

**DISTRICT U-46
TRANSPORTATION
UNION**



**DUTU
BYLAWS**

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Article I – Name and Objective

Section 1 - Name

The name of this organization will be the District U-46 Transportation Union, “DUTU”, an affiliate of the Illinois Education Association (IEA) and the National Education Association (NEA).

Section 2 - Objective

To develop, secure, and maintain adequate compensation, terms and conditions of employment for all individuals represented by the Union in formal bargaining with the Board of Education

To enable members to speak with one voice on matters pertaining to the school district and to present their individual and common interests before the Board of Education, other legally constituted authorities, and the public.

Article II – Membership, Affiliation and Non-Discrimination

Section 1 - Membership

Membership will be open to all members of the District Transportation Department that hold a bargaining unit position, employed by School District U 46. Membership shall start the date of the signed enrollment form. The membership continues year to year on an automatic renewal basis. A continuing member terminates membership upon signed written notice to the local president or the IEA president. Electronic notice is not sufficient.

- a. NEW MEMBERS: A person joins the association within 60 work days of orientation date.

Section 2 - Affiliation

This organization will be affiliated with, and comply with the Bylaws of the Illinois Education Association (IEA) and the Constitution and Bylaws of the National Education Association (NEA). If there are any conflicts or inconsistencies between these bylaws and the bylaws or constitution of the state or national organization, the state or national documents will govern.

Section 3 - Privileges

Members will have full membership services and privileges, including voting, holding office, serving on committees and commissions, serving as a delegate to IEA and NEA assemblies, participating in fringe benefits provided by the Association and related enterprises, and such other rights and privileges as are conferred through the Association governance.

Individuals who join as a member when they are first eligible for membership immediately have full voting rights. For individuals who become members after they were first eligible or who rejoin as a member will only have voting rights after they have been a member for 120 calendar days.

Section 4 - Censure and Discipline

In the event a charge is filed against a member calling for the censure, suspension, or expulsion of the member, the Governing Council shall conduct a due process hearing and rule on the charge. The decision of the Council may be appealed to the Representative Council and from there to the IEA Review Board. The local shall deny membership to an individual while that individual is denied membership in the IEA pursuant to NEA Bylaw 2-3.d.

Section 5 - Non-Discrimination

This organization shall not deny membership based upon race, color, national origin, religion, gender, sexual orientation, age, disability, marital status or economic status.

Article III – Governance

Section 1 - Executive Officers

The Executive Officers of the Union will be the President, Vice-President, Secretary, and Treasurer.

Section 2 – Governing Council

The Governing Council will consist of the Executive Officers and elected Chairpersons.

Article IV – Executive Officers

Section 1 - Duties

A. President. The President shall be the Chief Officer, with the power and the duty to enforce and interpret the Bylaws, carry out Union policies between Governing Council meetings, sign contracts and agreements, represent the Union before the public either personally or through designees, appoint and remove members of all committees with the consent of the Governing Council, serve as ex-officio member on all committees, cause a budget to be constructed and an annual audit to occur, and preside over meetings of the Governing Council, and the membership.

Further, the President will have the power and duty to perform all acts generally associated with the nature of the office and such other duties applicable to the office as prescribed by the parliamentary authority adopted herein which are not inconsistent with the Bylaws.

- B. Vice-President.** The Vice-President will have the powers and duties of the President in the President's absence or inability to serve, shall succeed to the Presidency pursuant to the Bylaws, and will otherwise have such powers and duties as may be assigned by the President.
- C. Secretary.** The Secretary shall maintain the official files and shall assist the President with Union correspondence. The Secretary shall keep accurate minutes of each meeting of the Governing Council and each meeting of the membership, and shall notify members of regular and special meetings.
- D. Treasurer.** The Treasurer shall maintain the records of membership, keep accurate records of expenses and income, and report such records at the Governing Council meeting and meetings of the membership. The Treasurer shall be responsible for the payment of bills, annual audits with audit chairperson, updating and returning of membership rosters to IEA, and for transmitting dues to the IEA as per IEA policies.

Section 2 – Terms

- A. Term.** The term of office for Executive Officers will commence on the day following the last day of student attendance. The Vice President, Secretary will be elected in odd numbered years and the President, Treasurer will be elected in even numbered years and serve a term of office of two (2) years and until a successor is elected. Officers may succeed themselves. In the first election after this bylaws amendment, The Vice President, Secretary that was elected in the previous election will serve an additional year.
- B. Transfer of Records.** Each officer shall transfer records to the Union within ten (10) days of leaving office.

Section 3 – Vacancies

Vacancies occurring by reason of death, resignation, incapacity or other disqualification shall be filled as follows:

- A. President.** A vacancy in the office of the President, will be filled by the Vice President for the remainder of the unexpired term.
- B. Other Officers.** If the vacancy occurs in any other office, the President shall appoint a successor for the remainder of the unexpired term, with the consent by majority vote of the Governing Council.

C. President and Vice-President. If a vacancy occurs in both the office of President and of Vice-President, the Secretary or Treasurer, the one who has served the greatest time as a voting member of the Governing Council shall assume the President's duties until an election is conducted by the Election Committee within sixty (60) days to complete the unexpired terms.

Section 4 – Recall

Any Executive Officer may be removed by a two-thirds (2/3) vote of those members voting at a membership meeting when a majority of the membership is present. Recall election will be conducted by the Elections Committee within 20 school days of receipt of a petition stating the specific grounds of the recall and containing the signatures of thirty (30) percent of the membership.

Article V – Region Council Representatives and Alternates

Section 1 - Duties

IEA Region Council Representative(s) shall attend the region council meeting, represent the Union, and report Council activities to the Governing Council and membership as necessary. An alternate shall perform the duties of the Region Council Representative in his or her absence.

Section 2 – Election, Terms and Recall

The election of a Region Council Representative and alternate must be as prescribed by the IEA Bylaws. A Region Council Representative or alternate may be removed by a two-thirds (2/3) vote of those members voting at a membership meeting when a majority of the membership is present. Such recall election will be conducted by the Election Committee upon receipt of a petition stating the specific grounds of the recall and containing the signatures of thirty (30) percent of the membership.

Section 3 – Vacancies

Vacancies for Regional Council Representative(s) and alternate(s) must be filled in the manner of the original election as prescribed by the IEA Bylaws.

Article VI – Association Representatives (ARs)

The Association Representative is a member of the Association selected by the President to create two-way communication between the Association and the members through individual and small group meetings. The AR ensures a well informed membership by distributing information to members personally, and conducting frequent, informative and information-gathering meetings. The ARs shall recruit volunteers for Association responsibilities and activities and generate support for Association positions and programs.

The Association shall provide training for ARs, keep the ARs informed of Association activities and positions, and provide incentives for attracting and retaining ARs.

Article VII – Governing Council

Section 1 – Duties

The Governing Council shall conduct and supervise the business of the organization, annually recommend a budget for adoption by the membership, undertake such expenditures as are necessary and reasonable for the operation of the organization, consent to the appointment of committees, plan and recommend programs to the membership, develop Bylaws, approve expenditures, consent to the filling of vacancies and determine whether or not a grievance shall be submitted to final and binding arbitration, determine ruling on membership eligibility and questions. The Council shall formulate all policies for the Union. The Council has the authority to spend funds and enter into contracts for the Union. Also, recommend action to the General Membership. The council will adhere to the ground rules and expectations that council approves at the first council meeting of each school year.

Section 2 - Terms

The term of office for Governing Council members, excluding officers, will be two (2) years and until a successor is elected and shall commence on the day following the last day of student attendance.

Section 3 – Vacancies

If a vacancy occurs within the Governing Council, excluding Executive Officers, the President shall appoint a replacement for the unexpired term with the consent by majority vote of the Governing Council.

Section 4 - Recall

Any Governing Council member may be removed by a two-thirds (2/3) vote of those members voting at a membership meeting when a majority of the membership is present. Such recall election will be conducted by the Elections Committee upon receipt of a petition stating the specific grounds of the recall and containing the signatures of thirty (30) percent of the membership. When a Chairperson is unable to perform the duties of which they have been elected for thirty or more days, that person may resign the position in writing to the President. If a resignation is not tendered within sixty days of non-performance, the GC may declare the Chair vacant.

Section 5 - Meetings

- A. Quorum.** A majority of the members of the Governing Council must be present to conduct business, and a majority vote of those present will rule.
- B. Regular Meeting.** The Governing Council shall meet once per month from September through May, and may meet as many additional times as necessary or reasonable to transact its business.
- C. Special Meetings.** Special meetings may be called by the President, or may be called upon the written request of twenty percent (20%) of the members of the Governing Council. Except in cases of emergency, at least 48 hour notice must be given to all Executive Committee members and business must be limited to that contained in the notice.
- D. Closed Meetings.** Majority of votes of the attending Governing Council will declare a closed meeting.

Section 6 – Honorariums

The DUTU recognizes that being involved in union activities can be time consuming, and we respect the sacrifices that Executive Officers and Governing Council Chairs make. Therefore, elected officials may be recognized by the Governing Council for their time and talent in serving the union membership through an honorarium. These honorariums may include, but are not limited to gifts, recognition, stipends, and dues forgiveness and shall not exceed \$500 each school year. Honorariums will be determined yearly based on budgetary constraints.

Article IX – Elections

Section 1 - Elections Committees

- A. Composition.** No person running for office may serve on the Elections Committee for that election.
- B. Duties.** Establish procedures subject to the approval of the Executive Committee for nomination of candidates, dissemination of notices concerning the election and conduct of the election and tabulation of the ballots consistent with procedures established by the IEA Elections Committee.
- Hear initial election challenges.
- C. Vacancies.** Should a vacancy occur on the Committee, whether because a member becomes a candidate for office or for any other reason, the vacancy will be filled in the manner of the original appointment.

Section 2 - Election Procedures

- A. Calendar.** The Elections Committee shall establish a local election calendar with nominations and election timelines.
- B. Conduct.** All elections will be conducted by open nomination and secret ballot.
- C. Nominations.** Reasonable notice will be given for nomination to all offices to be filled. Notice will include time, place, and method for submitting nominations.
- D. Write-In Provisions.** A write-in provision is required if the number of declared candidates is less than the number of positions available.

In cases of elections where the local officer will also serve as a delegate to the IEA or NEA Representative Assembly, a write-in provision is required.

- E. Eligibility.** New members will immediately have full voting rights. Non members who become members after they were first eligible or who rejoin as a member will only have voting rights after they have been a member for 120 calendar days.
- F. Notice.** A fifteen (15) day notice of local elections will be given by posting or by other means.
- G. Consistency.** All election procedures will be consistent with Regional, State and Federal requirements.
- H. Use of Dues.** No dues may be used in support of a candidate for any Local, Regional, State or National office.
- I. Offices Governed by this Article.** All Local Officers, Association Representatives, Regional Council Representatives, Delegates to IEA Representative Assembly, Delegates to NEA Representative Assembly and all Standing Committees.
- J. Runoff Elections.** In the event that there is no candidate who has received a majority of the votes cast for a particular office, the Elections Committee shall immediately conduct a runoff election between the two candidates who had received the highest number of votes for that office. However, elections for Delegates to the IEA and NEA Representative Assemblies shall be decided by plurality votes, except where a candidate is elected as a delegate by virtue of being elected as a local officer.

Runoff elections will be run in the same manner as the original election.

- K. Results of the Election.** The results of the election must be published in a timely manner which allows members to obtain the information without unusual effort.

Section 3 - Election Challenges

Any member desiring to challenge the conduct of any election must file a written challenge according to the procedures as follows:

A. Local Level - Initial challenges to all local elections governed by this Article will be filed with the Local Elections Committee. Such challenges must be made no later than 14 work days of issuance of the election results by certified mail.

B. Region, State and National Level - Consult the region, state, and national governing documents for additional challenge procedures and timelines, especially for offices which serve as delegates to the IEA and NEA Representative Assemblies.

Article X – Arbitration and Grievance Appeal

The Association is committed to fair representation of all persons within the bargaining unit, regardless of Association membership, as required by law. The Governing Council shall decide whether or not a grievance will be processed to final and binding arbitration. The affected bargaining unit individual (or a designated representative if there are several grievants) has a right to address the Committee before the Governing Council decides whether to take the matter to arbitration.

Article XI – Standing Committees

Section 1 - Appointment

Committees may be established on as needed basis by the Governing Council. The President shall appoint members to as needed committees, and designate the chairperson. Chairpersons of the Standing Committees are elected pursuant to Articles III and VII.

Section 2 - Committees

There will be the following standing committees with an elected Chairperson who serves on the Governing Council: Grievance, Newsletter, Student Discipline, Health/Safety, Audit, Technology, Accident Review, Elections, Benefit Resources, Bylaws/Legislation, Field Trips, Membership, Social/Sunshine and Staff Development.

Section 3 - Bargaining

Shall consist of ten (10) members that have been members of DUTU for the last two (2) prior consecutive years prior to their appointment. If in a local election year there is an officer change the bargaining team will remain status quo however, any new officers may be added to the team as at least alternates. Any new officers may be invited to all bargaining meetings.

Section 4 - Labor Management

Shall consist of at least (5) members that have been members of DUTU for the last two (2) prior consecutive years prior to their appointment.

Article XII – General Membership Meetings

Section 1 - Regular meetings of the membership will be quarterly. A budget shall be adopted annually by the membership. Notice of meetings with an agenda shall be posted in reasonable time.

Section 2 - Special meetings of the membership may be called by the President, a majority of the Governing Council, or a petition by thirty (30) percent of the membership. Except in case of emergency, at least 48 hour notice shall be given. The Secretary shall notify the membership as soon as possible.

Article XIII – Voting

Unless otherwise provided herein, the adoption of all business by the Governing Council and the membership must be by a majority of those voting. Proxy voting is not permitted. Electronic voting may be permitted. Electronic voting would be permitted for contract ratification, membership dues increases, and bylaw changes, Executive Officers and Council.

Article XIV – Parliamentary Authority

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the proceedings of the Union in all cases to which they are applicable and in which they are not inconsistent with the bylaws of NEA, IEA, these bylaws or any special rules of order the Union may adopt.

Article XV – Notice

Wherever the word “notice” is used, notice may be given by personal delivery, on paper, electronically or other method to reasonably assure receipt by the necessary parties.

Article XVI – Dues

Local dues will be established by the membership. The IEA-NEA dues will be transmitted to the IEA-NEA pursuant to IEA-NEA policies. The books and records of the organization will be open to inspection by any member upon reasonable request. Current local dues are \$20 per member per school year.

Article XVII – Savings Clause

In the event a portion or portions of these Bylaws are found to be inconsistent with state or federal law, such portions to the extent that they violate the law will be deemed deleted and of no force and effect.

Article XVIII – Amending Procedures

Proposed revisions of these Bylaws must be submitted by the Governing Council to the full membership at a regular or special meeting and a two-thirds (2/3) vote of those present will rule, provided that all members of the Association have been sent notice of the date and place of the meeting and the proposed revision(s) at least fourteen (14) days prior to the meeting. Amendments may be proposed by any Council member or upon petition of twenty-five (25) union members. The local shall review its bylaws at least once every five (5) years to ensure compliance with the IEA and NEA Bylaws. A copy of the amended bylaws will be immediately sent to the IEA Executive Office.

Adopted May 12, 2021

Amended May 10, 2023