

**United
Faculty**

NORTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT
CYPRESS COLLEGE · FULLERTON COLLEGE · NORTH ORANGE CONTINUING EDUCATION



United Faculty

North Orange County Community College District /CCA/CTA/NEA

Bylaws

Adopted: February 24, 2021

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Bylaws of United Faculty-North Orange County Community College District--Association of CCA/CTA/NEA

I. NAME AND LOCATION

The official name of this Association shall be the UNITED FACULTY NORTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT/CCA/CTA/NEA in Orange County, hereinafter denoted as the "UF NORTH ORANGE, "UF/NOCCCD," "UNITED FACULTY," "UF," "UF/CCA/CTA/NEA," or "the Association."

II. PURPOSES

The primary purposes of this Association shall be:

1. To be the exclusive representative of all full-time faculty members in all matters relating to employment conditions and employer-employee relations including, but not limited to, wages, hours, and other terms and conditions of employment;
2. To form a representative body capable of developing group opinion on professional matters and to speak with authority for the full-time faculty of the North Orange County Community College District;
3. To provide an opportunity for continuous study and action on problems of the profession;
4. To encourage cooperation and communication between the profession and community;
5. To provide a means of representation for all members, including those from protected categories;
6. To promote professional and ethical conduct among members; and
7. To foster collegiality among the members.

III. AFFILIATION WITH CTA/CCA/NEA

1. The United Faculty shall be a chartered chapter of the California Teachers Association (CTA).
2. The United Faculty shall be an affiliated local association of the Community College Association (CCA).

3. The United Faculty shall be an affiliated local association of the National Education Association (NEA).

IV. MEMBERSHIP

1. Membership shall be open to any person who is a full-time faculty employee, or on a limited leave of absence from professional educational work, of the North Orange County Community College District and whose primary assignment does not include supervisory responsibility over other certificated employees to such an extent as not to be represented in the negotiations process by the exclusive bargaining unit of the faculty.
2. The process for membership in the Association is initiated upon submission of a completed United Faculty/CTA Membership Enrollment Form to the United Faculty Membership Chair.
3. Membership in UF/CCA/CTA/NEA is granted upon initial payroll deduction or upon payment of annual UF/CCA/CTA/NEA dues.
4. The right to vote and to hold elective office or appointive position within the Association shall be limited to members.
5. Members shall receive special services, obtain assistance in the protection of professional and civil rights, and receive reports and publications of the Association.
6. Members shall adhere to The Code of Ethics of the Education Profession.
7. The rights to and privileges of membership, voting, seeking office, or otherwise participating in the affairs of the chapter shall not be abridged in any way because of age, sex, gender identity, race, color, ethnic group, disability, marital status, national origin, or sexual orientation.
8. Any and all United Faculty disciplinary matters shall include due process. Due process includes the right to select representation, to present evidence on their behalf, to confront and cross-examine their accuser and any other witnesses against them, and to examine and refute all evidence considered by the hearing panel, whether or not such evidence is presented at a

hearing. All members have the right to appeal the decision of the hearing panel to the governing body.

9. The membership year shall be that period of time from September 1 of any given calendar year through August 31 of the following calendar year, inclusive.

V. DUES AND ASSESSMENTS

1. The basic annual dues for members represented by the bargaining unit shall be sufficient to cover the operating expenses of the Association, including the minimum required for CTA to contribute to arbitration, and the dues of CCA, CTA, and NEA.
2. The Association's portion of the basic annual dues shall be reviewed and established by the Representative Council by the last regular meeting of the academic school year.
3. Membership shall be continuous after initial enrollment until the member becomes delinquent or until a change in professional status shall make the member ineligible for membership. If by the last day of any month in the academic year a member has not paid membership dues, that person will not be considered a member and shall lose all rights and privileges of membership until full payment is made.

VI. REPRESENTATIVE COUNCIL—THE POLICY MAKING BODY

1. The policy-making body of the Association shall be the Representative Council. The Representative Council, comprised of members in good standing of the Association, derives its powers from and shall be responsible to the membership.
2. The Representative Council shall be composed of the following members:
 - a. The President, Vice President, Secretary, and Treasurer.
 - b. The Representatives elected according to the procedures established in these by-laws under "VIII. Faculty Representatives" on the basis of one-person one-vote.
 - c. The Lead Negotiator, Grievance Chair(s), and appointed committee chairs shall be ex-

officio non-voting members of the Representative Council unless they also hold an elected position on the Representative Council.

3. The Representative Council shall do the following:
 - a. Establish Association policies and objectives;
 - b. Adopt the annual budget of the Association on or before the first regular Representative Council meeting of the academic year.
 - c. Approve the establishment or discontinuance of committees recommended by the Executive Committee;
 - d. Establish the local dues of the Association by the last regular meeting of the academic school year;
 - e. Establish negotiating priorities of the Association;
 - f. Approve Committee and Negotiation Team appointments made by the President;
 - g. Approve the removal of any negotiating team member by 2/3 vote;
 - h. Adopt the Standing Rules of the Association; and
 - i. Exercise all of the business and organizational powers and duties for the Association as prescribed by law and these Bylaws.
4. The Representative Council shall meet at least once during each month of the academic year; the number, place, and time of meetings to be decided by the Executive Committee.
5. Special meetings of the Representative Council may be called by the President or by the petition of twenty percent (20%) of the membership of the Representative Council.
6. Special meetings of the Representative Council shall be called for a specific purpose at which no business may be transacted other than that for which the meeting is called.
7. Notices and agendas for all meetings of the Representative Council shall be sent to all members of the Representative Council at least two business days prior to the date of the meeting.

Attachments to the agenda may be sent out before or distributed at the meeting.

8. For emergency meetings of the Representative Council during crises, the Executive Committee shall adopt procedures to notify representatives of meeting dates, places, and times.
9. Representative Council meetings that are connected electronically may be held if members interact in the meeting. Attending members shall be able to be seen and heard by the entire Representative Council. A roll call attendance and subsequent votes shall be conducted by the secretary.
10. A quorum for all meetings of the Representative Council shall consist of a majority of all voting members of the Representative Council.

VII. FACULTY REPRESENTATIVES

1. Representative Council members shall be elected by and from the membership for each academic division on the basis of one-person one-vote. Elections shall be open nominations and by secret ballot.
2. Representatives shall not take part in conducting an election in which they are a candidate.
3. Members of the Representative Council shall serve a term of two years.
4. Vacant representative seats shall be filled according to the procedures established in the Standing Rules.
5. Each academic division or combination of divisions shall be entitled to one elected representative for each 25 members.
6. Each academic division or combination of divisions shall be entitled to one additional elected representative for each additional 25 members.
7. Association members not represented through an academic division, including all NOCE Programs and Departments, shall be counted as one faculty group entitled to the same representation on the Representative Council as an academic division.

8. Academic division combinations are identified as follows:

Cypress College

- a. Business/CIS and CTE
- b. Counseling and Fine Arts
- c. Health Sciences and Kinesiology/Athletics
- d. Language Arts and Library
- e. SEM
- f. Social Sciences

Fullerton College

- a. Business/CIS and PE
- b. Counseling
- c. Fine Arts
- d. Humanities and Library
- e. Math and Computer Science
- f. Natural Sciences
- g. Social Sciences
- h. Technology and Engineering

9. Faculty Representatives shall do the following:

- a. Attend all meetings of the Representative Council;
- b. Conduct constant and on-going liaison between the Representative Council and their constituency;
- c. Serve as an official channel through which written communications and publications can be easily and quickly transmitted between the Association and members;
- d. Represent the view and input of the membership of the faculty within their constituency

in votes taken in the Representative Council, conducting frequent and regular polls of such membership for this purpose; and

e. Perform such additional duties as prescribed by the Executive Committee.

10. If any Representative Council member misses more than three regular Representative Council meetings consecutively during a single academic year, their constituency may elect to replace that representative according to the procedures specified in the Standing Rules.

VIII. OFFICERS

1. The Officers of the Association shall be the President, Vice President, Secretary, and Treasurer.
2. These Officers shall be full-time faculty members, and shall remain members of the Association, CCA, CTA, and NEA as a condition for nomination to, and service in, their respective positions during their terms of office.
3. The Officers shall be elected by and from the membership of the Association. Elections shall be open nomination and by secret ballot.
4. Officers shall be elected for a term of two years, commencing office on the last scheduled meeting in May of the spring semester in which the elections have taken place.
5. The President and Vice-President shall be elected during odd numbered years. The Secretary and Treasurer shall be elected during even numbered years.
6. A vacancy shall be deemed to exist in the case of death, resignation, or inability to serve in any of the offices of the Association. If a vacancy occurs in the office of the President, the Vice President shall assume the office. If a vacancy occurs in the other offices, a special election shall be held to elect successors to fill the unexpired terms.
7. The President shall be the principle executive officer of the Association and be its policy leader.
8. The President shall do the following:
 - a. Call meetings of the Association, Executive Committee, and the Representative Council;

- b. Prepare the agenda for the meetings of the Association, Executive Committee, and Representative Council;
 - c. Preside at all meetings of the Association, Executive Committee, and Representative Council;
 - d. Be the official spokesperson for the Association;
 - e. Represent the Association at District meetings, or appoint designees;
 - f. Appoint the Lead Negotiator and appoint Negotiating Team members in consultation with the Lead Negotiator, subject to approval of the Representative Council, by the beginning of each academic year;
 - g. Provide general direction to the negotiating team;
 - h. Appoint the Grievance Chair(s), subject to approval of the Executive Committee, by the beginning of each academic year;
 - i. Provide support to the Grievance Chair(s) when necessary;
 - j. Adhere to the governance documents of the Association, CCA, CTA, and NEA;
 - k. Appoint all chairs and members of committees, subject to approval of the Representative Council, unless otherwise specified in these Bylaws;
 - l. Suggest policies, plans, and activities for the Association and be held responsible for the progress and work of the Association;
 - m. Order the payment of funds, as necessary;
 - n. Attend meetings of the Service Center Council of which the association is a part; and
 - o. Attend CCA/CTA training and conferences.
9. The Vice President shall do the following:
- a. Serve as assistant to the President in all duties of the President;
 - b. Assume the duties of the President in the absence of the President;

- c. Represent the Association as the President's designee as needed; and
- d. Assume responsibilities for special projects as needed, at the direction of the President.

10. The Secretary shall do the following:

- a. Maintain careful and accurate record of the proceedings of each regular or special meeting of the Association, Executive Committee, and Representative Council;
- b. Be responsible for distribution of all notices, agendas, and minutes of meetings to members of the Representative Council and to the membership when appropriate;
- c. Maintain an accurate roster of the Association officers, Representative Council, and committee members of the Association;
- d. Carry on the correspondence pertaining to the affairs of the Association as directed by the President; and
- e. Maintain additional Association records as needed.

11. The Treasurer shall do the following:

- a. Receive all funds belonging to the Association and be responsible for their safekeeping and accounting;
- b. Disburse funds upon approval of the President and be responsible for their accounting;
- c. Maintain checking, savings or investment accounts for the Association, under the direction of the Executive Committee;
- d. Prepare a monthly budget report for each meeting of the Representative Council;
- e. Be responsible for all fiscal reports required by CTA/CCA or NEA and local, state and federal agencies; and
- f. Be responsible for an annual financial audit of the Association, and the distribution of a summary of this audit to the Representative Council.

IX. EXECUTIVE COMMITTEE

1. The Executive Committee of the Association shall consist of the Officers (See Article VIII). The Lead Negotiator and Grievance Chair(s) will serve on the Executive Committee as ex-officio members.
2. The Executive Committee shall meet as needed before each regular meeting of the Representative Council and/or at such other times as the President may deem necessary, or upon written petition of a majority of the members of the Executive Committee.
3. The Executive Committee shall do the following:
 - a. Coordinate the activities of the Association in representing members in all matters relating to employment conditions and contractual rights;
 - b. Assume the responsibilities of the Representative Council outside of the fall and spring semesters;
 - c. Provide for the dissemination of information regarding activities of the Negotiating Team to the general membership;
 - d. Direct the grievance processing of the Association;
 - e. Recommend a budget for the Association to the Representative Council;
 - f. Recommend the establishment or discontinuance of committees, subject to approval by the Representative Council; and
 - g. Exercise all the business and organizational powers and duties for the Association as prescribed by law and these Bylaws, subject to any restrictions that may be imposed by the Representative Council.

X. NEGOTIATING TEAM

1. The duties of the Negotiating Team are to represent and to bargain for the full-time faculty of the North Orange County Community College District.

2. The Lead Negotiator shall do the following:
 - a. Direct negotiations;
 - b. Make recommendations to the President regarding the composition of the Negotiating Team;
 - c. Coordinate the activities and schedule the meetings of the Negotiating Team;
 - d. Serve as the primary contact with the District regarding negotiated issues;
 - e. Serve as the primary spokesperson for the Negotiating Team;
 - f. Provide regular updates to the Executive Committee, Representative Council, and membership regarding negotiations; and
 - g. Coordinate training for the members of the Negotiating Team.

XI. NEGOTIATIONS

1. The negotiating process on behalf of the Association shall be directed by the Executive Committee, subject to priorities set by the Representative Council.
2. The Negotiating Team shall survey all members to determine the contents of the initial bargaining proposal.
3. The Negotiating Team shall submit the initial bargaining proposal to the Representative Council for approval.
4. The Negotiating Team shall report its activities to the Executive Committee and to the Representative Council, as those bodies so require.
5. The Negotiating Team is empowered to reach tentative agreements with the District. Such agreements shall be considered tentative and not binding upon the Association until such agreements have been ratified by the membership unless such ratification shall have been specifically waived or otherwise delegated by the membership.
6. The Representative Council will be presented with the terms of any bargained tentative

agreements prior to ratification by the membership.

7. Agreements reached between the Negotiating Team and the Board of Trustees or its representatives shall be considered tentative and not binding upon the Association until such agreements have been ratified by the Association members.

XII. GRIEVANCE PROCESSING

1. The Association shall protect the rights of all faculty members under the Collective Bargaining Agreement (CBA), following procedures as established in the CBA.
2. The Grievance Chair(s) will provide for representation to assist all members of the Association in processing grievances.
3. The Grievance Chair(s) will participate in CTA/CCA grievance training.

XIII. MEETINGS OF THE GENERAL MEMBERSHIP

1. Meetings of the General Membership may be called by the President, Executive Committee, or by written petition of twenty percent (20%) of the membership.
2. Except during crisis situations, notices of General Membership meetings--including date, place, time, and purpose of the meeting--shall be made available to all members of the Association at least two days (48 hours) prior to the meeting.
3. For emergency meetings during crisis situations, the Representative Council shall adopt procedures to notify the Association membership of meeting dates, places, and times.
4. A quorum for meetings of the General membership shall be ten percent (10%) of the membership.

XIV. NOMINATIONS AND ELECTIONS

1. The Association shall follow and members are entitled to the rights contained in the *CTA Requirements for Chapter Election Procedures* published annually with the *CTA Elections Manual*.

2. The President must provide all members an opportunity to vote. Presidents do not have the option of deciding what such elections shall not be held.
3. The Elections Committee Chair and members shall be appointed by the President and approved by the Representative Council to which it is responsible at the first meeting of each academic year.
4. The Elections Committee shall be composed of at least three members.
5. A member of the Elections Committee shall not be a member of the Executive Committee or a candidate for office.
6. The Elections Committee shall do the following:
 - a. Ensure that all Association, CTA, and NEA election codes and timelines are followed;
 - b. Announce elections;
 - c. Oversee the preparation and distribution of ballots;
 - d. Oversee a record of voters receiving or casting ballots;
 - e. Oversee the collection, tally and certification of all ballots;
 - f. Announce the results of elections;
 - g. Ensure that ballots are available for one year following the election;
 - h. Recommend to the Representative Council appropriate Association election timelines, subject to the Standing Rules of the Association and in accordance with CTA/NEA codes and timelines; and
 - i. Handle initial challenges.
7. Elections shall be conducted with the following:
 - a. Open nomination procedure;
 - b. Secret ballot; and
 - c. Majority vote, unless otherwise specified.

8. The Elections Committee shall ensure that all UF/CTA/CCA/NEA election codes and timelines are followed.
9. All members of the Association are eligible to vote.

XV. COMMITTEES

1. Committees, except as otherwise provided in these Bylaws, may be established and discontinued by the Executive Committee, subject to approval by the Representative Council.
2. Committee Chairs or members shall submit periodic reports to the Representative Council, or as requested by the Representative Council members, the Executive Committee, or the President.
3. Any Association member in good standing may be appointed by the President as a member or chair of committees, subject to approval by the Representative Council.
4. United Faculty shall maintain the following as standing committees, subject to the approval process outlined in these Bylaws:
 - a. Communications Committee
 - b. District Insurance and Benefits Committee (CBA Article 21.5)
 - c. Elections Committee (CTA Elections Manual)
 - d. Organizing Committee
 - e. Political Action Committee (PAC)
 - f. Racial Justice and Equity Committee (RJEC)
 - g. Retiree Health Benefits Trust Committee Representatives (Irrevocable Trust)

XVI. PARLIAMENTARY AUTHORITY

1. Robert's Rules of Order, newly revised, latest edition, shall be used to decide matters of procedure at meetings of the Association and the Representative Council.
2. A Parliamentarian may be appointed by the Association President at the beginning of each

academic year, subject to approval of the Executive Committee.

XVII. AMENDMENTS

These Bylaws may be amended by a two-thirds (2/3) vote of the Representatives at any regular or special meeting of the Representative Council. Notice in writing of a proposed Bylaws amendment(s) shall have been submitted to the Secretary and provided to Representative Council members at the meeting proceeding the one at which it is to be voted upon.