

# **WTA By-Laws (Revised)**

## **Weymouth Educators Association, Inc.**

**A UniServ Unit and an affiliate of  
National Education Association  
And the  
Massachusetts Teachers Association**

### **BYLAWS**

Revised February 15, 2017

## **Article I**

### **Name**

The name of this corporation shall be the Weymouth Educators Association, Inc.

## **Article II**

### **Purposes**

The purposes for which the corporation is organized are:

- |           |  |
|-----------|--|
| Section 1 | (a) To work for the welfare of school children, the advancement of education, and the improvement of instructional opportunities for all   |
|           | (b) To develop and promote the adoption of such ethical practices, personnel policies and standards of preparation and participation as mark a profession.   |
|           | (c) To develop and promote a continuing program to improve salaries, fringe benefits, working conditions, and instruction through formal negotiations with the School Committee as the exclusive representative of the Weymouth Educators Association, Inc. and in compliance with existing statutes and orders. |
|           | (d) To enable members to speak with a common voice on matters pertaining to the teaching profession and to present their individual and common interests before the School Committee and other legal authorities.  |
|           | (e) To hold property and funds, and to employ a staff for the attainment of these purposes.  |
| Section 2 | The foregoing purposes of Section I shall be exclusive purposes of this corporation; and   |
| Section 3 | No part of the net earnings of the corporation shall inure to the benefit of any private member or individual.   |

## **Article III**

### **Powers**

The Corporation shall have such powers as shall be necessary to carry out the purposes set forth in Article II, such powers to be limited only as provided herein.

## **Article IV**

### **Membership**

There shall be two classes of members:

- Section 1
- (a) ACTIVE MEMBERS shall, upon payment of dues, be those members who are professional employees within the meaning of M.G.L 150E, and who are employed in the schools of Weymouth, Massachusetts, and who agree to abide by the Code of Ethics of the Educational Profession.
  - (b) TERMINATION OR REVOCATION OF MEMBERSHIP, Revocation of shall be effected by the Executive Board pursuant to the procedures adopted by the Representative Council. The Executive Board may suspend from membership any member violates the Code of Ethics of the Education Profession. Membership shall automatically terminate upon failure to pay the dues established by the Council for each category of membership.
  - (c) Membership eligibility for cash paying members. Cash paying members in arrears of dues from the previous year must pay all dues in arrears or enroll in payroll deduction for the current year. Cash paying members must pay full dues by December 1<sup>st</sup>. Failure to adhere to this may result in termination of membership and employment.
  - (d) All members of the respective categories shall also be members of the Massachusetts Teachers Association and the National Education Association or, if appropriate, affiliate organizations thereof.
  - (e) Retired members are those former active members who upon retirement continue their membership and pay the prescribed dues.

## **Article V**

### **Fiscal Year**

The fiscal year of this corporation shall be from July 1 to June 30 inclusive.

## **Article VI**

### **Meetings of the Corporation**

#### **Section 1: Representative Council: Annual Meetings**

- (a) The Representative Council shall meet on the third Tuesday of each month or at such other time each month as may be determined by the Council. A meeting of all members shall be conducted at least twice a year. The first meeting will be called within the first month of the beginning date of the school year. The second meeting shall be called in April. Membership will participate directly and fully in all transactions of business.
- (b) The President or designee shall prepare the agenda for each meeting and shall circulate it to all members one week before all other regular meetings.

#### **Section 2: Executive Board – The Board shall meet during the first Tuesday of each school month, or at such time each month as may be determined by the Executive Board or at the request of three (3) members of the Board.**

#### **Section 3: Special Meetings – Special Meetings of the Council may be held at the call of the President or upon written request to the Board from five members. Business to come before special meetings must be stated in the call, which shall be sent in writing to each Representative. Special Meetings of the Board may be called upon the request of the President or the request of three (3) members of the Board.**

#### **Section 4: Membership Meetings – In addition to the yearly scheduled meetings, the Building Representatives shall, on a monthly basis, hold informational question/answer sessions with the staff at their school buildings.**

#### **Section 5: Proxy – Any member entitled to vote at the Annual Meetings may vote by proxy on any election of the W.T.A. provided such proxy is in writing and on a secure format.**

## **Article VII**

### **Quorum**

- Section 1: Twenty per cent (20%) of membership present shall constitute a quorum for ratification of a Collective Bargaining Agreement.
- Section 2: Ten per cent (10%) of the membership present shall constitute a quorum for the ratification of an amendment to an existing agreement.
- Section 3: Ten per cent (10%) of the membership present shall constitute a quorum at any other General Meeting and Annual Meeting.
- Section 4: A majority of their members shall be a quorum for the Council, the Board, and the Committees.

## **Article VIII**

### **Executive Board**

- Section 1: General Powers – The Board shall be the executive authority of the corporation and shall, consistent with the policies of the Council, manage the affairs of the corporation including , but not limited to, approving all expenditures, making provisions for an annual financial audit, and the execution of all the policies of the corporation. It shall report its transactions and those of the Council to the members and shall suggest policy for consideration of the Council.
- Section 2: The Executive Board shall consist of the officers and eight members: one (1) from the Pre-school Level, one (1) from the Primary Level, one (1) from the lower Middle School Grade 5-6, one (1) from the upper Middle School Grade 7-8, one (1) from the Senior High School, one (1) from Special Education, one (1) from Career and Technical, and one (1) from Unit D.
- Section 3: Termination and Succession
- (a) The eight (8) members elected at large shall serve for two years. The terms shall be staggered and a member may be elected for no more than two consecutive terms without an intervening term unless the position has no prospective candidate(s), and has the approval of the majority of the Executive Board. In the first year of implementation three (3) of these seats shall be for (1) year.

The Representative Council will decide by lottery which of the eight (8) seats will be for (1) year.

- (b) Whenever an elected member vacates the office between elections, the Executive Board may fill the vacancy by majority vote with one who shall hold office as interim. The vacancy will be posted to all general members who wish to be considered for the position. The position will be filled from the field of candidates within (30) days of the next school day via General Election. As a result of such an election, the person elected will hold office for the remainder of the term.

Section 4: The yearly WEA budget, including expenditures, wages, and stipends, must be agreed upon by the Executive Board and brought forth to the Representative Council and accepted by a majority of the members present.

- (a) The yearly budget must be balanced.

## **Article IX**

### **Representative Council**

Section 1: General Powers – The legislative and policy-forming body of the Association shall be the Council. The duties of the Council shall include, but shall not be limited to, approving the yearly operating budget, setting the dues for the respective membership categories of the Association, acting on reports of the committees, approving resolutions and other policy statements, adopting procedures for implementing the Code of Ethics of the Education Profession for governing the employment of staff, the conduct of the meetings and the censuring, suspending, and expelling members for cause or for reinstating members. Powers not specifically delegated to the Executive Board, the officers or other groups in the Association shall be vested in the Representative Council.

Section 2: The Council shall consist of the Board and the President, one or more representatives from each school faculty, one or more representatives of administrators, and the chairman of any operational standing committee.

Section 3: Only duly elected members of the Representative Council may vote.

Section 4: Any member of the Association who is not a member of the Council, may attend its meetings, and may receive permission to speak, but shall sit apart from the voting body, provided however, that at the

Annual Meetings all members shall be entitled to participate fully in the transactions of business.

## **Article X**

### **Officers**

- Section 1: The officers of the Association shall consist of a President; a Vice-President; an immediate Past-President; a Secretary; and a Treasurer.
- Section 2: (a) The officers shall be chosen by a General Election. They shall serve two years and may be re-elected without an intervening term.
- (c) Whenever any office becomes vacant between elections, the remaining members of the Executive Board will choose one of their number to serve 'pro-tempore.' Notification of the vacancy will be sent out to the general membership, and a general election will be held within (30) days of the vacating seat to determine the replacement. The position will be filled as delineated in Article VIII.3.b & c.
- Section 3: President – The President shall preside at meetings of the Executive Board, the Council, and the Annual Meetings, appoint and dismiss the chairmen and members of the standing committees subject to the advice and consent of the Executive Board, appoint Special Committees, shall be ex-officio a member of all standing committees, and the executive officer of the Corporation except when it employs an Executive Secretary. The President shall represent the Association before the public either personally or through delegates, and shall perform all other functions usually attributed to this office.
- Section 4: Vice-President – The Vice-President shall perform those functions assigned by the President. The Vice-President shall chair the Budget Committee and be responsible for signing vouchers. Also, the Vice-President shall assume the position and duties of the President if the President is incapacitated and cannot fulfill his or her responsibilities as President.
- Section 5: Immediate Past-President – The immediate Past-President shall serve the Board in an advisory position only with no voting privileges.
- Section 6: Secretary – The Secretary shall keep accurate minutes of all meetings of the Board and Council, shall maintain official files, and a record of all the corporation's policies, assist the President with

corporation correspondences, and shall have the responsibility for the secretarial business of the Corporation.

- Section 7: Treasurer – The Treasurer shall hold the funds of the Corporation and disburse them upon authorization by the Executive Board. He or she shall bill the members for their annual dues, and transmit amount due to the Massachusetts Teachers Association. He or she shall keep accurate accounts of receipts and disbursements, shall report to each meeting of the Executive Board and Representative Council, and shall prepare an annual financial statement for publication to members to be distributed before the second annual meeting. The approved budget will be made available at the first Building Representative meeting of the school year. He or she shall keep the President and the Executive Board informed of the financial condition of the Corporation. He or she shall assist the Budget Committee in the initial drafting of the annual budget. He or she shall be bonded by the Corporation. The Treasurer shall be authorized to remove cash paying members who have not paid all dues as of December 1st from the membership rolls.
- Section 8: Removal from Office – Whenever a majority of the Executive Board shall agree that an officer has been grossly negligent of the duties defined in the Bylaws, or is incapacitated; they shall recommend to the Representative Council that the office be declared vacant. If the Representative Council so voted by a two-thirds majority, it shall immediately elect a replacement until the next General Election.

## **Article XI**

### **Faculty Representatives**

- Section 1: (a) In each public school in Weymouth, and in Units B, D, and E, members who are members in good standing of this Association shall elect for a term of two years one Faculty Representative (Representatives) to the Representative Council for each ten members. If the number of teachers within a particular school, when divided by ten yields a remainder of five or less, then no Representative shall be elected to represent such remainder; if the remainder is greater than five, then a Representative shall be elected to represent such remainder. There shall be at least one Representative from each school building. Each Representative must have been a member of the Weymouth Educators Association for at least one year prior to his/her election and shall maintain his or her membership in good standing during his or her term of service. Where more than one such Representative is elected one shall be designated Senor Faculty Representative, and the terms shall be staggered. Elections shall be held prior to the first



Representative Council meeting in September, and the Representatives shall take their seats in the September meeting of the Council; provided, however, that if a school is one which was not in existence during the previous year, during the first September of such school's existence, the Representatives shall be elected by those who (i) were faculty members in good standing during the previous year, or (ii) have signed dues deduction forms, or (iii) have signed letters of intent to join the Association. The President shall designate a member in good standing to organize this special election.

- (b) Administrators who are members in good standing of this Association shall elect for a term of two years one representative to the Representative Council for each ten members. The number of representatives, all requirements for the election, the terms of service, and the seating of the representative shall be the same as Section 1a.
- (c) A representative shall represent the members in either section 1a or section 1b but not both. In determining the number of representatives, a member shall be counted in either section 1a or section 1b, but not as a member of both sections.

Section 2: Duties

Each Faculty Representative shall:

- (a) attend regular meetings of the Representative Council
- (b) oversee subsequent elections of Representatives
- (c) oversee enrollment of members; and
- (d) be responsible for two-way communication
- (e) assist members of Unit A with Level 1 of the grievance procedure.

Section 3: If any Representative shall be absent from more than two regular Council meetings without consent from the President, the President may declare said Representative's seat vacant and call for a faculty election to fill the seat for the remainder of the term. The President may designate a member in good standing to organize this special election.

Section 4: The number of Representatives to which a building is entitled shall be determined by the number of members existing, from time-to-time, within such building.

## **Article XII**

### **Standing Committees**

- Section 1: Structure – There shall be standing committees to carry on the specific functions outlined below. The members shall be selected to represent different groups in the Association. Each committee may, with the approval of the Executive Board, organize special sub-committees and task forces for specific activities from the membership of the Association.
- Section 2: Meetings – Each standing committee shall meet at the call of the chairman.
- Section 3: Reports – Each committee shall choose a secretary who shall keep a continuing record of activities. Chairmen shall report as necessary to the Representative Council and may prepare an annual written report summarizing objectives, action programs, gains, and unreached goals, which the Executive Board may distribute to the members and then would become a part of the continuing committee record in the Association files.
- Section 4: Titles and Duties
- (a) The Negotiating Team shall negotiate with the School Committee on hours, wages, and working conditions, including the instructional program, for all personnel in the negotiating unit. With the aid of appropriate standing committees, it shall prepare negotiation proposals to be approved by the Representative Council prior to being placed before the School Committee. Upon reaching a tentative agreement with the School Committee on all matters in negotiations, the team shall prepare and submit its report and recommendation to the members of the Association in the negotiating unit at a ratification meeting. The procedures for ratifying a negotiation agreement shall be developed by the Executive Board prior to negotiation.
  - (b) The Committee on Teacher Education and Professional Standards (TEPS) shall be appointed by the WEA President. The committee shall have 7 members. One additional member shall be appointed by the Superintendent. Appointment will be for a 2 year period. The Regulations of the Committee on Teacher Education and Professional Standards from the 1982-83 Contract shall be followed.
  - (c) Committee on Professional Relations shall organize and oversee the following sub-committees:
    - 1. Membership and Professional Information – to organize and conduct unified local, state, and national

membership enrollment among non-members, and to inform members of the policies, programs, and accomplishments of all associations.

2. Orientation – to develop and conduct programs for the orientation of new teachers to the community, the school system, and the Association.
3. Social Affairs – to organize such social activities as may serve the needs of members and promote fellowship with the Association.
4. Nominations and Elections

(d) Committee on Government Relations and Citizenship shall have broad concern for local, state, and national legislation affecting the interests of the Association and for the exercise of civic responsibilities by members. The Committee shall be diligent to inform members about newly enacted legislation. It shall organize and oversee the work of the following sub-committees.

1. State Legislation – to study pending legislation and to promote activities leading to the passage of desirable state legislation for schools.
2. Federal Legislation – to study legislation before the Congress and to develop activities leading to the passage of desirable federal legislation for schools.
3. Citizenship – to educate members and the public

(e) The Grievance Committee shall consist of four (4) members: one (1) from the Pre-school/Primary Level; one (1) from the Middle School Level; one (1) from the High School Level; and one (1) from Unit D. The Grievance Committee shall assist members of the various units with Level 1 of the grievance procedure, and prepare and participate in Levels 2, 3, 4 of the grievance procedure, and Unfair Labor Practice suits. The Committee shall report out to the Executive Board and Representative Council on a monthly basis.

Section 5: Relation to Executive Board – The Executive Board shall assist the President to appoint members of the standing committees at the regular meetings in September and June, and to fill all unexpired terms as vacancies occur, and shall plan for an organization committee conference each year. It shall require and assist committees to define their immediate and long-range objectives. It shall review committee plans as necessary and shall decide any jurisdictional argument between committees.

Section 6: Relation to State and National Association – The standing

committees shall seek to understand and relate to the objectives and programs of corresponding units of state and national associations and shall counsel with them.

## **Article XIII**

### **Special Committees**

Each year the President shall appoint a Budget Committee and such other special committees as may be necessary and shall discharge them upon completion of their duties. These committees shall operate according to rules approved by the Representative Council. No officer of the Association shall serve on the Election Committee.

## **Article XIV**

### **Elections**

#### **Section 1 – Nominations**

- (a) The members of the Association in each school during the months of March and April may nominate a candidate for President, Vice-President, Secretary, Treasurer, and Executive Board, respectively. Each Senior Faculty Representative of each school shall deliver all nominations in writing to the Committee on Election.
- (b) The Committee on Elections shall report all nominations to the membership at the Second Annual Meeting of the Association. Nominations shall close at the Annual Meeting.
- (c) The election shall be held by Australian Ballot in the buildings on the first Tuesday in May. Each member must be given time to vote during the day. The election can be in person or by absentee ballot sent to them at least ten (10) school days or less in advance of the election. Those elected will take office at the Representative Council meeting in June.

Section 2: Limitations – A member cannot hold more than one elective office in the Association at one time.

Section 3: Building elections shall be conducted by a building Representative and/or Executive Board member who is not running for office. Each building must provide a roster of members in that building so that each member can be checked off after they have voted.

- (a) All ballots will be created by the WEA office and be uniform in appearance.

- (b) Ballots shall contain the WEA position, candidates' names, and the Unit each candidate belongs to.
- (c) All ballots and voting rosters will be kept at the WEA office for 30 days and then discarded.

Section 4: All completed ballots must be brought back to the WEA office or an approved designated location by 4:30 PM, or unless there is consent of the Board, for the counting or the ballots will be voided.

## **Article XV**

### **Authority**

Robert's Rules of Order shall be the parliamentary authority for the Association on all questions not covered by the Articles of Incorporation and Bylaws and such standing rules as the Representative Council may adopt.

These Bylaws may be amended at any meeting of the Association by a vote of two-thirds (2/3) of the members present and voting upon the written recommendations of such proposed change which shall be given by the Secretary to the members at least ten (10) days before the vote upon such change.

## **Article XVI**

### **Seal**

The Executive Board shall provide a corporate seal which shall be kept by the Secretary.

## **Article XVII**

### **Dissolution**

DISSOLUTION and LIQUIDATION – In the event of the dissolution and liquidation of the corporation and prior to the completion thereof, all of the assets, property, income, and all other funds of the corporation not owned or held upon a condition requiring return, transfer or conveyance by reason of dissolution shall be expended for or applied to the purposes of the corporation, or one or more of such assets, property, income and funds to one or more corporation or organizations, organized and operated for purposes similar to the purposes of the organization.

## **Article XVIII**

### **Affiliation**

The Association shall affiliate with the National Education Association and the Massachusetts Teachers Association.