

**Constitution**  
**for**  
**New York City Board of Education Employees**  
**Local 372**

**Article I**  
**Name**

The name of this organization shall be New York City Board of Education Employees, Local 372 of the American Federation of State, County and Municipal Employees, AFL-CIO.

**Article II**  
**Affiliations**

This local union shall be affiliated with New York City District Council of AFSCME Municipal Local Unions #37 of the American Federation of State, County and Municipal Employees; the New York State AFL-CIO; and the New York City Central Labor Council, AFL-CIO.

**Article III**  
**Objectives**

The objectives of this local union shall be to carry out on a local basis the objectives of the American Federation of State, County and Municipal Employees including, but not limited to, the following:

Section 1. The objectives of this organization shall be:

- a. to promote the organization of workers generally and of public employees in particular;
- b. to advance the social, economic and general welfare of public employees;
- c. to bring into closer relationship local organizations of public employees in order to foster cooperation;
- d. to foster and promote a liberal and progressive public attitude toward public administration;
- e. to cooperate in giving efficient government service;
- f. to establish and maintain a clearinghouse of information and a consulting and research service for affiliates;
- g. to extend and uphold the principle of merit and fitness in public employment;
- h. to promote civil service legislation and career service in government, and assist in the recruitment into public jobs of trained and spirited young people interested in embarking upon public service as a career;
- i. to promote and establish broad and comprehensive disability and retirement plans for public employees which shall assure just standards of living; and
- j. to promote efficiency in public service generally.

Section 2. The attainment of the objectives of this local is to be accomplished through the employment of the following methods:

- a. cooperation with public officials;

- b. creation and fullest development of sentiment favorable to public service through a comprehensive educational program;
- c. promotion of required desirable legislation;
- d. conduct of an educational campaign designed to enlighten the general public with respect to the problems of government employees;
- e. collective bargaining resulting in working agreements and contracts; and
- f. exercise of other lawful means.

#### **Article IV Membership and Dues**

Section 1. All employees of the New York City, New York, Board of Education, except those employees within the jurisdiction of AFSCME local unions 375, 768, 924, 983, 1087, 1251, 1407, 1597 and 2627; and including school crossing guards, instructors of addiction, task force monitors and food service monitors of the City of New York are eligible for membership in this local union; subject to the requirements of the constitution of the International Union.

Section 2. Application for membership shall be made on a standard application and check-off form. Unless such form includes a valid authorization for payroll deduction of dues, the application shall be accompanied by the current month's dues.

Section 3. The bi-weekly membership dues of this local shall be \$24.97 for full-time employees except that the dues of those persons employed part-time shall be \$21.45 per pay period. The amount per member is determined by the general membership vote and is therefore subject to change. If the monthly per capita tax payment to District Council 37 and/or the International Union are increased, the bi-weekly dues rate of this local shall automatically be adjusted by an amount sufficient to cover the additional per capita taxes rounded to the next highest five cents (\$.05).

Section 4. Membership dues payable in cash shall be payable monthly in advance to the local secretary-treasurer and in any event shall be paid not later than the 15th day of the month in which they become due. Any member who fails to pay dues by the 15th day of the month in which they become due shall be considered delinquent, and upon failure to pay dues for two successive months shall lose their good standing status and stand suspended. Provided, however, that any person who is paying dues through a system of regular payroll deduction, bank draft, or similar system, shall for so long as such person continues to pay through such deduction method, be considered in good standing.

Section 5. A member suspended under the above section may be reinstated to membership in the local on payment of all arrearages.

#### **Article V Meetings**

Section 1. Regular meetings of this local shall be held at least four (4) times per year; chapter meetings shall be held at least three (3) times per year, at a time and place to be fixed by the membership or the chapter.

Section 2. Special meetings of a chapter may be called by the local union president, the local union executive board, the chairman of the chapter, or by a petition filed with the chairman of the chapter and signed by one-quarter of the members of the chapter. Special meetings of a chapter may be called by the International President or his/her authorized representative.

Section 3. A general membership meeting of the members of this local shall be held annually in the month of June. The nominations and election of the officers of the local shall be held in the months of May and June, respectively.

Section 4. A special general membership meeting of the membership of this local may be called by the president, a majority of the executive board, or by petition filed with the president and signed by one-quarter of the members. A special general membership meeting may also be called by the International President or his/her authorized representative.

Section 5. A quorum for general membership meetings shall be 200 members.

#### **Article VI**

##### **Local Union Officers, Local Union Trustees, Chapter Officers and Delegates**

Section 1. The officers of this local shall be: president, executive vice-president, second vice-president, two sergeant-at-arms, recording secretary, secretary-treasurer and two executive board members elected from each chapter, and these officers shall constitute the executive board of this union. Officers other than executive board members shall be elected for a three-year term and not more than four officers shall be elected from any one chapter.

Section 2. There shall be elected a minimum of three (3) members who shall serve as trustees. Trustees are not on the executive board of the local. The trustees shall be elected as follows: three (3) trustees shall be elected for a three (3) year term. Election for all three (3) trustees shall be conducted at the same day and time as the election for the officers of this local as indicated in Article VII, Section 1, of this constitution.

Section 3. The officers of each chapter shall be a chapter chairman and a chapter secretary. They shall be elected for two-year terms. The nominations and election for these positions shall be held respectively in the months of October and November of the odd-numbered years.

Section 4. Positions as delegates to District Council 37 and the central labor council shall be filled by election from among the officers or from rank-and-file members as the case may be. An officer shall not be disqualified from election as a delegate solely by reason of his/her position as officer.

#### **Article VII**

##### **Nominations and Elections**

Section 1. Nominations and elections of officers of this local shall be held every three years, beginning in 1975. Nominations of officers of this local shall be conducted at the general membership meeting in the month of May. The election of officers of this local shall be held on the same date at the local's June general membership meeting at multiple polling sites as determined by the local's election committee, including the local union's headquarters where the tally of ballots and announcement of election results shall take place. The nominations and election of officers of the chapters shall be conducted at the regular or special meeting of the chapter, in the months of October and November, respectively. At least fifteen (15) days' advance notice shall be given the membership that nominations and election shall be conducted, including polling places.

Section 2. A nominating committee shall be appointed by the president prior to the general membership meeting.

Section 3. The chapter chairman and chapter secretary of each chapter shall, by virtue of their election to such offices, be the elected executive board members of this union from their respective chapters.

Section 4. To be eligible for office, a member must be in good standing with the local for one year immediately preceding the election and employed in those job classifications within the jurisdiction of the local for a period of twelve (12) consecutive months prior to the month of nomination. All officers of the local shall be considered as

meeting the requirement of being employed in those job classifications within the jurisdiction of the local for the purposes of being eligible to run for local office. Retired members are prohibited from running for office pursuant to Appendix C, Article VI, Section 3, of the International Constitution.

Section 5. Officers shall be elected by secret ballot vote, and the balloting shall be conducted so as to afford to all members a reasonable opportunity to vote.

Section 6. All matters concerning nominations and elections shall be subject to the provisions of Appendix D, entitled Elections Code, of the International Constitution, and which is made a part of this constitution by reference.

Section 7. Vacancies in any office except chapter offices shall be filled for the remainder of the unexpired term by a vote of the executive board.

Section 8. Vacancies in the office of chapter chairman or chapter secretary of a chapter shall be filled for the remainder of the unexpired term by a majority vote of the membership of the chapter in which such vacancies occur.

Section 9. In the event that an executive board member is elected, pursuant to the provisions of Section 7 of this article, to fill a vacancy in the office of executive vice-president, vice-president, secretary-treasurer, recording secretary and accepts such election, he/she shall resign as executive board member and as chapter chairperson or chapter secretary. A member elected to fill such vacancy in the office of chapter chairperson or chapter secretary shall be elected to serve the remainder of the unexpired term and shall be deemed elected to the executive board for such term by virtue of his/her election as chapter chairperson or chapter secretary.

Section 10. Except for those elected to the executive board of this local union by virtue of their election as chapter chairman or chapter secretary of their chapters, no member may hold two offices concurrently in the local.

Section 11. Every officer shall, upon assuming office, subscribe to the Obligation of an Officer, contained in Appendix B of the International Constitution which is made a part of this constitution by reference.

Section 12. Upon the resignation, retirement, abandonment of position, or the end of a term, an election for shop steward shall be conducted. The election of shop steward for a three-year term of office shall be held during the calendar year of 1999, and every three years thereafter. The duties and responsibilities of a shop steward shall be designated by the president with the approval of the executive board.

#### **Article VIII**

##### **Duties of Officers and Executive Board**

Section 1. The president of this union shall preside at all general membership meetings of this local union and of the local executive board. He/she shall be a member of all local union committees except election committees. He/she shall countersign all checks drawn against the funds of the local. He/she shall appoint all standing committees and all special committees of the local, subject to the approval of the executive board. He/she shall report periodically to the membership regarding the progress and standing of the local and regarding his/her official acts. He/she shall also automatically serve as a delegate to District Council 37, and to all International Conventions. The president shall serve as chief negotiator for all collective bargaining agreements entered into between the local, its chapters and management. The president shall be a full-time employee of the local.

Section 2. The executive vice-president of this union shall assist the president in the work of his/her office. In the absence of the president or in his/her inability to serve, the executive vice-president shall preside at all meetings and perform all duties otherwise performed by the president. He/she is authorized to act as co-signer of checks with proper documentation, drawn on the local funds in place of either the president or the secretary-treasurer. The executive vice-president shall be a full-time employee of the local.

Section 3. The second vice-president of this union shall assist the president in the work of his/her office. In the absence of the president and the executive vice-president or in their inability to serve, the second vice-president shall preside at all meetings and perform all duties otherwise performed by the president and the executive vice-president. He/she shall perform such other duties as the executive board or the president may require. The second vice-president shall be compensated on a lost-time basis for performing the duties of that office provided, that the executive board shall have the authority to limit the amount of lost-time that may be paid to the second vice-president.

Section 4. The recording secretary of this union shall keep a record of the proceedings of all membership meetings and of all executive board meetings. He/she shall carry on the official correspondence of the local, except as the executive board may direct otherwise. He/she shall perform such other duties as the executive board or the president may require.

Section 5. The secretary-treasurer of this union shall insure that the business manager receive and receipt for all monies of the local union. He/she shall sign checks with proper documentation for such purposes only as are required by the constitution or are authorized by the membership or the executive board. He/she shall review and submit the monthly membership report to the International Union office and see that a check is drawn in payment of the local's per capita tax each month and sent to the International Union. He/she shall act as custodian of all properties of the local union. He/she shall establish continual communication and cooperation with the business manager regarding all business and financial matters of the local. He/she shall, at the expense of the local union and through the International Union, give a surety bond for an amount to be fixed by the executive board of the local. The secretary-treasurer is on the executive board of the local. He/she shall perform such other duties as the executive board or the president may require. The secretary-treasurer shall be compensated on a lost-time basis for performing the duties of that office provided, that the executive board shall have the authority to limit the amount of lost-time that may be paid to the secretary-treasurer.

Section 6. The trustees of this union shall make or cause to be made at least semi-annually an audit of the local's finances, and shall report to the membership on the results of such audit.

Section 7. The executive board of this union shall be the governing body of the local union except when regular or special meetings of the local union are in session. All matters affecting the policies, aims and means of accomplishing the purposes of the local not specifically provided for in this constitution or by action of the membership shall be decided by the executive board. A report on all actions taken by the executive board shall be made to the membership at the general membership meeting. A majority of the members of the executive board shall be required for a quorum, of which at least two of that majority shall be from the top seven elected officers. Failure of any board member to attend three (3) consecutive meetings of the board without excuse acceptable to the board shall be sufficient cause to declare his or her office vacant.

Section 8. The local union executive board shall meet monthly, except during August, at a time and place to be fixed by the members of the executive board.

Section 9. Special meetings of the local executive board may be called by the president, or a majority of the executive board. A special meeting of the executive board may also be called by the International President or his/her authorized representative.

## **Article IX Chapters**

Section 1. There shall be the following chapters in this local:



1. School Lunch - Hourlies
2. School Lunch - Monthly/Annuals and Task Force Monitors and Food Service Monitors
3. School Aides, Health Aides and Film Inspection Assistants
4. Family Paraprofessional Titles
5. School Neighborhood Workers - Community Coordinators and Community Associates
6. Substance Abuse Prevention and Intervention Specialists
7. School Crossing Guards

Section 2. Officers of a chapter shall be a chapter chairman and a chapter secretary and such officers shall be elected in accordance with the provisions of this constitution

Section 3. The members of a chapter shall vote and pass on all matters and terms of union contracts and agreements affecting them, or entered into or negotiated on their behalf.

Section 4. In the event a membership title has fewer than fifty (50) members, that title would be incorporated into an existing chapter of the local by the recommendation of the executive board.

#### **Article X Miscellaneous Provisions**

Section 1. This local union shall at all times be subject to the provisions of the constitution of the American Federation of State, County and Municipal Employees.

Section 2. Except to the extent specified in this constitution, no officer of the local union shall have the power to act as agent for or otherwise bind the local union in any way whatsoever. No member or group of members or other person or persons shall have the power to act on behalf of or otherwise bind the local union except to the extent specifically authorized in writing by the president of the local or by the executive board of the local.

Section 3. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern this local union in all cases to which they are applicable and in which they are not inconsistent with this constitution and special rules of this local union or of the American Federation of State, County and Municipal Employees.

Section 4. The local shall maintain five (5) permanent committees with officers appointed by the president of the local. There shall be no fixed term for such officers. The committees shall be:

- a. Political Action Committee
- b. Women's Committee
- c. Next Wave Committee
- d. Cultural Committee
- e. Housing Committee

Section 5. With the approval of the executive board, the local shall hire a full-time business manager to handle the financial affairs of the union. The business manager shall be an accountant, who has a degree in accounting, and has experience in managing the financial affairs of a non-profit organization. He/she shall receive and receipt for all monies of this local union and shall deposit all money so received in the name of the local in a bank or banks insured by the Federal Deposit Insurance Corporation, and money so deposited shall be withdrawn only by check signed by the president, the executive vice-president, and the secretary-treasurer or for checks in the amounts less than \$10,000, at least any two of them. He/she shall prepare checks for signature with the proper documentation for such purposes only as are required by the constitution or are authorized by the membership or the executive board. The business manager shall prepare the monthly membership reports to be reviewed by the secretary-treasurer. He/she shall keep an accurate record of receipts and disbursements and shall, four (4) times per year, submit to the membership quarterly

operating and financial statements regarding the financial transactions of the local for the previous quarter. He/she shall establish continual communication and cooperation with the secretary-treasurer regarding all business and financial matters of the local. He/she shall aide the executive board in the creation and maintenance of an annual local operating budget. He/she is specifically authorized to keep and maintain a petty cash fund at all times and shall contain not less than \$50.00 or more than \$300.00. The business manager is not on the executive board. He/she shall perform such other duties as the executive board or the president may require.

Section 6. Unless specified in this constitution, no officer, executive board member, or trustee of the local shall be employed by the local union or District Council 37.

#### **Article XI Amendments**

Section 1. This constitution may be amended, revised or otherwise changed only by a vote of the majority of the members voting on such proposed change, and such amendment, revision or change shall take effect only upon written approval of the International President.

Section 2. Proposed amendments, revisions or changes to this constitution must be made at a regular or special meeting of the general membership, and read and voted on at a subsequent meeting, adequate and proper notice having been given to all the members prior to the date on which the vote is taken.

Approved by:

A handwritten signature in black ink that reads "Lee Saunders". The signature is written in a cursive, flowing style.

LEE SAUNDERS  
President

Approval date: August 12, 2019