

**ASSOCIATED COLT**  
**(CLERICAL, OFFICE, LABORATORY, TECHNICAL)**  
**STAFF OF THE**  
**UNIVERSITIES OF MAINE**  
**ACSUM**  
**CONSTITUTION**

**A**  
**COLT**  
**S**  
**U**  
**MEA**

**AUGUSTA/BANGOR**  
**FARMINGTON**  
**FORT KENT**  
**MACHIAS**

**ORONO/UM COOPERATIVE EXTENSION**  
**PRESQUE ISLE**  
**SOUTHERN MAINE/LEWISTON-AUBURN**  
**SYSTEM-WIDE SERVICES/UNET**

## **Associated COLT Staff of the Universities of Maine CONSTITUTION**

### **ARTICLE I. NAME, PURPOSE, AND GOVERNANCE**

#### **Section 1. Name**

The name of the organization shall be the **Associated COLT (Clerical, Office, Laboratory, Technical) Staff of the Universities of Maine (ACSUM)**, an affiliate of the Maine Education Association and the National Education Association.

#### **Section 2. Purpose**

The primary purpose of the Association shall be to represent the COLT employees as the bargaining agent for the employees, in their employment relationships with their employer. The Association shall also have as its purpose:

- A. To promote among the COLT staff of the University of Maine System the highest professional practices.
- B. To cooperate with community organizations and civic bodies for the improvement of higher education.
- C. To promote the professional welfare of the members of the University of Maine System COLT staff by improving salaries, job security, retirement systems and other conditions of employment, including those not for professional improvement, so as to attract and retain highly qualified COLT staff.
- D. To act as the collective bargaining agent for the COLT staff of the University of Maine System.

#### **Section 3. Governance**

The Association shall be governed by this Constitution and by such other actions as may be taken by its membership consistent therewith.

### **ARTICLE II. MEMBERSHIP**

#### **Section 1. Active Membership**

Active membership shall be available to those COLT employees of the University of Maine System who are eligible for membership in the COLT bargaining unit and who pay appropriate dues, including retired members. Eligible retired members must be members of the Maine

Retired Teachers Association, and pay one-half of the active part-time ACSUM membership dues. Such persons shall be entitled to vote, hold office, and serve on ACSUM committees.

## **Section 2. Rights of Membership**

The Association shall not deny membership to individuals on the basis of race, creed, sex, handicap, or national origin.

## **Section 3. Membership Year**

The membership year shall be September 1 to August 31.

## **Section 4. Obligations of Membership**

- A. All members shall support the stated purposes and objectives of the Association and the Maine Education Association.
- B. Active members shall hold appropriate memberships in the Maine Education Association and the National Educational Association.
- C. To attend general meetings and support activities of the Association.

## **Section 5. Continuation of Membership**

Membership shall be continuous until the member leaves the bargaining unit, resigns from the Association, or fails to pay membership dues.

## **Section 6. Due Process and Appeal**

The Executive Board shall have the authority to censure, suspend, or expel members for violations of Article II. Section 4. Charged members shall have the right to a due process hearing by the Executive Board and the right to appeal to the general membership, which shall also afford a due process hearing.

For cause shown, a two-thirds vote of the Executive Board of ACSUM may censure, suspend or expel any member. Such action may take place only after due notice (at least thirty (30) days), adequate opportunity to reply in writing (two (2) weeks), and a hearing.

In the event an adverse action is taken, said member shall have the right to appeal the decision to a seven (7) member appellate jury which shall be comprised of Delegate Assembly members according to the following selection procedure: the secretary shall make available a current listing of Delegate Assembly members from which the aggrieved party and the ACSUM President shall select the seven jurors under a striking procedure. The decision of the jury shall be binding on all parties.

## **ARTICLE III. LEGISLATIVE AUTHORITY**

### **Section 1. Representative Assembly**

The authority to establish Association policies and objectives, to elect officers, to adopt an annual budget and establish dues, and to exercise final authority on all matters of the Association shall be vested in a representative assembly. This assembly shall be called the Delegate Assembly.

### **Section 2. Composition**

The Delegate Assembly shall be comprised of delegates elected under open nomination and secret ballot procedures on a ratio of 1:10 members or major fraction thereof, such election to be conducted within each Chapter. The Assembly shall be apportioned on the basis of one-person one-vote.

- A. Chapters (UMA, UMF, UMFK, UMM, UM, UMPI, USM, SWS, and UMCE) shall be entitled to elect one (1) delegate to the Delegate Assembly each, plus one (1) delegate for each ten (10) members of portion thereof.
- B. Chapters shall conduct elections for Delegate Assembly delegates through open nominations and secret ballot. Election results shall be submitted to the Elections Committee Chairperson no later than March 1, or as soon thereafter as possible.
- C. Delegates shall serve for a three (3) year term on a rotating basis beginning March 15 of the year in which they are elected.
- D. Alternate delegates for each chapter shall be elected at the same time and in the same manner as delegates. An alternate shall have the same rights and responsibilities as the delegate for the meeting at which he/she serves as an alternate. When attending a Delegate Assembly meeting as a delegate, the alternate must provide written certification of eligibility from the chapter president to the ACSUM president. An alternate shall serve until the next regular session.
- E. Each chapter shall encourage ethnic and female/male representation proportionate to its ethnic and female/male membership.

### **Section 3. Meetings**

- A. The Delegate Assembly shall meet the fourth Saturday in April.
- B. A quorum requires two-thirds of the Delegate Assembly delegates.

- C. The President shall be the presiding officer at all meetings and in his or her absence the President-Elect or Vice President shall preside. The President shall call the meeting, prepare the agenda, and shall circulate it to all members of the Delegate Assembly at least ten (10) days in advance of the Delegate Assembly meeting. Meetings of the Delegate Assembly shall be open to all members of ACSUM.
- D. Special meetings of the Delegate Assembly may be held at the call of the President, upon written request from a majority of the members of the Executive Board, Delegate Assembly members from two (2) or more chapters. Business to come before special meetings must be stated in the call, which shall be sent in writing to each delegate at least ten (10) days in advance of the meeting.
- E. Robert's Rules of Order (Newly Revised) shall be the authority on all questions of parliamentary procedure not specifically covered in the Constitution and Bylaws.

#### **ARTICLE IV. OFFICERS AND EXECUTIVE COMMITTEE**

##### **Section 1. Officers**

The officers of the Association shall consist of a President, a Vice President, a Secretary and a Treasurer. These officers shall form the Executive Council.

##### **Section 2. Executive Board**

The Executive Board shall be the executive authority of ACSUM. It shall carry out the policies and instructions of the Delegate Assembly. It shall be responsible for the management of ACSUM approved expenditures, and report its transactions and those of the officers of the Executive Board to the members.

- A. The Executive Board shall consist of the president, vice president, secretary, treasurer, and the ACSUM member serving on the MEA Board of Directors; one (1) member from each chapter (UMA, UMF, UMFK, UMM, UM, UMPI, USM, SWS, UMCE) plus one (1) member for each one hundred (100) members or portion thereof.
- B. Chapters shall conduct elections of their State Executive Board members and alternates through open nominations and secret ballot. Chapter election results shall be submitted to the ACSUM state secretary, no later than April 1, or as soon thereafter as possible. The term for the Executive Board members shall be for one (1) year to commence July 1 of the year in which they are elected.

### **Section 3. Meetings**

The Executive Board may meet at least once each month from September through June, at the call of the president. Additional meetings may be called by the president or by request of five (5) members of the Executive Board.

- A. A majority of the Executive Board constitutes a quorum.
- B. Each active Executive Board member shall have one (1) vote. A member will be deemed inactive after one (1) unexcused absence. The Executive Board has the option to request a board member to resign after three (3) absences from scheduled meetings.
- C. Robert's Rules of Order (Newly Revised) shall be the authority on all questions of parliamentary procedure not specifically covered in the Constitution and Bylaws.

### **Section 4. Terms of Office**

- A. The terms of office for President and Vice President shall be for two (2) years to commence on July 1 of the odd-numbered year. The term for secretary and treasurer shall be for two (2) years to commence on July 1 of the even-numbered year. No person shall be elected to the same office of either President or Vice President for more than three (3) consecutive terms. However, no person elected to the office of either Secretary or Treasurer shall be term-limited to three (3) consecutive terms. In the event an office is uncontested, that office shall be elected by acclamation.
- B. If a vacancy occurs in the office of president, the vice president shall succeed to that office until the next Delegate Assembly. Vacancies in other offices shall be filled by the president, with the approval of the Executive Board until the next Delegate Assembly.

### **Section 5. Nomination and Election of Officers**

The President shall annually appoint a Nominating Committee which shall be charged with the responsibility of securing candidates for pending vacancies in such a manner as will insure at least proportional representation of general membership. Any member shall have the right to make nominations or to be nominated either to the Nominating Committee or on the floor of the Delegate Assembly. The election of officers shall occur at the Annual Meeting. Election shall be by secret ballot and shall require a majority of all votes cast. Elected officers shall assume office on July 1 following the election unless the election is to fill a vacancy in which case the elected officer shall assume the office immediately.

### **Section 6. Ethnic-Minority Representation**

The Association shall make every effort to encourage the nomination and election of ethnic-minority members to the Executive Board (and/or to the Delegate Assembly).

## **ARTICLE V. DUTIES OF OFFICERS**

### **Section 1. President**

- A. Speak for ACSUM.
- B. Preside at all meetings of the Delegate Assembly and Executive Board.
- C. Advise and assist in preparing the annual program and budget for submission to the Executive Board.
- D. Meet regularly with the vice president and the ACSUM member serving on the MEA Board of Directors.
- E. Vote to break a tie on the Executive Board and at the Delegate Assembly.
- F. Appoint members to committees and serve as ex officio on all committees of ACSUM without voting privileges.
- G. Perform all duties relevant to the office of the president.

### **Section 2. Vice-President**

- A. Assist the president and assume all presidential duties in the absence of the president.
- B. Advise and assist in preparing the annual program and budget for submission to the Executive Board.
- C. Meet regularly with the president and the ACSUM member serving on the MEA Board of Directors.
- D. Serve on all standing committees, except the Communications Committee, as an ex officio member with voting privileges.
- E. Serve as parliamentarian at all Executive Board meetings and Delegate Assembly unless acting as president, at which time a parliamentarian shall be appointed.
- F. Perform all duties relevant to the office of the vice president.

### **Section 3. Secretary**

- A. Keep a record of the minutes of all Delegate Assembly, Executive Board, and special meetings.

- B. Attend all association meetings or provide a substitute in her or her absence.
- C. Preside over meetings in the absence of the president and vice president and continue to serve until those present have named a chairperson pro tem.
- D. Carry on the correspondence of the local associations.
- E. Notify officers, committee members and general membership of meetings, agenda, and notify of meeting changes and/or cancellations;
- F. File and distribute when necessary all correspondence received, treasurer's reports, membership roster, directory of officers, committee members with addresses and telephone numbers and copies of all committee reports.
- G. Perform all duties relevant to the office of the secretary.

#### **Section 4. Treasurer**

- A. Be responsible for all financial matters of ACSUM, subject to policy established by the Delegate Assembly and authorized by the Executive Board.
- B. Prepare financial reports and circulate prior to the upcoming meeting.
- C. Work closely with the Executive Council in the preparation of the budget for the coming year, summarizing current year's expenditures, receipts by category, suggesting and advising on financial needs.
- D. Present at the end of the fiscal year, a written report on the finances of the treasury.
- E. Perform all duties relevant to the office of treasurer.

### **ARTICLE VI. COMMITTEES**

The President shall appoint, from the active membership of ACSUM, committee members and committee chairpersons as may be necessary to achieve the Association's program. In appointing committee members, every effort will be made to appoint persons who will be representative of the membership to be served by the committee actions and will include statewide representation.

#### **Section 1. Standing Committees**

- A. Elections Committee
- B. Membership Committee
- C. Constitution and Bylaws Committee
- D. Grievance Committee

- E. Communications Committee
- F. Program Committee
- G. Negotiation Team
- H. Bargaining Council

## **Section 2. Ad Hoc Committees**

Ad hoc committees and chairpersons may be appointed by the president from the active membership with the approval of the Executive Board. The president and vice president shall serve on all ad hoc committees ex officio, without voting privileges.

## **ARTICLE VII. STATE AND NATIONAL DELEGATES**

All Association delegations to State and National governance bodies shall be elected in conformance with the respective requirements of those bodies.

## **ARTICLE VIII. FINANCES**

At the annual meeting of the Associated COLT Staff of the Universities of Maine, otherwise called Delegate Assembly, delegates will adopt a budget for the following membership year.

## **ARTICLE IX. AUTHORITY**

### **Section 1. State and National Affiliation**

The Association shall comply with all affiliation requirements of the Maine Education Association and the National Education Association. Any part of this constitution found to be in conflict with the constitution or bylaws of either the Maine Education Association or the National Education Association shall be declared null and void.

### **Section 2. Parliamentary Procedure**

Robert's Rules of Order, Newly Revised, shall be the authority governing all matters of procedure not otherwise provided in this Constitution.

## **ARTICLE X. RATIFICATION OF NEGOTIATED CONTRACTS**

Ratification of a negotiated contract shall be by majority vote of those members of ACSUM casting ballots.

## ARTICLE XI. AMENDMENTS

### Section 1.

Amendments to the Constitution and Bylaws shall be initiated in the following manner:

- A. majority vote of a chapter Executive Committee; or,
- B. majority vote of the Executive Board; or,
- C. on the recommendation of the Constitution and Bylaws Committee; or,
- D. by individual members.

### Section 2.

Each amendment shall be ratified by a majority vote of the elected members of the Delegate Assembly.

### Section 3.

The Executive Board is authorized to make non-substantive housekeeping changes in the Constitution and Bylaws.

May 14, 1988

Amended April 28, 1990

Amended April 11, 1992

Amended April 17, 1993

Amended April 16, 1994

Amended May 14, 1995

Amended April 13, 1996

Amended April 25, 1998

Amended April 15, 2000

Amended April 28, 2001

Amended April 16, 2005

Amended April 25, 2009