

Meeting of July 23, 2010

Curtis-Smith declined being both the secretary and the treasurer simultaneously. She preferred being treasurer. Schrock called for nominations for the vacant position. Cartwright nominated Falk as secretary; Curtis-Smith seconded. Motion passed. Falk assumed the duties of secretary. Falk moved and Cartwright seconded a motion of high commendation and appreciation for the entire bargaining committee (Easterday, Schrock, Cartwright, Curtis-Smith, Landberg, Picard, Pomeroy), including those who served only early or late portions of the negotiations (Janet Heller and Lynwood Bartley) or only in consulting roles and not at the table (Falk). Motion passed.

Meeting of August 25, 2010

The Council accepted [Kathryn Curtis-Smith's] resignation [as treasurer] and thanked her for her work and wished her well.

The date and time for the fall membership meeting was settled on: November 7.

Meeting of August 31, 2010

By consensus Kostrzewa was elected chair of Policy and Political Action and Education.

By consensus LoPresto was elected chair of Communications.

By consensus Falk was elected Treasurer (continuing the combined position of secretary-treasurer formerly held by Curtis-Smith, in accord with Article V, section 9.)

Meeting of September 8, 2010

Cartwright moved the treasurer's first suggested motion: Recognizing that PIO dues are now above the original figure mandated by the PIO constitution because of increases in dues at the state and national levels that occurred after the PIO constitution was ratified, but also recognizing that the treasurer's estimate of 1.88% is based on many assumptions that cannot be verified or corrected this year, the PIO shall only collect 1.85% of applicable

pay from employed members and forgo the remainder due this fiscal year of 2010-2011. Members not employed in the PIO bargaining unit shall pay \$5 per semester, in accord with Article III, section 1a.

Kostrzewa seconded it. The motion passed.

Kostrzewa moved the treasurer's third suggested motion, Given that there is no budget in place at this time, the PIO Council will budget for 2010-2011 no more than 2.5% for expenditures not chargeable to fees payers.

LoPresto seconded it. The motion passed.

Cartwright moved the treasurer's fourth suggested motion, That the agency fee (a.k.a. service fee) for 2010-2011 be set at 1.67% of applicable pay.

LoPresto seconded it. The motion passed.

Kostrzewa moved the treasurer's fifth suggested motion, That the following bylaw be adopted:

Bylaw 1. Agency Fees and Payments in lieu of Fees based on Reasons of Religion

1. PIO shall provide to every bargaining unit member

a. a legal notice that provides information on those activities of the PIO that are chargeable to everyone in the bargaining unit. It shall follow the format of the legal notice provided in the AFT Michigan booklet, "Agency Fee," (revised September 2005).

b. the basis for the calculation of the agency fee for the current year.

c. Information about the way anyone can dispute the calculation and the process of dispute resolution.

2. A bargaining unit member who wishes to challenge the fee must do so in writing to the Council or the PIO treasurer within 60 of the beginning of a semester. The finance committee shall assess the challenge promptly, and the treasurer shall not preside over these meetings. If the committee finds in favor of the challenger, the Council will return the amount of the overcharge to the challenger and anyone else overcharged. If the dispute is not resolved, it shall go to MERC for arbitration. *N.B.: THIS SENTENCE WAS AMENDED 9/22/2010 TO DELETE "MERC for" +

3. The fees under dispute shall be collected and deposited in an escrow account until the dispute is resolved.

4. Anyone who resigns from the PIO within thirty days of the beginning of a semester shall be charged the agency fee for the whole semester. Anyone who resigns after thirty days from the beginning of the semester shall be charged dues for the whole semester.

5. The PIO shall grant exemptions from paying agency fees for services rendered to those in the bargaining unit who ask for an exemption on religious grounds in accord with the laws requiring reasonable accommodation of religion-based scruples.

a. The person seeking an exemption must state the request and the reasons for the request in writing to the PIO.

b. The PIO Council shall consider the request at its next regularly scheduled

meeting, provided it occurs in the four weeks following receipt of the request. If no meeting is already scheduled within that period, a special meeting must be called to consider the request.

c. The person presiding over the meeting must acquaint the participants of their obligations under the law. If the decision is to refuse the request, it shall be sent to the AFT-Michigan staff for review. If the staff review determines that the decision is legally flawed, it shall be reversed.

d. If the decision is to grant the request, by the next business day the PIO shall request a meeting with Western to determine how to disperse the employee's payment in accord with the laws regulating the matter. The fee payer shall be informed that the fee paid is not a charitable expense of the fee-payer, and he/she will not receive any acknowledgment from the recipient. The PIO shall propose the Rolly Hopgood Future Teachers Scholarship Award, administered by AFT Michigan.

Cartwright seconded it. The motion passed with the provision that bolding be used in clause 4 to highlight the contrast between agency fees and dues.

Abshear moved the sixth of the treasurer's suggested motions, That the secretary-treasurer distribute via campus email the payroll deduction authorization form and all other information that bylaw 1 requires, and that he invite unit members to return printed copies of the form either via regular mail to the PIO office or via campus mail to his campus mailbox.

LoPresto seconded it. The motion passed.

Meeting of September 15, 2010

The Council elected Abshear to chair the Elections Committee.

The Council created a special committee to prepare the constitutional amendments, and elected Humiston to chair it.

Falk was invited back to the meeting at 6:05 and was offered the position [of PIO interim organizer] for the period from September 17 to December 17, at a salary of \$2500 a month. Falk accepted the position.

Meeting of September 22, 2010

Cartwright moved and Humiston seconded creating a special committee on the annual survey of PIO members. Motion passed.

Cartwright moved and Humiston seconded that Williams be chair of the special committee on the annual survey. Motion passed. Williams accepted the position.

Falk moved and Cartwright seconded that section 2 of Bylaw 1 be amended

by striking the words "MERC for" from the clause's last sentence, so that it reads "If the dispute is not resolved, it shall go to arbitration." The motion passed.

Williams moved and Cartwright seconded that the proposed budget be approved with this understanding [that it may be revised before the membership meeting]. Motion passed. It was understood that the budget just passed would be sent with the loan request to AFT-MI.

Williams moved and Cartwright seconded a loan request of \$22,500 [from AFT-Michigan]. Motion passed.

Falk moved and Williams seconded that we propose to AFT-MI a payback plan over five years, with \$2,500 due in July 2011, and \$5000 due each year over the following four years. Motion passed.

Williams moved and Falk seconded that the expenditures Falk proposed for setting up the PIO office (e.g., file cabinet, computer, software, etc.) and for initial activities (e.g., printing) be approved. Motion passed.

Meeting of September 29, 2010

Falk moved, Cartwright seconded that the PIO- TAU agreement on sharing facilities be approved. Motion passed.

Williams moved, Cartwright seconded that excerpts from the Council minutes, consisting of action items only, be posted [on the PIO webpage]. Motion passed.

Kostrzewa moved and Cartwright seconded that the draft bylaw [on prudent governance procedures] be included in the minutes for wider consideration and later approval. Motion passed. The draft is appended to these minutes. Draft of a Bylaw 2. Prudent Governance Procedures

The chair of the finance committee is the compliance officer for this bylaw. It shall be a requirement on anyone who is to be the chair, that he/she is not likely to be in a conflict of interest situation as defined in section II. Anyone who is in a conflict of interest ceases to be the chair, and the Council must appoint a replacement. The compliance officer shall report to the Council at least once a semester, and the report may include recommendations for the Council to take disciplinary action.

Section I: The retention and destruction of records

PIO documents divide into confidential and nonconfidential.

Confidential files include

(1) Personnel records containing bargaining unit members' salaries, email addresses, grievances of bargaining unit members and PIO employees.

(2) Sensitive PIO records, such as blank checks, and passwords to the PIO email and website accounts.

Confidential records should be available only to the person who maintains

the records and officers who can demonstrate to the compliance officer for this bylaw a need to access the information. When confidential information is duplicated, the compliance officer must be informed, and he/she will keep a record of the place where the duplications are kept. Officers who possess duplicate copies of confidential records must destroy them when they are no longer needed, and no later than the end of their terms in office. When they destroy duplicates, they should inform the compliance officer. The compliance officer shall make sure that destruction has occurred of duplicates of confidential records in the possession of officers whose terms have ended.

For nonconfidential PIO documents, some are of general interest and may need to be referred to often. They shall be on the PIO website. For all nonconfidential documents there shall be an email system's group folder as a way to hold important publically available documents, along with a designated file cabinet in the PIO office. Both places should contain:

- (1) The constitution, all amendments to it, and all bylaws.
- (2) The negotiated contracts and all letters of agreement and any other mutual understandings with contractual force.
- (3) Approved minutes of membership meetings, council meetings, and the minutes of any other committee with the power to make decisions for the PIO. These would include the finance committee, and the review committees that make decisions on fee-payer complaints, conscientious objection, and grievances.
- (4) Treasurer's reports to the membership meetings and Council, because they often are evidence used in arbitrations over fee-payer complaints.
- (5) Letters from grievance committees to grievants regarding the disposition of their grievances, if the content pertains to contract interpretation, provided that all personal references are deleted
- (6) The following nonconfidential records shall not be in the e-folder; they shall be stored with the confidential records, although members shall be given supervised access to them if they request it.
- (7) Every record that is needed for a financial audit: bills, ledgers, check stubs, bank statements, etc.
- (8) Copies of tax filings and communications with the IRS.

The records that must be retained permanently are audit reports, cash books, charts of accounts, check stubs for important payments such as taxes, contracts, important correspondence, depreciation schedules, annual financial statements, ledgers, insurance records, minutes, property records, tax documents, constitution and bylaws, union agreements, and employee retirement and pension documents.

The records that must be retained for seven year are ledgers of accounts payable and accounts receivable, expired contracts and leases, internal audit reports, inventories, invoices, payroll records, personnel files of terminated employees, purchase orders, sales records, and withholding tax records.

The records that must be retained for three years are monthly or quarterly financial statements, correspondence, records of ballots of the membership, employment applications, expired insurance policies, miscellaneous internal reports, petty cash vouchers, and purchase orders.

Before any documents are destroyed, the compliance officer must certify that they may be destroyed. Confidential records must be shredded.

Section II. Conflict of interest

The following situations are conflicts of interest:

- (1) An officer being considered for remuneration by the PIO.
- (2) An officer who enters into a formal grievance under the WMU-PIO contract,
- (3) For complaints arising within the PIO, an officer who is a complainer or one of those against whom the complaint is made,
- (4) An officer who is also employed by the PIO as a staff person,
- (5) An officer who has a company, or is related to someone who has a company, that does business with the PIO.

Officers or staffers who are in a conflict of interest situation must be absent from the parts of Council meetings during which such interests are being discussed or decided. The officer may not make motions or vote on any motion relevant to the matter. This shall include budgets if the conflict of interest pertains to the officer's compensation. The Council may ask the officer to absent him/herself during its deliberations on the matter.

Section III. Whistleblowers.

A whistleblower is a member of the bargaining unit or a member of the PIO who brings a crime committed by the PIO to the attention of the legal authorities. The Council recognizes that whistleblowers have legal rights and protections under Michigan's Whistleblower Protection Act 469 of 1980. Liars do not count as whistleblowers under this act.