

Constitution & Bylaws

United Academics of The University of New Mexico

(ratified 6/11/21, amended 5/23/23, amended 3/26/26)



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ARTICLE I

Name

This union shall be known as United Academics of the University of New Mexico (UA-UNM), American Association of University Professors/American Federation of Teachers Local 6662, AFL-CIO.

ARTICLE II

Objectives

Our primary goal is to build a proactive, member-run union that reflects the diversity of our faculty across campuses, departments, and academic ranks. We faculty serve our students and the people of New Mexico through our world-class teaching, research, creative work, and public service. Our actions as educators are guided by our majority-minority student population, and we affirm our commitment to our state's valuable economic, linguistic, racial, ethnic, gender, ability, religious, and cultural diversity.

We promote principles of equitable teaching loads and compensation, due process, and academic freedom for all faculty, including the right to represent faculty interests to university, local, state, and federal officials. We advocate for faculty hiring, promotion, and retention policies that maximize diversity, equity, and inclusion, and we support a defined path to job security for all faculty.

The purpose of this organization shall be:

Section 1.

To secure full trade-union rights--including the rights to exclusive recognition and collective bargaining--for all employees who are eligible for membership.

Section 2.

To advance the economic, societal, and professional well-being of the membership.

Section 3.

To improve the employment conditions of the membership.

Section 4.

To facilitate mutual understanding and cooperation among the membership.

Section 5.

To voice the interests of communities who are served by the membership.

Section 6.

To advocate for the success and quality of the institutions for which our members work.

Section 7.

To promote democracy, equality, and trade unionism in society at large.

ARTICLE III**Membership****Section 1.**

Faculty with the following positions who are members in good standing as defined in Article III, Section 4 are voting members of Unit 1: Professor (Assistant, Associate, Full); Professor of Practice; Research Professor (Assistant, Associate, Full); Lecturer I, II, and III; Senior Lecturer I, II, and III; Principal Lecturer I, II, III; Research Lecturer I, II, and III; Instructor; and Senior Instructor.

Section 2.

Faculty with the following positions who are members in good standing as defined in Article III, Section 4 are voting members of Unit 2: Temporary Part-time Instructors, Adjuncts and Term Teachers.

Section 3.

No person shall be denied membership, nor shall this union ever discriminate against individual members or applicants for membership on the basis of political beliefs; individual or group identity characteristics, such as race, color, religion, national or ethnic origin, age, sex, sexual orientation, gender identity or expression; marital or civil union status; or disability.

No member in good standing shall be denied the opportunity to serve as a committee member, officer, steward, organizing fellow or delegate of UA-UNM on the basis of political beliefs; individual or group identity characteristics, such as race, color, religion, national or ethnic origin, age, sex, sexual orientation, gender identity or expression; marital or civil union status; or disability.

Section 4.

A member in good standing is defined as a bargaining unit member who has been actively employed by the university in a bargaining unit position at any time during the last twelve months, has signed a union membership card, and pays regular membership dues while employed by the university.

Members in good standing have voting rights as described in the relevant section(s) below. The term “member” is used throughout this document, except in Article VIII, to mean a member in good standing.

Section 5.

Faculty who are managerial, supervisory, or confidential employees as defined by New Mexico's Public Employee Bargaining Act are excluded from Unit 1 and Unit 2 membership.

Section 6.

Also excluded from Unit 1 and Unit 2 membership are all visiting faculty, and working retirees.

Section 7.

Faculty retain membership for one year following the cessation of teaching duties, with the exception of faculty assuming managerial/supervisory/confidential duties as listed in section 5 above. If the faculty member resumes teaching or teaches in a subsequent semester, the one-year extension is reset.

ARTICLE IV

Election of Officers

Section 1.

The organization will elect the following officers:

- a. President or Co-Presidents
- b. Secretary
- c. Treasurer
- d. Eight Vice-Presidents, representing the following constituencies:
 - i. One from Unit 2
 - ii. Three from UNM-Albuquerque
 - iii. One from UNM- Gallup
 - iv. One from UNM- Los Alamos
 - v. One from UNM-Taos
 - vi. One from UNM-Valencia

No person may serve more than two consecutive terms as President or Co-President.

Officers shall assume office within thirty (30) days of the conclusion of the election. Terms of office shall be two (2) years.

Section 2.

To be eligible for office, a person must be a member in good standing. To be eligible for Vice President of a constituency, a person must meet all other qualifications for office under this article and be employed in the constituency area for which they seek office as Vice President.

Section 3.

With the exception of the President or Co-Presidents, the Executive Council will have the power to fill vacancies within the Executive Council until the next general election.

Section 4.

A petition signed by thirty percent (30%) of the members, alleging constitutional violations, fiduciary breaches, or acts clearly detrimental to the union, shall be sufficient to require the Executive Council to vote on whether to conduct a recall election of the officer identified in the petition. The officer subject to recall and any Executive Council member signing the petition shall not vote or be present during the vote on the question of a recall election. If a majority of the Executive Council approves a recall election, the Elections Committee shall supervise all aspects of the recall process.

Section 5.

All officers shall be eligible to complete their term of office even if they do not hold an appointment at the university for the entire duration of their term.

ARTICLE V

Duties of Officers

Section 1.

The duties of the President or Co-Presidents are as follows:

- a. Serve as a facilitator at all meetings of the Executive Council;
- b. Serve as a facilitator at all meetings of the Steward's Council;
- c. Represent the members at all non-Bargaining Committee meetings with representatives of the UNM administration or otherwise delegate an officer to attend in their stead;
- d. Assume executive responsibility for all UA-UNM activities and represent the union before the public or appropriate bodies;
- e. Carry out the policies and decisions of the Executive Council;
- f. Act as chairperson of UA-UNM membership meetings if no other individual(s) are identified;
- g. Be the official spokesperson for UA-UNM, and sign all necessary documents;
- h. Be authorized to sign checks and payments of the union and monitor and approve with the Treasurer financial matters;
- i. Represent the union and participate in external union activity whenever possible;
- j. Work on building the union among all members of the bargaining unit;
- k. Be able to delegate the responsibilities of the office except where otherwise specified by the Constitution.

Section 2.

The duties of Vice-Presidents are as follows:

- a. Serve as members of the bargaining committee;
- b. Attend Stewards' Council and Executive Council meetings;
- c. Participate in new faculty orientations;
- d. Represent their specific constituencies in meetings with the administration; and
- e. Coordinate and communicate with Stewards in their specific area to maintain and grow organizing efforts
- f. Other duties as delegated by the President or Co-Presidents or assigned by the Executive Council.

- g. Be able to delegate the responsibilities of the office except where otherwise specified by the Constitution.

Section 3.

The duties of the Secretary are as follows:

- a. Take notes at all Executive Council and Stewards' Council meetings or appoint another member in attendance to do so;
- b. Ensure that all minutes are shared in an accessible and transparent manner with members;
- c. Ensure that all meetings are conducted according to Martha's Rules; and
- d. Oversee the work of and receive reports from the Communications Committee.

Section 4.

The duties of the Treasurer are as follows:

- a. Receive, record, and deposit all dues, monies, and other income in the name of the union;
- b. Serve as one of the responsible financial officers of the union and be authorized to co-sign financial instruments and make regular and usual disbursements of funds;
- c. Maintain all financial records of the union;
- d. Arrange for an independent audit or review of the finances of the union annually and make the same available to the Executive Council, Stewards' Council, and membership;
- e. Transmit per-capita payments on a regular basis to the American Federation of Teachers (AFT), American Federation of Teachers New Mexico (AFTNM), and the American Association of University Professors (AAUP) Secretary-Treasurer of the AFT and the Secretary-Treasurer of the AAUP;
- f. Transmit an annual solidarity pledge to Higher Education Labor United (HELU);
- g. Oversee the work of, and receive reports from, the Finance Committee;

- h. Perform other duties of the office as required by state and federal law and the guidelines developed by the AFT and AAUP; and
- i. Perform other duties as assigned by the Stewards' Council and/or the Executive Council;

ARTICLE VI

Executive Council

Section 1.

The Executive Council shall meet monthly, or at the call of the President or Co-Presidents, or at the call of three (3) or more of its members, or at the call of the Stewards' Council. A quorum for the Executive Council shall be one-half of its members.

Section 2.

The Executive Council shall consist of the elected President or Co-Presidents, Vice Presidents, Secretary, Treasurer, standing committee chairs, and any active Ad-hoc committee chairs.

Section 3.

The Executive Council shall approve an annual budget prepared by the Finance Committee and the Treasurer, which will be presented to the Stewards' Council for approval in the three months prior to the beginning of the fiscal year.

Section 4.

The Executive Council shall oversee all professional, technical, clerical, and support staff of the organization.

Section 5.

The Executive Council shall establish the salary, benefits, and expense guidelines for any employees of the union.

Section 6.

The Executive Council shall be empowered to: make contracts and incur liabilities, including the purchase of services, equipment, and real property; borrow money, to secure such obligations by mortgage or another instrument; and otherwise engage in financial transactions to the extent permitted by applicable law or statute. The Executive Council shall have the power to appeal grievances to arbitration, file petitions or complaints with the Public Employee Labor Relations Board, and to sue, complain, and defend on behalf of UA-UNM.

Section 7.

The Executive Council shall appoint the chairperson of all standing and ad hoc committees of the organization (except the Elections Committee, see Article X) and receive regular reports from such committees.

Section 8.

The Executive Council shall interpret and enforce the Constitution and Bylaws of UA-UNM.

Section 9.

The Executive Council shall issue regular reports, including an annual report, to the Stewards' Council and the membership.

Section 10.

The Executive Council shall have the power to employ all personnel as may be determined by the needs and finances of UA-UNM.

Section 11.

Three unexcused absences from an Executive Council meeting within one year, counted from the date of assumption of office, shall be grounds for an Executive Council member's suspension and/or replacement. Pursuant to Article IV, Section 3, the Executive Council shall have the authority to appoint a member to take the seat of an Executive Council member who

was suspended or replaced under the terms of this section. If the seat of a Vice President becomes vacant due to unexcused absence, he or she must be replaced by a member from the same constituency.

Section 12.

Meetings of the Executive Council shall be conducted according to Martha's Rules (see Article XVI).

ARTICLE VII

Committees

Section 1.

The standing committees, composed of UA-UNM voting members and staff, include but are not limited to the committees described below:

- a. Organizing and Membership Committee – grows UA-UNM membership; monitors, develops and implements a goal of recruiting members; identifies new leaders; trains stewards; oversee new faculty orientations; and maintains accurate membership records and email listservs;
- b. Communications Committee – supports the President or Co-Presidents in representing the union before the public; conducts interviews and writes editorials; electronically communicates with members; creates materials and communications for members and faculty eligible for membership; maintains and updates union website and social media platforms; reports to the Secretary;
- c. Finance Committee – directs all fiscal matters of the union; draws up and recommends the proposed budget; reviews financial activities and records prepared by the Treasurer on a regular basis; reports to the President, the Executive Council, and the Stewards' Council;
- d. Grievance Committee – works with Stewards to resolve contractual and non-contractual disputes in the workplace; processes grievances in academic units without stewards;

maintains records of grievances and their final dispositions; and supervises step 2 grievances;

- e. Collective Bargaining Committee – creates bargaining workgroups that will research and develop bargaining proposals (e.g., regarding job security, salary, benefits, and teaching load) in support of collective bargaining activities;
- f. Other committees – necessary to carry out our work.

Section 2.

The Ad-hoc committees are committees that meet when needed, including but not limited to the committees described below:

- a. Survey Committee – develops survey instruments to assist in refining our organizing and bargaining priorities as well as other ongoing priorities of the union; solicits feedback on survey instruments from subject experts on campus; compiles and analyzes the results of surveys and reports the results to the EC and other appropriate bodies of UA-UNM;
- b. Constitution and Bylaws Committee – researches and drafts the constitution and bylaws that govern UA-UNM;
- c. Events Committee – organizes social events (happy hours, picnic/pot-lucks, etc.); plans and implements member and public events to support the work and activities of UA-UNM;
- d. Legislative Committee – monitors higher education issues in state and federal government; researches viewpoints of the membership on such issues; and assists the Executive Council in initiating and coordinating lobbying activities;
- e. Elections Committee – manages and conducts all elections and ratification votes of the union as described in Article X;
- f. Member Benefits Committee – identifies, implements, and administers programs of insurance, purchase, travel and welfare, and other benefits/programs that are of advantage to the membership.

Section 3.

The Executive Council, either on its own initiative or at the direction of the Stewards' Council, may establish Ad-hoc committees or Task Forces.

Section 4.

Committee chairs shall provide regular reports of their committee's activities to the Executive Council and Stewards' Council.

ARTICLE VIII

Stewards' Council

Section 1.

The Stewards' Council is the main governing body of UA-UNM. The voting members of the Stewards' Council shall consist of elected officers and Stewards.

Section 2.

To be a steward, a member shall present an application to the appropriate area/campus vice president with the signatures of at least thirty percent of the members of the candidate's constituency. If more than one candidate submits a successful petition, an election will be triggered which shall be run by the appropriate area/campus vice president.

Section 3.

Stewards will be required to renew their application at the beginning of the Spring semester each year.

Section 4.

A simple majority of its members shall be a quorum for Stewards' Council meetings.

Section 5.

Meetings of the Assembly shall be conducted according to Martha's Rules (see Article XVI).

Section 6.

The Stewards' Council may be called into Special Session at the discretion of the Executive Council, the Chair of the Organizing Committee, or upon the presentation of a valid petition of twenty-five (25) percent of the Stewards to the President or Co-Presidents.

ARTICLE IX

Stewards' Council, Stewards, and Organizing Fellows

Section 1.

The duties of the Stewards' Council are as follows:

- a. Meet at least once per month between August and May
- b. Select members of the Elections Committee at its first meeting of the year
- c. Establish union policy
- d. Review member grievances
- e. Discuss organizing and outreach activities
- f. Approve the budget submitted by the Executive Council.

Section 2.

The duties of Stewards are as follows:

- a. Know the collective bargaining agreements and department workload policy
- b. Communicate with members about union events and activities
- c. Respond to the information and service needs of members
- d. Manage grievances in a timely manner
- e. Recruit new members
- f. Assist with organizing and outreach efforts

Section 3.

The duties of Organizing Fellows are as follows:

- a. Train Stewards in handling grievances, effective organizing practices, and other stewardship duties
- b. Participate in the organizing and membership committee
- c. Maintain accurate membership records and email list serves
- d. Oversee the planning of new faculty orientations
- e. Attend weekly Organizing Committee Meetings
- f. Liaise with the union's standing committees.
- g. Assist in planning of General Membership Meetings

ARTICLE X

Elections and Ratification Procedures

Section 1.

All elections and ratification votes shall be conducted in accordance with the [AFT](#) and [AAUP](#) constitutions and the standards set out by the [Labor-Management Reporting and Disclosure Act of 1959](#) (LMRDA).

Section 2.

The elections Committee shall conduct all general, and special elections (including elections of delegates) and referenda of the organization.

Section 3.

- a. The Elections Committee shall consist of three members in good standing selected by the Stewards' Council at its first meeting of the year.
- b. Any member of the Elections Committee nominated for or seeking elected office must vacate their position and will be replaced by a member nominated by the President and approved by the Executive Council.

- c. Members of the Elections Committee are prohibited from campaigning for any member during their time on the committee.
- d. The Elections Committee shall supervise all aspects of the recall process detailed in Article IV, Section 4.

Section 4.

- a. At least sixty (60) days prior to the date of an election or ratification vote, the Elections Committee shall:
 - i. Determine the manner of the election (e.g., mail ballot, ballot box);
 - ii. Notify all members of the opening of nominations for officers, convention delegates, the offices to be filled, and of the date of the election by email to the members' email addresses on file;
- b. To be nominated for office, candidates or nominating members must submit a nomination form determined and distributed by the Elections Committee.
- c. The deadline to submit nomination forms must be at least twenty (20) days before the first day of the election. Members nominated to run for office will be notified of their nominations by the Elections Committee and must accept their nominations no later than forty-eight (48) hours following the close of nominations in order to be placed on the ballot.
- d. The Elections Committee shall determine whether the nominees are eligible.
- e. The Elections Committee shall make available to voting members information about candidates and documents for ratification at least ten (10) days before the start of an election or ratification vote.

Section 5.

- a. All ballots shall be tabulated by the Elections Committee;
- b. When there are fewer than two (2) candidates for any single office, elections will be conducted using an "Approval Voting" system. Under this system, all eligible voters will vote to approve or disapprove candidates. A simple majority (50% of those who voted +

- 1) will determine whether the candidate is approved (wins the election) or is disapproved (loses the election);
- c. When there are two (2) or more opposing candidates for any single office, elections shall be conducted using a conventional preference vote system. The candidate with the most eligible votes will win;
- d. In the event of a tie, the Elections Committee shall conduct a second election for the tied position.

Section 6.

The election results will be published and distributed to the membership within five (5) days of the count. All election materials, including the ballots, will be kept in a secure location for a minimum of one (1) year.

Section 7.

Challenges and objections to the election must be submitted in writing, with a statement of supporting reasons that includes specific facts as well as any documentation, to the Elections Committee no later than five (5) days after the count has been distributed to the membership. The Elections Committee shall issue its written opinion regarding the objections no later than ten (10) days after receipt of such objections.

ARTICLE XI

Membership Meetings

Section 1.

The union will hold two (2) regular membership meetings each academic year, one in the Fall Semester and one in the Spring Semester.

Section 2.

A quorum for transacting business at a membership meeting shall be 10 percent (10%) of our members in good standing at the time of the meeting.

Section 3.

Special meetings of the membership may be called by: a. The Stewards' Council, or b. A petition of ten percent (10%) of the members.

The petition must state the reason for the meeting. Such a meeting must be called no more than fourteen (14) days after the Executive Council receives a valid petition. The Executive Council will provide at least seven (7) days' notice of such a meeting with all agenda items listed on the notice.

ARTICLE XII

Collective Bargaining and Contract Ratification

Section 1.

The Collective Bargaining Committee will draft contract proposals. Such proposals shall be prepared in consultation with the Executive Council.

Section 2.

The President or Co-Presidents may appoint special subcommittees to research and assist in drafting proposals.

Section 3.

Early in the process, the Collective Bargaining Committee and the President or Co-Presidents will hold a Collective Bargaining Caucus to gather and discuss members' ideas and concerns.

Section 4.

The Executive Council is responsible for keeping the Stewards' Council informed during contract negotiations.

Section 5.

A tentative agreement will be presented to the membership of the union for ratification. The ratification vote will be conducted by the Elections Committee (see Article X).

ARTICLE XIII**Dues****Section 1.**

The dues rate is set at one percent (1%) of the salary for all bargaining unit faculty members.

Section 2.

Under no circumstances may the membership vote to terminate or modify the dues pass-through set forth in Section 3 of this Article.

Section 3.

The dues assessed shall include at least the prevailing per capita amounts for the AAUP, AFT, AFT-New Mexico, AFL-CIO local and state affiliates, and insurance premiums. Whenever the dues of a required affiliate increase, the dues of the local shall automatically and simultaneously increase by the same amount.

Section 4.

The dues of the organization shall be posted and announced publicly.

Section 5.

The union is authorized to receive contributions from any donor (grants, donations, contributions, and other funding activities) provided that the Executive Council determines that the conditions or purposes of any contribution are not inconsistent with this Constitution or the general purposes of the union.

ARTICLE XIV

Affiliations

This union shall maintain affiliation with the following organizations:

Section 1.

The American Federation of Teachers (AFT). Whenever possible, the union will send delegates to the AFT's convention. The delegates will be elected by procedures consistent with Article X of this constitution.

Section 2.

The American Association of University Professors (AAUP). Whenever possible, the union will send delegates to the AAUP's national meetings. The delegates will be elected by procedures consistent with Article X of this constitution.

Section 3.

American Federation of Teachers New Mexico (AFT NM). Whenever possible, the union will send delegates to the AFT NM convention. The delegates will be elected by procedures consistent with Article X of this constitution.

Section 4.

New Mexico Federation of Labor (NMFL). Whenever possible, the union will send delegates to the NMFL convention. The delegates will be elected by procedures consistent with Article X of this constitution.

Section 5.

Higher Education Labor United (HELU). Whenever possible, the union will send delegates to the HELU convention. The delegates will be elected by procedures consistent with Article X of this constitution.

Section 6.

Delegates to affiliated organizations must be members in good standing.

Section 7.

All convention delegates shall make written reports to the Executive Council on meetings attended. Every reasonable effort shall be made by the union to pay the legitimate expenses of delegates to meetings and conventions of affiliated organizations. The union, to the best of its ability, shall actively participate in the affairs of affiliated organizations.

ARTICLE XV

Rules of Order

A modified version of Martha's Rules of Order (as outlined below) shall govern this organization and all of its subordinate bodies in all matters not expressly covered by this constitution or the bylaws of this organization.

Section 1.

Decisions made by the Executive Council and the Stewards' Council that are NOT time-sensitive shall be made by consensus.

- a. Decisions that are time-sensitive shall be made by super-majority (2/3). A time-sensitive decision is a decision that must be made prior to the decision-making body's next regularly scheduled meeting.
- b. Proposals will be submitted for a sense vote where initial support for a proposal is determined. If there is consensus at that time, then the proposal will be adopted without further discussion.
- c. There are three (3) types of votes a voting member might use:
 - i. Thumbs up – I support the proposal.
 - ii. Thumbs sideways – I can live with the proposal.
 - iii. Thumbs down – I cannot support the proposal.
- d. If there are "Thumbs Sideways" votes, then discussion will continue, and a modified proposal may be adopted and put to another sense vote up to two more times.
- e. If there are 3 rounds of voting with no "Thumbs Down" votes, the proposal will be adopted ("Thumbs Sideways" votes then equate to "I can live with it")
- f. No proposal can proceed with a Thumbs Down vote in the final round. If there are "Thumbs Down" votes still in place after three (3) rounds of discussion (limited to 10-15 minutes total), then the proposal will be tabled and may be brought back in a revised form at a future meeting.
- g. A tabled proposal can only be presented in one (1) more subsequent meeting with a three-round sense vote discussion and can be treated as time-sensitive. The person making the proposal must announce whether they want it to be treated as time-sensitive (requiring supermajority by a third discussion) or if they want to continue to pursue consensus.

Section 2.

Decisions made by the General Membership, such as the approval of tentative agreements, Collective Bargaining Agreements, and Constitution, shall be decided by a simple majority (50%+1) of the members in good standing who vote in such elections.

ARTICLE XVI

Amendment

Section 1.

Thirty percent (30%) of the membership, or thirty percent (30%) of the Stewards' Council may present, by petition, a proposed amendment to this constitution to the Secretary, who shall notify the membership of the proposed amendment no later than thirty (30) days prior to the next Membership Meeting. Alternatively, two-thirds (2/3) of the Executive Council may vote to present a proposed amendment to the Membership at the General Membership Meeting. A copy of the proposed amendment, along with an explanation, shall be distributed to the membership a reasonable time before the Membership meeting at which the amendment will be introduced and discussed.

Section 2.

Members in good standing shall vote on all amendments to the Constitution.

- a. Following the Membership Meeting at which the proposed amendment was introduced, the Elections Committee will hold a vote on the amendment.
- b. The Elections Committee will tally the results. A simple majority (50% + 1) of the members in good standing who vote shall be required for passage of the amendment.

Section 3.

The Stewards' Council shall vote on all amendments to the Bylaws.

- a. A supermajority (two-thirds) of voting members of the Stewards' Council shall be required for passage of amendments to the Bylaws.
- b. Bylaws must adhere to general democratic principles and must not directly or indirectly contradict any provision of this Constitution.

ARTICLE XVII

Availability of the Constitution

Section 1.

Copies of this Constitution and all subsequent amendments shall be digitally submitted to the office of the Secretary-treasurer of the American Federation of Teachers.

Section 2.

Copies shall be digitally sent to the similar officers of each organization with which this organization is affiliated.

Section 3.

The Secretary shall make digitally available, upon request, a copy to any member of the organization.