

# Oak Harbor Education Association By-Laws

*(Revised May 2003)*

## ARTICLE I - GOALS

- 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 make a profession.
- C. To unify and strengthen the teaching profession and to secure and maintain the salaries, retirement, tenure, professional and sick leave, and other working conditions necessary to support teaching as a profession, and to bargain collectively for the non-evaluating certificated staff.
- 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 Board of Education and other legal authorities.

## ARTICLE II - MEMBERSHIP

- A. Enrollment blanks embodying the unified plan of membership shall be furnished by the State Association.
- B. There shall be the following classes of membership in the Oak Harbor Education Association:
  - 1. ACTIVE MEMBERSHIP shall be open to any non-evaluating certificated person engaged in the profession of teaching or in other education work in the Oak Harbor School District, and shall also be open to the President or other released-time officer of the Association. Active members of the Association shall also be members of the Washington Education Association and the National Education Association.
    - a) Substitute teachers shall be eligible for active membership in WEA since they are persons engaged in educational work of a professional nature
  - 2. RESERVE MEMBERSHIP shall be limited to any person who is otherwise eligible for active membership but is on limited leave of absence from professional educational work. Reserve members shall adhere to the Code of Ethics of the Education Profession.
  - 3. STUDENT MEMBERSHIP shall be limited to any person who is not certificated as and/or employed as an educator and who is enrolled in a college or university program.
  - 4. RETIRED MEMBERSHIP shall be limited to any person who is retired from teaching or other educational work.
  - 5. STAFF MEMBERSHIP shall be open to any person employed by the Association.
- C. The WEA Constitution for a violation of the Code of Ethics, or for refusing to abide by the OHEA and WEA Constitution and Bylaws.

## ARTICLE III - DUES AND ASSESSMENTS

- A. The annual dues of an active member shall be .0087 of the Oak Harbor base pay for the current contractual year. Dues changes for the ensuing year will be announced at the September meeting of Representative Council and will go into effect on September 1 of each school year. Upon death or termination of employment, the annual dues shall be

canceled. The annual dues of teachers who present proof of one-half time employment or less shall be one-half of the dues for active members as listed above.

B. The daily dues of represented substitute teachers shall be the amount of 1/4 OHEA dues divided by 90. Retired, Reserve, and Student members shall be exempt from paying dues. The annual dues of a STAFF member shall be equal to one-half the dues of active members.

1. A represented substitute shall have completed 30 working days within the last 12 month as per negotiated agreement.

C. Special assessments may be levied by a majority vote of the Representative Council.

D. The local, state, and National dues and special assessments of all members shall be payable to the Treasurer or the Executive Director of the WEA.

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## **ARTICLE IV - REPRESENTATIVE COUNCIL**

A. Delegates to the Representative Council shall be elected by secret ballot after nominations in their respective buildings. The Executive Board shall provide uniform rules and procedures to assure compliance with the Constitution and Bylaws or OHEA, WEA, and NEA; including those applicable provisions relative to one-person-one vote, and ethnic-minority representation.

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## **ARTICLE V - EXECUTIVE BOARD**

A. Except for those Executive Board members elected to fill ethnic minority and Representative Council at-large positions, newly elected Executive Board members shall take office on the first working day of each school year.

B. Meetings of the Executive Board shall be in accordance with action of the Executive Board or on call of the President or on request of a majority of the Executive Board.

C. The preparation of the preliminary budget and the final budget shall be the responsibility of the Treasurer. Both the preliminary budget and the proposed final budget shall be reviewed and adjusted as necessary by the Budget Committee appointed by the President. The preliminary budget shall be submitted to the Representative Council at the June meeting. The final budget shall be submitted for adoption to the Representative Council at the September meeting.

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## **ARTICLE VI - COMMITTEES AND COMMISSIONS**

A. Committee and Commission members shall be appointed by the President, except that the President-elect shall appoint members who will take office during his term as President. Committees and Commissions shall receive their charges from the President, as approved by the Representative Council, and shall make interim reports to the Executive Board.

B. A majority of all members of any Committee and Commission shall constitute a quorum.

C. Committee and Commission members are expected to be active members of the Committees and Commissions to which they are appointed. Non-participation of a member shall constitute that member's resignation when so determined by the President.

D. STANDING COMMITTEE DUTIES:

1. Committee on Bargaining Support

a) shall explore and prepare a negotiations package in all areas of teacher welfare, such as salaries, leave, fringe benefits, insurance, credit and investment facilities, and general working conditions.

2. Committee on Grievances

a) shall enforce the local contract. It shall resolve grievances and complaints. It shall receive and investigate

complaints referred by the President. It shall report upon conclusion of investigation and make appropriate recommendations to the President and, if at Step 5, the Executive Board. The committee shall make regular reports on its activities to the Association.

3. Committee on Communications

- a) shall keep members informed of the activities, programs, and accomplishments of the Oak Harbor Education Association. It shall make efforts to inform the public of the purpose and programs of the Association. It shall develop methods for increasing public understanding of the teaching profession, educational values, and services, and of local school district programs.

4. Negotiations Committee

- a) Three or more negotiators shall represent the OHEA in negotiations with representatives of the Oak Harbor School Board, and they shall have tentative settlement powers. They will be appointed by the President, and the appointments will be ratified by the Representative Council. They shall serve one year terms which may be repeated at the discretion of the President and Executive Board. The term of a negotiator begins on the first day of the calendar school year or immediately after ratification of the Negotiated Agreement, whichever occurs last.
- b) Members of the Negotiations Committee shall agree on a time to meet, or negotiate. The Negotiations Committee shall meet and negotiate as a team, with no more than one member being absent.
- c) The Negotiations Committee members shall attend regional and/or coordinated bargaining meetings and the WEA Leadership Conference as directed by the Representative Council.
- d) The Negotiations Committee shall prepare communications for the membership concerning the progress of negotiations. These communications will be channeled through the President.
- e) The Negotiations Committee will seek input from the membership through questionnaires and building meetings.
- f) The Negotiations Committee will seek the counsel of Uniserv and WEA on a regular basis. The committee will seek support, strategies, and information on legal language and PERC rulings.
- g) The Negotiations Committee will ensure that the District negotiating team members, School Board members, and District Office Administrators realize that any tentative agreement(s) reached will always be contingent on a ratification/non-ratification vote by the OHEA general membership. The committee will abide by all PERC rulings so that the OHEA general membership is the Association's decision making body for contract agreements.

5. Human Relations Committee

- a) shall act as a monitoring device for district Affirmative Action Plan; assist members who have been discriminated against in employment, advancement or compensation; sponsor training programs for human rights concerns in education; and examine discrimination in student programs and seek improvement in such programs.

6. Social Committee

- a) shall develop and conduct programs for the orientation of new teachers to the community, the school system, and the Association, and to organize such social activities as may serve the needs of members and promote fellowship within the Association.

7. Political Involvement Committee

- a) shall have a broad concern for local, state, and national legislation affecting the interests of the Association and for exercise of civic responsibilities. It shall study pending legislation and promote activities leading to the passage of desirable state legislation for the school, and educate members and the public on the civic

responsibilities of teachers and to develop programs that will encourage wide exercise of them.

- E. Each year the President shall appoint an Elections Commission, Membership Commission, a Budget Commission, an Audit Commission, and such other special commissions as may be necessary and shall discharge them upon completion of their duties. These commissions shall operate according to rules approved by the Representative Council. No officer of the Association shall serve on the Election or Audit Commission.

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## ARTICLE VII - FINANCES

- A. All invoices and bills submitted for payment must be approved prior to payment thereof by the President and/or Treasurer.
- B. All monies received by Oak Harbor Education Association shall be placed and kept in such accounts as the Executive Board shall determine and shall be disbursed by such officers and in such manner as the Executive Board shall determine.

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## ARTICLE VIII - RECALL

- A. Nonparticipation of any member of Representative Council and/or Executive Board shall constitute that member's resignation when so determined by the Representative Council who shall then call for a new election.

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## ARTICLE IX - ELECTIONS

- A. The active members of the Association in each building during the month before elections may nominate a candidate for President, Vice President, Secretary, Treasurer, and Members to Executive Board; nominations for officers shall be delivered to the Elections Commissioner.
- B. The Elections Commission shall publish a list of the confirmed nominees.
- C. On two school days in December members shall vote for delegates to the WEA-RA and NEA-RA, and on two days in May members shall vote for officers and members to Executive Board by ballot, in accordance with procedures developed by the Elections Commissioner and approved by the Representative Council. The Elections Commissioner shall report results to the President who shall cause them to be published. Newly elected officers shall be certified by the next meeting of the Representative Council. Diversity requirements of OHEA by WEA or NEA shall be met by having the necessary number of ethnic minority/members of color candidates designated as being elected, regardless of actual vote obtained.
- D. All elections of officers shall be by a simple majority vote of those OHEA members voting, with the following exception: When there are more than two candidates for the same office, it shall be determined by plurality.
- E. In the event of a vacancy in any position on the Executive Board, the President shall appoint a replacement, with the approval of the Rep Council, to fill the remainder of the unexpired term.

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## ARTICLE X - AMENDMENTS

- A. These By-Laws may be amended at any meeting of the Representative Council by a two-thirds (2/3) vote of all official delegates present and voting after there have been two official readings of the proposed changes. All amendments shall be voted on by secret ballot.