

**CONSTITUTION OF THE
HAMILTON CLASSROOM TEACHERS' ASSOCIATION
(Revised 2020)**

**ARTICLE I
NAME**

Section 1. The name of the organization shall be the Hamilton Classroom Teachers' Association, hereafter referred to as the Association.

Section 2. The Hamilton Classroom Teachers' Association, henceforth referred to as the Association, shall maintain affiliation with and be members of the Ohio Education Association (OEA), the National Education Association (NEA), and the Southwestern Ohio Education Association (SWOEA).

**ARTICLE II
PURPOSE**

Section 1. The purpose of the Association shall be to:

- a. Promote the interests of public education;
- b. Advance the standards of the teaching profession;
- c. Secure the conditions necessary for the greatest efficiency of educators and schools;
- d. Promote and adhere to the Code of Ethics of the Education Profession.

Section 2. In carrying out the above purposes, the Association shall have power to receive, hold, and administer funds.

**ARTICLE III
MEMBERSHIP**

Section 1. The Association shall have two types of members as set forth in the Bylaws:

- a. Active Members
- b. Retired Members

Section 2. All members shall abide by the Code of Ethics of the Education Profession as adopted by the OEA and NEA.

Section 3. The Board of Directors, after a two-thirds (2/3) vote by secret ballot, may expel any member in accordance with the provisions set forth in the Bylaws.

ARTICLE IV

OFFICERS

Section 1. The officers of the Association shall be the President, First Vice President, Second Vice President, Immediate Past President, Secretary, and Treasurer.

ARTICLE V REPRESENTATIVE ASSEMBLY

Section 1. The Representative Assembly shall be the legislative body of the Association. The Representative Assembly shall be composed of delegates determined by procedures set forth in the Bylaws.

Section 2. The Representative Assembly shall adopt standing rules which are consistent with the Constitution and Bylaws to govern its conduct.

ARTICLE VI BOARD OF DIRECTORS

Section 1. The Board of Directors shall:

- a. Implement motions and resolutions approved by the Representative Assembly and may devise and put into operation other measures consistent with the objectives of the Association;
- b. Fix the time and shall make all necessary arrangements for meetings of the Representative Assembly;
- c. Employ staff as set forth in the Bylaws;
- d. Keep a record of its proceedings and present a report of the same to the Representative Assembly;
- e. Provide minutes of the meetings to the Association Building Representatives;
- f. Interpret the Constitution and Bylaws;
- g. Have the power by reason of national emergency or natural calamity to suspend or eliminate a meeting of the Representative Assembly;
- h. Approve or disapprove the nominations made by the President to various committees and commissions;
- i. Receive and review all programs of the various committees and commissions.

ARTICLE VII CONTRACT MAINTENANCE ACCOUNT

Section 1. The Association shall have a Contract Maintenance Account in the annual budget in accordance with the Bylaws.

ARTICLE VIII **AMENDMENTS**

- Section 1* Amendments to this Constitution may be proposed by a majority vote of the duly accredited members of the Representative Assembly at any business meeting or by a majority vote of the Board of Directors.
- Section 2* The text of such amendments shall be published and distributed to all members at least fourteen (14) days preceding a meeting of the membership of the Association.
- Section 3* Amendments to this Constitution require a two-thirds (2/3) vote of members present and voting, and shall become effective at the conclusion of the meeting at which the vote was taken.

ARTICLE IX **DUES**

- Section 1.* The Association shall have a dues structure adequate to fund an active program. The dues rate shall be established in Article 2-5 in the Bylaws.

ARTICLE X **DISSOLUTION OF ASSOCIATION**

- Section 1* A petition for dissolution of the Association may be presented in writing to a meeting of the general membership by any member in good standing and must contain the signature of three-fourths (3/4) of the total membership of the Association.
- Section 2* Upon receipt of the petition for dissolution by the total membership, the Association shall act upon the petition at the next general membership meeting.
- Section 3* The Association shall be considered dissolved if three-fourths (3/4) of the total membership vote by secret ballot is in favor of dissolution.
- Section 4* The effective date of dissolution shall be thirty (30) days from the date of the vote, thus allowing for the disposal of assets and liabilities.
- Section 5* In the event of dissolution of the Association, all assets of this organization remaining after payment of all obligations shall be distributed to The Hamilton Community Foundation provided that it is an entity recognized as exempt from Federal taxation. In the event that The Hamilton Community Foundation is not then recognized

as tax exempt, such assets shall then pass to The Lane Public Library provided that it is recognized as exempt from Federal taxation.

BYLAWS OF THE HAMILTON CLASSROOM TEACHERS' ASSOCIATION

1. OFFICIAL YEAR

1-1 Duration

- a. The membership year of the association shall be from September 1 to August 31.

2. MEMBERSHIP

2-1 Classes

- a. There shall be two classes of membership in the Association: Active and Retired.
- b. Active membership shall be of three types: FULL TIME – any member who works more than fifty percent (50%) of the time; HALF TIME – any member who works more than twenty five percent (25%), but no more than fifty percent (50%)
- c. Active membership shall be open to any person who is engaged in the profession of education and who holds a valid teaching certificate/license issued by the State of Ohio provided that the person shall have no power to evaluate teachers in service, nor shall require Administration certification/licensure for employment.
- d. Active members must be unified members of the Hamilton Classroom Teachers' Association, Southwestern Ohio Education Association, Ohio Education Association, and the National Education Association.
- e. Active members who have been appointed cadet principals or supervisors are no longer eligible to be active as of the date of the appointment. If they leave the position, they are entitled to again become active members.
- f. Retired membership shall be open to any officially retired educator who held active membership in the Association at the time of retirement. Retired members are non-voting members.

2-2 Term of Membership

- a. The term of membership shall continue until such time that said teacher gives written notice to the President of the Association and the Treasurer of the Hamilton City Schools to discontinue membership. The member must fulfill all financial obligations to the Association.

2-3 Rights and Responsibilities of Association Members

- a. Members of the Association may attend all meetings of the Representative Assembly, but may not vote on motions before or pertaining to this body.

- b. Any member may appear before the Representative Assembly and present facts pertaining to the question before the Assembly.
- c. Members shall elect the President, First Vice President, Second Vice President, Secretary, Treasurer, and the Board of Directors members.
- d. Members shall have the sole power to amend the Constitution and Bylaws.
- e. Members may request special meetings of the Representative Assembly and of the Association upon written petition of ten percent (10%) of the membership of the Association.
- f. All delegates to the National Education Association Convention shall be members of the Hamilton Classroom Teachers' Association, SWOEA, OEA, and NEA, and shall be elected by secret ballot. Elections for NEA convention delegates shall be held as designated by the NEA.
- g. Members shall have the sole right to ratify or reject their contract as negotiated by the Association.
 - 1) Ratification occurs when a majority of the voting membership votes to approve the contract as negotiated.
 - 2) Rejection occurs when a majority of the voting membership votes not to approve the contract as negotiated. In case of rejection, the Association shall continue bargaining or follow the direction of the majority of the voting members.
 - 3) The factors governing the administration of the balloting such as time, method, and place of balloting shall be determined by the Elections Committee. Members shall vote individually on their contract and by secret ballot. All ballots shall be tallied at one location.

2-4 Discipline of Members

- a. The Board of Directors may censure, suspend from membership, or expel any member for one or more of the following reasons:
 - 1) Violation of the Code of Ethics of the Education Profession;
 - 2) Conviction of a felony;
 - 3) Actively engaged in, or actively supporting activities directed against the constitutional purposes of the Association to bring about changes in the Association by means other than those that are consistent with the Association's Constitution.
- b. The Board of Directors may lift censure and reinstate members previously suspended or expelled.
- c. The Association guarantees that no member may be censured, suspended, or expelled without a due process hearing, which shall include an appropriate procedure.

2-5 Membership Dues

- a. The annual membership dues for active members shall be announced annually by the

Board of Directors. The amount of the annual dues shall be 0.0028 cents per dollar of the beginning B.S. salary in Hamilton. Such dues shall be a uniform figure for all members and shall be rounded to the nearest whole dollar.

- b. Every member shall also pay the dues required by the district, state, national associations with which this local is affiliated.
- c. The association shall annually enter into a Dues Transmittal Agreement with the Ohio Education Association.
- d. Association membership dues shall begin with payroll deduction by October 1 of each year and continue for twenty pays. Those paying in lump sums must pay in full by the same date.
- e. Membership dues for retired members shall be \$15 or the current rate for the unified teaching profession.

3. OFFICERS

3-1 Qualifications

- a. All officers shall hold active membership in the Local, District, State, and National Education Associations. All Officers shall begin their duties upon installation at the end of the year banquet. All Officers shall hold office until their successors are installed.
- b. To be eligible to hold office, a nominee must have been a member of the Association for at least two (2) years immediately prior to the nomination for that office.

3-2 The Office of the President

- a. The term of the President shall be for two (2) years.
- b. The President shall preside at all meetings of the Representative Assembly and the Board of Directors, and shall perform such duties as may be assigned by the Representative Assembly or by the Board of Directors.
- c. The President shall call a meeting of the Association upon the request of the majority of the Board of Directors, or a majority of the Representative Assembly, or a written request of ten percent (10%) of the members of the Association.
- d. The President shall appoint special committees subject to the approval of the Board of Directors.
- e. The President shall be a non-voting ex officio member of all committees except the Elections Committee.
- f. The President, at the time of the election, shall be a delegate by virtue of office to the annual convention of the National Education Association and to the Representative Assemblies of the Ohio Education Association. This shall be at the expense of the Association, as provided in the annual budget.
- g. The President, or designee, shall serve as the official representative of the Association to civic and community organizations, when invitations are extended by these organizations.

- h. The President shall aid in the coordination of the duties of the officers, and of the activities of the Standing Committees of the Association.
- i. The President shall aid in the coordination of the activities of the National Education Association and the Ohio Education Association as they pertain to the local Association.
- j. The President shall make decisions on all issues in accordance with the action of the governing bodies.
- k. The President shall sign necessary litigation protecting Association rights.
- l. The President shall be the spokesperson for the Association.

3-3 The Office of the First Vice President

- a. The term of the First Vice President shall be for two (2) years.
- b. The First Vice President shall preside in the absence of the President.
- c. The First Vice President shall provide effective member communication through various formats as directed by the president and/or board of directors.
- d. The First Vice President shall aid the President in Committee responsibilities and shall perform such duties as may be assigned by the President and/or the Board of Directors.
- e. The First Vice President shall be a non-voting ex officio member of all committees except the Elections Committee.

3-4 The Office of the Second Vice President

- a. The term of the Second Vice President shall be for two (2) years.
- b. The Second Vice President shall be the Association Program Chairperson and shall be responsible for the development, implementation, and evaluation of program goals and objectives.
- c. The Second Vice President shall perform such duties as may be assigned by the President and/or the Board of Directors.

3-5 The Office of Immediate Past President

- a. The Immediate Past President shall perform such duties as may be assigned by the President.

3-6 The Office of Secretary

- a. The term of the Secretary shall be for two (2) years.
- b. The Secretary shall record the minutes of all Representative Assemblies and Board of Director meetings.
- c. The minutes taken at these meetings shall be distributed prior to the next respective meeting.

- d. The Secretary shall send out written notice of all meetings with copies of the agenda to the members of the Representative Assembly so they may be duly informed at least three (3) days before the time of the meeting.
- e. The Secretary shall maintain a roll of attendance at the Board of Directors and Representative meetings.
- f. The Secretary shall aid in the keeping of files of all Association records.
- g. The Secretary shall carry out and be responsible for other duties or assignments as directed by the President or the Board of Directors.
- h. The Secretary shall attend to the correspondence of the Association.

3-7 The Office of the Treasurer

- a. The term of the Treasurer shall be for two (2) years.
- b. The Treasurer shall receive all dues collected by the representatives and keep accurate accounts of all income and expenses.
- c. The Treasurer shall disburse the monies of the Association in accordance with the adopted budget of the Association.
- d. The Treasurer shall issue a monthly statement and an annual financial report to be presented at the Representative Assembly and Board of Directors meeting.
- e. The Treasurer shall disburse money up to fifty dollars (\$100.00) upon the approval of the Board of Directors or the President. Sums in excess of fifty dollars (\$50) which are not provided for in the annual budget shall be disbursed only after the approval of the Representative Assembly.
- f. The Treasurer shall bill and collect all financial obligations of the Association.
- g. The Treasurer shall carry out and be responsible for any other duties or assignments as directed by the President or the Board of Directors.
- h. The accounts of the organization are open for inspection by any member.
- i. All checks shall be signed by the Treasurer and one other officer.

3-8 Succession of Officers

- a. Whenever the office of President becomes vacant due to death, incapacity, termination, resignation, retirement or recall, the First Vice President shall automatically assume the presidency for the remaining part of the term.
- b. A vacancy in the office of Vice President, Secretary, or Treasurer shall be filled for the remainder of the term by majority vote of the Board of Directors.

3-9 Conflict of Interest

- a. Any business of financial interests of the Officers, agents, their spouses, minor children,

parents, or otherwise, in conflict with the fiduciary obligation of such persons to the organization is prohibited.

3-10 Recall Action

a. Recall action of any member or Officer of any official body of the Association may be initiated by the presentation of a recall petition signed by one hundred (100) members of the Association to the Secretary of the Association. The Secretary must notify the President within three (3) days of the receipt of the recall petition. The President must call a meeting of the Board of Directors within five (5) days of being notified of the recall petition. The Board of Directors, upon presentation of the recall petition, must hold a recall election within fourteen (14) days. A majority vote of the membership is required to remove a member or Officer.

3-11 Impeachment of Officers

- a. Officers of the Association may be impeached for violation of the Code of Ethics of the Education Profession or for misfeasance, malfeasance, and nonfeasance in office.
- b. Impeachment proceedings against an officer may be initiated by written petition submitted to the Board of Directors by at least twenty-five (25) percent of the members.
- c. If, after a due-process hearing, a two-thirds (2/3) vote of the Board of Directors sustains the charge, the office shall become vacant.
- d. The officer may appeal the decision to a special meeting of the general membership.

4. BOARD OF DIRECTORS

4-1 Membership

- a. The Board of Directors consists of six (6) Officers and twelve (12) elected at-large members.
- b. The Grievance Committee Chairperson, the Bargaining Team Chairperson, and the Labor Relations Consultant assigned to the Association shall be non-voting ex officio members of the Board of Directors.
- c. One-third (1/3) of the at-large members shall be elected each year. Implementation shall be by an orderly process adopted by the Board of Directors.
- d. The term of office of the at-large members shall be for three (3) years.
- e. To be eligible to hold office on the Board of Directors, a nominee must have been a member of the Association for at least two (2) years immediately prior to nomination.
- f. Vacancies that occur on the Board of Directors (excluding Officers) shall be filled by appointment of the President with the approval of the Board of Directors, and the appointee shall hold office until the next regularly scheduled election as stated in 6-3 (h).

4-2 Duties and Powers of the Board of Directors

- a. The Board of Directors shall carry out legislation passed by the Representative Assembly or by the Association, and act promptly upon recommendations of these bodies.
- b. The Board of Directors may recommend to the Representative Assembly legislation that it feels should be initiated.

- c. The Board of Directors, in case of emergency, shall have the power to transact such action as the emergency demands. Any such action shall be reported to the Representative Assembly at the next meeting of that body.
- d. The Board of Directors shall take any action necessary to protect the Master Contract and any individual member's rights.
- e. It shall be the policy of the Board of Directors that all cases involving termination of contract (in accordance with 3319.16 of the Ohio Revised Code) be taken directly to the Grievance Committee Chairperson, or the President, or the First Vice President; then to the Labor Relations Consultant in order that no time delay occurs relative to the member's right of appeal being jeopardized.
- f. In all cases of liability involving charges against a teacher by any person, the Grievance Chairperson, the President, or the First Vice President should be instructed to immediately contact the Labor Relations Consultant in order that a legal representative be designated for the member.
- g. The Board of Directors shall have the power to hire employees that are provided for within the annual budget.
- h. Three (3) unexcused absences by a Board of Directors member from Board of Directors meetings per year shall result in the dismissal of the committee member. The Board of Directors shall determine whether the absence is excused.
- i. The Board of Directors may set up committees as needed to perform special functions not found under established Standing Committees.
- j. The Board of Directors shall assist the Second Vice President in developing program goals and objectives.

4-3 Meetings

- a. The Board of Directors shall meet at least once a month during the school year with calendar dates set at the organizational meeting.
- b. A majority of the Board of Directors shall constitute a quorum at any Board of Directors meeting.

4-4 Special Board of Directors Meetings

- a. The Board of Directors may meet in special session upon proper call by the President, by petition of the majority of the Representative Assembly, or by petition by ten percent (10%) of the Association membership. Notice of any special Board of Directors meeting shall set forth the item or items of business to be discussed and acted upon.

5. THE REPRESENTATIVE ASSEMBLY

5-1 Membership

- a. The Representative Assembly shall be composed of the Board of Directors and all the members of the Association who are elected as representatives by the Association

members in their respective schools.

- b. Representatives shall have been an Association member for at least one (1) year prior to election.
- c. The one-person, one-vote principle shall be applied to the Association governance body—that is, one representative for every ten (10) members and major fraction thereof.
- d. There shall be elected to the Representative Assembly, representation of ethnic minority at least proportionate to the ethnic minority of membership in the Association.
- e. Retired members shall be represented with one representative for every ten (10) members.
- e. No school, in which there are members of the Association, shall be without at least one representative and one alternate.
- g. Representatives and alternates shall be elected in their respective schools by June 1.
- h. Representatives shall begin their duties on June 1st and hold office for one year, or until their successors have been elected and qualified.

5-2 Powers and Duties

- a. As the legislative body of the Association, the Representative Assembly shall hear and act upon reports from the Board of Directors and the President, pass upon and approve the annual budget of the Association; formulate policies; adopt Association programs; establish service to be offered by the Association; and have all powers and duties of the legislative nature necessary in order to achieve the purposes of the Association.
- b. Representatives shall attend all meetings of the Representative Assembly, notify their colleagues of the meetings, and report to them all proceedings.

5-3 Representative Assembly Meetings

- a. The Representative Assembly shall meet for the regular meetings on the first Wednesday of each school month. In the event that Spring Vacation occurs during the first week of the month, the Representative Assembly shall meet on the Wednesday of the week following Spring Vacation.

5-4 General Membership Meeting

- a. The general membership meetings shall be held at least twice per year, e.g. one in spring and one in the fall. Additional meetings may be called by the President, a majority vote of the Board of Directors, or a petition to the President signed by at least ten (10) percent of the active membership. Such petitions shall state the purpose of the desired meeting and the business of that meeting shall be limited to consideration of the stated purpose.
- b. The Installation of Officers and Board of Directors members shall be held at the spring general membership meeting which is to be held either at the end of May or the beginning of June of each year.

6. COMMITTEES

6-1 Standing Committees

a. The Standing Committees shall be:

- 1) Bargaining
- 2) Elections
- 3) FCPE (Fund for Children and Public Education)
- 4) Grievance
- 8) LPDC (Local Professional Development Committee)
- 9) MAC (Management Action Council)
- 10) Membership
- 11) Scholarship
- 12) Sick Bank
- 13) Professional Development

b. The President shall appoint Committee Chairpersons for a period of one year. If for any reason it is necessary to replace the chairperson of a committee, the President may do so by requesting the chairperson's resignation and/or the chair's written statement submitted to the Board of Directors. The Board of Directors shall act upon the President's request.

c. Each Standing Committee except the Bargaining Team shall consist of no less than three (3) nor more than seven (7) members. The chairpersons shall appoint the members of their own respective committees, subject to approval of the Board of Directors.

6-2 Bargaining Team

a. The Bargaining Team shall be appointed to comply with the provisions of the Master Contract.

6-3 Elections Committee

a. The Elections Committee shall be responsible for conduction of all elections necessary under the provisions of this Constitution and Bylaws, and in accordance with the OEA Elections Manual.

b. The Elections Committee shall be responsible for conducting all OEA, NEA, and other affiliated elections to which the Association is entitled to representation.

c. The Elections Committee shall notify the membership of all vacancies in the Association offices, as well as notifying the membership as to the offices to be elected in any respective election.

- d. Any member wishing to be a candidate for an office to be filled shall send a letter of intent to the Elections Chair. In the event that fewer than two (2) letters of intent for each office to be filled are received, the Elections Committee shall attempt to provide for at least two (2) candidates for each elective office.
- e. Nominations may be made from the floor of the Representative Assembly.
- f. The Committee shall submit its report at the March Representative Assembly meeting concerning election of Officers and Board of Directors members.
- g. Candidates for office and the Board of Directors shall be introduced at the April Representative Assembly meeting.
- h. Elections for Officers and the Board of Directors shall be held no later than April 30, unless a special election is necessary under the provisions of the Constitution and Bylaws.
- i. The election shall be determined by a majority of all valid ballots cast. In the event of a tie vote, a runoff election with the above procedure shall be held immediately.

6-4 Local Professional Development Committee (LPDC)

- a. The five (5) bargaining unit representatives that fill this committee shall be selected by the HCTA President with the approval of the Board of Directors. Every effort shall be made to have representation from each of the following five areas: Secondary, Elementary, Special Education, Vocational, and the Arts.
- b. All committee members shall serve a two (2) year term, except during the first two years of this committee's existence. During the initial term, three (3) teacher representatives, as designated by the President, shall serve a three (3) year term, and two (2) teacher representatives, as designated by the President, shall serve a two (2) year term.
- c. Vacancies that occur on the LPDC shall be filled by appointment of the President with the approval of the Board of Directors. The appointee shall hold the position until the term is completed.
- d. Three (3) unexcused absences by a LPDC member may result in that person's dismissal from the committee. The Board of Directors shall determine whether the absences are excused.

6-5 Officer and Committee Chair Expenses

- a. All Officers and Committee Chairpersons shall be reimbursed for actual and necessary expenses in accordance with the annually adopted budget.
- b. In addition, the following Officers and Committee Chairs shall be reimbursed for their dues in the following amounts: The President, First Vice President, Second Vice President, Treasurer, and Secretary shall be reimbursed 100% of the unified dues. The Board of Directors shall be reimbursed 10% of the unified dues. The following Committee Chairs and members shall be reimbursed a percentage of dues as follows: Bargaining members of the committee – 25%. Elections Chair – 25%; Grievance Chair – 25%; Membership Chair – 50%. Reimbursement to these Officers and committee members shall be rendered at the end of the school year for which the Officer or committee member served. Bargaining team members are only paid in the spring (end of school year) in which negotiations begin. If the annual dues

reimbursement exceeds the internal revenue service limit for exempt status as an organization, an internal revenue service form 1099 will be prepared and filed by the treasurer of the Association.

7. ELECTIONS

7-1 Balloting

- a. The time, method, and place of balloting shall be determined by the Elections Committee. The Elections Committee shall conduct elections in accordance with the OEA Elections Manual.
- b. Ballots shall provide additional blank spaces under each office for the purpose of any write-in candidates.
- c. Voting by secret ballot shall be used in all elections. All ballots, marked, unmarked, and voided, and all other records pertaining to the election of Officers of the Association and the OEA and NEA delegates and alternates, shall be preserved for one year from the date of the election held. Such ballots and other records shall be made available to OEA officers upon request for inspection and examination.
- d. In the event there are more than two (2) candidates for the position of President and no candidate receives more than fifty percent (50%) of the vote cast, the Elections Committee shall hold a runoff election between the top two (2) candidates within ten (10) days.
- e. No person shall hold more than one elective office simultaneously.

8. LABOR RELATIONS

8-1 Status

- a. The Labor Relations Consultant assigned to the Association shall have the status of Honorary Active Member of the Hamilton Classroom Teachers' Association.
- b. The Labor Relations Consultant assigned to the Association may be an ex officio member of each standing committee.
- c. The Labor Relations Consultant may be an ex officio member of any committee established by the Board of Directors if so designated.

9. CONTRACT MAINTENANCE ACCOUNT

9-1 Purpose

- a. This fund is to be used for the following purposes:
 - 1) Financial support for processing grievances in accordance with the operational procedures outlined in 9-2.
 - 2) To assist in the process of conducting negotiations with the Board of Education.

9-2 Operational Procedure

- a. The Grievance Committee shall make recommendations upon the bargaining unit member's case, so that the Board of Directors may give specific direction and/or approval.
- b. In order to meet timelines, the Grievance Committee may use up to \$100 to file a grievance without Board of Directors approval.
- c. No bargaining unit member shall have a right to the said benefits of said fund except upon finding or decision of the Grievance Committee and the approval of the Board of Directors.
- d. The decision of the Board of Directors shall be final.
- e. A bargaining unit member may appeal for reconsideration based upon specific written facts. Such reconsideration shall be by the Grievance Committee, and its recommendation shall be presented to the Board of Directors for its action. Such action shall be final.
- f. Bargaining Team expenses should be covered in reference to negotiating a contract.

10. GRIEVANCE PROCEDURE

10-1 Grievance Procedure

- a. A grievance is to be judged by its facts, individual merits, and eventual chance for success, before the Grievance Committee determines whether or not it is to be arbitrated.
- b. Any grievance must comply with the time limits and levels that are stated in the provisions of the Master Contract.

10-2 Appeals Process

- a. In the event that the grievance is not pursued or taken to the next level, the grievant may appeal to the Grievance Committee. This appeal must be made within three (3) days of the grievant's receipt of the committee's original decision.
- b. If the grievant does not agree with the Grievance Committee's decision, a second appeal may be made to the Board of Directors. This appeal must be made within three (3) days of the grievant's receipt of the first appeal's decision. The action of the Board of Directors shall be final.

11. BARGAINING AND CONTRACT RATIFICATION

11-1 Bargaining Team

- a. The Association shall be represented in collective bargaining by an authorized team of Association representatives appointed by the President and the Board of Directors.
- b. If the President is not an active member of the Bargaining Team, the President will be an ex officio member of the Association Bargaining Team.
- c. Necessary sub-committees may be appointed as needed, by the committee chairperson.
- d. The Bargaining Team shall have the authority to bargain in good faith; make proposals, counter-proposals, and concessions; and make tentative agreement on a contract with representatives from the Board of Education.

- e. While negotiations are in progress, periodic reports to members may be made by the Bargaining Team.
- 11-2 Communication with the Board of Directors
 - a. In preparation for bargaining, the Bargaining Team and Bargaining Committee shall make reports to the Board of Directors.
- 11-3 Tentative Agreement Summary
 - a. Written copies of the tentative agreement summary should be given to the general membership prior to ratification.
- 11-4 Voting Procedure
 - a. A vote on a tentative agreement to the contract shall be made by written ballot.
 - b. No absentee or proxy votes will be allowed on contract ratification votes.
 - c. The first vote on contract ratification will be to accept or reject the contract/report as presented.
 - d. All ballots used in a vote regarding a contract ratification after tabulation, will be sealed and retained by the President for three (3) years or the duration of the contract, whichever is greater.
 - e. The President will communicate required details of the ratification vote to the employer's designated representative.
 - f. Ratification of a collective bargaining agreement will be in accordance with the guidelines set forth in the OEA Election Manual.
- 11-5 Voting Eligibility
 - a. Non-members of the Association are not eligible to vote on contract ratification.
- 11-6 Strike Notice
 - a. The designated representative or the Association is authorized to give timely notice of intent to strike to the Board of Education and SERB upon approval of the membership and in keeping with the provisions of the Ohio Revised Code 4117.14(D)(2),
- 11-7 Role of the OEA/Labor Relations Consultant
 - a. The Ohio Education Association represents the Association on all matters concerning the Association before the State Employment Relations Board (SERB).
 - b. The OEA/NEA Labor Relations Consultant shall be the Association's designated representative for the purpose of dealing with the SERB.

