

MODESTO TEACHERS ASSOCIATION STANDING RULES

STANDING RULE 1: MTA OFFICE LOCATION

The office of the Association shall be located at 817 Coffee Road. Suite E, Modesto, CA 95355

STANDING RULE 2: MTA MISSION STATEMENT

The Modesto Teachers Association exists to protect and promote and environment , which entrusts our members to improve our pedagogical craft; to advance the growth and success for all students; to ensure competitive compensation, fair working conditions, and reasonable workload; and to secure the highest quality public education available for our student population.

STANDING RULE 3: BUDGET AND FISCAL

- A. The budget will be categorized and advisable by the Executive Board
- B. Expenditures not covered by the budget shall require prior approval by the Executive Board.
- C. Reasonable reserves for capital outlay and contingencies must be established. Expenditures from this fund shall require prior approval of the Executive Board.
- D. Not more than \$200 of allocated funds may be maintained in the form of petty cash. Members authorized to sign MTA checks, or designee, may distribute or authorize distribution of funds from petty cash. Any individual receiving petty cash shall sign a voucher stating the amount and purpose of the withdrawal.

STANDING RULE 4: SITE REPRESENTATIVE GUIDELINES

- A. The names of the new Site Representatives will be sent to the MTA Executive Assistant once approved by the Board of Directors and the Representative Assembly.
- B. Follow current Board of Director and Representative Assembly approved MTA Representative Stipend Guidelines.

STANDING RULE 5: CONFERENCE AND EXPENSE GUIDELINES

- A. The Executive Board shall recommend to the Representative Assembly for approval, members to participate in conference activities and programs.
- B. For purposes of NEA-Representative Assembly (NEA-RA), CTA workshops and conferences, MTA annual planning conference, and any other CTA and/or NEA workshops or conferences, MTA shall underwrite each workshop or conference as follows.
- C. Travel reimbursements (transportation, hotel, meals) shall be paid for members of MTA as follows:
 1. Airplane Airfare: Actual, most economical coach fare (with receipt/proof). Mileage to and from the MTA office to the airport at the rate set by the Internal Revenue Service for the current year.
 2. Airport Shuttle: Cost of airport shuttle to and from the meeting site. Taxi/Ride Share shall be reimbursed only when an airport shuttle is unavailable.
 3. Automobile/Mileage: If automobile travel is used in preference to air travel, maximum reimbursement will be the cost of the lowest available coach airfare or the actual mileage set by the Internal Revenue Service for the current year, whichever is lower.

4. Parking: Actual costs of airport and/or hotel parking will be reimbursed. Valet parking will only be reimbursed if it's the only parking option
 5. Tolls: Bridge and road tolls will be reimbursed.
 6. Lodging: Hotel expenses are limited to the number of nights the workshop or conference is being held. Additional nights, not to exceed two (2), is allowed for the NEA-RA conference, taking into consideration the location of the conference may impact arrival and departure and make it difficult for participants to arrive on time. Personal charges such as laundry, valet (unless it's the only option), hotel telephone calls, and hotel in-room snacks and beverages are not reimbursable. As a practice, MTA will pay for single occupancy.
 7. Meals: Daily meal reimbursement is limited to the current MTA rate, including tax and gratuity per day.
- D. Conference attendance is expected barring unforeseen circumstances.
 - E. MTA reserves the right to limit the number of conferences a member may attend.
 - F. Refer to the current MTA Conference Policy for additional details.
 - G. To receive reimbursement for expenses, vouchers/receipts must be received within thirty (30) days of the conclusion of the workshop or conference on an MTA designated expense form.
 - H. Failure to comply with conference and expense guidelines may result in non-reimbursement.

STANDING RULE 6: CREDIT CARD/DEBIT CARD POLICY

- A. It is MTA's policy to comply with the Internal Revenue Service regulations by accounting for ordinary, necessary, and reasonable expenses on a timely basis.
- B. Credit and/or debit cards may only be issued to the MTA President, Treasurer, Executive Director, and Executive Assistant with approval of the Executive Board.
- C. Expenses must reflect a valid MTA business connection. It is not to be used for CTA or NEA travel expenses. Cardholder must sign a credit/debit card agreement acknowledging this policy and that it is to be used for MTA related business purposes only. All cardholders and authorized signers will receive training on valid usage of MTA credit/debit cards.
- D. Receipts must be provided for all expenses submitted on MTA's Business Expense Report within thirty (30) days of the close of the month the charge or debit occurred. At the end of sixty (60) days the card will be cancelled if no report has been submitted.
- E. Charges incurred shall only be made by the person whose name is on the card or an authorized signer.
- F. The cards may not be used to obtain cash advances or for expenses other than those incurred by the cardholder.
- G. Infractions of the conditions of this policy shall result in cancellation of the card and withdrawal of privileges and may lead to action against the cardholder or the authorized signer. In case of misuse, the Executive Board reserves the right to recover any monies from the cardholder or the authorized signer.
- H. Both MTA's name and the authorized cardholder's name shall be embossed on the credit/debit card.
- I. Cardholders are required to have on file an IRS Form W-9 to be able to report imputed (?) income to the IRS for non-compliance.

- J. Lost or stolen cards must be reported immediately to the MTA President and/or Treasurer. The Executive Assistant will then be directed to cancel the card.
- K. Prior to departure or termination of duties, the cardholder must ensure his/her account is settled prior to departure and the card surrendered.

STANDING RULE 7: EMPLOYMENT OF OFFICE STAFF

- A. The employment agreement shall include regular expected work hours per week, hourly rates, pay dates, and job responsibilities.
- B. The employer will pay the employee at least twice a month (per CA Labor Code Section 204), withhold federal and state income taxes, withhold and pay Social Security and Medicare taxes, pay unemployment taxes, and pay state disability and worker's compensation insurance.
- C. The employee must have a signed and completed IRS form W-4 (Employee's Withholding Allowance Certificate) on file.
- D. The employee must have a signed and completed Form I-9 (Employment Eligibility Verification) on file.
- E. The employer shall report on IRS Form W-2 the annual wage and other required payroll information.
- F. Payroll should be outsourced to an established entity that specializes in payroll processing. The payroll agreement should be comprehensive and include the filing of all applicable payroll tax forms with federal and state regulatory agencies.
- G. Overtime compensation must be approved by the employer, in advance.
- H. The employer should review and approve time sheets on a bi-weekly basis.
- I. Employees will be evaluated on an annual basis.
 - 1. The Executive Assistant will be evaluated by the Executive Director
 - 2. The Executive Director will be evaluated by the Board of Directors.
- J. The employee's salary and working conditions, including termination, must be approved by the Board of Directors, following applicable law and due process.
- K. The employee will refrain from sharing confidential information to outside parties.

STANDING RULE 8: BUDGET OVERSIGHT COMMITTEE

- A. The MTA Executive Board will appoint a Budget Oversight Committee at the beginning of each year to include the Treasurer (Chair), one (1) member of the Executive Board, and three (3) additional members from the general membership.
- B. The purpose of the Budget Oversight Committee will be to monitor budgeted expenses against actual expenses and to make recommendations to the Executive Board.
- C. The Budget Oversight Committee should compare actual items of income and expenses with the budgeted amount for that item. The Committee should analyze the reason that MTA is over or under budget in a particular area and determine its overall impact to the net income for the year. If it is predicted that expenses will exceed revenue, recommendations should be made to balance the budget by reallocating budget dollars among the various programs, cutting back on certain programs during the current year, or continuing scheduled programs for the year and dipping into reserves to fund them.
- D. The Budget Oversight Committee should meet each fiscal year, prior to the annual planning conference and plan to report, if requested.

- E. The Budget Oversight Committee may request assistance from CTA to carry out these functions.

STANDING RULE 9: ACTIVE MEMBER RIGHTS

- A. Active members have the right to:
1. Be present at Representative Assembly where business of the Association is transacted.
 2. Present matters of individual concern to the Representative Assembly through the procedures established by MTA Board of Directors.
 3. Inspection of the Association records upon written request to the Executive Board.
 4. Vote in elections and on tentative agreement ratifications.
 5. Attend Board of Directors meetings.

STANDING RULE 10: FIDUCIARY RESPONSIBILITY FOR OFFICERS AND EXECUTIVE BOARD

- A. Upon confirmation of gross mismanagement and/or misappropriate use of funds while in a leadership role, an Executive Board Member or an Officer shall resign from office and be prohibited from seeking a future election to the Executive Board or as an Officer.

STANDING RULE 11: ROLE OF CTA STAFF REPRESENTATIVE

- A. The CTA Staff representative shall provide consultation and advice, as appropriate to the Officers, Executive Board, Bargaining Team, and Grievance Committee.

STANDING RULE 12: STANDING COMMITTEES AND TEAMS

- A. There shall be the following Standing Committees and Teams:
- Bargaining Team
 - Communications Committee
 - Constitution and Bylaws Committee
 - Elections Committee
 - Equity Committee
 - Grievance Committee
 - Medical Benefits Board
 - Organizing Committee
 - Public Relations Committee
 - Scholarship Committee
 - Strategy Committee
 - Additional committees as the Board of Directors shall designate.

STANDING RULE 13: COMPENSATION AND RESPONSIBILITIES FOR ELECTED POSITIONS

- A. Elected positions are compensated by stipend(s).
- B. In addition, the full-time release President shall be paid their step and column salary by Modesto City Schools which the Modesto Teachers Association shall reimburse.
- C. Elected positions shall be President, 1st VP, 2nd VP, Secretary, Treasurer, and five (5) At-Large Directors, (two (2) PK-6, two (2) 7-12, and one (1) PK-12 Special Education). All Directors are elected by the Active Membership.

- D. Elected officers shall have the following responsibilities in addition to those listed in the MTA Bylaws:
1. The President shall:
 - a. Chair the Medical Benefits Board.
 2. The 1st Vice President shall:
 - a. Chair the Bylaws Committee; and
 - b. Serve as MTA Parliamentarian.
 3. The 2nd Vice President shall:
 - a. Serve as a member of the Medical Benefits Board.
 4. The Treasurer shall:
 - a. Chair the Budget Oversight Committee.

STANDING RULE 14: GENERAL MEMBERSHIP RATIFICATION PROCESS

- A. Active members of the Modesto Teachers Association CTA-NEA shall meet as a body as often as necessary to consider a Tentative Agreement (Collective Bargaining Agreement) reached by the Bargaining Teams from the Board of Education and the Modesto Teachers Association, or to consider other matters. At this meeting, members of the MTA Bargaining Team will be available for comments and explanations of new provisions. The members of the MTA shall have copies of the Tentative Agreement (or changes) for their inspection, if possible, for at least five (5) days prior to this meeting, along with a notice of the date of the meeting. In the event a Tentative Agreement between the Bargaining Teams from the Board of Education and the MTA has not been reached prior to the opening of school, a general meeting shall be called for the purpose of discussing alternatives appropriate to the situation. Agreements on such alternatives shall be reached according to the provisions of paragraphs I below. The Board of Directors shall determine whether balloting is done at a General Membership Meeting, through the site or unit, or electronically.
- B. Ratification vote shall be by secret ballot. Only active MTA members shall be eligible to vote on the Tentative Agreement.
- C. General Membership Meeting Ratification Vote –Vote shall be only on the question of whether or not to ratify the Tentative Agreement. To accept the Agreement, a majority of MTA members must vote in the affirmative to ratify the Tentative Agreement. At the conclusion of the General Membership Meeting, the Election Committee shall open voting to all Active MTA members.
- D. If the Tentative Agreement is rejected, or if there is no Tentative Agreement to present to the membership, the MTA Executive Board shall present alternatives proposals to the membership. Members and non-members shall be allowed to attend a General Membership Meeting regarding work stoppage. A majority of Active MTA members present, and voting may adopt alternatives proposals except as follows:
1. An affirmative vote of a number equal to sixty-six percent (66%) of the bargaining unit shall be necessary to authorize or commence a complete work stoppage of the bargaining unit.
 2. Voting shall be by secret ballot; the ballots tabulated as soon as possible, and the results then shall be announced.

3. In the event no alternative proposal receives the required percentage, another vote shall be taken on the two (2) alternatives proposals receiving the highest number of votes, and there shall be a run-off election on these two (2) alternatives proposals.
4. If action is stalemated, no plan receives the required percentage even after the runoff election, there shall be a minimum five (5) day moratorium before the next General Membership Meeting is called.

STANDING RULE 15: NOMINATIONS, ELECTIONS, AND RECALLS

- A. Nominees for elected Association offices shall be present at the Representative Assembly meeting following the application filing deadline. At that time, nominees shall be allowed two minutes each to present platform statements. Each nominee shall submit a written statement of acknowledgement and a willingness to serve.
- B. Election Procedures: General elections shall be held annually in the month of March. The Election Committee shall submit to each member unit the ballots and shall prepare and distribute rules governing the election. If no candidates receive a majority of cast ballots, a run-off election shall be held between those two candidates receiving the highest number of votes
- C. Special Election Procedures: The date of the special election shall be determined by the Elections Committee. The procedures for a special election will follow those of the general election.
- D. The Modesto Teachers Association, Inc., as a unified member of the United Teaching Profession, shall elect representatives to the National Education Association's Representative Assembly. Delegates and alternates to the NEA Representative Assembly shall be elected in accordance with the NEA rules. The election shall be held by secret ballot and decided by a plurality of votes cast.
- E. Recall Procedures: The process by which Active members remove elected Association leaders from office before their term is completed.
 1. The members retain to themselves the right to recall any person elected to an Association position through the submission of a recall petition signed by at least twenty-five percent (25%) of the membership making up the constituency of the person subject to the recall; or
 2. Two-thirds (2/3) vote of the Board of Directors (BoD) and two-thirds (2/3) vote of the Representative Assembly (RA) retain the right to recall any person elected to an Association position.
 3. Each person named in the recall position shall have the right to make a rebuttal statement, either written or verbal, at least seven (7) days before the election.
 4. Voting on the recall shall take place in accordance with the election procedures stated in this document.
 5. The person subject to recall shall be removed from his/her position upon affirmative vote of a majority of those members voting in the recall election.