

Proposed changes to NYSUT RC 12 Constitution – changes are in *green*

Section VI. Officers

B. 7. Appoint an Audit Committee after the annual meeting to review and report on the financial status of the council to the executive board at its first meeting of the *fiscal* year and subsequently to the membership

D. 4. Keep an updated list of RC 12 executive board *members and distribute to all executive board members*;

F. Terms of Office

Duly elected officers shall ~~serve~~ *be elected by secret ballot to a two (2) year term*, beginning July 1. Elections *for officers* will be held in even numbered years. *Elections shall be conducted in a manner consistent with Landrum-Griffin requirements and Article X. Nominations and Elections.*

VII. Executive Board

C. Terms of Office

1. Directors shall be elected by secret ballot to a two (2) year term beginning July 1st. ~~during odd numbered years.~~ Elections *for directors* will be held in odd numbered years. *Elections shall be conducted in a manner consistent with Landrum-Griffin requirements and Article X. Nominations and Elections.*

D. Vacancies

If a director position becomes vacant, the executive board may appoint an interim director until a special election is held at the next general membership meeting. An election notice shall be published in the RC 12 newsletter *and/or on the RC 12 website.* *Elections shall be conducted in a manner consistent with Landrum-Griffin requirements and Article X. Nominations and Elections.*

IX. Representatives to the AFT National Convention

1. The NYSUT RC 12 delegate *and/or alternate* shall be responsible for representing NYSUT Retiree Council 12 at the convention and for reporting on same to the executive board and the membership.

2. The delegate shall be responsible for all meeting arrangements. *The delegate and/or alternate shall be responsible for* voting protocols and reporting to the membership regarding the respective convention.

3. The AFT delegate *and/or alternate* shall attend executive board meetings.

C. Terms of Office

2. Funding for attendance at the AFT Convention shall be recommended by the board of directors as part of the budget and subject to approval by the membership at the RC 12 Annual *General Membership* Meeting of the year preceding the AFT national convention.

X. Nomination and Elections

A. The election committee shall report to the executive board the candidates for office. Each candidate's union leadership resume and statement of goals for RC 12

will be published in the OUTLOOK and/or posted on the RC 12 website prior to the election.

C. Each member in good standing shall be given the opportunity to nominate candidates.

1. Notice of the office to be filled, the right to make nominations, and the time, place and proper form for submission of nominations shall be distributed to members at least thirty (30) days prior to the Annual *General Membership Meeting* or the General Membership Meeting at which vacancies will be filled *for a special election*.

D. Written notice of the time and place of elections shall be mailed to each RC 12 member in good standing at her/his last known home address at least fifteen (15) days prior to an *the Annual General Membership meeting election* or general membership meeting special election.

F. Elections shall be by secret ballot by the members present at the RC 12 Annual *General Membership Meeting*. A special election to fill a vacancy shall be by secret ballot at the next RC 12 General *Membership meeting*. RC 12 members do not need to attend the entire meeting or pay for the luncheon in order to vote.

J. After the results are reported at the *Annual General Membership Meeting*, the election chair shall seal the ballots and the election records and give them to the secretary. The election chair shall give a copy of the tally to the president and secretary.

L. 4. The executive board shall have the power to resolve any and all disputes involving any election. Any person(s) aggrieved by a decision of the executive board regarding an election decision, must file an appeal in writing by certified mail within fifteen (15) calendar days from the date of receipt of the board's decision to the New York State United Teachers (NYSUT), Attention: *Office of NYSUT's Governance Committee*:

Greg McCrea ~ Gregory.McCrea@nysut.org

Lauren Ryba ~ Lauren.Ryba@nysut.org

Second Vice-President, 800 Troy- Schenectady Road, Latham, NY 12210, for processing and determination of the appeal. If no appeal is filed, or if an appeal is filed in an untimely fashion, the determination of the executive board shall be deemed final.

XI. General Membership Meetings

B. Membership meetings shall be held no less than three (3) times a year: a meeting in the fall, a meeting prior to the Representative Assembly Convention, and *the Annual General Membership Meeting* after the Representative Assembly. *The meeting prior to the NYSUT Representative Assembly may be conducted electronically.*

C. A quorum at a general membership meeting will be ~~forty-five (45) RC 12-2/3 of the members present.~~

XIII. Removal from Executive Board

D. Any person(s) aggrieved by a decision of the executive board regarding removal from office or executive board position, must file an appeal in writing by certified mail within fifteen (15) calendar days from the date of receipt of the board's decision to the New York State United Teachers (NYSUT), Attention: *Office of NYSUT's Governance Committee*:

Greg McCrea ~ Gregory.McCrea@nysut.org

Lauren Ryba ~ Lauren.Ryba@nysut.org

Second Vice-President, 800 Troy- Schenectady Road, Latham, NY 12210, for processing and determination of the appeal. If no appeal is filed, or if an appeal is not filed within fifteen (15) calendar days, the determination of the executive board shall be deemed final.

XIV. Amendments

B. A proposed amendment must be distributed in writing to each member *and/or posted on the NYSUT RC 12 website* at least fourteen (14) days before the ratification vote.

XVI. Enabling Procedure- a revised constitution shall become effective upon ratification by *2/3 of the* members in attendance at a *RC 12* general *membership* meeting.

Updated: Spring 2025

The following is an excerpt from the US Department of Labor. The Labor-Management Reporting and Disclosure Act (LMRDA) of 1959, also referred to as the Landrum-Griffin Act of 1959, grants certain rights to union members and protects their interests by promoting democratic procedures within labor organizations. To view the full act please visit: <https://www.dol.gov/agencies/olms/compliance-assistance/fact-sheet/lmrda>

Title IV - Elections

- Local unions must elect their officers by secret ballot; international unions and intermediate bodies must elect their officers by secret ballot vote of the members or by delegates chosen by secret ballot.
- International unions must hold elections at least every five years, intermediate bodies every four years, and local unions every three years.
- Unions must comply with a candidate's request to distribute campaign material to members at the candidate's own expense and must also refrain from discriminating against any candidate with respect to the use of membership lists. Candidates have the right to inspect a list containing the names and addresses of members subject to a union security agreement within 30 days prior to the election.
- A member in good standing has the right to nominate candidates, to be a candidate subject to reasonable qualifications uniformly imposed, to hold office, and to support and vote for the candidates of the member's choice.
- Unions must mail a notice of election to every member at the member's last-known home address at least 15 days prior to the election.
- A member whose dues have been withheld by an employer may not be declared ineligible to vote or to be a candidate for office by reason of alleged delay or default in the payment of dues.
- Unions must conduct regular elections of officers in accordance with their constitution and bylaws and preserve all election records for one year.

- Union and employer funds may not be used to promote the candidacy of any candidate. Union funds may be utilized for expenses necessary for the conduct of an election.
- Union members may hold a secret ballot vote to remove from office an elected local union official guilty of serious misconduct if the Secretary of Labor finds that the union constitution and bylaws do not provide adequate procedures for such a removal.
- Union members who have exhausted internal union election remedies or who have invoked such remedies without obtaining a final decision within three calendar months after their invocation may file a complaint with the Secretary within one calendar month thereafter.

The Secretary of Labor has authority to file suit in a federal district court to set aside an invalid election and to request the court to order a new