

Louisiana Federation of Teachers



Constitution & By-laws November 2014

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Constitution

Louisiana Federation of Teachers

ARTICLE I

Name and Affiliation

- Section 1. The name of this organization shall be the **Louisiana Federation of Teachers**.
- Section 2. It shall maintain affiliation with the **American Federation of Teachers** and the **Louisiana AFL-CIO**.

ARTICLE II

Objectives: The Objectives of This Federation Shall Be:

- Section 1. To give mutual aid and support to Louisiana teachers and school related personnel in securing state and national legislation favorable to schools and classroom teachers.
- Section 2. To promote the general welfare of the children of Louisiana by providing better educational opportunities for all.
- Section 3. To make more effective use of the support given to schools by the state and local labor bodies.
- Section 4. To support and maintain high professional standards.
- Section 5. To promote the goals of the **American Federation of Teachers** and its affiliated labor bodies.
- Section 6. To advance the broad interests of teachers and school related personnel.
- Section 7. To promote this organization and increase membership in all locals in the state.
- Section 8. To secure collective bargaining rights for teachers and school related personnel.

ARTICLE III

Membership

- Section 1. All Louisiana locals of the **American Federation of Teachers** shall be members of this organization.
- Section 2. (a) Locals who admit into their membership school related personnel whose salary is less than the basic teacher's salary and greater than \$8000 shall pay per capita tax for such members at not greater than one-half the regular rate. Such members shall be entitled to receive full benefits of membership. They shall be counted in determining the delegate strength of the local at any convention of this Federation, at one-half the constitutional formula for apportionment of delegate strength.
- (b) Locals who admit into their membership school related personnel whose salary is less than \$8000 shall pay per capita tax for such members at not greater than one-quarter the regular rate. Such members shall be entitled to receive full benefits of membership. They shall be counted in determining the delegate strength of the local at any convention of this Federation, at one-quarter the constitutional formula for apportionment of delegate strength.
- Section 3. In jurisdictions where there is no existing LFT local, teachers and school related personnel may be admitted as associate LFT/AFT members to the LFT Professional

Educators Group. Such associate members shall have no voting rights but rights to participate in benefit programs such as insurance, travel and discount buying programs. The dues for associate LFT/AFT members shall be determined by the LFT/AFT executive boards.

Section 4. In school systems where no AFT Charter has been issued, teachers and school related personnel may be admitted as AFT at-large members subject to approval by the LFT Executive Board. At-large members shall pay full AFT dues and LFT dues in an amount approved by the LFT Executive Board. At-large members shall be entitled to all privileges and rights of members of established locals.

Section 5. In jurisdictions where there is an existing LFT local, the teachers and school related personnel in an independent school district within the local's jurisdiction may be admitted as members to such LFT local.

ARTICLE IV

Charters

Section 1. Upon written application or a petition by ten or more teachers and or school related personnel in a jurisdiction where there is no existing LFT local, the Louisiana Federation of Teachers Executive Board may, at the LFT Executive Board's sole discretion, issue a state federation charter.

Section 2. Consideration of a state federation charter shall require the submission of the application or petition to the LFT Organizing Committee for formal review and a recommendation to the full LFT Executive Board.

Section 3. The issuance of a state federation charter shall require a two-thirds vote of the Louisiana Federation of Teachers Executive Board, and shall require that the petitioning members:

- (a) simultaneously apply for a charter from the American Federation of Teachers and continue to pursue actively an AFT charter until such charter is granted,
- (b) submit upon application a payment of \$25 to the Louisiana Federation of Teachers Executive Board,
- (c) maintain affiliations with the national and state AFL-CIO, and with the local AFL-CIO Central Labor Council (where active),
- (d) develop, adopt, and submit to the LFT Executive Board a copy of their constitution and by-laws, consistent with the constitutions of the AFT and LFT, within three months of receipt of their charter,
- (e) establish and maintain membership dues sufficient to effectively represent their membership

Section 4. A state federation charter shall provide the same rights afforded all local chapters of the Louisiana Federation of Teachers, including the right to hold local office and participate as voting delegates of at the annual Louisiana Federation of Teachers. A state federation chartered local will not afford members the right to hold AFT National Office or participate as voting delegates to the AFT National Convention until the state federation chartered local has been granted a charter by the American Federation of Teachers.

Section 5. A state federation chartered local's constitution and bylaws shall provide for regular meetings of an executive body and regular meetings of the general membership or a representative body of the general membership, and the election of officers consistent with the standards developed under Title IV of the Labor-Management Reporting and

- Disclosure Act (LMRDA). Terms of office for officers shall not exceed four years, or fewer if required by applicable state or federal laws.
- Section 6. Each state federation chartered shall increase the local dues to equal any increase in per-capita payments that are required to be made to the Louisiana Federation of Teachers and any increase to either the national affiliate or the regional council with which the local is affiliated. Members of the Louisiana Federation of Teachers / AFT Professional Educators Group shall maintain their LFT/PEG dues in addition to dues set by the Louisiana Federation of Teachers Executive Board for state chartered federation locals until such time as an AFT charter has been granted.
- Section 7. A charter issued to any local may be suspended or revoked by the LFT Executive Board when the existence of such local is detrimental to the development of democracy in education. However, except for the nonpayment of dues to this organization, no local shall have its charter suspended or revoked until the LFT Executive Board has (a) served the local with written specific charges, (b) provided a reasonable time to prepare its defense and (c) afforded a full and fair hearing within the jurisdiction of the local.
- Section 8. Except for nonpayment of dues, such suspension or revocation may be appealed to the next state convention. The appeal shall be the first order of convention business. The local may present its own case without the right of vote. A two-thirds vote of the convention shall be required to sustain such suspension or revocation.
- Section 9. In the event a state federation chartered local disbands, the balance in the treasury, as well as all financial records, shall be forwarded to the Louisiana Federation of Teachers unless the local has also been granted an AFT charter.
- Section 10. No charter of the Louisiana Federation of Teachers that defines or recognizes jurisdiction on a basis of race, creed, sex, sexual orientation, social, political or economic status of national origin or permits the practice of any local limiting its membership on account of race, creed, sex, sexual orientation, social, political or economic status or national origin shall render its charter void.”
- Section 11. All locals currently chartered by the American Federation of Teachers are also fully recognized as chartered locals of the Louisiana Federation of Teachers.

ARTICLE V

Officers

- Section 1. The elected officers of the Federation shall be a President, an Executive Vice-President, a Secretary-Treasurer and twenty-two (22) vice-presidents. These twenty-five (25) officers shall constitute the LFT Executive Board. They shall be elected by the Convention for terms of three (3) years. Vacancies shall be filled as provided in Article V, Section 4. Not more than five (5) officers shall be elected from any one local.
- Section 2. The President shall be the chief executive officer of the Federation and administer all of the affairs of the Federation and executive policies of the Federation in the best interest of all Federation members and local affiliates, and as determined by the Convention and the Executive Board. The President shall not be counted as an elected officer from a given local.
- Section 3. The office of President-Emeritus may be filled by an ex-president of the LFT who has been out of office for at least two (2) years. The LFT Convention shall compose the

electorate for this honorary office which will be a lifetime office provided the President-Emeritus serves in good faith.

The duties of the President-Emeritus shall be to act as special emissary to the LFT to such organizations, public bodies commissions or locals of the LFT as the Executive Board or the Convention shall so authorize and also to serve as a counselor to LFT officers and staff as requested and authorized by the Executive Board or the Convention.

- Section 4. The Executive Vice-President's duties shall be prescribed by the Executive Board and he/she shall serve as the President's designee and preside over Executive Board meetings in the President's absence. The Executive Vice-President shall be counted as an elected officer of a given local.
- Section 5. The Secretary-Treasurer's duties shall be prescribed by the Executive Board and he/she shall be under the supervision of the President. The Secretary-Treasurer shall be counted as an elected officer of a given local.
- Section 6. No one shall be elected an officer of the Federation unless he/she has been a member of an affiliated local for at least two (2) years. Members of merged affiliates carry their tenure of membership from their predecessor organization.
- Section 7. The President shall be the ranking delegate to all conventions of organizations with which this Federation is affiliated, The Executive Vice-President, the Secretary-Treasurer and the twenty-two (22) Vice-Presidents shall be delegates to all conventions of organization with which this Federation is affiliated provided such individuals were elected to their positions by the Convention.
- Section 8. Any officers can be recalled at any convention by a two-thirds vote of delegates present and seated; or by a two-thirds vote as stipulated in Article VIII - Referenda.

ARTICLE VI

Executive Board

- Section 1. It shall be the duty of the Executive Board to discharge and implement the instructions of the Convention(s), except that any action by the Convention(s) involving expenditure of funds shall be referred to the Executive Board with the power to revise in conformity with the budget.
- Section 2. Any member of the Executive Board of the **American Federation of Teachers** who is a member of a local affiliated with the Louisiana Federation of Teachers shall be an ex-officio member of the Executive Board without voting privileges.
- Section 3. The Executive Board shall set the salary and/or honorarium of all officers and staff.
- Section 4. Should a vacancy occur in the office of the President, the Executive Vice-President shall become Acting President until the next regular Convention during which an election for President shall be held to fill the position for the remainder of the term. Should a vacancy occur in any of the other elected offices, the Executive Board shall appoint a replacement for the remainder of the term.
- Section 5. The Executive Board shall have the authority to assign duties in its membership until the next regular Convention.
- Section 6. The Executive Board shall have the power to interpret and enforce this Constitution and to make rules not in conflict with this Constitution and shall report such rules to the succeeding Convention for approval or rejection. Any interpretation of the Constitution by the Executive Board may be appealed at any subsequent Convention.

- Section 7. The Executive Board shall appoint such committees as it deems necessary, not inconsistent with the Constitution.
- Section 8. The Executive Board shall meet at least quarterly between Conventions.
- Section 9. The Executive Board shall have the authority to deal with all of the affairs of the Federation in the periods between Conventions.
- Section 10. The Executive Board shall have power to accept gifts and devises to the Louisiana Federation of Teachers if the conditions or purposes of any such gift or devise are not inconsistent with this Constitution. The Executive Board may establish trusts or other agencies to hold and administer any such gift or devise, and provide for appointment of trustees or managers thereof, upon such condition as it may determine, subject to ratification at the next regular Convention.
- Section 11. The Executive Board shall have the power to carry on all the business affairs of the Louisiana Federation of Teachers, including without limitation, the power to do on its behalf any or all of the following:
- (a) To sue and be sued, complain and defend on behalf of and for the use of the Federation.
 - (b) To employ attorneys and counselors to advise the Convention, Executive Board and offices and employees on all matters pertaining to its business and affairs.
 - (c) To employ accountants, agents and other persons having skills and knowledge needed to conduct of the business;
 - (d) To adopt an official seal, which may be altered at pleasure and to use the same by causing it or a facsimile thereof to be impressed or affixed or in any manner reproduced.
 - (e) To purchase, take, receive, lease or lessee, take any gift or devise or bequest or otherwise acquire and to own, bond, use, deal in or with any real or personal property or any interest therein.
 - (f) To sell, convey, mortgage, pledge lease or leasor, and otherwise dispose of all or any part of its property and assets.
 - (g) To purchase, take, receive, or otherwise acquire, own, hold, vote and use shares or other interests in or obligations or domestic or foreign corporation, association, partnerships, or individuals, and to sell, mortgage, loan, pledge or otherwise dispose of such shares, interests or obligations.
 - (h) To make contracts and incur liabilities which may be appropriate to enable it to accomplish any or all its purposes to borrow money for Federation purposes at such rates of interest and terms and conditions as they may determine to issue notes, bonds and other obligations by mortgage, pledge or deed of trust of all or any of its property and income.
 - (i) To invest the funds of the Federation from time to time in any real or personal property and to take and hold real and personal property as security for funds so invested and loaned.
 - (j) To do anything they deem necessary to appropriate to the exercise of the foregoing power or any other power granted to the Executive Board in this Constitution.

(k) Hire and remove employees of the LFT; determine their qualifications, compensations and duties; require such agreements and bonds as necessary.

Section 12. A quorum of the Executive Board shall consist of at least thirteen (13) members. Four locals must be represented, one of which shall be a local which is an elected collective bargaining representative.

Section 13. Any Executive Board member who misses three (3) consecutive Executive Board meetings or whose local falls three (3) months behind in LFT per capita on more than two (2) occasions within one (1) calendar year may be removed by a two-thirds (2/3) vote of the Executive Board. A written appeal to the LFT President and a two-thirds (2/3) vote of the Executive Board will be required to reinstate any Board member(s) removed under this section.

ARTICLE VII

Standing Committees

Section 1. The Federation shall have the following standing committees:

- (a) Auditing and Budgeting
- (b) Defense
- (c) Legislative
- (d) PSRP Committee
- (e) Executive
- (f) Organizing

Section 2. Each of the standing committees shall consist of a chairperson and vice-chairperson appointed by the Executive Board; the Executive Board shall also appoint additional members as may be required. The term of those individuals appointed as committee chairpersons, vice-chairpersons and/or committee members shall coincide with the term of the Executive Board

ARTICLE VIII

Annual Convention

Section 1. The regular annual convention (s) of the Louisiana Federation of Teachers shall be called by the Executive Board in the fall of each year.

Section 2. The President shall appoint, with the advise and consent of the Executive Board, the Credentials Committee with the Secretary-Treasurer as chairman, the duties of which shall be to review and approve the credentials of all convention delegates.

Section 3. The Executive Board shall appoint the Nominations/Election Committee. No later than October 15 of the year in which LFT elections are to be held, the Nominations/Election Committee, shall notify locals of the election and solicit the nominations for the position of President and members of the Executive Board. No candidate for an LFT office may be a member of the Nominations/Election Committee. The Nominations/Election Committee shall determine the eligibility of candidates in accordance with the LFT Constitution. The Nominations/Election Committee shall present the slate of eligible nominated candidates to the convention after which nominations will be accepted from the floor.

Section 4. Each local is entitled to one delegate; and for each thirty-three (33) members or major fraction thereof, one additional delegate.

Section 5. Each local of the Louisiana Federation of Teachers must send by registered or certified mail to the LFT Office a certified list and an official credentials of all elected delegates and alternates not later than fifteen (15) days prior to the opening date of the

- Convention. Only delegates and alternates on this certified list shall be registered and seated at the Convention.
- Section 6. Each member of the Executive Board who is not an elected delegate of his/her local, shall be a voting delegate to the annual LFT Convention.
- Section 7. On all roll call votes at the annual Convention each local represented shall be entitled to a number of votes equal to the number of members used to determine the local's delegate allotment to the Convention.
- The votes of the local shall be distributed as evenly as possible among the delegates presented at the time of the voting, but votes shall not be fractional and no delegate should receive more than one of the additional votes.
- Section 8. A quorum for conducting business at a Convention shall be 25% of the delegates who have been seated.

ARTICLE IX

Referenda

- Section 1. Proposed actions, including amendments to the Constitution and actions of the Convention, shall be submitted to a referendum vote by order of the Convention or of the Executive Board by request of two (2) or more locals representing not less than ten percent (10%) of the members then in good standing, or by petition by not less than ten percent (10%) of the members except that the Executive Board shall not order a Convention action to be submitted to referendum; provided however, that in no case shall a referendum be held whose termination date is not between January 1 and June 1; and provided that actions taken by the Executive Board concerning:
- (a) actions of the Convention involving expenditures of funds;
 - (b) the employment, re-employment, or dismissal of officers, organizers, office employees or other general employees who are appointed and whose salaries or other remuneration are fixed by the Executive Board;
 - (c) the power to interpret and enforce the Constitution and to make rules and bylaws not in conflict with the Constitution subject to report to succeeding Convention for approval, rejection or modification;
 - (d) the power to appoint committees not inconsistent with the Constitution;
 - (e) the time and place for the meeting of the Executive Board and the expenses therein;
 - (f) the power to fill vacancies on the Executive Board shall not be the subject of referendum.
- Section 2. After receipt of order or request for referendum it shall be the duty of the LFT President to transmit the question to be voted on to the locals within two (2) weeks of its receipt by him/her. Following this, there shall be a period of six (6) weeks during which the proponents and opponents shall be given opportunity to debate the issue through regular channels of the union, at the end of which time the President shall send to the individual members of all locals in good standing, ballots upon which the members shall cast their votes and shall also send to the members-at-large of the State Federation, ballots upon which the members-at-large shall cast their votes.
- Section 3. The President of the LFT shall rent a postal deposit box. The individual members will mail the ballots to the postal box. The closing date of the referendum shall be thirty

(30) days from the date ballots are mailed from the LFT Office. At the end of thirty (30) days, the President or the President's representative shall invite at least two (2) representatives of each side of the issue on the ballot, and shall also be accompanied by at least two (2) Executive Board officers; they shall remove the ballots and cause them to be counted. In the alternatives, the President, with the consent of the Executive Board, may engage an independent agency to conduct the balloting and to count the votes. In such event, the agency shall count only those ballots received during the thirty-day period following the mailing of the ballots to the members.

- Section 4. The number of the local shall appear on the ballot and only those ballots of members of locals in good standing shall be counted. These votes shall not exceed in number the number of members and members-at-large for which per capita was last paid prior to the date on which ballots were sent from the LFT Office. Should the number of ballots cast by any local exceed the number to which that local is entitled the "ayes" and "nays" shall be reduced proportionately to come within the required number.
- Section 5. The President shall notify the locals of the results of the referendum as soon as possible, but not later than two (2) weeks following receipt of the count.
- Section 6. LFT policy adopted by the referendum shall be considered by the first convention following the referendum.
- Section 7. In referendum votes a majority of the votes shall prevail except in votes taken on amendments.

ARTICLE X

Amendments

- Section 1. Proposed amendments to the Constitution may be submitted to the annual Convention either by request of the Executive Board, or the action(s) of the Convention which shall be submitted to a future referendum vote, or by request of an Executive Board or membership of a local. All amendments shall bear the signature of at least two (2) elected officers of the local introducing the amendment. The officers signing the amendment shall certify the amendment was approved to the Convention by the Executive Board or membership of the local.
- Section 2. Proposed amendments may be submitted to a referendum vote under the procedure outlined in Article VIII, Referenda.
- Section 3. If a proposed amendment is to be submitted to the Convention, it must reach the LFT Office at least forty-five (45) days before the date of the Convention and must be sent by the LFT Office to the locals at least one (1) month before the Convention.
- Section 4. The Constitution shall be amended at the Convention by two-thirds (2/3) of the votes cast. Through referendum, the Constitution shall be amended by two-thirds (2/3) of the ballots cast and counted.

ARTICLE XI

Revenues

- Section 1. The Treasurer or President of each affiliated local shall complete and forward to the LFT Office, on or before the 15th of each month, following the month in which dues have been collected, the per capita report of members in good standing, together with all per capita due the LFT. Such per capita report shall include all members in good standing through payment of dues through payroll deduction, bank draft, cash or any

other means approved and adopted by the local. It shall be the responsibility of the local to update and correct the membership list with each per capita payment.

Section 2. Any affiliated local not paying its per capita for two (2) consecutive months shall be notified of the fact by the Secretary-Treasurer or President of the LFT that payment of per capita is due immediately. Should payment not be received within ten (10) workdays from such notification, the LFT President shall notify the Executive Board of the local in arrears that their per capita is due immediately.

Section 3. If an affiliated local is still in arrears at the end of three (3) months, the LFT shall inform the President and Executive Board of the local that the local is in bad standing. Furthermore, the local shall not be seated at the next LFT convention and the local shall not receive any services from the LFT, including but not limited to, LFT Field Representative services.

Section 4. The LFT President shall inform the LFT Executive Board of such action taken in accordance with Section 3. The LFT President shall simultaneously inform the appropriate office of the American Federation of Teachers of action taken under the LFT Constitution.

ARTICLE XII

Parliamentary Authority

The rules contained in Robert's Rules of Order – Revised, shall govern this Federation in all cases to which they are applicable and in which they are not inconsistent with rules regularly adopted by the Federation.

By-Laws of the **LOUISIANA FEDERATION OF TEACHERS**

ARTICLE I

Officers

- Section 1. It shall be the duty of the Executive Vice-President to assume the duties of the President in the absence of that officer.
- Section 2. In the absence of the President and the Executive Vice-President the Executive Board shall appoint a temporary chairperson.

ARTICLE II

Standing Committees

In the event the chair of a standing committee becomes vacant, the vice-chair shall become the interim chairperson. The appointment of a new chairperson shall occur no later than the 2nd LFT Executive Board meeting following the occurrence of the vacancy.

ARTICLE III

Convention

- Section 1. The LFT Convention shall be conducted in accordance with the provisions of the LFT Constitution, Bylaws, Standing Rules and Special Rules. Cases not specifically covered otherwise shall be governed by Robert's Rules of Order – Revised.
- Section 2. Standing Rules may be amended at the annual Convention by a majority of the delegates present and seated.

ARTICLE IV

Per Capita, Budget, Revenues and Audits

- Section 1.(a) Effective September 1, 2010, each affiliated local shall pay a per capita tax for each member according to the following formula:
- (1) \$11.85 per month for all teacher members
 - (2) \$4.73 per month for all non teacher members earning more than \$8000 annually
 - (3) \$3.57 per month for all non teacher members earning less than \$8000 annually
- (b) Effective September 1, 2011, each affiliated local shall pay a per capita tax for each member according to the following formula:
- (1) \$12.10 per month for all teacher members
 - (2) \$4.85 per month for all non teacher members earning more than \$8000 annually
 - (3) \$3.63 per month for all non teacher members earning less than \$8000 annually
- (c) Locals that employ from their own resources on a full-time basis elected officers and/or field staff and do not receive organizing grants, grants to provide any staff, legal defense grants and receive no LFT staff assistance other than for legislative activities, collective bargaining campaigns or job actions shall be entitled to rebates in the amount of:
- (1) \$3.25 per month for members in (1) above

- (2) \$1.00 per month for members in (2) above
- (3) \$.50 per month for members in (3) above
- Section 2. The Budget Committee shall prepare an annual budget which shall be adopted by the Executive Board and shall be subject to subsequent revision when needed.
- Section 3. A local shall submit the school board October payroll deduction list of active members and the local's list of retired and cash paying members to the LFT office by December 1 of each year.

ARTICLE V

Nominations and Election Procedure

- Section 1. A majority of the ballots cast for President, Executive Vice-President and Secretary-Treasurer shall be required to elect the President, Executive Vice-President and Secretary-Treasurer. In the event that no candidate for President, Executive Vice-President or Secretary-Treasurer receive a majority, a runoff election between the two (2) candidates for each office receiving the highest number of votes shall be conducted by roll call vote.
- Section 2. Vice-Presidential candidates receiving the highest number of votes corresponding to the number of positions to be filled shall be declared elected. In the event that there is a tie for the position, a runoff election for that position between the candidates tied for that position shall be conducted by roll call vote.
- Section 3. If the outcome of an election would result in any one local occupying more than five (5) positions on the LFT Executive Board, the Vice-Presidential candidates, from said local, receiving the highest number of votes shall be declared elected, to the extent that the total number of positions held by said local does not exceed five (5) nor that the action would reduce the duly elected positions below five (5).
- Section 4. Individual candidates shall not be permitted to accept nomination and stand for election for more than one (1) elected position.

ARTICLE VI

Amendments

- Section 1. These Bylaws may be amended at the annual Convention by a majority vote if the proposed change has been submitted by the Executive Board or an affiliated local, to the state LFT not later than forty-five (45) days prior to the opening date of the Convention. The LFT Office shall forward the proposed changes to each president of its local affiliates not later than one month prior to the opening date of the Convention.
- Section 2. Proposed Bylaw amendments may be submitted to a referendum vote under the procedures set forth in Article VIII, Referenda, of the Constitution.