

AFT GUILD, LOCAL 1931

MEMBER DISCIPLINE POLICY

- a. This policy shall apply to current AFT Guild, Local 1931 members, including members of the AFT Guild Retiree Chapter, and applicants for Guild membership, both new and returning.
- b. A member or applicant for membership may be disciplined or denied membership by the organization for actions contrary to the Guild's Constitution or Bylaws, the Guild's Mission Statement, the Guild's Code of Conduct, the Guild's Meeting Decorum Policy, the interests of the Guild or its membership, or for behavior that has generally been regarded as not meeting general standards of civility as defined in the Guild's Code of Conduct.
- c. Nothing in this policy prevents the President from attempting to informally resolve the charges at any time, including but not limited to mediation, obtaining apologies, ensuring compliance with the Guild Constitution and Bylaws, etc. Should informal resolution not remedy the situation to the charging party's reasonable satisfaction, the charging party(ies) may proceed with pursuing the action under this policy.
- d. Such action may only be initiated by the bringing of written and signed charges by three or more regular members in good standing of the Guild; these charges must be brought within 60 calendar days of the time the charging parties knew or reasonably should have known of the alleged offense. The charges must include a specific and detailed accounting, including any documentation, of the allegations against the member. The charges must clearly identify the basis upon which the charges are sought. If the basis upon which the charges are sought is a violation of the Guild Constitution or Bylaws, the charges must state which article has been alleged to be violated. Merely making conclusory statements, not supported by any facts, will be insufficient.
- e. Charges must be submitted to the Guild's President, provided that if the charges are against the President, they shall be submitted to the Guild's Grievance Chair (in such circumstances the Grievance Chair will replace the President throughout this policy). Upon the receipt of such charges, the Guild's Grievance Committee will review the charges to determine whether the written charges satisfy the requirements of this policy and whether the facts alleged are sufficient to plausibly suggest that the alleged violation has occurred thus warranting a formal investigation. Should the Grievance Committee determine that charges are deficient, and thus do not warrant a formal investigation, they will communicate this decision and their reasoning in writing to the charging party(ies). The Grievance Committee will review and provide their decision to the charging party(ies) no later than twenty (20) calendar days from receipt of the charges. This timeline will be tolled during the District approved winter and spring break periods and may be extended upon mutual agreement of the charging party(ies) and the Guild.
- f. Should the Grievance Committee recommend a formal investigation, the Guild's Executive Council shall cause an investigation to be conducted in order to determine whether the charges against the member are supported by substantial direct evidence that would establish all elements of the charges. This investigation shall be carried out by a committee composed of a minimum of three Guild members in good standing (who are not Executive Council members), appointed by the Executive Council, who have no formal connection to the charging party(ies) or the accused. At this time, the Executive Council shall give a copy of the charges to the accused member.
- g. This formal investigation must be conducted in as timely a manner as possible, but no longer than sixty (60) calendar days from the recommendation of the Grievance Committee. The accused member will be given an opportunity to provide a written statement in response to the charges and provide any evidence they believe to be exculpatory. Should the accused member choose to exercise this option they must provide the statement and any evidence to the President no later than fifteen (15) calendar

days from the accused's receipt of the charges. The President will provide the statement and any evidence obtained from the accused to the investigative committee to be consider in their decision. All timelines within this section will be tolled during the District approved winter and spring break periods and may be extended upon mutual agreement of the charging party(ies) and the Guild.

- h. At the conclusion of the formal investigation, the findings of the investigation and their recommendation on whether to proceed to a disciplinary hearing will be communicated to the Executive Council.
- i. Following the formal investigation, the Executive Council shall vote on the question of whether a disciplinary hearing should be held. If a majority of the Executive Council votes to hold a hearing, the member who has been charged shall be given at least ten (10) business days written notice of the hearing. The President will communicate this decision of the Executive Council to the charging party(ies). The Executive Council's decision on whether a disciplinary hearing should be held is final.
- j. At a disciplinary hearing, the member who has been charged shall have the right to be represented by a person of his or her choice, and shall have the right to question the charges and present evidence and witnesses to support her/his defense.
 - 1. The hearing shall be conducted before the Executive Council and presided over by the Guild President or her/his designee, unless she/he is an accuser or the accused. In this case the Guild's Grievance Chair shall preside over the hearing.
 - 2. At the conclusion of the hearing, a two-thirds (2/3) vote of the Executive Council members present shall be required to take any disciplinary action.
 - 3. Discipline may include, up to and including, suspension or expulsion from the Guild membership. The Executive Council members will decide the appropriate disciplinary action to be taken and it will be proportionate to the severity of the offense.
 - 4. If a member of the Executive Council has brought the charges against the member, or is the subject of the charges, that Executive Council member(s) shall recuse him/herself from the vote and deliberations.
- k. A disciplined member may appeal the decision of the Executive Council to the membership by requesting a vote at the next regularly scheduled membership meeting. A simple majority of the members voting shall be sufficient to overrule the decision of the Executive Council to discipline.
- l. At any time during this process, a member against whom charges have been filed may be suspended from any appointed or elected office or position s/he may hold in the Guild by a two-thirds (2/3) vote of the Executive Council. The member will be immediately reinstated to her/his position if either:
 - 1. At the conclusion of the formal investigation if the Executive Council opts not to hold a hearing (as specified in (f-i)), or
 - 2. The member is exonerated at the conclusion of the disciplinary hearing (as specified in (j)) or on appeal (as specified in (k)).
- m. In all cases, the provisions of this disciplinary process shall be carried out in as timely a manner as possible, and every attempt will be made to keep these matters confidential to the extent possible consistent with the procedures outlined above.