

**Napa Valley College Faculty Association/CCA/NEA**

**Bylaws & Standing Rules**

Adopted by the General Membership  
Spring 2012

Napa Valley College Faculty Association/CCA/NEA  
2277 Napa-Vallejo Highway  
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## Bylaws

### NAPA VALLEY COLLEGE FACULTY ASSOCIATION/CTA/NEA

Adopted (to be determined)

#### 1. NAME AND LOCATION

The name of this Association shall be the Napa Valley College Faculty Association/CTA/NEA located in Napa County, California.

#### 2. ORGANIZATIONAL GOALS

- A. To upgrade the community college teaching profession.
- B. To improve education.
- C. To do so with full & active membership participation.

#### 3. PURPOSES

The primary purposes of the Napa Valley College Faculty Association/CTA/NEA shall be:

- A. To represent its members in their relations with the Napa Valley Community College District and to be the exclusive representative of the bargaining unit of college faculty (defined in the collective bargaining agreement with the District) in all matters relating to employment conditions, compensation and health and welfare benefits;
- B. To act as a representative body that speaks with authority for faculty;
- C. To provide a means of representation for all members; including its ethnic members
- D. To promote and support active union involvement;
- E. To form a representative body capable of developing group opinion on professional matters to speak with authority for members;
- F. To provide an opportunity for continuous study and action on problems of the profession;
- G. To raise the standards for education support professionals;
- H. To promote professional attitudes and ethical conduct among members;
- I. To encourage cooperation and communication between the profession and the community; and
- J. To foster good fellowship among members.

4. AFFILIATION

B. The Napa Valley College Faculty Association shall be a chapter of the California Teachers Association/Community College Association. (CTA/CCA).

C. The Napa Valley College Faculty Association shall be an affiliated local association of the National Education Association (NEA).

5. MEMBERSHIP

Categories of Membership. The primary category of membership shall be Active Members.

A. Active membership shall be open to any person 1) who is engaged in (or who is on limited leave of absence from) professional education work, 2) who is an employee of the Napa Valley Community College District, and 3) whose primary assignment is as a faculty member or as a division chair represented by the faculty bargaining unit.

B. Membership will be granted upon initiation of payroll deduction or upon payment of annual dues.

C. The right to vote and to hold elective office or appointive position within the Association shall be limited to active members.

D. Active members will be eligible to vote in all elections, hold elective office or appointive positions, receive special services (such as legal and economic benefits), obtain assistance in the protection of professional and civil rights, and receive reports and publications of the Association.

E. An individual who is serving as a negotiator for a public school employer shall not be eligible for membership in the Association.

F. The rights and privileges of membership shall not be abridged in any way because of age, sex, race, color, ethnic group, marital status, national origin, or sexual orientation.

H. 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.

I. Active members shall adhere to The Code of Ethics of the Education Profession.

J. No member of the Association may be disciplined without a due process hearing, which shall include the established appellate procedure.

K. Unless otherwise expressly provided by law, persons who tender agency fees shall have no rights or privileges within this Association.

## 6. DUES, FEES, AND ASSESSMENTS

A. Membership requirements and policies are defined in the collective bargaining agreement between the Napa Valley College Faculty Association/CTA/NEA and the Napa Valley Community College District.

B. The basic annual dues (including any fees or assessments) for Active members, and representation fee for non-members represented in the bargaining unit, shall be sufficient to cover the operating expenses of the Association, the dues of CTA, and the dues of NEA.

C. The Association's portion of the basic annual dues, shall be established by action of the membership of the Association prior to May 15 of each school year.

E. Membership shall be continuous after initial enrollment until delinquent or until a change in professional status shall make the member ineligible for membership.

F. The Association shall apportion any negotiated representation fee on the same percentage basis as the full Association/CTA/NEA dues.

G. Membership shall be continuous after initial enrollment until delinquent or until a change in professional status shall make the member ineligible for membership. If by October 31 of any calendar year a member has neither paid the established annual membership dues for the current membership year, nor made satisfactory arrangements for payment, then that person's membership shall be considered delinquent and the name dropped from the rolls.

## 7. POLICY-MAKING BODY

A. The policy-making body of this Association shall be the general membership.

1. Major issues (such as contract ratification, bargaining proposal approval, withholding of services/job actions, and major Association policies) shall be voted on by the full membership via secret ballot.

B. The Association shall hold a minimum of six (6) regular general membership meetings per year, the time and place of such meetings to be decided by the Executive Board.

C. Special meetings of the Association may be called by the President or by petition containing the signatures of twenty percent (20%) of the membership.

1. Special meetings of the Association shall be called for a specific purpose only.

D. Notices and agendas for all meetings shall be distributed to members through email at least two working days prior to the date of the meeting.

1. Any member of the Association may submit any appropriate topic to the Executive Board for placement on the agenda. So long as the topic is submitted in a timely manner, the Executive Board will include it in the agenda distributed to members. If this is not possible, the agenda will be amended during the membership meeting.

E. For emergency meetings during crisis situations, the Executive Board shall adopt procedures to notify members of meeting dates, places, and times.

F. A quorum for all meetings of the Association shall consist of no less than 20% of the membership.

G. The budget of the Association shall be adopted by the membership in the fall.

H. Grievance procedures shall be approved by the Active membership.

## 8. OFFICERS

- A. The officers of the Association shall be a President, a First Vice-President, a Second Vice-President, a Secretary, a Treasurer and a Part-Time Advocate.
- B. These officers shall be and remain current union members as a condition for nomination to and service in their respective positions during their terms of office.
- C. These officers shall be elected with open nominations and by secret ballot of the membership.
- D. Officers shall be elected for a term of one (1) year, commencing on June 1 of any calendar year.
- E. These officers shall be elected by and from the Active membership of the Association. Such election shall be by open nominations and secret ballot.
- K. 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. In the event of a vacancy occurring in the office of the President, the First Vice-President shall assume the office. In the event a vacancy occurs in the other offices, the Executive Board shall appoint an individual to serve for the unexpired term, and the appointment shall be confirmed by a majority vote of the members during the next regular general membership meeting.
- L. Officers shall attend all Executive Board meetings and all General Membership Meetings.
- M. The President shall be the chief executive officer of the Association and its policy leader.
- N. The President shall:
  - 1. Preside at all meetings of the Association and Executive Board.
  - 2. Provide leadership in directing Association efforts, and be held responsible for the progress and work of the Association.
  - 3. Be guided by the Executive Board and the general membership.
  - 4. Prepare the agenda for the meetings of the Association and the Executive Board.
  - 5. Call meetings of the Association and the Executive Board.
  - 6. Be the official spokesperson for the Association.
  - 7. Be familiar with the governance documents of the Association, CTA, and NEA.
  - 8. Appoint all chairpersons and members of committees, and of the bargaining team with the approval of the Executive Board by the beginning of each school year.

9. Attend CTA, NEA, and other meetings as directed by the membership or the Executive Board.
10. Undertake other duties in cooperation with the Executive Board.
11. Propose the procedures for grievance processing for ratification by the Executive Board and the Active membership of the Association.
12. Attend meetings of the Service Center Council of which the Association is a part; and
13. Attend other CTA/NEA meetings as directed by the membership.
14. Maintain an accurate roster of the membership of the Association and of all committees.
15. Carry on the correspondence pertaining to the affairs of the Association as directed by the President.

G. The First Vice president shall:

1. Serve as assistant to the President in all duties of the President.
2. Assume the duties of the President in the absence of the President.
3. Undertake other duties assigned by the President or the Executive Board, which may include:
  - a. Assisting in the formation and distribution of the Association's calendar of activities.
  - b. Assisting in the representation of the Association on campus committees.
  - c. Assisting in the preparation and distribution of Association communications.
  - d. Assisting in the preparation of the agenda and communications for membership and Executive Board meetings.
  - e. Assisting in the organization and maintenance of membership communications channels.

H. The Second Vice President shall:

1. Serve as assistant to the President in all duties of the President.
2. Serve as the chief advocacy officer for faculty who have grievances or other work-related concerns. These duties may include:
  - a. Coordinating grievance resolutions with Faculty Advocates, the Executive Board, and any CTA Consultant.
  - b. Organizing advocacy/grievance training programs in coordination with CTA consultants.
  - c. Informing Association members on contractual rights and responsibilities, professional conduct, and grievance procedures.
3. Undertake other duties assigned by the President or the Executive Board.

I. The Secretary shall:

1. Keep a careful and accurate record of the proceedings of each meeting, regular or special, of the Association and of the Executive Board.
2. Be responsible for the distribution of Association communications (such as newsletters, updates, minutes) to the members.
3. Maintain a file of the correspondence pertaining to the affairs of the Association.
4. Assist in writing and disseminating Association communications.
5. Organize and maintain membership communications channels.
6. Maintain the Association website.

7. Undertake other duties assigned by the President or the Executive Board.
8. Maintain an accurate roster of the membership of the Association and of all committees

J. The Treasurer shall:

1. Receive all funds belonging to the Association and be responsible for their safekeeping and accounting.
2. Pay out such funds upon direction from the President or the Executive Board, as stipulated in the Faculty Association Standing Rules.
3. Provide a written report on the financial status of the Association not less than twice per year.
4. Be responsible for an annual audit of the books of the Association, if required.
5. Be responsible for submitting membership and financial reports to CTA, NEA, and other agencies as required by law.
6. Undertake other duties assigned by the President or the Executive Board.

K. The Part-Time Advocate shall:

1. Represent part-time faculty in all union-related matters.
2. Seek out and report on statewide part-time issues.
3. Support and work collaboratively with the other members of the Executive Board.
4. Encourage part-time faculty to obtain union membership.

9. EXECUTIVE BOARD

A. The Executive Board shall be composed of the elected officers of the Association. The Executive Board shall meet prior to each General Membership meeting and at such other times as the President may deem necessary.

B. The Executive Board shall:

1. Coordinate the activities of the Association.
2. Recommend a budget for the Association to the membership.
3. Direct the collective bargaining activities of the Association, subject to the policies established by the membership.
4. Serve as an election committee for all matters voted on by the membership, other than elections for Association officers.
5. Adopt grievance procedures and assist the Grievance Officer with grievance activities.
6. Be and remain currently paid-up local, state, and national (active) members as a condition for nomination to and service in this position.
7. Approve by the majority vote all appointment and removal of committee members, including chairpersons.
8. Approve, by majority vote, appointment and, by two-thirds (2/3) vote, removal of bargaining Team members.
9. Direct the grievance activities of the Association
10. Adopt the Standing Rules for the Association
11. 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 general membership.

C. A quorum for meetings of the Executive Board shall be three of the five members.

## 10. BARGAINING TEAM

- A. The Association will be represented in collective bargaining with the District by a bargaining team. The bargaining team will be authorized to represent to the District all Association bargaining positions relating to wages, other economic benefits, conditions of work, and the educational programs of the District.
  - 1. The bargaining team will consist of three negotiators including one lead negotiator.
  - 2. The lead negotiator will be elected by the Executive Board by May 31 of each calendar year.
  - 3. The remaining two negotiators will be appointed by the Executive Board not less than 60 days prior to the beginning of the collective bargaining process.
  - 4. The President shall appoint all members, alternates, and the chairperson of the Bargaining Team with the concurrence of the Executive Board.
  - 5. Vacancies created by resignation or inability to serve shall be filled by the Executive Board from the list of alternates.
  - 6. The Executive Board, by a two-thirds (2/3) vote, may remove a member of the bargaining Team.
  - 7. The Bargaining Team shall be under the direction of the Executive Board, and shall report its activities to the Executive Board, as the Board requires.
  - 8. The Bargaining Team is empowered to reach tentative agreements with the district, subject to ratification by the Active membership.
  - 9. Responsibility and authority for directing the bargaining process on behalf of the Association are vested in the Executive Board subject to policies established by the active membership.
  - 10. Employees in each appropriate bargaining unit shall be surveyed to determine contents of the proposed contract demands, and the contract proposal for each appropriate unit shall be approved by Association members in that units.
  - 11. The Executive Board shall provide for the dissemination of information regarding bargaining and the activities of the bargaining Team to the general membership.
  - 12. Agreements reached between the Bargaining Team and the school board or its representatives shall be considered tentative and not binding upon the Association until such agreements have been ratified by the membership in the appropriate unit (s) unless such ratification shall have been specifically waived or otherwise delegated by that active membership.
- B. The Association bargaining team shall establish its own operational procedure and shall recommend it to the Executive Board and membership for approval.

## 11. GRIEVANCE PROCESSING

- A. The Executive Board shall adopt standing rules setting forth the procedures for grievance processing.
- B. These procedures shall include, but not be limited to, the following:
  - 1. Providing for representation to assist all members of the bargaining unit in processing grievances.
  - 2. Training for handling grievances.
  - 3. Evaluating the associations' grievance policies and procedures.



## 12. NOMINATIONS AND ELECTIONS

- A. The chapter president must provide Active members and opportunity to vote in all elections.
- B. Chapter presidents do not have the option of deciding whether elections shall be held.
- C. There shall be an appointed Elections Committee.
- D. Elections shall be conducted with:
  - a. Open nomination procedure
  - b. Secret ballot
  - c. All active member vote
  - d. Record of voters receiving or casting ballots; and
  - e. Majority vote, unless otherwise specified.
- E. State Council Representative elections shall be conducted in accordance with CTA guidelines after the chapter or service center council has been notified to do so by the CTA Elections Committee.
- F. NEA State Delegate elections shall be conducted in accordance with CTA guidelines.
- G. NEA Local Delegate elections shall be conducted in accordance with CTA/NEA guidelines.
- H. The duties of the Elections committee shall be to:
  - a. Ensure that all Association/CTA/NEA election codes and timelines are followed;
  - b. Establish election timelines;
  - c. Develop and carry out timelines and procedures;
  - d. Prepare ballots for election of officers and such other elections as may be necessary;
  - e. Count the ballots and certify the results; and
  - f. Handle initial challenges.

## 13. COMMITTEES

- i. Committees, except as otherwise provided in these bylaws, may be established and discontinued by the Executive Board, subject to approval by the general Active membership.
- b. Each committee shall submit periodic reports to the Executive Board and the general Active membership.

## 13. INITIATIVE, REFERENDUM, OR RECALL

- A. A petition signed by ten percent of the Active members shall be necessary to bring to the attention of the membership any initiative or referendum.
- B. Association members have the right of initiative or referendum on any action of the Executive Board.
- C. A recall of any person in an elective position may be initiated by a petition signed by one-third (1/3) of the Active membership of his/her particular constituency. A statement of the reasons for the proposed recall shall be part of the recall petition.
- D. Each person named in the recall petition shall have the right to make a rebuttal statement, which shall be distributed to his/her constituency at least seven (7) days before the recall election.
- E. Recall elections shall be by secret ballot.
- F. A recall shall take effect by a two-thirds vote of the constituency, with at least two-thirds of the members in the constituency voting in the recall election.
- G. If ballot results indicate approval of a recall, the recall shall take effect immediately, and an election shall be held to fill the vacant position, except in the case of the President, where the First Vice-President shall take the office.

#### 14. PARLIAMENTARY PROCEDURES

- A. Robert's Rules of Order, latest edition, shall be followed at all meetings of the Association and those of the Executive Board.
- B. A member of the Association shall be empowered to vote the proxy of another member in a membership meeting only with written authorization presented to the President or First Vice-President prior to the beginning of the meeting.

#### 15. AMENDMENTS

- A. Amendments to the Bylaws of the Association may be proposed by the Executive Board or by a petition signed by ten percent of the general membership.
- B. These Bylaws may be amended by a two-thirds (2/3) vote of the membership quorum at any regular or special meeting of the Association, provided notice in writing of a proposed bylaw amendment shall have been submitted to the Secretary and made available to all Association members at least one week prior to the meeting. Amendments shall go into effect immediately unless the amendment specifies another date.

#### 16. RATIFICATION

- A. These Bylaws shall become effective and supersede all previous constitutions and Bylaws when ratified by two-thirds of the Association members who vote.
- B. Any officers under the previous Bylaws shall fill their expected term of office after the ratification of these Bylaws.

#### 17. STANDING RULES

- A. Standing Rules of the Association shall provide such additional procedures and information as may be necessary to provide for the interpretation and administration of these Bylaws, and the efficient administration of the program of the Association.
- B. The general membership, at any regular or special meeting, shall have the power to adapt or amend such Standing Rules as it deems necessary, and such Standing Rules shall continue in effect until modified or revoked by the general membership.

#### 18. ELECTION STANDING RULES –NOMINATIONS AND ELECTIONS

##### A. **Elections Committee**

- a. There shall be an Elections Committee.
- b. The Elections Committee and Chairperson shall be appointed by the president and approved by the Executive Board to which it is responsible at met not met the beginning of each school year.
- c. The Committee should be composed of at least three members who are not on the Executive Board, who are familiar with the unit operations, and who met not met are not seeking election.
- d. The Elections Committee is charged with ensuring that elections are met not met conducted in a fair and impartial manner.
- e. Any Association member who is either a candidate on the ballot or whose immediate family member is a candidate shall abstain from all election met not met committee activities on that particular ballot.

## **B. Election Requirements**

- a. The chapter shall ensure that an open nomination procedure is in place (i.e., any member may nominate any member, including himself or herself).
- b. Every Active member shall be assured of voting by secret ballot.
- c. There shall be at least a fifteen (15) day period between notice of election and the actual voting.
- d. There shall be an all Active member vote. A member who is off-track or on dues paying leave shall be sent election information by mail to his/her last known residence.
- e. A chapter shall provide means for all Active members to vote (including vote by mail), and it shall be the responsibility of the member to notify the chapter if s/he desires a ballot at a site other than the regularly scheduled voting place.
- f. An Active member shall acknowledge receipt of a ballot by signature on a registration sheet at the time of issuance of the ballot or on an envelope when returning the voted ballot.  
If a roster/sign-up sheet of Active members is prepared for a school site ahead of time, initials of the member may be accepted.

## **C. Announcement**

- a. The announcement of election shall include the offices, length of terms, and the election timeline.
- b. The announcement shall be publicized in a manner that ensures every member has an opportunity to file a declaration of candidacy.

## **D. Timeline**

- a. Schools/work sites on alternative calendars shall be considered when setting election timelines.
- b. The timeline for the election shall include dates for:
  - c. Announcement of vacancy(ies) and term(s) of office using a method that will ensure each member is aware of the opportunity to file a declaration of candidacy;
  - d. At least fifteen (15) calendar days between the announcement date of the vacancy(ies) and the date of the election;
  - e. Place, time and date of receipt (date received, not date postmarked) for declaration of candidacy forms;
  - f. Final date to acknowledge candidates' declaration of candidacy;
  - g. Date for preparation of ballots;
  - h. Date on which ballots will be distributed;
  - i. Date by which to request a ballot;
  - j. Date(s) when voting will take place;
  - k. Deadline date (date received, not date postmarked), time and place for return of ballots;
  - l. Date, time and place where ballots will be counted, which should be immediately following the deadline for receipt of voted ballots;
  - m. Date that announcement of results will be made to leadership, candidates, members, and posted at each work site, which date shall be not later than five (5) calendar days following the counting of ballots;
  - n. Dates and timelines for run-off election, if necessary; and
  - o. Deadline for filing of challenges to initial election and run-off if held (date received, not date postmarked).

## **D. Finances and Use of Unit Resources**

- a. Chapter monies received through dues, assessment or similar levy shall not be used to promote any candidate.
- b. A candidate cannot accept direct contributions from a chapter's treasury or indirect contributions in the form of use of a chapter's assets, facilities, staff, equipment, mailings, good will and credit.
- c. A unit cannot state or indicate its preference for a candidate in the unit's publications.
- d. The use of links to any Association website by a candidate is prohibited.
- e. Candidates cannot campaign on any chapter, Service Center Council, UniServ or district-created social networking site.
- f. District email addresses and/or systems shall not be used for campaigning.

- g. The official logo of the unit or official Association title may not be used in a way that suggests that the candidate has the support of the unit, CTA, or any of its affiliates. This prohibition includes candidate email addresses.

#### **F. Candidate's Rights**

- a. Privileges extended to one candidate shall be extended to all candidates.
- b. Each candidate shall receive a copy of the election timeline, procedures and guidelines.
- c. Each candidate shall have the right to a list of the name and address of work sites and the number of Active members at each site for the purposes of campaigning.

#### **G. Ballot**

- a. The names of the candidates shall be printed on the ballot in CTA alphabetical order. The name of each candidate shall be as printed on the declaration of candidacy. When a candidate's last name is hyphenated, the name before the hyphen shall be used for placement on the ballot. In the event that the last name of more than one candidate begins with the same letter or more than one candidate has the same last name, the CTA alphabetical order shall continue to be applied throughout the name including the first name.
- b. The ballot shall state the name of the office/position, the term, and the names of the candidates.
- c. The ballot shall include space for a write-in candidate, except in run-off elections.

#### **H. Distribution of Ballots and Methods of Voting**

- a. Each method of voting must be included in your standing rules in order for your bylaws and standing rules to be in compliance with CTA.
- b. Each member shall receive a ballot. Active members who are off-track or on a dues paying leave shall be notified by mail in order to provide them an opportunity to vote.
- c. Voting shall be by one or a combination of the following methods:
  - i. a. At School Work Site/Specified Voting Site
    - 1. On Site Voting - Using Ballot Box
      - a. Each voter must sign or initial a voter roster/sign-up sheet before receiving a ballot.
        - i. (1) Voter Roster - List of eligible voters.
        - ii. (2) Voter Sign-up Sheet - List of eligible voters which includes a place for a signature.
      - b. The marked ballot must be returned to a designated site representative or ballot box.
      - c) Site representatives must return all voter roster/sign-up sheets and ballots to the Elections Committee by the designated date and time. Ballots must be secured and uncounted. Roster/Sign-up sheets and ballots from each site must be kept together until verified by Elections Committee.
      - d) Preliminary counts shall not be completed at school/work sites.
      - e) Refer to Section K for the "Counting of Ballots" procedures.
    - 2. On Site Voting - Using Envelopes - When voting is conducted at school or specified sites using envelopes, the procedure shall be as follows:
      - a) A list of current Active members shall be prepared, which includes each member's name and school/work address.
      - b) The voter shall be provided with the following:
        - (1) A ballot;
        - (2) Instructions on:
          - (a) folding and placing of the ballot in the unsigned inner envelope;
          - (b) Placing of the unsigned inner envelope into the outer envelope;
          - (c) Signature and school on the outer envelope addressed to the chapter; and

(d) Deadline date for receipt of the voted ballot at the chapter office.

(3) A small envelope (inner envelope) in which to place the voted ballot; and

(4) A larger envelope (outer envelope) addressed to the chapter, on which the voter prints and signs his/her name.

a) At the time of counting of the ballots, the names on the outer envelope shall be checked against the official list of voters. The name on the official list shall be marked to show that the voter has returned a ballot.

b) The outer envelope shall then be opened and put in a separate stack for safekeeping as a record of voters.

c) All inner envelopes shall be placed in a separate receptacle.

d) The inner envelopes shall be slit and the ballots removed from the envelopes, stacked and then counted.

g) Refer to Section K for the "Counting of Ballots" procedure.

### 3. Voting By Mail

Special care should be taken in all phases of handling of ballots to ensure the accuracy and the secrecy of voting by mail. The following procedures and guidelines have been developed for this situation:

1) A list of current Active members shall be prepared, which includes the following: name, school/work and home address.

2) A determination shall be made prior to the election whether the ballots shall be sent to the school/work site or to the home of the member.

3) Each voter shall be provided with:

(a) A ballot

(b) Instructions on:

(1) Folding and placing of the ballot in the unsigned inner envelope;

(2) Placing of the unsigned inner envelope into the outer envelope;

(3) Signature and school on the outer envelope addressed to the chapter; and

(4) Deadline date for receipt of the voted ballot at the chapter office.

a. A small envelope (inner envelope) in which to place the voted ballot; and

b. A larger envelope (outer envelope) addressed to the chapter, on which the voter prints and signs his/her name.

5) At the time of counting, the names on the outer envelope shall be checked against the official list of eligible voting members.

6) The name on the official list should be marked to show that the voter has returned a ballot.

7) The outer envelopes shall then be opened and put in a separate stack for safekeeping.

8) All inner envelopes shall be placed in a separate container.

9) All inner envelopes shall be opened and the ballots removed from the envelopes, stacked, and then counted.

9) Refer to Section K for the "Counting of 6allots" procedure.

### **I. Electronic Voting**

Electronic voting is only permitted through the CTA Elections and Credentials Committee and CTA Board approval. See *Requirements for Chapter Elections Procedures*, Section VIIA, pages 4-5 for requirements.

### **J. Vote Requirement**

All vote requirements shall be established in accordance with CTA guidelines.

Unless otherwise specified, all elections shall be decided by majority vote in votes are valid and must be counted.

1. A majority vote means more than half of the legal votes cast for each office/position on the ballot.
2. A plurality vote means the largest number of votes to be given any candidate or issue.
3. A two-thirds (2/3) vote means at least two-thirds (2/3) of the legal votes cast.
4. For unit officers, the election will be by majority.
5. For State Council: The election will be by majority vote and will follow the requirements set forth in the *CTA Elections Manual*. (See Election Timelines, Procedures, and Guidelines in Sections IV-9.2 and IV-9.3 of the *CTA Elections Manual*.)
  - a. If a unit is a single electoral district, the election for State Council Representative will be counted and reported by the chapter Elections Committee.
  - b. If the unit is within a multiple unit electoral district, the chapter returns the chapter tally sheet, voted ballots, and voter roster/sign-up sheets to Service Center Council Elections Committee by deadline date. A minimum of two (2) signatures will be required to validate the tally report.
6. If no candidate receives a majority vote, a run-off election shall be conducted among the candidates receiving the highest number of votes. The names on the ballot will be one (1) more than the number of vacancies to be filled. There shall be no provisions for write-in candidates in run-off elections.
7. For NEA Local Delegates, the election will be by majority or plurality vote with the determination to be made in advance of the announcement of the election by the local. Results must be sent to the CTA Governance Support Department.
8. An election for NEA Delegates may be waived and the candidate(s) declared elected if, following a period of open nominations, the number of candidates is equal to or less than the number of delegate positions to be filled. An affiliate utilizing this provision must have adopted a governing provision or election policy allowing such a practice. This election practice will not generate successor delegates unless the nomination process requires candidates for both regular and successor delegate positions.
9. For NEA State Delegates, the election will be overseen by the Service Center Council. The local Elections Committee shall submit to the Service Center Council the official CTAINEA state delegate election Teller's Report, ballots, Tally Sheets and signature sheets/rosters. The Service Center Council will forward the results to CT A.
10. For additional CTA&NEA election guidelines, refer to the official *CTA Elections Manual*.

### **K. Counting of Ballots**

1. The Elections Committee shall verify signature sheets with ballots received and count the ballots, which should be completed immediately following the deadline for receipt of voted ballots.
2. Each office/position on the ballot shall be treated as a separate race. If a majority vote is required, it shall be calculated as more than half of the legal votes cast for each office/position on the ballot.
3. Blank and/or illegal ballots for each office/position shall be set aside. Examples include the following:
  - a. Member not listed on the voter roster;
  - b. Voter's intent unclear;
  - c. Votes cast for more than number allowed;
  - d. Votes cast on unofficial ballot (probably reproduced);
  - e. Candidate is not a member.

4. Ballots set aside and not counted are:
  - a. More ballots than signatures;
  - b. Ballot(s) received after deadline;
  - c. Voting envelopes without a signature; and
  - d. Ballots that are separated from roster/sign-up sheet.
5. After verification of signatures, ballots shall no longer be separated by site.
6. The Elections Committee should categorize each illegal ballot, make a determination of whether the vote(s) in that category should be counted separately, as listed in four (4) above, and make a note of the decision. The ballots should remain separate.
7. The Elections Committee will prepare the Teller's Report, recording information on the total number of votes cast, the number needed to win/pass, the number of votes received by each candidate/issue and the number of blank and illegal ballots for each office/position with an explanation of illegality, and signed by each Elections Committee member. The Teller's Report shall not contain a school-by-school or site-by-site breakdown report.
7. The Chairperson of the Elections Committee will deliver the report of the election results to the president and interested parties. The election results shall be posted at each work site no later than five (5) calendar days following the counting of the ballots.
8. The ballots and voter sign-up sheets should be retained by the unit for one (1) after the election.

#### **L. Observers**

1. Each candidate shall be allowed to have one (1) observer, who may be the candidate, at the vote counting site and shall give the name of the observer to the Elections Committee before counting.
2. An observer shall not interfere with the counting and shall stay in the counting area until the President or designee has been notified of the results and has notified each candidate of the results. The observer must maintain confidentiality of the election process.

#### **M. Challenge Procedure**

1. A challenge cannot be initiated until after the results of the elections have been posted at each work site.
2. Challenges for election of State Council Representatives, Alternates, State, and , Local delegates to NEA RA follow procedures in the *CTA Elections Manual*.
3. The challenging party(ies) must notify the unit president and elections chair of a challenge in writing within ten (10) calendar days after the announcement of the results of the election. If the unit president is a candidate on the ballot, please see item number five (5). The notification must be on the official CTA Challenge Form. (*See Appendix P of the CTA Elections Manual*)
4. Upon receipt of the challenge, the Elections Committee will notify all the candidates in the election being challenged that a challenge has been filed. Within ten (10) calendar days after receipt of the challenge, the unit's Elections Committee shall, in accordance with the unit's bylaws and standing rules, conduct an investigation and determine whether or not the challenge:
  - a. Is a violation of the unit's election requirement(s).
  - b. Is supported by the appropriate documentation.
  - c. Requires more information. The information will be obtained via the most feasible method.
  - d. Identified violation(s) that may have affected the outcome of the election.

- e. Within the same ten (10) calendar day period, the unit's Elections Committee shall submit a written report including issues and recommendations to the Chapter President and Executive Board.
- f. The names of challengers and challenge forms shall remain confidential.

5. Any member of the Executive Board who was a candidate in a race that is challenged, or whose immediate family member is such a candidate, shall recuse themselves from discussion of and voting on the report. If, in the case where the majority of the Executive Board is unable to act on the challenge, the decision shall move to the next highest decision making body according to the unit's governance documents.

6. The Executive Board shall act on the report no later than ten (10) days following receipt of the written report of the elections committee in accordance with CTA Challenge Procedures as described in Appendix 0 - CTA Challenge Procedures - Local Elections of the *CTA Elections Manual*. The names of challengers and challenge forms shall remain confidential. The Executive Board must issue its decisions in writing to the challenger and the Elections Committee Chair.

7. If the Executive Board fails to act within ten (10) calendar days of the initial challenge, the individual may file an appeal as described below by writing to the met not met CTA President.

8. If the challenging party(ies) wish(es) to appeal the decision of the unit's governance body, he/she may file an appeal in writing to the CTA President within ten (10) calendar days from the date of the decision of the governance body. The appeal shall be the original challenge filed at the unit level, and additionally shall include the local Elections Committee report and the Executive Board's decision.

## **N. Initiative Procedures**

1. The Active membership shall have the authority **to** make decisions on any matters affecting the Association or its activities through the initiative process.
2. An Active member shall file a notice of the intent to circulate a petition with the chapter president by including a copy **of** the petition to be circulated, and the names of at least three (3) persons supporting the proposed measure and responsible for its circulation.
3. The chapter president shall register the receipt of the notice **of** the intent to circulate, and acknowledge such registration in writing with the member filing the notice.
4. The timeline for gathering signatures will commence the day that the notice of intent is registered. A maximum of fifteen (15) calendar days shall be permitted to obtain the signatures of at least 60% or more of the Active members of the chapter. The petition shall contain the question proposed to be placed on the ballot.
5. The circulators shall present to the chapter president the petition(s) containing original signatures.
6. The chapter president shall have thirty (30) calendar days in which to verify the membership of the signers of the petition.
7. If there are insufficient signatures, the petition circulator shall be notified within three (3) calendar days that the petition failed for a lack of signatures.



8. The chapter president shall cause a ballot to be furnished to the members no less than fifteen (15) calendar days after verification of membership, provided that the period that school is officially not in session shall not be included in this count.
9. Regular election procedures (e.g., election of officers) shall be followed including voting times.
10. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.

#### **O. Referendum Procedures**

1. Any action or proposed action of the Executive Board shall be referred to a vote of the Active membership upon two-thirds (2/3) vote of the Executive Board at any valid meeting.
2. The referendum action shall prescribe the exact wording of the question to be posed to the Active membership on the ballot.
3. The chapter president shall cause a ballot to be furnished to the Active members no less than fifteen (15) calendar days after action by the Executive Board, provided that the period that school is officially not in session shall not be included in this count.
4. Regular election procedures (e.g., election of officers) shall be followed including voting times.
5. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.

#### **P. Recall Procedures**

1. The Active membership shall have the authority to recall from office any person or persons having been elected thereto by the chapter's Active members.
2. Any Active member(s) desiring to recall a unit officer or other elected office holder must file a copy of a petition with the chairperson of the Elections Committee before it can be circulated.
3. The petition must include the following information:
  - a. Name of individual who is the subject of the recall;
  - b. Office of individual;
  - c. Date of petition;
  - d. Name(s) of person(s) filing petition;
  - e. Notation that "Each signature must be in ink"; and
  - f. Space must be provided for the printed name, signature, work site and date of signing for each name on the petition.
4. Within fourteen (14) working days after receipt, the chairperson of the Elections Committee shall determine whether the petition contains the met not met necessary information.
  - a. If the petition does not contain the necessary information, the chairperson of the Elections Committee shall so notify the petitioner(s).
  - b. If the petition contains the necessary information, the chairperson of the Elections Committee shall inform the petitioner(s) of the rules, procedures and timeline (beginning date and deadline for gathering of signature(s), and the needs for protection of due process rights of the parties.

c. The chairperson of the Elections Committee shall send written notification to the unit officer whose recall is being proposed and shall also notify the other officers of the unit. A copy of the petition shall be enclosed.

5. Monies from a unit's treasury or indirect contributions in the form of use of a unit's assets, facilities, staff, equipment, mailings, good will and credit, or in kind services must not be used in the recall process.

6. No unit may state or indicate its preference in the unit's newspaper, newsletter or communications to its members.

7. The timeline for gathering of signatures will commence the day that the notice of intent is registered.

8. A maximum of sixty (60) calendar days shall be permitted to obtain the signatures of at least twenty-five percent (25%) of the Active members of the chapter. If the person subject to the recall was not elected by the general membership, then the signature requirement is twenty-five percent (25%) of the members of the electing constituency.

9. The signed petitions must be received by the chairperson of the Elections Committee by the specified deadline date.

10. The Elections Committee shall have ten (10) calendar days after receipt of the petition to verify signatures.

11. If there are insufficient signatures, the chairperson of the Elections Committee shall notify the petition circulator(s) by mail within five (5) calendar days of verifying the signatures that the petition failed for a lack of signatures.

12. Immediately upon verification of the signatures, the chairperson of the Elections Committee shall notify the president/designee of the fact that a recall has been initiated.

13. The chapter President, or the Vice-President if the chapter President is the person being recalled, shall cause a ballot to be furnished to Active members no less than twenty (20) calendar days after verification of signatures. The period that school is officially not in session shall not be included in the count.

14. The election must be concluded within fifteen (15) calendar days of distribution of the ballots.

15. The election must be conducted with provisions for a secret ballot and voter sign-up sheets.

16. The election shall be certified in accordance with the unit's bylaws.

17. The Chairperson of the Elections Committee will deliver the report to the president of the unit who will immediately notify all interested parties of the election results. The election results shall be posted at each work site as soon met not met as possible following the election.

STANDING RULES  
NAPA VALLEY COLLGE FACULTY ASSOCIATION/CTA/NEA  
Adopted (date to be determined)

1. FISCAL YEAR

A. The fiscal year of the Association shall commence on September 1 and end on August 31.

2. OFFICIAL PUBLICATIONS

A. The official publication of the Association shall be found at nvcfa.org.

3. ASSOCIATION OFFICERS AND REPRESENTATIVES

A. In accepting their respective positions, officers and representatives accept the following obligations:

1. To perform all duties set forth in the Bylaws of the Association.
2. To meet as necessary with the Executive Board or individual association officers.
3. To participate in Association and CTA/CCA/NEA training programs for representatives and officers.
4. To attempt to enroll each eligible faculty member into the membership of NVCFA/CTA/NEA.

4. NEGOTIATIONS

A. Only Active Association members in good standing shall participate in the decision-making process for negotiations, including such activities as approval of initial bargaining proposals, discussions of bargaining proposals and procedures, and ratification of tentative contract agreements.

1. Unit members who are not members of the Association may consult with the Association on any employment relations matters.

5. WITHHOLDING OF SERVICES/JOB ACTIONS POLICY

A. Any decision to withhold services or engage in another job action must be made by the membership. Such a decision shall be by member vote following voting procedures established in Article VII (Policy Making Body) of the Faculty Association Bylaws.

B. Association Officers, Association representatives, and delegates to the Community College Association, CTA State Council, or the NEA must act in conformance with any strike vote decision by the membership or resign their position.

6. GRIEVANCE POLICY

A. The Association recognizes that the heart of the Collective Bargaining Agreement is the grievance procedure. Proper contract implementation can be assured if Association officers,

representatives, and members are properly informed and instructed on both the current contract and the grievance procedure and, secondly, the Association officers and representatives assume the responsibility to carefully scrutinize the District's day-to-day relations with unit members. Therefore, the Association sets the following general guidelines for the handling of grievances:

1. The Association guarantees the fair treatment of all unit members under the terms of the negotiated Agreement.
  2. The basic objectives of Association support, or initiation of grievances are:
    - a. Protection of the contract.
    - b. The achievement of sound and fair settlements.
    - c. The full and prompt processing of all association-related grievances.
  3. The Association encourages the settlement of disputes and grievances at the lowest level possible, per the negotiated contract.
  4. The Association will inform and train its officers and representatives in the proper functioning of the grievance procedure and in their responsibilities under it.
  5. Responsibility for implementing the foregoing shall be vested in the Executive Board.
  6. The Executive Board shall determine whether or not the Association should take a grievance to arbitration. Guidelines shall include:
    - a. Effect on the entire Association and Membership.
    - b. Rights of the group/individual.
    - c. Possible establishment of policy.
    - d. Guard against fraudulent claims.
    - e. The merits of the case.
- B. The Faculty Association cannot represent or advise one member of the bargaining unit in a grievance against another member of the bargaining unit. Faculty with complaints against another faculty member shall be referred immediately and without comment to the appropriate college body (e.g. division/department, Faculty Senate, College Administration).

#### APPOINTED REPRESENTATIVES

- A. The appointed representatives of the Association shall be and remain currently paid-up members of the Napa Valley College Faculty Association/CTA/NEA as a condition for nomination to and service in their respective positions during their terms of office.
- B. These representatives shall be appointed by the President and confirmed by the Executive Board.
- C. Representatives shall be appointed for a term defined by the President and the Executive Board.
- D. A vacancy shall be deemed to exist in the case of death, resignation, or inability to serve in any of the appointed offices of the Association. In the event of a vacancy, the Executive Board shall appoint a successor at its next regular meeting or, if circumstances demand, at a special Executive Board meeting.
- E. The appointed representatives of the Association are:

1. Negotiators (2 people)  
Attend bargaining sessions; participates in training, preparation, and follow-up meetings; assist Lead Negotiator.
  
2. Financial Analyst (on an as-needed basis)  
Assists Treasurer, as necessary, in preparing and tracking the Faculty Association budget, and in writing budget reports; analyzes, tracks, and reports on District budget, in cooperation with Research Team and CTA support staff.
  
3. Membership Secretary  
Encourages membership in the Association, through faculty contacts; manages membership forms and materials, disseminates information on membership benefits; maintains liaison with CTA and NEA on membership issues.
  
5. Representative Committee (on an as-needed basis)  
Consists of one member of each division or department as to provide and maintain communication with the Executive Board.

7. BUDGET GUIDELINES

A. General Guidelines

1. The annual budget shall include funding for at least one binding arbitration; this amount shall accumulate from year to year until funding exists for three cases.
  
2. Meal allowance shall be paid only when deemed necessary by the Executive Board to conduct Faculty Association business.
  
3. If the Executive Board is unable to resolve a dispute as to budget allocation or expenditures, or as to whether a requested reimbursement was for a bona fide emergency; the matter shall be taken to the membership for a decision. The parties may make oral or written arguments, so long as each side is given an equal opportunity to express its views.
  
4. The Treasurer shall provide a written Faculty Association budget report (showing projected and actual income, current assets, and expenditures) not less than two times per year, at least once during each semester.

B. Budget Categories

1. Conferences/Workshops

This category shall cover expenditures for CTA conferences and workshops directly related to the operation of the Association, as well as other related events that are pre-approved by the Executive Board. This shall include such expenditures as registration;

hotel; meals; travel (including air fare, taxi, airport limousine or bus, mileage, bridge tolls, parking).

2. Officers' Mileage for Association Business (IRS standard)

This category shall cover expenditures for such matters as Unfair Labor Practice hearings, binding arbitrations, meetings with CTA staff, and similar travel required to conduct Association business. This shall include such expenditures as: mileage; bridge tolls; parking.

3. Operations/Administration

This category shall cover expenditures for the day-to-day operation of the Association. This shall include such expenditures as: office materials; printing/duplication; checking account charges; books; computer supplies; website fees; awards; plaques; CTA/CCA pins.

4. Meals/Refreshments

This category shall cover expenditures for refreshments for Association membership meetings; meals during extended negotiation sessions; meals during extended or special Executive Board meetings, as deemed necessary by a recorded vote of the Board to conduct the Association's business.

5. Binding Arbitration Hearings

This category shall cover expenditures for binding arbitration hearings. This shall include such expenditures as: hearing officer fees; recorder fees; cost of hearing transcript; other related expenses, such as travel, printing/duplication and meals.

6. Contingency Reserve

This category shall provide a fund for unforeseen major expenditures (such as binding arbitration) over the budgeted amounts.

7. Scholarships

This category shall provide funds toward scholarships for Napa Valley College students.