



Constitution & Bylaws

Higher Education Labor United (HELU)

DRAFT
PENDING RATIFICATION

CONSTITUTION

PREAMBLE

Higher Education Labor United (HELU) comes together as a wall-to-wall, coast-to-coast coalition of local and independent unions and membership-based organizations. It is an inclusive, multi-racial, gender-inclusive democratic organization. HELU's vision works from the principles that public higher education should be a free and public good, and that all campus workers deserve job security, respect, and fair pay. It foregrounds the concerns of those among its ranks who are most vulnerable and most exploited, with particular focus on addressing the crisis of contingent faculty within higher education. HELU further works to coordinate between and among local, regional, and federal higher education organizing campaigns, to assist in union recognition and union contract campaigns; to deepen and expand union and worker solidarity; to improve the terms and conditions of employment for higher education employees; and to engage in other actions for the mutual aid and protection of campus workers and their unions and organizations. HELU brings together the power of all our union and organization members to fight for national action on higher education-related issues both at the federal level and in the general public's perception of labor and higher education. Recognizing that divisions on campuses and within society only serve to frustrate these goals, we strive for worker unity and solidarity across every job title, and encourage participation from every worker inclusive of race, ethnicity, sex, gender, sexuality, indigeneity, nationality, citizenship status, age, class, religion, (dis)ability, caste, and political beliefs.

ARTICLE I: NAME, MEMBERSHIP, PURPOSES, AND PRINCIPLES

ARTICLE I, SECTION 1. The name of this organization is Higher Education Labor United (HELU).

ARTICLE I, SECTION 2. HELU is a formal coalition of local and independent unions and organizations.

ARTICLE I, SECTION 3. Each member of the organization ("Member Union or Organization") must remain in good standing, send delegates or notification of delegate absences, endorse the HELU Vision Platform, support the founding principles, abide by this Constitution, and meet its financial responsibilities.

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ARTICLE I, SECTION 4. The general purpose of HELU is to enact the [2021 Vision Platform](#), detailed in Appendix I below. In short, we envision a future in which higher education is treated and funded as a free and public good.

ARTICLE I, SECTION 5. The general purpose of the HELU Constitution is to provide a clear, transparent, and democratic foundational structure to the organization, as distinct from the more flexible and process-oriented Bylaws below.

ARTICLE I, SECTION 6. The principles of HELU are:

- a. To foster solidarity between and among HELU's Member Unions and Organizations and the workers and communities they represent.
- b. To fight for labor and social equity for all, inclusive of race, ethnicity, sex, gender, sexuality, indigeneity, nationality, citizenship status, age, class, religion, (dis)ability, caste, and political beliefs.
- c. To maintain transparent lines of communication and coordinate actions between and among all Member Unions and Organizations. Such actions that might affect relations with the higher education system include, but are not limited to, collective bargaining, organizing, issue campaigns, strikes, political activities or voter initiatives, public policy advocacy, and other protest activities.
- d. To support one another and cooperate concerning such strategies, initiatives, programs, and processes that HELU may develop in accordance with the provisions of this Constitution.
- e. To adhere, in action and in spirit, to the terms of the balanced-representation structure of this Constitution by making all reasonable efforts to reach consensus for every decision made by HELU, and, when consensus cannot be reached, ensuring that decisions are supported by a broad cross-section of Member Unions and Organizations and that they balance the interests of larger and smaller Member Unions and Organizations, regions, and types of organizations so as to prevent any individual union or small subset of unions or organizations from dominating HELU or imposing their interests on other Member Unions and Organizations.

ARTICLE II: CONDITIONS OF MEMBERSHIP

ARTICLE II, SECTION 1. Any local or independent union or membership-based organization that meets the terms of Articles I and II is eligible for membership in HELU.

ARTICLE II, SECTION 2. As a condition of membership in HELU, each Member Union or Organization must commit itself to and abide, at all times, by the terms and conditions of this Constitution and the foundational principles of HELU in regard to HELU affairs (Article I, Section 6).

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ARTICLE II, SECTION 3. Each of the Member Unions and Organizations belonging to HELU is an autonomous organization governed separately by its own constitution or other rules of internal governance. HELU shall not have control of, or responsibility for, the internal governance of the Member Unions and Organizations or their constituent bodies.

ARTICLE II, SECTION 4. Any Member Union or Organization may voluntarily withdraw from HELU at any time. They must deliver written notice of their withdrawal to the Steering Committee.

ARTICLE II, SECTION 5. HELU may admit additional members.

- a. Any request by a prospective Member Union to join HELU should be made to the Steering Committee.
- b. The Steering Committee may consider the request and solicit any additional information it deems pertinent to its evaluation of the request. If the Steering Committee reaches consensus that the prospective Member Union or Organization should be admitted to HELU, the prospective Member Union or Organization will, at that point, become part of HELU. If the Steering Committee is unable to reach consensus concerning the request of the prospective Member Union or Organization, the decision to admit will be made by an impasse vote with a 60% majority threshold by the Steering Committee.

ARTICLE II, SECTION 6. HELU may call for corrective action, censure or expulsion of one or more of its Member Unions or Organizations if they fail to meet the conditions in Article I, Section 3 of this Constitution. A charge to take corrective action, censure or expel a Member Union or Organization can be initiated by the assent of at least 25% of the Steering Committee members.

The Steering Committee will designate one or more members as investigators, who will then notify the alleged offending Member Union or Organization of such a charge, investigate the charge within 30 days, and conduct a hearing in which the charged Member Union or Organization may participate, within 60 days. Following the investigation and hearing, the Steering Committee investigators may recommend corrective action or censure for the Member Union or Organization. Censure would result in the loss of voting privileges for the organization's delegates for up to 1 year. The investigators' recommendations will be approved upon a vote of at least 60% of the Steering Committee. Any corrective action or censure decision will be sent in writing to the charged Member Union or Organization with clear criteria for what actions must be taken to return to good standing. If after one year of written corrective notice being sent to the Organization they have not returned to good standing, the Steering Committee may vote to expel them.

The charged Member Union or Organization may appeal any corrective action, censure or expulsion decision taken by the Steering Committee against the charged Member Union or Organization to the General Assembly. An expelled organization may reapply for membership after 1 year. The decision to

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re-admit an expelled Organization will be made by the General Assembly. Any decision by the General Assembly concerning such an appeal must be supported by at least 60% of the General Assembly; otherwise, the Steering Committee's decision stands.

ARTICLE II, SECTION 7. HELU may adopt more detailed procedures that do not conflict with this Constitution, for decisions involving the admission of prospective Member Unions or Organizations, or the expulsion, or corrective action short of expulsion, of Member Unions or Organizations.

ARTICLE II, SECTION 8. HELU will permit At-Large Membership on an individual basis. In order to be an "At-Large Member," an individual must not be a member of a Member Union or Organization. Individuals desiring to be an At-Large Member must submit a Letter of Application and any other requested materials to the Steering Committee. The Steering Committee will then approve or not approve At-Large Membership (by consensus, if possible, by an impasse vote with a 60% majority threshold if not). At-Large Members are required to pay yearly At-Large Membership solidarity pledges of \$50.00 (or otherwise decided, on a sliding scale, by the Steering Committee) and are ineligible to hold office. They may attend both General Assembly and Steering Committee meetings and speak at these sessions, though they cannot vote.

At-Large Membership is intended to provide continuity and connectivity to Higher Education workers that are in-between positions or are members of Unions that have not become a member of HELU. The Steering Committee can consider applications from individuals that are part of expelled organizations. At-Large Members are subject to all other membership expectations and responsibilities.

ARTICLE III: NONPROFIT ACTIVITIES

HELU has been formed for the purposes described above, and it shall be a nonprofit organization. HELU is not organized, nor shall it be operated, for pecuniary gain or profit and

it does not contemplate the distribution of gains, profits or dividends. It is organized solely for nonprofit purposes. None of its net earnings shall accrue to the benefit of any Member Union or Organization within HELU, or any of the workers those Member Unions or Organizations represent. Notwithstanding any other provision of these articles, HELU shall not carry on any activities not permitted by an organization exempt from federal income tax under **Section 501(c)(5)** of the Internal Revenue Code of 1986, as amended, or the corresponding section of any future federal tax code.

ARTICLE IV: INDEMNIFICATION

HELU shall defend and indemnify a HELU Steering Committee or General Assembly member, officer, representative, or employee who is subjected to legal claims or proceedings as a result of his or her service or actions on behalf of HELU, provided, however, that this obligation shall not apply to claims or proceedings arising from the individual's gross negligence or breach of fiduciary duty owed to HELU, its Member Unions and Organizations, or the workers they represent, to claims or proceedings brought by HELU against such individuals, or to the extent HELU's defense or indemnification of the individual is otherwise prohibited by applicable law.

ARTICLE V: AMENDMENT OF CONSTITUTION

ARTICLE V, SECTION 1. After the initial Constitution of HELU is adopted by the initial Steering Committee and General Assembly, this document may be amended from time to time. After the first 6 months following the adoption of the Constitution, there shall be a full review of this document by a Constitution and Bylaws Committee appointed by the Steering Committee. Following that initial review, there shall be a periodic review of this document by a Constitution and Bylaws Committee every two years, to ensure our structure and values reflect the current realities of higher education workers. The Steering Committee will then vote on any proposed amendments with a vote of at least 60%. Such proposed amendments will then be referred to the General Assembly for a final determination with the same voting threshold.

ARTICLE V, SECTION 2. The Constitution may be amended by initiative of the Steering Committee or by petition of 33% of the General Assembly, with the approval of a 66% majority vote of the members at the second General Assembly meeting after the General Assembly meeting where the amendment was initiated. Proposed amendments shall be distributed as broadly as practical, including via email, the HELU website, and any other methods that will efficiently reach a large number of delegates

ARTICLE V, SECTION 3. In a situation where the Steering Committee believes that the integrity of HELU and the well-being of the membership are at significant risk, it may by a 66% majority vote recommend a temporary change in the Constitution for vote at the next regular or emergency meeting. The temporary action goes into effect if approved by two-thirds of those voting at a duly posted membership meeting and may be in effect for a time no longer than the period required for a normal Constitution amendment. The Steering Committee may establish procedures and conditions for making emergency decisions including delegation, polling by phone, and use of digital communication methods.

ARTICLE VI: SEVERABILITY

In the event that any clause or provision of this Constitution is determined to be unlawful or unenforceable, in whole or in part, such clause or provision shall, in the jurisdiction in which and to the extent that it is unlawful or unenforceable, be considered severable from all other clauses and provisions of this Constitution and all other provisions of this Constitution shall remain in full force and effect.

ARTICLE VII: ADOPTION OF CONSTITUTION

The HELU Constitution was approved by the Steering Committee and General Assembly on _____ as certified by the signatures of HELU officers below:

HELU BYLAWS

ARTICLE I: PURPOSE

ARTICLE I, SECTION 1. The general purpose of the HELU Bylaws is to provide a clear, transparent, democratic, flexible and process-oriented guidance to the organization, as distinct from the more foundationally structural Constitution above.

ARTICLE I, SECTION 2. With the adoption of these Constitution and Bylaws, HELU will consist of the unions and organizations that have endorsed the Vision Platform and signed onto these Constitution and Bylaws. At a later date, upon the approval of the General Assembly, HELU will begin collecting solidarity pledges from unions and organizations in order to be considered “Member Unions and Organizations.” In the future, HELU can decide to admit additional unions and organizations that will be subject to the terms and conditions of this Constitution. HELU will also encourage At-Large Membership, detailed below in Article 2, Section 8.

ARTICLE II: DECISION MAKING AND GOVERNANCE

ARTICLE II, SECTION 1. The consensus process shall be used as the primary decision-making process for all issues. If the use of the consensus process is found to be inappropriate or a decision by consensus is unattainable, the HELU Steering Committee will move to a decision-making process where approval of a decision or passed motion requires a 60% majority vote. In each instance, the presiding facilitator, who helps define decisions that need to be made, keeps the meeting moving, focuses discussion, makes sure everyone has the opportunity to participate, and formulates and tests to see if consensus has been reached, will guide the consensus decision-making process. The Consensus Procedure is as follows:

- a. Proposal for resolution is put forward.
- b. Proposal is amended and modified through discussion.
- c. Participants who disagree with the proposal have the responsibility to put forward alternative suggestions.
- d. When a proposal is well understood by everyone and no new changes are requested, the facilitator(s) can ask if there are any objections or reservations to it. If there are more than 2

rounds of objections brought forward, the facilitator will then move to a vote, requiring a 60% majority to pass.

- e. If there are no objections, the facilitator can call for consensus.
- f. If there are still no objections after a pause of 15 to 30 seconds, then consensus has been reached.
- g. If consensus has been reached, the facilitator will repeat the decision to the group so everyone is clear on what has been decided.
- h. If consensus has not been reached, then a 60% majority vote would be needed to resolve an impasse.

ARTICLE II, SECTION 2. Proposals may be withdrawn by the person who introduced it or the facilitator, at any point, if consensus cannot be reached.

ARTICLE II, SECTION 3. The presiding facilitator of the Steering Committee and General Assembly shall be the elected Chair of HELU. Should the Chair be unable to facilitate a meeting, the Vice Chair and then the Secretary-Treasurer shall be the presiding facilitator. The Chair may put forward HELU delegates to facilitate specific meetings or discussions.

ARTICLE II, SECTION 4. HELU Program Committees and Ad Hoc Committees shall have a Chair and Vice Chair, who shall be presiding facilitators, and may put forward other HELU delegates to facilitate specific meetings or discussions. Nominations for committee chairs should be led by HELU Officers, with the advice and consent of the Steering Committee and General Assembly.

ARTICLE III: GENERAL ASSEMBLY

ARTICLE III, SECTION 1. There shall be a General Assembly of HELU that will, subject to the terms of this Constitution and Bylaws and any other written rules of internal governance of HELU, have the responsibility for the general governance of HELU and for managing HELU's business and affairs. All powers of internal governance not expressly reserved to the Steering Committee are reserved to the General Assembly. Observers from Member Unions and Organizations shall have the right to attend and speak at General Assembly meetings, subject to reasonable limitations on speaking time, but shall not have the right to vote, unless they are a registered delegate.

ARTICLE III, SECTION 2. The General Assembly shall be composed of at least 1 delegate from each Member Union or Organization. Larger Member Unions and Organizations may send multiple delegates. It shall be HELU policy to encourage participation from rank-and-file workers inclusive of race, ethnicity, sex, gender, sexuality, indigeneity, nationality, citizenship status, age, class, religion, (dis)ability, caste, and political beliefs.

ARTICLE III, SECTION 3. The number of General Assembly delegates from Member Unions and Organizations shall be determined by the following formula:

2-500 members = 1 delegate

501-1,000 members = 2 delegates

1,001-3,000 members = 3 delegates

3,001-5,000 members = 4 delegates

5,001-10,000 members = 5 delegates

For every additional 5,000 members over 10,000, member organizations are allotted an additional delegate.

ARTICLE III, SECTION 4. Each General Assembly delegate will be selected by the Member Union or Organization that the delegate represents, with an encouragement for workers from marginalized identities and rank-and-file membership participation. Each delegate shall represent, as fully as possible, their Member Union or Organization. The term of office for General Assembly members shall be 2 years and commence each January of even-numbered years, aside from the initial seating of the General Assembly. General Assembly members may serve multiple terms. A single delegate from a Member Union or Organization may vote on behalf of all other delegates from their Member Union or Organization. Any vacancy on the General Assembly will be filled by the Member Union or Organization that was represented by the General Assembly member who vacated the seat. The term of a General Assembly delegate designated to fill a vacancy shall be that predecessor General Assembly delegate's unexpired term.

ARTICLE III, SECTION 5. General Assembly meetings are the highest body of HELU. The General Assembly shall meet quarterly. They must review and approve an annual budget and all expenditures greater than \$20,000. The General Assembly may review and approve or reject all actions of the Steering Committee, Officers, and other Committees, and may pass motions to direct actions of officers (except that the officer may invoke the privilege of postponing implementation until after the next membership meeting, if the item had not been specifically included in the notification for the current meeting).

ARTICLE III, SECTION 6. Minutes shall be kept for all meetings of the Steering Committee and the General Assembly. Minutes shall include all motions made at meetings and their disposition, as well as all financial transactions or appointments made. The minutes shall be the official record of HELU and shall be maintained by HELU officers.

ARTICLE III, SECTION 7. Notification of General Assembly meetings will include the known business to come before the meeting and will be distributed as broadly as practical, including via email, the HELU website, and any other methods that will efficiently reach a large number of delegates. At a minimum, notification for regular and special General Assembly meetings will be provided one month in advance through email and on the website. Emergency meetings require a minimum of 24 hours' notice. Special membership meetings may be called by the Steering Committee or by petition of 5% of the delegates. Emergency General Assembly meetings may be called by the president or the Steering Committee. A quorum for a General Assembly meeting properly posted is those in attendance.

ARTICLE III, SECTION 8. General Assembly members shall have the right to vote by proxy and the right to ask another designated, alternate delegate from their Member Union or Organization to attend in their stead, with notice given to the Steering Committee.

ARTICLE IV: STEERING COMMITTEE AND OFFICERS

ARTICLE IV, SECTION 1. The affairs of HELU shall be conducted through the authority vested in the Steering Committee, subject to the approval of the General Assembly.

ARTICLE IV, SECTION 2. Eligibility for Steering Committee membership requires being a member of the General Assembly and a delegate from a Member Union or Organization. No individual shall simultaneously occupy more than 1 seat on the Steering Committee. No more than 3 Steering Committee seats shall be occupied by Member Unions or Organizations from a single college or university campus or system. A delegate's eligibility for 1 Steering Committee seat shall not entail ineligibility for another (e.g., workers who are Part-Time Adjunct Faculty members from Community Colleges in a Statewide System could run for any of those seats, though not all at the same time).

Each Steering Committee member will be elected by the General Assembly. The term of office for Steering Committee members shall be 2 years and commence each January of even-numbered years, aside from the initial seating of Steering Committee members. Steering Committee members may serve multiple terms on the Steering Committee but no more than 3 consecutive terms in a given seat. Any vacancy on the Steering Committee will be filled with first preference by the General Assembly, but if the General Assembly will not be meeting within 60 days, then the Steering Committee shall fill the open seat. The term of a Steering Committee member designated to fill a vacancy shall be that predecessor Steering Committee member's unexpired term.

ARTICLE IV, SECTION 3. The Steering Committee must represent the extraordinary diversity of HELU Member Unions and Organizations. All Steering Committee members shall be charged with representing, as fully as possible, all workers in higher education, regardless of their initial Member Union or Organization, from the perspective of their titled seat. The Steering Committee shall be composed of the Officers (Chair, Vice Chair, and Secretary-Treasurer) in addition to a representative from the following campus job titles and categories:

1. Part-Time Adjunct/Contingent Faculty
2. Full-Time Contingent Faculty
3. Tenured and Tenure-Track Faculty
4. Student Workers
5. Service and Maintenance Staff
6. Clerical, Technical, and Research Staff
7. Healthcare Staff
8. Community Colleges
9. Statewide Systems
10. Non-collective bargaining advocacy organizations
11. Non-collective bargaining jurisdiction organizations

ARTICLE IV, SECTION 4. The following definitions shall be used for the above terms. “Contingent” shall mean workers who lack long term or permanent job appointments or job security. “Part-Time Adjunct/Contingent Faculty” shall mean instructional workers who have a part-time job appointment at a given institution. “Full-Time Contingent Faculty” shall mean instructional workers who have a full-time job appointment at a given institution. “Tenured and Tenure-Track Faculty” shall mean instructional workers who have the ability to secure tenure or have already secured tenure. “Student Workers” shall mean workers currently enrolled in a baccalaureate, masters, or doctoral degree program who also work for compensation at a given institution. “Service and Maintenance Staff” shall mean workers who provide services at a given institution, including but not limited to repairs, food services, and janitorial services. “Clerical, Technical, and Research Staff” shall mean workers who provide office and lab-based services at a given institution, including but not limited to job titles like coordinators, counselors, librarians, postdocs, and staff scientists. “Healthcare Staff” shall mean workers who primarily work in the healthcare sector at a given institution.

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“Community Colleges” shall mean institutions which primarily offer associate degrees. “Statewide Systems” shall include unions who represent workers at multiple campuses within the same union local governance structure.

“Non-collective bargaining jurisdiction organizations” shall mean organizations, including unions, which do not engage in collective bargaining because of the labor law jurisdiction they operate within.

“Non-collective bargaining advocacy organizations” shall mean organizations which do not engage in collective bargaining but instead focus on advocacy work.

ARTICLE IV, SECTION 5. The Steering Committee’s meetings shall have a quorum of 50% + 1 for important decisions including but not limited to spending, up to \$20,000, campaign selection, policy changes, and hiring and firing of staff.

ARTICLE IV, SECTION 6. The Steering Committee will create and dissolve other Committees as necessary. Committee openings will be widely posted with the goal of increasing participation from rank-and-file membership, particularly those from marginalized identities. The Steering Committee will discuss and approve appointments to or removals from the chair and membership of all Committees.

ARTICLE IV, SECTION 7. The Steering Committee and Officers shall all be elected via a hidden ballot of all General Assembly members. Each seat winner must receive a simple majority of the vote. Elections will use ranked choice voting. The officers’ terms will coincide with the terms of the Steering Committee members.

ARTICLE IV, SECTION 8. Any action required or permitted to be taken by the Steering Committee may be taken without a meeting if all members of the Steering Committee consent in writing, such as by email, to such action. Such action by written consent shall have the same force and effect as any other validly approved action of the Steering Committee. All such consents shall be filed with the minutes of the proceedings of the Steering Committee.

ARTICLE IV, SECTION 9. The officers of HELU shall be Chair, Vice Chair, and Secretary-Treasurer. The officers shall have the power to: govern HELU between Steering Committee meetings, to set campaign priorities, to develop the annual budget of HELU with the Steering Committee and designated staff, and to recommend the annual budget for final approval of the General Assembly.

ARTICLE IV, SECTION 10. The Chair of HELU shall preside at meetings of the Steering Committee and General Assembly, co-sign all checks of HELU, and carry out such other functions as may be assigned by the General Assembly or Steering Committee.

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ARTICLE IV, SECTION 11. The Vice Chair shall assist the Chair, carry out the duties of the Chair in their absence, carry out such other functions as may be assigned by the Steering Committee, and be an alternate signatory of the Chair or Secretary-Treasurer on all checks.

ARTICLE IV, SECTION 12. The Secretary-Treasurer shall be responsible for maintaining HELU's funds, books, records and accounts, co-sign all checks of HELU with the President, and provide financial reports to the Steering Committee and General Assembly. The Secretary-Treasurer shall also keep minutes or other records of all meetings of the Steering Committee and shall be empowered to certify as to such proceedings. The Secretary-Treasurer will attend to the giving and serving of all notices of HELU and shall have charge of such books and papers as the Steering Committee may direct, shall attend to such correspondence as may be assigned, and perform all the duties incidental to the office.

ARTICLE IV, SECTION 13. The Steering Committee may authorize one or more officers to take certain actions on behalf of HELU, or establish committees and delegate authority to such committees, provided that such authorization or delegation does not conflict with this Constitution or applicable law. All such assigned actions or committee tasks shall be expressly defined in advance by HELU.

ARTICLE IV, SECTION 14. All candidates for the Steering Committee and Officers shall have a right to be heard, via inclusion of candidates' statements in election announcements through varieties of media.

ARTICLE IV, SECTION 15. An officer vacancy occurring during the term of an office shall be filled by the remaining Steering Committee members. The term of an officer designated to fill a vacancy caused by the resignation, death, or removal of an officer shall be that predecessor officer's unexpired term.

ARTICLE IV, SECTION 16. Any officer may be removed from that position by the vote of at least a 75% majority of the Steering Committee members. General Assembly members also may initiate a recall of any Officer or Steering Committee member by a petition that includes the name and office of the individual to be recalled, the names of the individuals or caucus circulating the recall petition, and the reasons for the recall. The signatures and signing dates of 25% of the current delegates within the constituency of the officer or Steering Committee member must be gathered within a 30-day period. A recall vote will be held within 30 days of presenting this petition to the next Steering Committee meeting. If the recall vote is successful, the office will be declared vacant and the normal policy for filling the vacancy will apply. A petition to recall an officer who has already been subject to one unsuccessful recall vote shall require a majority of members signing.

ARTICLE IV, SECTION 17. Officers may be compensated for HELU work; staff shall be compensated for HELU work. The salary and benefits of officers and staff shall be based on the income of the 90th percentile (highest of the lowest-paid 90%) of the Member Union and Organization membership during the previous year. Increases in officers' and staff salaries or expense allowances may be approved

only during the last six months of any regular term of office. Such increases will be effective only after the installation of new officers following a regular election.

ARTICLE IV, SECTION 18. The Officers and Steering Committee shall have the right to hire and fire staff. A staff contract or period of appointment cannot exceed the term of office of the appointing officer, though HELU will strive at all times to be a model employer. Appointed staff and employees may be removed for just cause by the appointing authority, subject to any grievance procedure or collective bargaining agreement approved by the Steering Committee. Staff may unionize if they so choose, and HELU will immediately move to recognize and bargain in good faith with said staff union.

ARTICLE IV, SECTION 19. General Assembly members shall have the right to attend and speak at Steering Committee meetings, subject to reasonable limitations on speaking time, but shall not have the right to vote.

ARTICLE VII: AMENDMENT OF BYLAWS

ARTICLE VII, SECTION 1. After the initial Bylaws of HELU are adopted by the initial Steering Committee and General Assembly, this document may be amended from time to time. After the first 6 months following the adoption of the Constitution and Bylaws, there shall be a full review of this document by a Constitution and Bylaws Committee appointed by the Steering Committee. Following that initial review, there shall be a periodic review of this document by a Constitution and Bylaws Committee every two years, to ensure our structure and values reflect the current realities of higher education workers. The Steering Committee will then vote on any proposed amendments with a majority vote of at least 60%. Such proposed amendments will then be referred to the General Assembly for a final determination with the same voting threshold.

ARTICLE VII, SECTION 2. The Bylaws may be amended by initiative of the Steering Committee or by petition of 25% of the General Assembly, with the approval of a 60% majority vote of the members at the second General Assembly meeting after the General Assembly meeting where the amendment was initiated. Proposed amendments shall be distributed as broadly as practical, including via email, the HELU website, and any other methods that will efficiently reach a large number of delegates

ARTICLE VII, SECTION 3. In a situation where the Steering Committee believes that the integrity of HELU and the well-being of the membership are at significant risk, it may by two-thirds vote recommend a temporary change in the Bylaws for vote at the next regular or emergency meeting. The temporary action goes into effect if approved by two-thirds of those voting at a duly posted membership meeting and may be in effect for a time no longer than the period required for a normal Bylaws amendment.

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The Steering Committee may establish procedures and conditions for making emergency decisions including delegation, polling by phone, and use of digital communication methods.

ARTICLE VIII: REVENUES AND EXPENDITURES

ARTICLE VIII, SECTION 1. HELU shall be funded by contributions from the Member Unions and Organizations, in such amounts so as to fund the approved annual budget and specific approved projects and programs. The amount of the contribution made by each Member Union or Organization shall be proportional to 0.5-1.5% of its total expenses as stated in most recent financial documents. Other sources of income may be approved by the Steering Committee and ratified by the General Assembly.

ARTICLE VIII, SECTION 2. The Steering Committee shall oversee all funds and spending of HELU funds to ensure honesty and efficiency in the use of HELU's resources. Steering Committee members, officers, and HELU employees responsible for monies and property of HELU shall be bonded in accordance with applicable law and HELU shall pay all necessary bonding premiums.

ARTICLE VIII, SECTION 3. HELU's revenues and assets shall be used only to defray lawful and necessary HELU expenses as approved by HELU. The Steering Committee shall adopt and maintain appropriate policies and procedures regarding approval of expenditures, signatures of officers, and other safeguards.

ARTICLE VIII, SECTION 4. The fiscal year of HELU shall end on the last day of December in each year, unless the Steering Committee shall provide to the contrary by resolution.

ARTICLE IX: ADOPTION OF BYLAWS

The HELU Bylaws were approved by the Steering Committee and General Assembly on _____ as certified by the signatures of HELU officers below:

APPENDIX I: HELU VISION PLATFORM

DEVELOPED AND ADOPTED JULY 2021

We envision a future in which higher education is treated and funded as a social good and universal right.

We envision a U.S. higher education system that works for and is led by workers, students, and the communities it serves. We envision a system that secures our nation's democratic future and serves as a vehicle for addressing inequities.

We envision public and nonprofit private institutions of higher education that prioritize people and the common good over profit and prestige. We envision institutions that redress systemic oppression and pursue equity along lines of race, gender, class, sexuality, nationality, indigeneity, age, (dis)ability, and immigration status for students and higher ed workers across all job categories. We envision institutions that honor the right of all workers to organize a union and collectively bargain and commit to the fair working conditions crucial to achieving our educational mission.

We envision a higher education labor movement that connects workers across job categories, ranks, systems, states, and sectors. We envision a movement that forms coalitions of and builds democratic power for all workers.

THE CHALLENGES WE FACE

For decades, our state systems and their institutions, working conditions, and learning environments have been compromised by public disinvestment, financialization, corporatization, and a transition to debt financing. Higher education has been underfunded, and management has prioritized generating revenue and allocating funds to divisions that yield the highest return on investment and to upper-administrator compensation.

Workers and students have borne the burden of these structural shifts. All categories of faculty, professional and service staff, and student jobs have been cut, narrowed, outsourced, and remade into contingent, at-will positions. At the same time, upper-administrator positions have grown. The majority of faculty (at least 70%) are in adjunct or contingent appointments. This precarity presents a threat to job stability, educational engagement with students, long-term student outcomes, and academic freedom. Expanding faculty and staff contingency disproportionately impacts women and

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LGBTQIA+ workers, and workers of color. Tenure-track and full-time employment have declined while workers and students pay the price with lower wages, little to no benefits like health insurance and retirement, and rising tuition and fees. This results in workers and students experiencing the same precarity, leading to increased attrition, faculty turnover, and withdrawals. Higher education institutions have increasingly turned to private lenders, forcing them to prioritize Wall Street and corporate-donor demands over public interests. Students have been transformed into debtors—carrying more than \$1.7 trillion in debt today.

Without renewed investments and changes in governance, these crises will worsen.

THE OPPORTUNITY TO TRANSFORM HIGHER EDUCATION

Even as we face generational challenges to the integrity and future of our not-for-profit education system in the United States, these colleges and universities function as educational, economic, social, and cultural anchors in communities. So we also see enormous opportunities to reinvest in and restructure the system—which employs more than 6 million people and educates many millions more—along more just and equal lines. To transform U.S. higher education as we envision will take a movement of workers, students, and communities united across union and geographic lines.

Therefore, as local and statewide higher education unions and ally organizations, we make the following commitments to organize for and win a just, equitable system that serves the core public educational mission for which we all strive.

COMMITMENT ONE:

NATIONWIDE ACTION FOR FEDERAL GOVERNMENT INTERVENTION

In order to address these national crises, we call for coordinated nationwide action to move the federal government to:

1. Establish the right to a quality, debtless, universally accessible, and secure higher education for students, workers, and communities, with intentional mandates to increase access and retention for people historically or presently excluded on the basis of race, gender, class, sexuality, nationality, indigeneity, age, (dis)ability, and immigration status.
2. Enact legislation and rules to regularize and stabilize higher education employment on a national scale, and to ensure fair terms and safe work conditions, living wages and steady careers for all faculty, staff, and undergraduate and graduate student workers.

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3. Enact legislation to guarantee the right for all higher education workers to organize a union and bargain collectively in every state.
4. Invest in rebuilding higher education across the country and its territories while linking expanded federal funds to consistent and higher labor standards. This funding includes physical, research, healthcare, and human infrastructure that serves our public service mission, and formation of a public finance system to free higher education from depending on private banks for debt financing.

COMMITMENT TWO:

NATIONWIDE ACTION TO REALIGN OUR CAMPUSES

In order to address our campuses within these national crises, we call for coordinated nationwide action to move our upper administrators and boards to:

1. Engage in collaborative shared governance in which all categories of faculty and staff, student groups, and unions participate at all levels and have decision-making power and key leadership roles, and surrounding communities have avenues to participate in balanced collaborations and partnerships.
2. Align campus and state budgets with educational priorities, and focus on fulfilling the declared educational mission while meeting the direct needs of the faculty, staff, and students who are central to it.
3. Reduce the average ratio of upper-administrator compensation to faculty and staff compensation to an equitable standard.
4. Implement financial transparency by making available to unions and other university stakeholders all relevant financial documents used in the budgeting processes.
5. Categorize student workers as campus employees for pay, healthcare benefits, and collective bargaining rights.
6. Improve the immediate working conditions for all contingent faculty and staff via employment standards that include job security, pay equity, healthcare and retirement benefits, caps on course loads and section sizes, caps on case management and student services loads, safe and harassment-free work environments, collective bargaining rights, and shared governance.
7. End precarious contingent employment and create justly-compensated work for all campus workers (full-time or part-time):
 - a. Increase full-time staff density by redefining most current contingent and outsourced staff and service positions as benefited full-time campus positions; prioritize moving current contingent workers at scale into those positions.
 - b. Increase tenure density and establish a broad tenure standard for all faculty that recognizes the options of teaching tenure, service tenure, and research tenure for current instructors and faculty as well as future hires; prioritize moving current contingent instructors and faculty at scale into these positions; establish job security with stable employment, pay equity, pro-rated benefits, and research access for instructors and faculty who remain non-tenure track.

8. Establish academic freedom for all workers and students as central to the educational mission, which has been undermined by the casualization of labor.

COMMITMENT THREE:

ACTION STEPS TOWARD COMMITMENTS ONE AND TWO

We propose nationwide coordination and planning to:

1. Organize to win the College for All Act, including provisions for a pipeline to tenure-track and full-time jobs for current contingent faculty and staff.
2. Organize to win related legislation that increases federal and state funding for higher education, with the goal of eliminating the student cost of attending college while requiring institutions that receive these funds to:
 - a. Provide job security and promotion pipelines for non-instructional staff.
 - b. Move rapidly and at scale to a supermajority tenure-track teaching and full-time instructional workforce, while guaranteeing job security and seniority for instructors who choose not to participate in tenure.
 - c. Categorize undergraduate and graduate student workers as campus employees.
 - d. Provide pay equity and regular raises for all campus workers.
3. Organize to win federal legislation to attach labor provisions to existing mechanisms of federal funding (e.g. National Endowment for the Humanities (NEH), National Institutes of Health (NIH), National Science Foundation (NSF), Pell grants, etc.) to ensure that institutions honor workers' right to organize a union and bargain collectively in good faith.
4. Pursue federal rule-making with the Departments of Labor and Education regarding categorizations and labor standards for contingent and contract workers, employee status, and job definitions; tie these rules to accreditor recognition criteria and procedures.
5. Organize to win the cancellation of student debt to repair the harm of higher education disinvestment, which has disproportionately impacted black, brown, indigenous, and working-class people.
6. Develop and organize to win federal legislation, campus policies, and (where possible) state legislation and rules that acknowledge and dismantle the colonization and theft of Indigenous lands; create and fully fund indigenous-led programs to recruit, retain and support Indigenous students and faculty; establish institutional shared governance systems that formally incorporate into decision-making the indigenous peoples upon whose land these campuses sit and benefit from.
7. Organize to win federal legislation, campus policies, and (where possible) state legislation and rules that address reparations for historical and ongoing systemic oppression and inequities, including fundamental changes to campus policing, as part of a commitment to building civil rights unionism and solidarity with the Black Lives Matter movement.
8. Organize to win federal legislation, campus policies, and (where possible) state legislation and rules that require our institutions to divest from fossil fuels and invest in green construction,

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renewable energy, and the end of single-use plastics.

COMMITMENT FOUR:

A UNIFIED NATIONAL MOVEMENT

We commit to work and build solidarity together to fight in our communities and across the country and its territories as a true coordinated higher education labor movement to transform our systems and our lives.

APPENDIX II: ORGANIZATIONAL FRAMEWORK

DEVELOPED AND ADOPTED FEBRUARY 2022

Section 1. Who We Are:

The HELU Winter 2022 Summit reaffirms and bolsters the 2021 Vision Platform. We aim to strengthen our communities and our democracy by fighting to transform the higher education system into a public good operated in the public interest.

We come to this work embracing the knowledge and perspectives we have across *all job categories*: part-time and full-time, adjuncts, contingent, staff and all campus employees, non-instructional faculty and support staff, grad and undergrad workers, tenured and tenure-track, unionized and non-unionized workers. We come from all types of institutions: community colleges, research universities, teaching institutions, extension services, hospital systems, and more. We come from all regions across the country and beyond. We commit to building an organization of, by, and for members of any race, gender, class, caste, sexuality, nationality, indigeneity, age, (dis)ability, and immigration status.

We reaffirm our commitment to building a wall-to-wall, coast-to-coast higher education labor movement. We come from the economic, gender, racial, environmental, and social justice movements, endeavoring to incorporate anti-racism and social justice in all our work, from coordinated organizing campaigns to policy development and political advocacy. We commit to strengthening and expanding alliances within the labor movement and between labor organizations and community organizations. Where we do not currently have relationships, we seek to build new networks of support and solidarity.

Section 2. The Future We Can Win

Through principled organizing across the higher education sector, HELU will build the power to win transformative contracts and advance national-level reforms that cannot be won at the bargaining table alone. Such national reforms include:

- A. Enacting legislation and rules to regularize and stabilize higher education employment on a national scale, ensuring fair terms and safe work conditions, living wages, access to quality, affordable health- and child-care, and steady careers for all faculty, staff, and undergraduate

and graduate student workers. All higher education workers should have the right to organize a union and bargain collectively.

- B. Securing the resources and regulations to eliminate the conditions of contingency, outsourcing, downsizing, and all forms of diminishing and overstressing the higher education workforce.
- C. Investing in higher education across the country and its territories while linking expanded federal funds to consistent and higher labor standards.
- D. Establishing the right to a quality, debtless, universally accessible, and secure higher education for students, workers, and communities, with intentional mandates to increase access and retention for people historically or presently excluded on the basis of race, gender, class, caste, sexuality, nationality, indigeneity, age, (dis)ability, and immigration status.
- E. Establishing academic freedom for all workers and students as central to the educational mission, a principle severely undermined by the casualization of labor.
- F. Ensuring collaborative shared governance in which all categories of faculty and staff, student groups, and unions have decision-making power and key leadership roles, and surrounding communities have avenues to participate in balanced collaborations and partnerships.

Section 3. Building Democratic, Durable, Adaptable Structures

To enact these campaigns, the 2022 HELU Winter Summit charged its working committees with developing a democratic, transparent, durable, and adaptable structure that can advance HELU's mission and build the long-term framework necessary to organize across the higher education sector. The proposed structure should explicitly address organizational form, antiracist and social justice principles, funding and staffing, and any other relevant questions that inform the organization's growth. For this structure to be sustainable, member organizations should designate delegates to HELU, who will represent the needs and interests of local organizations and contribute to the development and evolution of HELU as an organizing body.

As we look to the next two years of organizing, we seek to develop collective processes to learn and build with one another in each of the following three Program Committees:

- A. **Coordinated Organizing:** The National Coordinated Organizing Committee (NCO) is HELU's arm to align local struggles into a national movement. A multi-faceted and diverse coalition striving to build deeper solidarity, we coordinate movement goals—centering antiracist organizing principles—into a more powerful structure than any one organization or union alone. We support local organizing with resources and experience from campus workers elsewhere.

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- B. Policy Development: The Policy Development Committee (PDC) is HELU's internal policy shop. It works with committees and member organizations to develop progressive, labor-led, anti-racist approaches to legislation and regulation—on local, regional, and national levels, in coalition with allied student and social justice movements.
- C. Political Advocacy: The Committee for Political Advocacy (CPA) organizes political, legislative, and regulatory campaigns that align with HELU's vision and goals and supports member organizations to build political and legislative organizing capacity.

APPENDIX III: COMMITTEES

DEVELOPED AND ADOPTED FEBRUARY 2022

Section 1.

The Steering Committee and General Assembly shall have the power to create and dissolve Committees as needed, per Article IV, Section 6.

Section 2.

At the time of adoption of this Constitution and Bylaws, through the deliberative process of the 2022 Winter Summit, HELU worker organizers have determined that the following committees are necessary:

HELU Winter Summit National Coordinated Organizing Committee (NCOC) Outcomes:

- I. **WHAT WE ARE:** The National Coordinated Organizing Committee (NCOC) aligns local struggles into a national movement to build a multi-faceted and diverse coalition to win more together through national coordination of local campaigns.
- II. **WHY WE NEED TO EXIST:** We must defeat our administrators' *divide and conquer* tactics with *unite and fight* tactics, overcoming constructed hierarchies and institutional structures of oppression that stand in the way of local success. Our perspective on the higher ed industry is bottom-up and anti-racist; we prioritize "raising up the floor."
- III. **HOW WE SUPPORT THE MOVEMENT:** We coordinate movement goals into a more powerful structure than any one organization or union alone. We support local organizing with resources and experience from campus workers elsewhere.
- IV. **HOW WE MOVE FORWARD:**
 - a. Build and sustain a national committee for all campus-based higher ed worker organizations to align goals and coordinate local campaigns, including recognition, contract, and issue campaigns.
 - b. Organize concrete solidarity assistance (including trainings, fora, one-on-one conversations, contract repositories, share-outs of victories, tactics, strategies, and tools) for local struggles, especially for those with the greatest need and in the most hostile environments.
 - c. Listen and communicate with those working at the local level by trouble-shooting, sharing lessons, and providing strategic as well as moral support for on the ground higher ed organizers.
 - d. Support existing and emergent campus labor coalitions and campus-community coalitions.

- e. Craft a popular narrative for our collective struggle for higher education as a universal right and a public good that reflects and advances justice for all workers and communities.
- f. Work collectively to identify strategic sites of oppositional power that confront our campuses as shared adversaries and enable strategic actions otherwise beyond the scope of a single local, college, or university.
- g. Build strike-readiness and direct action capacity by establishing infrastructure for mutual aid separate from institutional concessions.

HELU Winter Summit Committee for Political Advocacy (CPA) Outcomes:

- I. **WHAT WE ARE:** The Committee for Political Advocacy (CPA) organizes political, legislative, and regulatory campaigns that align with HELU's vision and goals, and provides support for member organizations to build political and legislative organizing capacity.
- II. **WHY WE EXIST:** Our movement must identify, prioritize and coordinate political campaigns for higher ed labor standards and education justice at a national level, support and share these campaigns at the state and regional level, and build political and legislative organizing capacity within our locals and organizations to become active participants in the democratic process.
- III. **HOW WE SUPPORT THE MOVEMENT:** We build relationships with legislators, student groups, labor coalitions, community groups. To implement the policies crafted by the Policy Development Committee, we will identify key political campaigns and develop material to support our unions, organizations and coalitions to nurture broad involvement in the legislative process across our membership.
- IV. **HOW WE MOVE FORWARD:** We will:
 - a. Power Map our national legislative allies.
 - b. Survey our membership about key legislative struggles, evaluate how well aligned they are with our HELU vision and goals and how impactful and winnable these could be.
 - c. Create and share materials to support member organizations with political organizing at the national, regional, and local scale.
 - d. Provide support to our member unions to build political organizing capacity, including training for members interested in political organizing or running for office.
 - e. Create a network of members involved in local, state, regional campaigns.
 - f. Be proactive as well as responsive in our political organizing.
 - g. Engage in coalition building with community organizations and local activist groups where universities impact communities.
 - h. Advocate for political organizing for the common good at the local and regional levels, including mutual aid, in concert with our national political vision.

HELU Winter Summit Policy Development Committee (PDC) Outcomes:

- I. **WHAT WE ARE:** The Policy Development Committee (PDC) develops policy language for legislative campaigns based on the needs of campus rank and file and our collective vision.
- II. **WHY WE NEED TO EXIST:** We bring workers' expertise to bear on policy that affects us and our communities. Until now, there has been no equivalent to the Right's policy machines, so we must build an alternative for our movement.
- III. **HOW WE SUPPORT THE MOVEMENT:** We translate movement goals into operable public policy informed by our vision and principles, including legislation and regulation with an eye toward implementation at federal, state, and system levels. We work in coalition with allied formations, including student and social justice movements.
- IV. **HOW WE MOVE FORWARD:** The Policy Development Committee will generate the technical language and advocacy frames we need to advance the higher ed labor movement's agenda. In all areas, we will be responsive to and align our policy work with HELU's core values and members' specific needs. To do this, we will:
 - a. Set national priorities, using concrete policy vehicles and with movement allies, we will build out the national vision to set the labor and higher ed movements' agendas around the fulfillment of the mission of education, research, and service to the community. An example: Develop a labor-led Higher Education Act for use during the upcoming reauthorization fight.
 - b. Develop novel interventions, drawing on creative campaigns and our movement's deep expertise, we will develop regulatory interventions such as Labor, Education, and HHS departmental regulations, that can work without legislative action to advance our labor and social justice priorities. An example: tying federal grants, a key source of higher ed resources, to labor standards.
 - c. Partner on state and regional fights, we will build legislative and regulatory tools for local, state, and regional coordinated campaigns. An example: West Coast unions move to simultaneously advance state-level healthcare reforms that reorient the landscape for worker benefits.
 - d. Align best practices to create a repository of model laws and regulations.
 - e. Respond to a changing policy terrain, by tracking and analyzing policy developments that impact higher ed workers.

APPENDIX IV: ACKNOWLEDGEMENTS

We graciously appreciate the constitutions and principles of the Alliance of Health Care Unions (AHCU), the International Longshore and Warehouse Union (ILWU), and the United Electrical, Radio and Machine Workers of America (UE); *Democracy Is Power: Rebuilding Unions from the Bottom Up* by Mike Parker and Martha Gruelle; Melanie Brazzell's *Building Structure Shapes: What Structure Reveals about Strategy from Movement Organizations in Transition*; and "Consensus Decision Making Process" by the Alberta Public Interest Research Group (APIRG); as well as countless other workers and their organizations in influencing the form and goals of this coalition and this document. Past HELU documents (primarily the 2021 Higher Ed Labor Summit Vision Platform and the 2022 HELU Winter Summit Outcomes: Organizational Framework) have been lightly edited to align notation with the rest of the Constitution and Bylaws.