

Constitution of the Student Worker Collective at Dartmouth

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PREAMBLE

We, the student workers employed at Dartmouth College's Dining Services, have recognized the exploitative nature of our position, as a part of Dartmouth's less compensated work force. As a result of a collective effort, we are now an Union, which holds bargaining power to advance workplace rights for our arduous labor. Hence, we shall here establish guidelines relating to our internal organization, aiming to to make the best use of our power and remain together in the struggle against neoliberal austerity.

ARTICLE I: THE UNION

Section 1: Name

This Union shall be known as the “Student Worker Collective at Dartmouth (SWCD)” for the purposes of this Constitution, hereinafter referred to as the Union. We further recognize the union is registered as the “Student Worker Collective (SWC)” under the NLRB.

Section 2: Validity of Constitution

This constitution is to be held as the current constitution until approved by all members in the Fall of 2022 and will be binding on all members of the SWCD.

Section 3: Spirit of the Union

SWCD is committed to the principles of social, economic, and racial justice and international working-class solidarity.

ARTICLE II: MEMBERSHIP

Section 1: Eligibility for Membership

Any student who is actively employed by Dartmouth College, or is planning to be, shall be eligible for membership in the Union.

Section 2: Joining

Application for membership or reinstatement in the Union shall be made on a form prescribed by the Organizing Committee (OC). Such application must be signed by the applicant and approved by the OC.

Section 3: Loss of Membership

Membership in the Union is forfeited by resignation, expulsion, or loss of eligibility. A member may resign from the union at any time. A member may be expelled for violation of this Constitution or of other established rules, but only by a four-fifths vote by the OC, after a fair trial on specific charges. A member who becomes ineligible for membership shall lose their membership after one week, unless a

written request to the OC that allows for a continuation of membership and eligibility is approved.

Section 4: Revision of OC Decisions

Any decision of expulsion made by the OC pursuant to Section 3 may be revised or overturned by a two-thirds vote at a General Meeting.

ARTICLE III: ORGANIZING COMMITTEE

Section 1: Organizing Committee

The executive power of the Union shall be vested in an Organizing Committee, hereinafter referred to as the OC, comprised of the officers of the Union (a Chair, a Secretary, a Treasurer, Vice-Chair, and two at-large members) and stewards.

Section 2: Term of Office

All officers shall serve a term of one academic year, which starts and ends after Fall term elections, and may be elected multiple times to any position. No officer may hold multiple positions on the Board simultaneously. All elected officers are expected to be on campus at least 2 out of the 4 terms in a given academic year. If, after elections, there emerges a term in which no elected officer will be on in, new elections will be held for an at-large position to ensure officer presence on campus.

Section 3: Removal

Officers may be removed from office through a recall election. Members wishing to remove an officer shall gather signatures of at least twenty-five members on a petition, and present the petition to the Executive Board. The Board will call a special meeting within two weeks, where a vote to remove the officer will be held. A simple majority of members voting must support the removal for the recall to be valid, and at least one-fifth of the membership must vote. Once an officer has been recalled, they are immediately removed from office.

Section 4: Vacancies

Any vacancy caused by long-term illness, death, resignation, or recall of an officer shall be filled as soon as possible by following the election procedures described in Article IV. While the vacancy exists, the remaining members of the Committee shall designate an interim officer to act in the capacity of the removed officer.

Section 5: Powers

The Committee may exercise any power granted to it by the membership. The OC has the additional authority, subject to review of the membership, to create subcommittees, to appoint staff members to assist in the function of the Union, (who shall not be considered officers), to prepare and distribute posters, pamphlets, and other public materials, and to make discretionary expenditures, up to a monthly

limit established by the membership. The Committee may delegate any of its authority to a specific officer, to a staff member appointed by the Committee, or to subcommittees created under its authority. Subcommittees maintain the right to be constitutionalized by the general membership.

Section 6: The Chair

The Chair of the Union shall preside over meetings of the OC. The Chair is responsible for organizing meeting times, locations, and schedules. The Chair may authorize payment of all normal routine or recurring expenses incurred in the operation of the Union. The Chair facilitates the exterior relationships of the Union with the continuous knowledge and consent of the OC and Union as a whole. The Chair shall also serve as the primary signatory of the Union. In the case that the Chair is unavailable, this duty falls to the Vice Chair or other officer.

Section 7: The Treasurer

The Treasurer of the Union is responsible for managing the finances and treasury of the Union, such as administering the collection of dues. The Treasurer shall receive all monies paid to the Union and deposit them in its name in such bank or banks or invest them in such securities as the Board may decide. The Treasurer shall be a signer on all checks drawn upon the Union. The Treasurer is expected to work closely with the Secretary.

Section 9: The Secretary

The Secretary of the Union is responsible for organizing and managing Union documents and membership, administering elections, keeping records of Union meetings, proceedings, and decisions, and for preparing and filing all appropriate required forms and documents with the relevant local, state, and federal authorities. The Secretary is expected to work closely with the Treasurer.

Section 10: The Vice-Chair

The Vice-Chair will be responsible for standing in for any absent officers at meetings and aiding other officers with duties as needed. When the Chair is unavailable, the Vice-Chair shall assume its functions as necessary.

Section 10: Advisors to the Committee

The Committee may appoint Advisors, who may participate fully in meetings and discussions of the Committee but shall have neither voting nor executive power. Advisors to the Committee shall not be considered officers.

ARTICLE IV: ELECTIONS

Section 1: Election Period

Elections shall be held from the first Wednesday after the beginning of Fall Term courses of the academic year, lasting 48 hours. The Chair must announce the election period at least fifteen days in advance of the beginning of the period. *For the Fall of 2022 only, the election period will be announced immediately (less than 48 hours) after the ratification of this Constitution.*

Section 2: Election Officials

The OC, by majority vote, shall appoint a member to the position of Election Chair. The Election Chair shall be responsible for preparing the voting system, preparing a system of nominations, notifying members and candidates, tallying votes, and managing all other aspects of the election process. The Election Chair may appoint other election officials as necessary to aid in the running of the election. No candidate may serve as Election Chair or as an election official.

Section 3: General Guidelines

The Election Chair will ensure that election procedures are in accordance with the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA), as amended, and any guidelines and regulations adopted by the Office of Labor-Management Standards (OLMS).

Section 4: Method of Voting

Elections shall be held by electronic ballot, unless at a general meeting one month or more before a scheduled election, a two-thirds majority adopts a different method of voting.

Section 5: Chair, Vice-Chair, Secretary, and Treasurer

Every voter will have three votes for Chair, Vice-Chair, Secretary, and Treasurer, respectively, to be distributed among the candidates for that position as the voter chooses. The candidate with the highest number of votes for a position shall be elected. In the event of a perfect tie between candidates, a run-off election will be held with the top three candidates for the position in question. Every voter will have two votes for the position in question. The candidate with the highest number of votes shall be elected.

Section 6: Grievance Officers

Every voter will receive two votes for Grievance Officers, to be distributed among the candidates for that position as the voter chooses. The two (2) candidates with the highest number of votes shall be chosen. The winning candidate with the lesser number of votes shall be designated sub-Grievance Officer. In the event of a perfect tie between candidates, a run-off election will be held pursuant to protocol in Section 5.

Section 7: Announcement of Results and Assumption of Power

Once winners for each position have been determined, the Election Chair shall notify the President no more than 24 hours after the conclusion of the Election Period, who in turn shall notify all members of the results. New officers shall assume office 48 hours after notification.

Section 8: Protests

All protests of election procedures shall be handled by the Election Chair and election officials. Every effort must be made to resolve the protest and follow a course of action consistent with this Constitution, and with local, state, and federal laws. If the decision of the Election Chair and election officials is not satisfactory to the protester, the protester may follow grievance procedures as described in Article IX. The protester shall be notified of their right to file an election complaint with the OLMS.

ARTICLE V: STEWARDS & SHOP-LEVEL ORGANIZATION

Section 1: Stewards

Stewards will hail from each work location currently represented by the Union. Any member can become a shop steward after undergoing the stewardship training. A stewardship training can be conducted by a member of the OC or another steward. A minimum of one steward is required from each work location.

Section 2: Steward Duties

Steward duties will include: being the primary contact person in their work location, conducting union orientation, closely following developments and workplace issues, keeping close contact with rank-and-file members, holding regular shop meetings, ensuring democratic participation, driving voter turnout, conducting one-on-ones with future stewards and engaged members, and carrying out steward trainings.

Section 3: Assembly of Stewards

An assembly of stewards will meet at least once every term to discuss workplace-level organizing issues. The assembly is tasked with ensuring the democratic, rank-and-file nature of the union. The meeting may take place on the second, fifth, or seventh weekend of the term. The OC will help set up the logistics of the assembly.

ARTICLE VI: DUES

Section 1: Dues Schedule

All members are required to pay an amount 2% of their Dartmouth Dining Services pay every two weeks into the treasury of the Union. No member shall pay dues until the ratification of a contract.

Section 2: Payments

Union dues will be deducted from members' paychecks at the end of every College-designated two-week pay period. The Union will receive payment of dues via check from the College every two pay periods (every four weeks).

Section 3. Officer Jurisdiction

The Treasurer shall be responsible for handling dues payments.

Section 4: Fiscal Year

The membership and fiscal year of the Union shall follow that of the College's.

ARTICLE VII: MEETINGS

Section 1: Meetings of the Organizing Committee

The Chair shall hold meetings of the OC at least twice per academic term. A quorum of the Board shall consist of the Chair, Vice-Chair, the Secretary and/or Treasurer, and at least two-fifths of current stewards.

Section 2: General Meetings

General meetings will be held at set times once per week. Meetings shall be called by the OC, and all members shall be notified of the time and place reasonably in advance. At a general meeting, any member may propose actions or amendments to this Constitution.

Section 3: Special Meetings

Special meetings may be called by the OC, who shall notify all members as soon as possible of the meeting time and place, which shall be no earlier than twenty-four hours after the announcement of the OC. The OC shall fix the agenda for the meeting, and no other items may be raised during the meeting except by a two-thirds vote.

Section 4: Rules of Order

Meetings shall be run in accordance with the principles of this Constitution, including consensus-based decision-making weekly and general decorum, and any special rules of order the Union may adopt. Meetings shall be run by a rotating meeting chair designated every meeting.

Section 5: Community Business

Every general meeting shall end with a section of Community Business, where

members may notify the Union of community events, issues, and actions. Members may propose that the Union take a position on such issues, or assist or participate in such events. Announcements and discussion during Community Business shall be informal unless otherwise decided by members at the meeting.

Section 6: Reports

Committee and officer reports shall be put into writing and submitted in advance of each meeting to the OC, who shall then distribute the reports to members. Printed copies of reports shall be made available at meetings. The OC will designate a member to report its activities to the membership.

Section 7: Quorum

Attendance of ten Union members shall constitute a quorum at general or special meetings.

Section 8: Absentee Voting

The OC may allow members unable to attend a meeting to cast a secret ballot for a measure that will be decided at the meeting. The decision to accept absentee ballots shall be made by the members at the meeting. Votes for approval of a collective bargaining agreement, or for authorization of a strike, may always be made in absentia. Voters will be provided with an explanation of the issue and options discussed at the meeting, to be made the Secretary. Voters will receive 24 hours after the conclusion of a meeting to send their vote to the OC.

Section 9: Multiple Sessions

The Chair may split a special meeting into multiple sessions, where the same topics are on the agenda at each session and the votes at each session are separately tallied and then added together for a final result. A quorum need not be present at either meeting, provided that the total attendance from each meeting, without counting any member twice, exceeds the quorum threshold. No item that is not on the agenda may be raised at any session.

Section 10: Special Officials

The Union may vote to create new positions for special officials, whose role shall be to aid in the functioning of the Union and its meetings. Such officials shall not be considered full officers, may not exercise any executive function, and may not be members of the OC.

ARTICLE VIII: SAFEGUARDS AND OBLIGATIONS

Section 1: Purpose

The Union shall not promote or permit itself to be used to promote any advantage for any particular member or group of its members. The Union exists solely to serve all Dartmouth College student workers.

Section 2: Non-Distinction

The Union shall not make any distinction among its members on account of race, ethnicity, sex, gender identity, sexual orientation, age, national origin, disability, or political, social, religious, or economic views.

Section 3: Political Endorsement

Any endorsement of a political party or candidate shall require a majority vote.

Section 4: Records

The Union shall maintain records of all meetings, collective bargaining agreements, votes, nominations, election procedures, financial transactions, and other necessary material for a period of at least five years. Upon a written request, the Union shall provide any member with a copy of a document or record, except confidential or personal information.

Section 5: LMRDA Rights

The Union shall notify all members of their rights under the LMRDA. No member shall be retaliated against or disciplined for the exercise of their rights under the same.

Section 6: Lawfulness

No provision of this Constitution shall be valid which is in violation of local, state, or federal law.

ARTICLE IX: GRIEVANCES

Section 1: Grievances Against the Union or Members of the Union

Grievances against the Union may be noted through a form that shall be prepared by the OC and made available to all members.

Section 2: In-Union Grievance Process

Once a grievance has been filed, one or both elected grievance officers (GO) will perform an initial review of the case and decide if it is under the discretion of the OC or a non-Union body. The aggrieved party is given the option to choose which of the GOs sees their case, and/or if their grievance should or should not go directly to the OC. This initial review process should take no longer than two days. In the case that the grievance is found to be within the jurisdiction of the union, a member of the OC or a designee, shall meet with the aggrieved party and discuss the complaint within three days after the completion of initial review. The OC shall then render a decision on the grievance and notify the party. The OC must also notify the aggrieved party of their right to file a report with the OLMS or the National Labor Relations Board if they feel that their rights as union members have been violated. In the case that the aggrieved party does not want their case brought to the OC, the GOs will cooperate with the party to find an acceptable solution.

Section 3: Overturning OC Grievance Decision

The aggrieved party may, at a general meeting of the Union, publicly state their grievance and ask the membership to overturn the decision of the Board. A two-thirds vote is required to overturn such a decision.

Section 4: Grievance Officer Trainings

All GOs will be trained on relevant federal grievance law and policy, including but not limited to NLRB, OLMS, and LMRDA policies. Furthermore, GOs will receive training on HR and Title IX policies. GOs reserve the right to transfer a given case to HR, Title IX, or other relevant school and federal bodies as needed.

Section 5: Grievances Against Dartmouth College

Grievances against Dartmouth College may be noted through a form that shall be prepared by the OC and made available to all members. The Union, in any collective bargaining agreement, will ensure an adequate and fair process for handling grievances.

ARTICLE X: COLLECTIVE BARGAINING AND UNION REPRESENTATION

Section 1: Goal

It is the goal of the Union to serve as the sole collective bargaining agent for Dartmouth student workers, and to faithfully represent the desires and demands of all Dartmouth student workers in negotiations with their employer.

Section 2: Negotiations

Negotiations with employers regarding the terms and conditions of employment shall be managed by the OC. At least two members of the Union shall be present at all negotiating sessions. The Union will practice open bargaining without exception and work to ensure general turnout.

Section 3: Approval of Collective Bargaining Agreement

Ratification of a proposed collective bargaining agreement shall require a majority vote. Only members who are a part of the bargaining unit covered under the contract shall be allowed to vote. If the agreement is not ratified, members shall then be permitted to make motions and resolutions for a course of action for the Union, including strikes. If the agreement is ratified, the Chair is then authorized to sign the agreement with the employer.

ARTICLE XI: STRIKES

Section 1: Authorization

The Union must authorize a strike by a majority vote. After authorization of the strike, the OC may call the strike at any time by notifying all members of the strike and its starting date and time. Alternatively, this time and date may be decided by the members themselves at the authorization meeting.

Section 2: Strike Policy

Once a strike has begun, no member of the Union shall go to their assigned work shifts or communicate directly with their employer. Violation of these rules will result in a fine of \$200 and potential expulsion from the union.

Section 3: Ending a Strike

The Union may end a strike by a majority vote, or by another method specified in a resolution authorizing a strike.

Section 4: Other Action

The Union may approve other concerted labor action at a general or special meeting.

ARTICLE XII: AMENDMENTS AND AMBIGUITIES

Section 1: Amendments

This Constitution, with the exception of this article, may be amended by two-thirds vote at any general or special meeting of the Union, provided that notice of the proposed amendment was made available to the members 24 hours in advance of the meeting.

Section 2: Ambiguities

Any question relating to the interpretation of this Constitution may be decided by majority vote at a general meeting.

