

**UNION OF TERTIARY EDUCATORS OF THE BAHAMAS
(UTEB)
CONSTITUTION**

ARTICLE I – NAME AND DOMICILE

The name of this association shall be the Union of Tertiary Educators of The Bahamas (UTEB), hereinafter referred to as the Union.

The Union Office shall be located at 2nd Floor, Faculty Lounge, S.U.B. University of The Bahamas, *P.O. Box -N4912*, Nassau, Bahamas.

ARTICLE II – OBJECTIVES

- I. To provide tertiary educators with information on matters pertinent to their functions.
- II. To represent the interests of tertiary educators in dialogue with administrators.
- III. To foster professional spirit, group consciousness and improved relations among tertiary educators.
- IV. To liaise with national, regional and international agencies in the field of education.
- V. To maintain and encourage full academic freedom.
- VI. To help resolve issues that create conflict between tertiary educators and administrators.

ARTICLE III - MEMBERSHIP

Every tertiary educator as defined in this Constitution is a member of the Union as evidenced by the payment of membership dues. Members are entitled to vote on all matters pertaining to the activities of the Union.

i. TERM OF MEMBERSHIP:

The membership year shall extend from September 1st to August 31st.

ii. DEFINITIONS:

The following terms shall mean:

a. TERTIARY INSTITUTION:

The University of The Bahamas and any other tertiary level educational institution in The Bahamas accredited by the Government Ministry with Responsibility for Education

b. ADMINISTRATORS:

All senior management members, such as Presidents, Vice-Presidents, Provosts, Deans, Registrars, Assistant Registrars, Bursars and Personnel Officers.

c. TERTIARY EDUCATORS:

All members of faculty, academic staff, professionals and paraprofessionals, and all adjunct faculty employed by a tertiary institution.

d. UNION REPRESENTATIVE:

All members of the Union are entitled to have representation. There shall be at least one Union Representative assigned to each department, section or any other division as named at a tertiary institution, where there are more than five members of the Union.

Union Representatives shall be required to report the concerns of their sections to the Executive Committee.

e. NEGOTIATING UNIT:

The negotiating team shall be composed of no more than four executives of the Union and no more than three members from specific institution elected from the general membership.

ARTICLE IV –DUES

i. AMOUNTS

All members shall pay monthly dues of \$40.00 or an amount as determined by a 2/3 (two-thirds) majority vote of members in attendance at an AGM and ratified by a poll supervised by the Department of Labour.

ii. METHOD OF COLLECTION:

Dues shall be collected by automatic salary deduction. Where salary deduction is not available, payments must be made directly to the Union's account in branch.

iii. MEMBERS IN GOOD STANDING:

Members are in good standing, i.e., financial, provided they are not more than one month in arrears of their dues.

iv. BENEFITS:

Privileges and benefits of the Union shall be provided to members in good standing.

ARTICLE V – OFFICERS

i. POSITIONS:

President, First Vice-President, Second Vice-President, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer, and three Trustees.

ii. DUTIES AND RESPONSIBILITIES OF OFFICERS:

a. PRESIDENT

- i. The President shall preside at all meetings of the Union and executive committee.
- ii. He/She shall serve as liaison with the administration of all tertiary institutions that have one or more members of the Union, and with any representative thereof.
- iii. He/She will meet with the Government of The Bahamas, including but not limited to the Minister with Responsibility for Education, other Bahamas Government and non-governmental officials, and other national, regional, and international organizations, to facilitate the objectives of the Union. The President shall be the Chief Executive Officer of the Union.

b. FIRST VICE-PRESIDENT

- i. The First Vice-President shall fulfill all the duties of the President in his/her absence and/or incapacitation and serve as the President's alternate for all affairs.
- ii. The First Vice-President will liaise with the administration of any tertiary institution, and supervise

Union Representatives, and perform such duties as the President may designate.

c. SECOND VICE-PRESIDENT

- i. In the absence and/or incapacitation of the First Vice-President, the Second Vice-President shall fulfill all the duties and assume all the responsibilities of the First Vice-President.
- ii. The Second Vice President will liaise with the Government of The Bahamas, including but not limited to the Government Ministry with Responsibility for Education, other Bahamas Government, non-government offices, and other, national, regional, and international organizations, to facilitate the objectives of the Union, under the direction of the President.

d. SECRETARY

- i. The duties of the Secretary shall be to keep the record of the proceedings of the meetings of the Union and of the executive committee. To maintain a complete file of all correspondence, and to present written minutes of the meetings. The secretary shall keep a copy of the Constitution designated as the official copy and have this official copy available at all meetings.
- ii. Maintain an up-to-date membership list.

d. ASSISTANT SECRETARY

In the absence of the Secretary, all the duties shall be performed by the Assistant Secretary. The Assistant Secretary shall the Secretary to fulfill all their assigned duties.

d. MEMBERSHIP SECRETARY POSITION REMOVED

g. TREASURER

- i. The Treasurer shall receive and disburse all funds for the Union and shall present an audited financial statement at the Annual General Meeting.
- ii. The Treasurer must ensure that audited reports are done and forwarded to the Registrar of the Trade Unions in the Labour Department, no later than the 1st of June each year.
- iii. All receipts, of money must be deposited in the Union's bank and only withdrawn with the signature of any three of the following: The Treasurer, the Assistant Treasurer, the President, First Vice President, the Secretary, or Trustees.
- iv. For the purposes of online banking, the Treasurer is authorized to conduct transactions on behalf of the Union. The Trustees will have viewable access to these online transactions.

h. ASSISTANT TREASURER

The Assistant Treasurer shall assume the powers and duties of the Treasurer in his/her absence and/or incapacitation and serve as the Treasurer's alternate in all affairs.

i. TRUSTEES

- i. The elected trustees shall be in the office for a period of three years. The Trustees hold in trust all real and personal property of the Union.
- ii. The Trustees shall bear all legal responsibility.
- iii. The Trustees shall function in accordance with laws of The Bahamas.
- iv. The Trustees shall be indemnified against risk and expense out of the Union's property.

iii. ELECTION AND REMOVAL OF OFFICERS:

- a. The election of officers is to be held every three years and not later than the end of the Spring semester.
- b. Nominations should be submitted to the election committee within fourteen (14) days before the expiration date of the election.
- c. Only members of the Union are eligible to hold an elected office.
- d. Only members of the Union are eligible to vote.
- e. Charges of misconduct and/or breach of duty are to be brought to the grievance committee. This committee shall hear charges against the officers and any relevant testimony and pass judgement. The Registrar of Trade Unions shall be notified in writing of the removal of an officer. (From iii.e of old constitution dated Sept 16, 1993)

- f. The election of the officers shall be done by means of secret ballot. The process of election and nomination shall be supervised by the Registrar of Trade Unions. There are three election officers, one from the Union and two from the Department of Labour. One of these shall act as the Presiding Officer. (From iii.b of old constitution dated Sept 16, 1993)

- iv. TERM OF OFFICE

All elected officers shall be elected for a period of three years. One Trustee must be elected on an alternate year to serve for three (3) years.

- v. FILLING VACANCIES

Vacancies that occur on the Executive Committee during the membership year shall be appointed by the Executive Committee in an acting capacity.

ARTICLE VI – MEETINGS

- i. REGULAR

A monthly meeting shall be held once each month as determined by the Executive Committee. The agenda of the meeting shall be circulated at least two days before the meeting.

- ii. ANNUAL GENERAL MEETING (AGM)

- a. An Annual General Meeting shall be held before August of each year. The agenda of the AGM must be finalized no less than 3 days before the meeting and circulated no later than two days prior to the meeting. (From article vi.iv of old constitution dated Sept 16, 1993)

- b. At the AGM, the President shall present the annual report and the Treasurer, an audited financial report. The written copies of the annual and audited financial reports shall be made available to all members present at the AGM. (From article vi.iv of old constitution dated Sept 16, 1993)

iii. SPECIAL

Special meetings may be called by the President as deemed necessary any time during the membership year. (From article vi.ii of old constitution dated Sept 16, 1993)

iv. EXTRAORDINARY

Extraordinary meetings can be requested at any time through petition by Fifteen (15%) of the membership to the Executive committee. Only the point(s) detailed in the petition shall discussed in the extraordinary meeting. (From article vi.iii of old constitution dated Sept 16, 1993)

I. QUORUM

The quorum for the monthly meeting shall be Ten percent (10%) of the members in good standing. The quorum for the AGM shall be Twenty-five percent (25%) of the members in good standing. The AGM may be rescheduled if quorum is not reached. (From article vi.v of old constitution dated Sept 16, 1993)

ARTICLE VII – EXECUTIVE COMMITTEE

- I. POWERS OF THE EXECUTIVE COMMITTEE (From article vii.II of old constitution dated Sept 16, 1993)
 - a. To make emergency decisions.
 - b. To make recommendation to the Union members.

- c. To make decisions concerning normal operating expenditures. To ensure that Extra-ordinary expenditures must be approved by simple majority vote of the membership.
- d. Failure to attend three consecutive meetings without reasonable excuse shall be considered a breach of duty and shall be referred to the Grievance committee
- e. All elected officers will have voting power in the matters of the Union in the executive committee meeting.
- f. Exercise authority to appoint members in an acting capacity to fill vacancies that occur on the executive committee. The executive committee has the authority to remove officers so appointed.

II. COMPOSITION OF THE EXECUTIVE COMMITTEE (From article vii.I of old constitution dated Sept 16, 1993)

a. OFFICERS

The officers of the Union shall be composed of duly elected officers (Article V) and the Past President of the Union.

b. PAST PRESIDENT

The Past-President shall be an ex-officio member of the executive committee. The Past-President shall advise and help in the smooth operation of the new executive committee. The Past-President shall not have any voting privileges in the Executive committee.

III. MEETINGS OF THE EXECUTIVE COMMITTEE

- a. The Executive committee shall convene at least once a month. Additional and emergency meetings shall be called by the President, as necessary.
- b. Each member of the Executive committee shall be notified of the time, place, and agenda of each meeting by the President of the Union before the meeting.
- c. Union Representatives may be invited to attend Executive committee meetings.
- d. The quorum for the Executive committee meeting shall be a simple majority of the executive committee members.

ARTICLE VIII – AMENDMENTS

- i. Any proposed amendments to the Constitution of the Union shall be submitted in writing to the Executive committee at least fourteen (14) days before the Annual General Meeting.
- i. A written notice of the proposed amendments must be circulated to the membership at least seven days before the Annual General Meeting of the Union. A simple majority vote of all members in good standing is required to recommend amendments to the Constitution. Voting for the Constitution shall be supervised by the Ministry of Labour.

ARTICLE IX – STANDING COMMITTEES

- I. GRIEVANCE COMMITTEE
 - a. The Grievance Committee shall be selected as a standing committee at the first monthly meeting of the academic year [of the University of The Bahamas].
 - b. The committee shall consist of five members and no executive shall be allowed to be a member of this committee.

c. The functions of this committee are:

- i. to hear charges and grievances of the membership
- ii. to investigate complaints
- iii. to pass judgement or recommend courses of action.

II. APPEALS COMMITTEE

The appeals committee shall be selected as a standing committee at the first monthly meeting of the academic year. The committee shall consist of five members and no executive shall be allowed to be a member of this committee.

The function of this committee [is to] hear appeals against decisions made by the Executive Committee or the Grievance committee.

ARTICLE X – DISSOLUTION

The organization (UTEB) shall only be dissolved, by a resolution passed by majority vote of at least 80% (four-fifths) of [the] membership and voting at an Extraordinary General Meeting called for the purpose of considering such a dissolution.

In the event of the dissolution of the Union, the real and personal property outstanding or in the possession of the Union shall be kept in trust by the Trustees of the Union. The Trustees shall proceed to realize the property of the Union and after the discharge of all liabilities, whatever real and personal property is left shall be shared equitably among the members in good standing, one share to each member for every year of membership, or part year of membership equal to or exceeding 6 months.

