections Committee shall supervise all
42 aspects of the recall process.

43

44 **Section 16.**

1 All officers and representatives shall be eligible to complete their term of office even if they do
2 not hold an appointment at the university for the entire duration of their term.

3
4
5 **ARTICLE V**
6 **Duties of Officers**
7

8 **Section 1.**

9 The duties of the President are as follows:

- 10 a. Serve as facilitator at all meetings of the Executive Council;
- 11 b. Serve as non-voting facilitator at all meetings of the Representative Assembly;
- 12 c. Represent the members at all non-Bargaining Committee meetings with representatives
13 of the UNM administration alongside at least one rotating member of the
14 Representative Assembly, or otherwise delegate a Vice-President to attend in their
15 stead;
- 16 d. Assume executive responsibility for all UA-UNM activities and represent the union
17 before the public or appropriate bodies;
- 18 e. Carry out the policies and decision of the Executive Council;
- 19 f. Act as chairperson of UA-UNM membership meetings, if no other individual(s) are
20 identified;
- 21 g. Be the official spokesperson for UA-UNM, and sign all necessary papers and documents;
- 22 h. Be authorized to sign checks and payments of the union and monitor and approve with
23 the Treasurer financial matters;
- 24 i. Represent the union and participate in external union activity whenever possible;
- 25 j. Work on building the union among all members of the bargaining unit;
- 26 k. Take reports from the Representative Assembly and Committees and ensure that
27 information from those governing groups is communicated in an effective and
28 transparent manner to the Executive Council and members;
- 29 l. Be able to delegate the responsibilities of the office except where otherwise specified
30 by the Constitution.

31
32 **Section 2.**

33 The duties of Vice-Presidents are as follows:

- 34 a. Represent their specific constituencies who are members of the union; and
- 35 b. Perform other duties as delegated by the President or assigned by the Executive Council.

1 **Section 3.**

2 The duty of the Secretary are as follows:

- 3 a. The Secretary shall take notes at all Executive Council and Representative Assembly
- 4 meetings, or appoint another member in attendance to do so;
- 5 b. The Secretary shall ensure that all minutes are shared in an accessible and transparent
- 6 manner with members, within one month of each meeting date;
- 7 c. The Secretary shall appoint a rotating member responsible for serving as “Queue
- 8 Keeper” (see “Martha’s Rules,” Article XIII) at all meetings;
- 9 d. The Secretary shall ensure that all meetings are conducted according to Martha’s Rules;
- 10 e. The Secretary shall serve as a voting member at Executive Council meetings.
- 11 f. The Secretary shall chair the Communications Committee.

12
13 **Section 4.**

14 The duties of the Treasurer are as follows:

- 15 a. The Treasurer shall receive, record, and deposit all dues, monies and other income in
- 16 the name of the union;
- 17 b. The Treasurer shall maintain accurate membership records;
- 18 c. The Treasurer shall issue membership cards and notices of delinquency;
- 19 d. The Treasurer shall be one of the responsible financial officers of the union and be
- 20 authorized to co-sign financial instruments and make regular and usual disbursements
- 21 of funds;
- 22 e. The Treasurer shall maintain all financial records of the union;
- 23 f. The Treasurer shall arrange for an independent audit or review of the finances of the
- 24 union annually and make same digitally available to the Executive Council,
- 25 Representative Assembly, and membership;
- 26 g. The Treasurer shall transmit per-capita payments on a regular basis to the Secretary-
- 27 Treasurer of the AFT and the Secretary-Treasurer of the AAUP;
- 28 h. The Treasurer shall oversee the work of, and receive reports from, the Finance
- 29 Committee;
- 30 i. The Treasurer shall perform other duties of the office as required by state and federal
- 31 law and the guidelines developed by the AFT and AAUP;
- 32 j. The Treasurer shall perform other duties as assigned by the Representative Assembly
- 33 and/ or the Executive Council;
- 34 k. The Treasurer shall serve as a voting member at Executive Council meetings.

ARTICLE VI
Executive Council

Section 1.

The Executive Council shall meet monthly, or at the call of the President, or at the call of two (2) or more of its members, or at the call of the Representative Assembly, for the purpose of initiating, overseeing, or revising the program of the organization and to conduct other business of the organization that is within its authority. A quorum for the Executive Council shall be one-half of its members.

Section 2.

The Executive Council shall consist of the elected President, Vice Presidents, Secretary, Treasurer, standing committee chairs, and any active Ad-hoc committee chairs.

Section 3.

The Executive Council with the assistance of the treasurer shall prepare and present for approval to the Representative Assembly an annual budget in the month prior to the beginning of the fiscal year, which shall be established by the Executive Council.

Section 4.

The Executive Council shall oversee all professional, technical, clerical and support staff of the organization.

Section 5.

The Executive Council shall establish the salary, benefits, and expense guidelines of any employees of the union.

Section 6.

The Executive Council 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 Council shall have the power to sue, complain and defend on behalf of the membership.

Section 7.

The Executive Council shall approve the chairperson and membership of all standing and special committees of the organization, except the elections committee, and receive regular reports from such committees.

Section 8.

The Executive Council shall interpret and enforce the Constitution and Bylaws of UA-UNM.

1 **Section 9.**

2 The Executive Council shall issue regular reports, including an annual report, to the
3 Representative Assembly and the membership.

4
5 **Section 10.**

6 The Executive Council shall have the power to employ all personnel as may be determined by the
7 needs and finances of UA-UNM.

8
9 **Section 11.**

10 The Executive Council shall have the power to make contracts and incur liabilities in accordance
11 with the policies established by the Representative Assembly.

12
13 **Section 12.**

14 Three unexcused absences from an Executive Council meeting within one year, counted from
15 the date of assumption of office, shall be grounds for an Executive Council member's
16 suspension and/or replacement. Pursuant to Article IV, Section 14, the Executive Council shall
17 have the authority to appoint a member to take the seat of an Executive Council member who
18 was suspended or replaced under the terms of this section. If the seat of a Vice President
19 becomes vacant due to unexcused absence, he or she must be replaced by a member from the
20 same constituency.

21
22 **Section 13.**

23 Meetings of the Executive Council shall be conducted according to Martha's Rules (see Article
24 XVI).

25
26
27 **ARTICLE VII**
28 **Committees**

29
30 **Section 1.**

31 The standing committees, composed of UA-UNM voting members and staff, include but are not
32 limited to the committees described below:

- 33
- 34 a. **Organizing and Membership Committee** – grows UA-UNM membership; monitors,
35 develops, and implements a goal of recruiting members. A roster of Representatives
36 shall be available to their committee to assist in collaboration and support.
 - 37 b. **Communications Committee** – supports the President in representing the union before
38 the public; conducts interviews and writes editorials; electronically communicates with
39 members; creates materials; maintains and updates website; maintains and updates
40 social media. The communications committee is chaired by the union Secretary and
41 shall coordinate, produce, and authorize all news, publications, and communications.
42 The Executive Council, with support from the President, shall guide the communications
43 agenda of the union.

- 1 c. **Finance Committee** – draws up and recommends the proposed budget; reviews
2 expenditures and the activities of the Treasurer on a regular basis, and reports to the
3 President, the Executive Council, and the Representatives Assembly.
- 4 d. **Grievance Committee** – works with the officers in the resolution of contractual and non-
5 contractual disputes in the workplace; maintains records of grievances and their
6 disposition; and is responsible for the processing of grievances and disputes beyond the
7 immediate work location. The grievant may appeal these last decisions to the Executive
8 Council. The Executive Council shall develop and adopt a policy that governs how it shall
9 approach grievances not referred to arbitration, as well as other litigation and/or
10 administrative appeals. The grievance committee shall follow this policy.
- 11 e. **Other committees** necessary to carry out our work.

12 **Section 2.**

13 The Ad-hoc committees are committees that meet when needed, including but not limited to
14 the committees described below:
15

- 16 a. **Survey Committee** – periodically develops survey instruments to assist in refining our
17 bargaining priorities as well as other ongoing priorities of the union; solicits feedback on
18 survey instruments from subject experts on campus; compiles and analyzes the results
19 of surveys and reports the results to the EC and other appropriate bodies of UA-UNM.
- 20 b. **Collective Bargaining Committee** – creates bargaining work groups who will research
21 and develop bargaining proposals (e.g., regarding job security, salary, benefits, and
22 teaching load) in support of collective bargaining activities.
- 23 c. **Constitution and Bylaws Committee** – researches and drafts the constitution and
24 bylaws that will govern UA-UNM.
- 25 d. **Events Committee** – organizes social events (happy hours, picnic/pot-lucks, etc.); plans
26 and implements events to support the work and activities of UA-UNM.
- 27 e. **Legislative Committee** - monitors higher education issues in state and federal
28 government; researches viewpoints of the membership on such issues; and assists the
29 Executive Council in initiating and coordinating lobbying activities.
- 30 f. **Elections Committee** - conducts and supervises all elections of the organization as
31 described in Article IV, Section 5.
- 32 g. **Member Benefits Committee** - identifies, implements and administers programs of
33 insurance, purchase, travel and welfare and other benefits/programs that are of
34 advantage to the membership.

35 **Section 3.**

36 The Executive Council, either on its own initiative, or at the direction of the Representative
37 Assembly, may establish Ad-hoc committees or Task Forces.
38

39 **Section 4.**

40 Committee chairs are chosen by each respective committee, unless otherwise noted, and
41 approved by the Executive Council.
42
43

1 **Section 5.**

2 Each committee shall present for comment and/or approval its annual program of action to the
3 Executive Council and the Representative Assembly.

4
5 **Section 6.**

6 At least one elected officer shall be a non-voting ex officio member on each committee.
7

8
9 **ARTICLE VIII**
10 **Representative Assembly**

11
12 The Representative Assembly (Assembly) is the main governing body of UA-UNM. Members of
13 the Assembly shall consist of: (i) elected officers; (ii) representatives from each campus, college,
14 and school (academic units); and (iii) equity representatives.

15
16 **Section 1.**

17 The Elections Committee shall conduct elections for the Assembly at the same time as elections
18 for officers.

19
20 **Section 2.**

21 There shall be no more than fifty (50) total representatives apportioned to the academic units
22 listed in Section 6 of this article. Each representative of an academic unit will represent a
23 roughly proportional number of members. Determination of the precise number of
24 representative seats for the academic units shall be made pursuant to the rules set forth in the
25 Bylaws.

26
27 **Section 3.**

28 There shall be equity representatives in the assembly aimed at achieving proportional
29 representation of Black, Indigenous, and People of Color (BIPOC) members in the Assembly. The
30 proportion of equity representatives in the Assembly shall be determined by the proportion of
31 BIPOC members to be determined by the Elections Committee. Determination of the precise
32 number of equity representatives shall be made pursuant to the rules set forth in the Bylaws.

33
34 **Section 4.**

35 For full term elections, prior to the call for nominations of officers and representatives, the
36 Elections Committee shall conduct a census of members in order to determine the proper
37 apportionment of representative seats.
38

1 **Section 5.**

2 At the time of the call for nominations, the Elections Committee shall notify all members in
3 good standing as to the number of representative seats apportioned to each employment
4 classification within each academic unit and the total number of equity representative seats
5 apportioned. Nominating information shall be circulated at this time to the members of each
6 academic unit for either self-nomination or for nomination of another member. Any member in
7 good standing is eligible to run for election, vote, and serve as a representative of their
8 academic unit or as an equity representative. Any member in good standing may self-nominate
9 or nominate candidates to represent their academic unit or to serve as an equity
10 representative. Nominees must confirm to the chair of the Elections Committee their
11 willingness to serve. All nominations need to be received no later than thirty (30) days following
12 the opening of nominations. The Elections Committee will prepare and distribute ballots to all
13 members in good standing at the time of the election, as set forth in Article IV of the
14 Constitution. All representatives shall assume office within thirty (30) days following the
15 conclusion of the election.

16

17 **Section 6.**

18 As many as fifty (50) representatives shall represent their respective academic units, reflecting
19 the current structure of the University, such as:

- 20 a. Anderson School of Management
- 21 b. College of Arts & Sciences
- 22 c. College of Education
- 23 d. College of Fine Arts
- 24 e. Graduate Studies
- 25 f. Honors College
- 26 g. College University Libraries & Learning Sciences
- 27 h. School of Architecture and Planning
- 28 i. School of Engineering
- 29 j. School of Law
- 30 k. University College
- 31 l. UNM-Gallup
- 32 m. UNM-Los Alamos
- 33 n. UNM-Taos
- 34 o. UNM-Valencia

35 Equity representatives shall represent the general membership.

1 **Section 7.**

2 Based on membership at the time of the member census on odd years, the Elections
3 Committee shall apportion the number of seats for each employment classification of each
4 academic unit using these criteria:

- 5 a. The Assembly shall consist of no more than fifty (50) representatives from the academic
6 units.
- 7 b. Representatives will be elected by academic units as described in Article VIII, Section 6.
- 8 c. The first stage of apportionment requires that the Elections Committee assign one (1)
9 seat to each academic unit.
- 10 d. After allotting one seat per academic unit, the Elections committee will then determine
11 proportional assignment of the remaining possible seats to the various academic units
12 based on their relative numbers of members.
- 13 e. The overall number of seats apportioned to each academic unit shall to the extent
14 possible reflect the fraction of total union membership comprised by that employment
15 classification of that academic unit.

16
17 **Section 8.**

18 Representatives of academic units shall be elected by the members in good standing of their
19 employment classification within their academic unit. Equity representatives shall be elected by
20 all members in good standing.

- 21 a. All elections will be conducted using a conventional preference vote system when there
22 are two or fewer candidates.
- 23 b. Elections will be conducted using an "Approval Voting" system when there are more
24 than two candidates. Under this system, all members will have the opportunity to vote
25 for all candidates they approve of (one or more), and the candidate with the most votes
26 (the most approval) will win. In the case that no candidate receives approval votes from
27 at least a simple majority (50% + 1) of the ballots cast, a runoff election between the
28 two candidates with the most approval votes will be held to determine the winner. The
29 ballots shall be tabulated by the Elections Committee.
- 30 c. In the event of a tie, the Elections Committee Chair shall determine the winner through
31 random selection.

32
33 **Section 9.**

34 All members of the Assembly shall be eligible to complete their term of office even if they do
35 not hold an appointment at the University for the entire duration of their elected position, as
36 long as they remain members in good standing.

37
38 **Section 10.**

39 All representatives shall serve for 2 years. Any vacancies that occur will be filled by the
40 Executive Council until the next general election. If BIPOC members are underrepresented
41 within the Assembly at the time a seat becomes vacant, then BIPOC members interested in
42 filling the vacancy shall be preferred.

43
44 **Section 11.**

1 Meetings of the Assembly shall be conducted according to Martha's Rules (see Article XVI).

2
3 **Section 12.**

4 Additional duties of officers and members of the Assembly are included in other articles and the
5 Bylaws.

6
7
8 **ARTICLE IX**
9 **Duties of Representative Assembly**

10
11 **Section 1.**

12 Assembly Representatives shall:

- 13 a. Elect a chair of the Representative Assembly at the March meeting in an odd year;
- 14 b. Attend all regular and special meetings of the Representative Assembly and all meetings
15 of the general membership;
- 16 c. Hold regular meetings of the membership at the worksite, or other appropriate place,
17 for the purpose of making reports, discussing workplace and organizational concerns,
18 receiving instruction from the membership, and other activities as may be required;
- 19 d. Recruit eligible persons to membership;
- 20 e. Process grievances and resolve disputes at the worksite, or other appropriate locations;
- 21 f. Consult regularly with the employer's management personnel at the worksite regarding
22 matters of interest to the union membership; and
- 23 g. Serve as stewards for their work unit.

24
25 **Section 2.**

26 The Representative Assembly shall meet in September, October, November, January, February,
27 March, April for the purpose of:

- 28 a. Establishing the policies of the union;
- 29 b. Receiving and reviewing the reports of the President, Executive Council, and
30 Committees;
- 31 c. Reviewing and approving the budget submitted by the Executive Council;
- 32 d. Initiating and taking other such actions as the body deems necessary;
- 33 e. Participating in training related to stewardship and representative work.

34
35 **Section 3.**

36 A simple majority of its members shall be a quorum for the Representative Assembly.

37
38 **Section 4.**

39 The Representative Assembly may be called into Special Session at the discretion of the
40 Executive Council or upon the presentation of a valid petition of twenty-five (25) percent of the
41 Representatives to the Secretary of this union.

ARTICLE X
Delegates to Affiliate Conventions

Section 1.

Elections shall be conducted in accordance with the AFT and AAUP Constitutions and the standards set forth by the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA).

Section 2.

To be eligible to be a delegate, a person must be a member in good standing of the union.

Section 3.

- a. Sixty (60) days prior to the date of the election, the Elections Committee shall:
- i. Determine the manner of the election (e.g. mail ballot, ballot box).
 - ii. Notify all members of the opening of nominations for officers, convention delegates, the offices to be filled, and of the date of the election by email to the members' email addresses on file.
 - iii. To be nominated for office, a candidate or nominating member must submit to the Elections Committee a petition containing the signatures of ten (10) members. Said petitions must be submitted no later than thirty (30) days following the notice of the opening of nominations.
 - iv. Members nominated to run for office must affirmatively accept their nomination no later than twenty-four (24) hours following the close of nominations in order to be placed on the ballot.
 - v. The Elections Committee shall determine whether the nominations were timely and if the nominees are eligible.

Section 4.

At least twenty (20) days prior to the last day of the election, the Elections Committee shall notify all members of the election date(s) and the candidates for office by sending notice to the members' last known contact information.

Section 5.

The Elections Committee shall solicit a candidate statement from all candidates and post their statements to the union website.

Section 6.

- a. All elections will be conducted using a conventional preference vote system when there are two or fewer candidates.
- b. Elections will be conducted using an "Approval Voting" system when there are more than two candidates. Under this system, all members will have the opportunity to vote for all candidates they approve of (one or more), and the candidate with the most votes (the most approval) will win. In the case that no candidate receives approval votes from at least a simple majority (50% + 1) of the ballots cast. The ballots shall be tabulated by the Elections Committee.

- c. In the event that there are fewer nominees than funded positions, the nominees will be considered elected and no election will be necessary.
- d. In the event of a tie, the Elections Committee shall determine the winner through random selection.

Section 7.

The election results will be published and distributed to the membership within five (5) days of the count. All elections materials, including the ballots, will be kept in a secure location for one (1) year.

Section 8.

Challenges and objections to the election must be submitted in writing, with a statement of supporting reasons that includes specific facts as well as any documentation, to the Elections Committee within five (5) days of the count. The Elections Committee shall issue its written opinion regarding the objections no later than ten (10) days after receipt of such objections.

ARTICLE XI
Membership Meetings

Section 1.

The union will hold two regular membership meetings each academic year, one in the Fall Semester and one in the Spring Semester.

Section 2.

A quorum for transacting business at a membership meeting shall be 10% of the membership.

Section 3.

- a. Special meetings of the membership may be called by: The Representative Assembly, or
- b. A petition of ten percent (10%) of the members. The petition must state the reason for the meeting. Such a meeting must be called within two academic weeks after the Executive Council receives a valid petition. The Executive Council will provide no less than seven days' notice of such a meeting with all agenda items listed on the notice.

ARTICLE XII
Collective Bargaining Committee

Section 1.

During the year before a current contract expires, the Executive Council will appoint a Collective Bargaining Committee responsible for negotiating a contract with the representatives of the administration of the University of New Mexico. The chair of this team shall be a member of the Executive Council nominated by the President of the union.

1 **Section 2.**
2 The Collective Bargaining Committee will consist of a Chief Negotiator and no less than two
3 other members, with each of these selections ratified by a majority vote of the Executive
4 Council.

5
6
7 **ARTICLE XIII**
8 **Collective Bargaining and Contract Ratification**
9

10 **Section 1.**
11 The Collective Bargaining Committee will draft contract proposals. Such proposals shall be
12 prepared in consultation with the Executive Council.

13
14 **Section 2.**
15 The President may appoint special subcommittees to research and assist in drafting proposals.

16
17 **Section 3.**
18 Early in the process, the Chief Negotiator and the President will hold a Collective Bargaining
19 Caucus for the purpose of gathering and discussing members' ideas and concerns.

20
21 **Section 4.**
22 The Executive Council is responsible for keeping the Representative Assembly informed during
23 contract negotiations.

24
25 **Section 5.**
26 A tentative agreement will be presented to the membership of the union for ratification.

27
28 **Section 6.**
29 Ballots
30 a. The Elections Committee shall prepare and send ballots to all members who are eligible
31 to vote. Ballots shall be sent in such a manner as to ensure the secrecy and security of
32 the ballot.
33 b. Ballots shall be tabulated by the Elections Committee.
34 c. A simple-majority (50%+1) of the members voting shall be required to ratify the
35 tentative agreement.
36 d. The election results will be published on the union website and distributed to the union
37 membership within ten (10) days of the ballot tabulation. All election materials,
38 including the ballots and/or electronic tabulation, will be kept in a secure location for
39 one (1) year.

40
41 **ARTICLE XIV**
42 **Dues**
43

44 **Section 1.**

1 Dues rate is set at one percent (1%) of salary for all bargaining unit faculty members.

2

3 **Section 2.**

4 Under no circumstances may the membership vote to terminate or modify the dues pass-
5 through set forth in Section 3 of this Article.

6

7 **Section 3.**

8 The dues assessed shall include at least the prevailing per capita amounts for the AAUP, AFT,
9 AFT-New Mexico, AFL-CIO local and state affiliates, and insurance premiums. Whenever the
10 dues of a required affiliate increases, the dues of the local shall automatically and
11 simultaneously increase by the same amount.

12

13 **Section 4.**

14 The dues of the organization shall be posted and announced publicly.

15

16 **Section 5.**

17 The union is authorized to receive contributions from any donor (grants, donations,
18 contributions, and other funding activities) provided that the Executive Council determines that
19 the conditions or purposes of any contribution are not inconsistent with this Constitution or the
20 general purposes of the union.

21

22

23

ARTICLE XV
Affiliations

24

25

26 This union shall maintain affiliation with the following organizations:

27

28 **Section 1.**

29 The American Federation of Teachers (AFT). Whenever possible, the union will send delegates
30 to the AFT’s convention. The delegates will be elected by procedures consistent with Article IV
31 of this constitution.

32

33 **Section 2.**

34 The American Association of University Professors (AAUP). Whenever possible, the union will
35 send delegates to the AAUP’s national meetings. The delegates will be elected by procedures
36 consistent with Article IV of this constitution.

37

38 **Section 3.**

39 American Federation of Teachers New Mexico (AFT NM). Whenever possible, the union will
40 send delegates to the AFT NM convention. The delegates will be elected by procedures
41 consistent with Article IV of this constitution.

42

43 **Section 5.**

1 New Mexico Federation of Labor (NMFL). Whenever possible, the union will send delegates to
2 the NMFL convention. The delegates will be elected by procedures consistent with Article IV of
3 this constitution.

4
5 **Section 6.**

6 Delegates to affiliated organizations must be members in good standing.
7

8 **Section 7.**

9 All convention delegates shall make written reports to the Executive Council on meetings
10 attended. Every reasonable effort shall be made by the union to pay the legitimate expenses of
11 delegates to meetings and conventions of affiliated organizations. The union to the best of its
12 ability shall actively participate in the affairs of affiliated organizations.
13
14

15 **ARTICLE XVI**
16 **Rules of Order**
17

18 A modified version of Martha’s Rules of Order (as outlined below) shall govern this organization
19 and all of its subordinate bodies in all matters not expressly covered by this constitution or the
20 bylaws of this organization.
21

22 **Section 1.**

23 Decisions made by the Executive Council and the Representative Assembly that are NOT time-
24 sensitive shall be made by consensus.

- 25 a. Decisions that are time-sensitive shall be made by super-majority (2/3).
- 26 b. Proposals will be submitted for a sense vote where initial support for a proposal is
27 determined. If there is consensus at that time, then the proposal will be adopted
28 without further discussion.
- 29 c. There are three types of votes a voting member might use:
 - 30 i. Thumbs up – I support the proposal.
 - 31 ii. Thumbs sideways – I can live with the proposal.
 - 32 iii. Thumbs down – I cannot support the proposal.
- 33 d. If there are “Thumbs Sideways” votes, then discussion will continue and a modified
34 proposal may be adopted and put to another sense vote up to two more times.
- 35 e. If there are 3 rounds of voting with no “Thumbs Down” votes, the proposal will be
36 adopted (“Thumbs Sideways” votes then equate to “I can live with it”)
- 37 f. No proposal can proceed with a thumbs down vote in the final round. If there are
38 “Thumbs Down” votes still in place after 3 rounds of discussion (limited to 10-15
39 minutes total), then the proposal will be tabled and may be brought back in a revised
40 form at a future meeting.
- 41 g. A tabled proposal can only be presented in one more subsequent meeting with a three
42 round sense vote discussion and can be treated as time sensitive. The person making
43 the proposal must announce whether they want it to be treated as time sensitive

1 (requiring supermajority by a third discussion) or if they want to continue to pursue
2 consensus.

3
4 **Section 2.**

5 Decisions made by the General Membership, such as the approval of tentative agreements,
6 Collective Bargaining Agreements, and Constitution and Bylaws, shall be decided by a simple-
7 majority (50%+1) of the members voting.
8

9
10 **ARTICLE XVII**
11 **Amendment**
12

13 **Section 1.**

14 Thirty percent (30%) of the membership, or representatives of 30 percent thereof, may present,
15 by petition, a proposed amendment to this constitution to the secretary, who shall notify
16 membership of the proposed amendment no later than thirty (30) days prior to the next
17 Membership Meeting. Alternatively, two-thirds (2/3) of the Executive Council may vote to
18 present a proposed amendment to the Membership at the General Membership Meeting. A
19 copy of the proposed amendment, along with an explanation of said amendment, shall be
20 distributed to membership a reasonable time prior to the Membership meeting at which the
21 amendment will be introduced and discussed.
22

23 **Section 2.**

24 Membership shall vote on all amendments to the constitution.

- 25 a. Following the Membership Meeting at which the proposed amendment was introduced,
26 the Election Committee will hold a secret ballot vote on the amendment.
27 b. The Election Committee will tally the results. A simple majority (50% + 1) of the
28 membership present shall be required for passage of the amendment.
29

30
31 **ARTICLE XVIII**
32 **Availability of the Constitution**
33

34 **Section 1.**

35 Copies of this constitution and all subsequent amendments shall be digitally submitted to the
36 office of the secretary-treasurer of the American Federation of Teachers.
37

38 **Section 2.**

39 Copies shall be digitally sent to the similar officers of each organization with which this
40 organization is affiliated.
41

42 **Section 3.**

43 The secretary shall make digitally available, upon request a copy to any member of the
44 organization.