

Constitution of the Graduate Employees Together at the University of Pennsylvania (GET-UP)

Preamble:

We, the graduate academic workers of the University of Pennsylvania, recognize ourselves as a community of scholars, teachers, and researchers. Despite our differences across disciplines, programs, and departments, we all ultimately labor under common working conditions, face similar challenges, and share related grievances. We therefore aim to develop our collective power to improve these working conditions, enrich our academic experience, and transform the university into a more democratic workplace, both for our benefit and for the wider community – from undergraduates to adjuncts, staff to faculty. We also aim to improve the hiring, acceptance, and retention of academic workers from historically underrepresented groups, cognizant that these selection procedures and associated working conditions determine the diversity of the labor force at the University of Pennsylvania. Recognizing that such change can never occur nor be maintained without solidarity, sustained organization, and collective action, we, the graduate academic workers of the University of Pennsylvania, organize ourselves into a Union under the name of Graduate Employees Together at the University of Pennsylvania (GET-UP) and give ourselves the following Constitution:

Article I: Membership

Section A: Eligibility

1. Membership is open to all University of Pennsylvania graduate and professional academic workers on all campuses, regardless of funding source, fellowship status, or citizenship, and to all University of Pennsylvania graduate degree recipients who:
 - a. Remain at the University of Pennsylvania or under its auspices as short-term lecturers, adjuncts, researchers or otherwise as non-tenure track academic workers; and
 - b. Have not been hired by the University of Pennsylvania solely as administrative or support staff.
2. To retain membership, members must remain in good standing [See Article I Section E].

Section B: Membership Procedure

1. Membership will incur upon the filing of a valid Union membership card [See Appendix A].
 - a. Each card must be printed on paper, filled out, and physically signed in ink. No digital signatures will be accepted.

2. One of the signed cards must be returned to the Coordinating Committee, which will be filed in the Union archive. The other card will be kept by the new member.
 - a. Upon request, lost cards can be replaced by the Coordinating Committee.

Section C: Privileges of Membership

1. All GET-UP members may participate in General Body meetings, run for elected office, vote in all elections and referenda, and join committees and working groups according to official procedures.
2. All GET-UP members may file official motions at General Body meetings.
3. All GET-UP members may unofficially introduce issues of concern at General Body meetings.
4. All GET-UP members may file grievances with the Grievance Committee or file charges for disciplinary action against other members.

Section D: Dues

1. Any and all dues may be set by the procedural decision-making process [See Article III Subsection B1.2].

Section E: Loss of Membership and Voluntary Withdrawal

Subsection E1: Loss of membership

1. Loss of membership occurs automatically upon:
 - a. Non-payment of dues after notification.
 - b. Graduating from or leaving the University of Pennsylvania permanently.
2. Permanent loss of membership may be a component or result of disciplinary action, arising from violation of this Union's Constitution or federal law [See Article V].

Subsection E2: Voluntary Withdrawal Procedure

1. Members may ask to leave the Union at any time by written request and the return of his/her membership card (if available) to the Coordinating Committee.
2. Upon request and return, the Coordinating Committee will mark the card as inactive and log the date of the withdrawal.
3. Should the member, otherwise eligible, decide to rejoin the Union, membership procedures for new members will apply.

Article II: Union Governance

Section A: Overview

1. GET-UP will be governed by a combination of standing committees and working groups.
 - a. Standing committees: GET-UP will maintain standing committees as outlined in Section B of this Article. Any member is eligible for any standing committee and committees may be added, eliminated, or merged via amendment procedure [See Article IV].
 - b. Working groups: Working groups are ad-hoc committees developed for the purpose of solving/researching a particular issue relevant to GET-UP. They are temporary in nature and can be initiated by any member via the procedural decision-making process [See Article III Subsection B1.2]. They are not elections-based and provide the general membership of GET-UP with a voice outside of the Coordinating Committee. Working group findings will be presented at GET-UP General Body meetings.

Section B: The Standing Committees

1. The standing committees consist of the following:
 - a. The Coordinating Committee.
 - i. This committee is responsible for organizing the Union's General Body meetings. It oversees the selection of meeting facilitators, note takers, and other relevant roles as needed. It works to expand Union membership and, in tandem with other standing committees and working groups, to promote an inclusive and representative membership [See Article II Section C].
 - b. The Grievance Committee.
 - i. The Grievance Committee functions as a forum for members and non-members to report problems and issues the Union can work on, initiate an inquiry, or advocate. It produces an annual report of concerns, improvements, and on-going issues for GET-UP members and graduate students.
 - c. The Unity Committee.
 - i. The Unity Committee will work with the Coordinating Committee to ensure inclusion across all departments and promote inter-departmental dialogue. It will bring these concerns to the Coordinating Committee and the General Body as central issues and part of everyday Union business.
 - ii. The Unity Committee also exists to ensure that issues of marginalization, disunity, and distrust among Union members, and among Union members and administration, faculty, and other external powers, are addressed directly by the leadership and the membership. The Committee will serve as a forum to discuss and resolve issues that those who are historically under-represented or

marginalized on college campuses, in union structures, and in the workplace generally tend to face. Such types of discrimination may include, but are not limited to, distinctions based upon: race, nationality, ethnicity, gender, gender identity, sexual orientation, class, age, religion, and ability.

2. Elections will be held each April to elect members to standing committees of the following academic year, except for the first year (2016-2017), when they will be held in the fall of 2016. Until such initial elections are held, the day to day operational responsibilities of GET-UP will be the responsibility of a voluntary Coordinating Committee with roles assigned on an *ad hoc* basis. Upon the removal or replacement of an officer or the creation of a new position, an interim election shall be held to appoint an individual with a term running until the next April election.

Section C: The Coordinating Committee and its Responsibilities

1. The Coordinating Committee of GET-UP shall:

- a. Faithfully carry out the decisions of the membership and act on its behalf.
- b. Coordinate the work of the union.
- c. Facilitate member discussion, debate, and participation in decision-making.
- d. Meet at least twice a month.
- e. Coordinate the activities of all committees, maintain documentation including membership cards and rosters, and ensure that the actions of each committee adhere to GET-UP Constitution and are authorized by the General Body.
- f. Conduct a review each March of the Standing Committees, working groups, and the minutes of the General Body meetings and make recommendations at the final General Body meeting of the academic year. It shall also report on its own activities for the year and on the health of GET-UP in general.
- g. Ensure the smooth transition of leadership roles by arranging an orientation for new officers before the end of each academic year, or within thirty (30) days of any filled vacancy.
- h. Provide full and detailed statements to any member of any actions or business done in the name of GET-UP, upon request.

Article III: Union Meetings and Decision Making

Section A: Meetings

Subsection A1: General Body Meetings

1. General Body meetings are to take place three (3) times a semester. Time and location of these meetings will be announced a minimum of seven (7) days in advance, and shall be chosen after consultation with membership.

2. Only members and those interested in joining GET-UP will be allowed to attend General Body meetings, with exceptions to be determined on a case-by-case basis by the members attending the meeting.
3. General Body meetings may only take place during the academic year.
4. General Body meeting procedure:
 - a. In advance of each meeting, the Coordinating Committee will appoint two facilitators to moderate discussion and to implement decision-making process and one note taker to take minutes.
5. Minutes from General Body meetings will be made available to the general membership.

Subsection A2: Special Meetings and Actions

1. Special meetings and actions will occur in case of emergency, or if a General Body meeting is necessary in addition to, or in between, scheduled General Body meetings.
2. To the extent possible, special meetings and actions will follow same prior notice and guidelines as General Body meetings. If notice is not possible on this timeline, it shall take place as soon as possible.
3. In the case that a special meeting or action is necessary, notice to the general membership shall state a specific reason for meeting or action.
4. To the extent possible, special meetings and actions should occur during the academic year.

Subsection A3: Standing Committee Meetings

1. Standing committees shall meet as follows:
 - a. The Coordinating Committee shall meet at least two (2) times per month and at a time mutually agreed upon at the beginning of the semester by members of the committee.
 - b. All other committees shall meet as their members deem necessary or as deemed necessary by the Coordinating Committee.
2. Notice of each standing committee meeting shall be made available to the general membership in advance. If unable to attend in person, a standing committee member may call in by telephone or internet so as to participate.
3. Standing committee members shall choose the norms of communication for these meetings.
4. All members in good standing are allowed to attend standing committee meetings as observers, though participation is limited to standing committee members.
5. Minutes from standing meetings will be available to all members.

Subsection A4: Working Group Meetings

1. Working group meetings will be called as necessary by members of working group.
2. Working group members can decide on norms of communication prior to or during meetings.

3. Minutes from working group meetings must be made available to general membership within one week of meeting date.

Section B: Decision Making

Subsection B1: Types of Decisions

1. Substantive decisions will be determined through general referenda. These decisions affect the long-term collective bargaining aspects of GET-UP. Routine duties of standing committees are not subject to referenda.
 - a. Substantive decisions include strike votes, the initiation of negotiations, the acceptance or rejection of any agreement with the University of Pennsylvania, and the decision to affiliate/disaffiliate with a national union.
2. Procedural decisions will be determined either by consensus or, if no consensus can be reached, by vote at GET-UP membership meetings and standing committee meetings. These decisions involve the maintenance and everyday functions of GET-UP, as well as the routine duties of standing committees.
 - a. Procedural decisions include creating sub-committees, setting agendas, developing strategies, ordering supplies, and all decisions that are not defined as substantive decisions.

Subsection B2: Referenda Procedure

1. A referendum can be called in the following ways:
 - a. 10% of the GET-UP membership may petition the Coordinating Committee requesting a referendum.
 - b. Members at a General Body meeting can call for a referendum by a procedural vote.
2. After a referendum is called, the Coordinating Committee will work with the member(s) calling the referendum to decide upon its final wording.
3. The referendum will occur in such a way that all members are able to vote.
 - a. Generally, the referendum will take place online.
 - b. The length of time allowed for voting must be a minimum of seventy-two (72) hours.
4. For a decision to be reached by referendum, at least one-third of the general membership must vote in the referendum, of which a simple majority is needed for approval.

Subsection B3: Procedural Decisions

1. When important procedural decisions must be made in General Body meetings, the meeting facilitators will guide the General Body through the following ordered, time-bound steps:
 - a. Proposal:

- i. Presentation of the proposal by its proponents, standing committee or working group, will have five (5) minutes to present their proposal.
 - ii. Additional five (5) minute increments may be added by a simple majority vote.
 - iii. The proposal may or may not have been pre-circulated.
- b. Consensus-building discussion:
 - i. Agenda drafters establish a set amount of time for consensus building to be displayed on the agenda. Suggested time for discussion is ten (10) minutes.
 - ii. Facilitators guide discussion.
 - iii. The aim is to resolve member concerns about the proposal through facilitating an active, creative, and collaborative airing and revision process. An ordered “stack” of members to speak will be kept by facilitators during this time.
 - iv. A straw poll can be taken at any time and proposed by any member.
 - v. A one (1) minute warning: facilitators check if anyone would like to be added to the stack one minute before time expires.
 - vi. When time is up, remaining “on stack” members will have the chance to air their concerns.
 - vii. In the event getting through the stack takes less than the pre-established time, move to consensus.
- c. Move to consensus:¹
 - i. Time for this step of the process shall be limited to a five (5) minute maximum.
 - ii. A final straw poll will be taken to see where people stand (e.g. thumbs up for support, to the side for not sure and concerns, down for strong disagreement).
 - iii. Those with in strong disagreement will have another opportunity to raise outstanding concerns and any member may suggest revisions for remedy. After a proposed remedy a subsequent poll will be taken.
- d. Vote to table; Voting as a back-stop:
 - i. If consensus has not been reached² at the end of the move to consensus process, facilitators will ask members if they would like to vote to table.
 - ii. Voting to table: this assumes and requires member willingness to create a working group whose purpose is to form a revised/new proposal for the next General Body meeting. Tabling may only be done once.
 - iii. If a simple majority votes yes, it is tabled.

¹ “Consensus”-based decision-making strives for solutions that everyone in the group can support or at least live with. Facilitators guide the group through discussion of opinions, concerns, and collaborative resolution of aired concerns, with the aid of straw polls.

² “Not reaching consensus” means that there are remaining strong disagreements or significant concerns. Although unanimity is ideal, consensus is considered “reached” if members who disagree with a proposal are willing to “stand aside” after their concerns have been heard and a meaningful attempt has been made to address them.

- iv. If a simple majority votes no, the proposal will be moved to an immediate simply majority vote.
2. Votes on amendments will follow procedures outlined in Article IV.

Subsection B4: Status of Decisions Reached

1. The results of a referendum are fully binding for GET-UP as long as they do not contradict the Constitution.
2. Decisions made at the General Body meetings by consensus or by voting are fully binding for GET-UP, as long as they do not contradict the Constitution, except for changes made via the amendment process.

Article IV: Constitutional Amendment Process

Section A: Amendment Procedure

1. The articles of this Constitution can be amended at any point under the following procedure:
 - a. Procedural amendments will be adapted using procedures from Article II Subsection B2 with the exception that Subsection B2.4 shall specify a two-thirds rather than simple majority to ratify.
 - b. The referendum procedure can be amended using the procedure from Article III Subsection B4 with the exception that all votes will be by a simple majority of those participating.

Section B: Post-Ratification Procedure

1. Every amendment to the Constitution shall be also maintained in an appendix that will be attached to the Constitution. Such appendix shall note the date the amendment was approved by the general membership, the previous language, and new language as modified by the amendment.
2. They must be available to all members within fifteen (15) days after ratification.
3. Parts of the Constitution that conflict with ratified amendments are considered null and void.

Article V: Discipline and Dispute Resolution

Section A: Disciplinary Procedure

Subsection A1: Determining and Filing Charges

1. Any member or group of members may file a charge against another member, including officers, for a violation of the Constitution, dereliction of duty, or for actions that are believed to be against the good and welfare of GET-UP.
2. To file:
 - a. Member must provide a written letter to the Grievance Committee that includes, if applicable, the claimed section(s) of the GET-UP Constitution that the member believes are being violated, along with a description of the alleged action or behavior involved.
 - b. If a charge involves an action that the member(s) believes to be against the good and welfare of the Union, the member should state this and provide an explanation.

Subsection A2: Hearings

1. Any accused member will be given a full and fair hearing to determine if a charge has merit and, if so, what discipline the violation should require, up to and including suspension or expulsion from GET-UP.
2. The Grievance Committee shall within one (1) week of receiving a charge, make a copy of the charge available to all members, and state that nominations are currently being accepted for a hearing committee of three (3) members in good standing to conduct a hearing in this matter.
 - a. If a member of the Grievance Committee is charging another member or is being charged, the Coordinating Committee shall decide upon a replacement for the charged member in the processing of charge under this article and the Grievance Committee will promptly forward all materials related to the charge to Coordinating Committee.
3. The nomination period for the hearing panel will be one (1) week from the date on which the charge was made known the general membership.
 - a. If more than three (3) members are nominated (and accept their nominations) or self-nominate, the Coordinating Committee shall conduct an election. The election shall be conducted at the next General Body meeting or electronically, if the next General Body meeting will not take place within two (2) weeks.
 - b. Any party charging or being charged may not be nominated to serve on a hearing panel.
 - c. Once the hearing panel has been empaneled, it shall accept evidence and testimony as it deems necessary to decide on the merits.
 - d. The hearing panel must publish a rationale that explains the reasoning behind its decision.
4. All members are required to assist the hearing panel perform its duties, upon the panel's request.

Subsection A3: Decision of the Hearing Panel

1. The hearing panel's rationale and decision will be made available to the general membership.
2. At the next General Body meeting, the decision shall be placed on the agenda for discussion among members. Within one (1) day of the General Body meeting, the Coordinating Committee shall conduct an electronic vote of one (1) week's length on whether the membership would like to accept the hearing panel's recommended decision. The only responses will be "yes" and "no."
3. If a majority of votes are cast for the "no" option, or there is an equal number of "yes" and "no" votes, at the end of the voting period, the Coordinating Committee shall place the issue on the agenda of the next General Body meeting when a discussion and a motion on how to proceed with discipline or no discipline will occur.

Subsection A4: Revocation, Dismissal, and Appeals

1. A charge may be revoked at any time by the member originally filing the charge. If this occurs, the hearing process will immediately stop.
2. The hearing panel may unanimously decide to dismiss a charge without conducting a hearing if it deems such charge to be frivolous and/or without merit. If it does so, the hearing panel will notify the general membership with its decision and rationale.
3. Any member in good standing other than the member(s) that filed the charge may appeal this decision to the Coordinating Committee, who shall present a vote to the general membership on the question of whether the hearing should proceed.
 - a. Within one (1) day of the appeal, the Coordinating Committee shall conduct an electronic vote of one (1) week's length on whether the membership would like the hearing to proceed. The only responses will be "yes" and "no."
 - b. If a majority of votes are cast for the "no" option, or there is an equal number of "yes" and "no" votes, at the end of the voting period, the decision of the Coordinating Committee stands and the matter is resolved. If a majority of the votes are cast for the "yes" option, the hearing shall proceed.

Subsection A5: Records

1. At the conclusion of the hearing process, a permanent record detailing the charge and final disposition of the case shall be transferred to the Coordinating Committee for filing in the Union's archive.

Section B: Internal Union Grievance Procedure

1. A member feeling aggrieved by an action, inaction, interpretation of the GET-UP Constitution, or another decision by GET-UP, must initiate a complaint or appeal within thirty (30) days of the time the aggrieved member became aware, or reasonably should have been aware of the Union's action or decision.
 - a. The grievance shall be made in writing to the Grievance Committee.
 - b. The Grievance Committee is empowered to dismiss grievances that are not made in accordance with the guidelines in this section with written notice to the member filing.
 - c. A member may not institute any state or federal court action regarding a matter covered by this grievance procedure until a final decision and action on the grievance has been issued by the Union as discussed in Section A of this article unless a final decision on the grievance is not issued within four (4) months of the date the member initially filed a written grievance with the Grievance Committee.
2. Depending on the circumstances of the grievance, the Grievance Committee will work with the grievant(s) and the member(s) the grievance involves to determine if mediation would assist the parties in coming to a resolution. If both parties agree, the Grievance Committee shall find a member sufficiently removed from the dispute to serve as mediator.
 - a. The mediation shall be conducted according to mediator standards of practice adopted by the Association for Conflict Resolution.
 - b. Any voluntary agreement reached in mediation shall be memorialized in writing and must receive a majority vote at the next General Body meeting in order for the grievance to be resolved.
 - c. If the voluntary agreement is not agreed to by the Union, the grievance process shall continue as outlined in (3) of this Section.
3. If mediation is not elected by both of the parties and the Grievance Committee, or ends without a written resolution, the grievance shall be presented to the Coordinating Committee for resolution. The Coordinating Committee shall consult with the grievant and permit full opportunity to be heard prior to making a written decision with a rationale explaining the reasoning behind its decision.
4. The grievant may appeal the decision of the Coordinating Committee to the Union by notifying the Coordinating Committee in writing within one week of receiving such decision.
 - a. The Coordinating Committee shall place resolution of the grievance on the agenda for the next Union meeting and shall immediately make available the initial written grievance and the decision of the Coordinating Committee to the membership for its review prior to the meeting.
 - b. A majority vote will be required for any final action taken by the membership to resolve the grievance. At the conclusion of the grievance process, a permanent record detailing the charge and final disposition of the case shall be transferred to the Coordinating Committee for filing in the Union's archive.

Article V: Elections

Section A: Coordinating Committee Elections

Subsection A1: Officer Election Committee

1. Annually, by January 31, the Coordinating Committee shall put out a call to the all members in good standing calling for nominations by February 15 for the three (3) person Election Committee.
 - a. Any member who serves on the Election Committee is prohibited from running for any Coordinating Committee position.
 - b. If more than three (3) members are nominated (and accept their nominations) or self-nominate, the Coordinating Committee shall conduct an election for the Election Committee.
 - c. The election for the Election Committee shall be conducted at the next General Body meeting or electronically, if the next General Body meeting will not take place within two (2) weeks. Any tie results shall be resolved by a coin toss.
2. The Election Committee must:
 - a. Announce to all members a procedure for receiving nominations for any elected position.
 - i. Any member in good standing may nominate another member (or self-nominate) for any elected position. A member may only run for one (1) position per committee for a given term. If nominated for more than one position, may choose which one (1) to run for.
 - ii. Members must have at least two (2) weeks from the Election Committee's initial notification of the opening of nominations to make nominations.
 - iii. After nominations have closed, the Election Committee will determine, in accordance with the Constitution, the eligibility of the nominees.
 - iv. If no eligible nominee is found for a particular position, the Election Committee shall reopen nominations for a period of one (1) week. If no eligible nominations are received, the newly elected Coordinating Committee may appoint a member to the vacant position for the next term.
 - b. Decide and publicize the date for the election and announce it to the general membership at least seven (7) days prior to the election along with a list of candidates. Upon request of members without access to the internet, the Election Committee will deliver such notice to such members' homes if provided with such address.

- c. Forward any candidate communications to the membership list on a schedule to be determined by the Election Committee. The Election Committee may prepare a voter guide and may ask candidates to provide statements or information to the voter guide.

Appendix A:

GET-UP Membership Card:

I, _____, current/former-eligible University of Pennsylvania graduate or professional worker, hereby join Graduate Employees Together at the University of Pennsylvania (GET-UP) and authorize GET-UP to represent me for the purposes of collective bargaining with the University of Pennsylvania. My collective bargaining authorization and membership in GET-UP will continue until a) I no longer am a graduate and/or professional worker, or a continuing, short-term academic worker at the University of Pennsylvania; b) I choose to revoke my membership in GET-UP via a written request to the Union’s Coordinating Committee and return my membership card to the Coordinating Committee; or c) the Union revokes my membership through the process outlined in the GET-UP Constitution.

Signature _____ Department/Program _____

Date _____