



*Retired*

Constitution and Bylaws

# **CONSTITUTION**

## **Article I Name**

The name of this membership body shall be known as Education Minnesota Retired, hereinafter referred to as "Retired." Retired shall be located in St. Paul, Minnesota. Retired may have other offices as designated by its Governing Board or Executive Committee.

## **Article II Affiliation**

Section 1: Retired shall be affiliated with Education Minnesota, NEA, AFT, and the Minnesota AFL-CIO Retiree Council.

Section 2: Each of the Retired Election Districts ("Districts") shall constitute a region of Retired. Members within each District may choose to form affiliated local chapters, subject to the Bylaws of Retired and approval of Education Minnesota's Governing Board.

## **Article III Objectives**

The objectives of Retired shall be to:

Section 1: promote retirement with dignity, economic and social status, and the social welfare of the retired members;

Section 2: promote membership in Retired to eligible retirees;

Section 3: formulate and support programs that will benefit members in such matters as pensions, annuities, social security, health care and fair taxation;

Section 4: provide retirement counseling services;

Section 5: promote and furnish mutual assistance, cooperation, and united action with others who are devoted to the cause of public education; and

Section 6: support the aims, goals, and objectives of Education Minnesota, NEA, AFT, and AFL-CIO.

## **Article IV Liability**

There shall be no personal liability of the members for any obligations of Retired.

## **Article V Pecuniary Gain**

Retired shall not afford pecuniary gain, incidentally or otherwise, nor shall Retired lend any of its assets to an officer or director of Retired or other members.

## **Article VI Officers**

The officers of Education Minnesota Retired shall be a President, Vice-President, Secretary, and Treasurer.

## **Article VII Governing Board**

A Governing Board (Retired Governing Board) shall conduct the business of Retired between sessions of the Annual Meeting. Membership shall be composed of the Officers, the immediate Past President, the District Directors, four At-Large Directors (two general membership, one ESP, and one higher education), the ex-officio non-voting chairs of the Standing Committees, and such other members as may be required by the Bylaws of Retired.

## **Article VIII Executive Committee**

An Executive Committee, composed of the President, Vice-President, Secretary, Treasurer, immediate Past President and one Director elected by the Retired Governing Board, shall assist the Retired Governing Board in carrying out the responsibilities required by the Constitution and Bylaws of Retired.

## **Article IX District Selection**

Candidates for Election District Director positions must live in the District where they are a candidate. Once elected, District Directors whose residence changes to another District may continue in their elected position until the end of their elected term.

## **Article X Amendments**

This Constitution may be amended at an Annual Meeting of Retired by a majority vote of the members present and voting. Proposed amendments to the Constitution must have been first published with the notice of the Annual Meeting of Retired.

## **Article XI Duration**

The duration of Retired shall be perpetual.

## **BYLAWS**

### **Article I Membership**

#### **Section 1: Membership Eligibility**

Individuals joining Retired must be eligible for membership in NEA-Retired, an organization of the National Education Association. AFT membership is continuous.

- A. Active - To be an active member of Retired, a retired person must have either paid the appropriate Retired dues or be eligible for continuous membership per Education Minnesota's constitution and bylaws and governing board policy and must:
  - 1. Have been an active member of Education Minnesota (formerly known as MEA or MFT); or
  - 2. Have been an active member of another state education union affiliated with NEA or AFT; or
  - 3. Be one who is eligible to receive a benefit from a public school employees' retirement system, retirement system of a college or university, or other public or private retirement benefit from a school in Minnesota.
- B. Preretired - A preretired membership secures Retired benefits and payment of lifetime dues prior to eligibility for active Retired membership. To be a preretired member of Retired, a person must have paid the appropriate Retired dues and must be employed in an Education Minnesota bargaining unit or staff position.
  - 1. Preretired members are not eligible to vote or hold office;
  - 2. An active member of Retired who becomes employed in a position requiring bargaining unit membership will convert to preretired status.
- C. Rights and Responsibilities - Active members of Retired shall be entitled to all the rights, privileges and responsibilities conferred by the Constitution, Bylaws, and the Retired Governing Board, including the right to:
  - 1. Vote and hold office;
  - 2. Attend meetings of the Retired Governing Board;
  - 3. Receive the official publications of Retired;
  - 4. Run for a delegate position to the Education Minnesota Representative Convention, NEA Retired Annual Meeting, NEA Representative Assembly, Minnesota State Retiree Council AFL-CIO annual convention, and the Minnesota AFL-CIO annual convention;
  - 5. Participate in the Retired Annual Meeting; and

6. Serve on committees established by Retired pursuant to these Bylaws.

D. Dues – Members of Retired shall pay dues as set forth by Retired in concurrence with the Education Minnesota and NEA-AFT Boards of Directors.

1. Retired lifetime dues shall be
  - a) \$50.00 designated for Education Minnesota Retired programs, and
  - b) NEA Retired dues set by NEA
2. Education Support Professionals (ESP) Retired lifetime dues shall be
  - a) \$25.00 designated for Education Minnesota Retired programs, and
  - b) NEA Retired dues set by NEA
3. Preretired members must continue paying Education Minnesota active, substitute, or reserve membership dues in addition to Retired preretired dues.
4. Collection of dues shall be in accordance with Retired policies.
5. The dues structure may be changed by the Retired Governing Board with approval at the Retired Annual Meeting, subject to approval by the Education Minnesota Governing Board.

## Section 2: Denial/Termination

Memberships shall not be denied or terminated because of race, color, creed, religion, national origin, sex, gender identity, marital status, economic status, disability, sexual orientation, veteran status, or age.

Memberships are continuous, but may be denied or terminated if the individual does not meet the eligibility requirements provided in these bylaws. Memberships may be denied or terminated if the Retired Governing Board determines that denial or termination is in the best interest of Retired based on the criteria of member discipline formally developed by the Retired Governing Board. In addition, memberships may be terminated due to:

- A. Failure to meet membership eligibility;
- B. Submission of written resignation to the President;
- C. Nonpayment of dues; or
- D. Violation of membership discipline policies.

Individuals must be notified of proposed denial or termination of membership at least ten (10) days prior to denial or termination of membership. Such notice must also advise the individual of their right to a hearing on the matter. An individual may request a due process hearing if denied or terminated from membership. Such hearing shall be conducted according to the rules and procedures established by the Retired Governing Board, which must provide that the individual be advised of any grounds on which the membership might be denied or terminated at least fourteen (14) days prior to the hearing.

## **Article II Local Retired Chapters**

Section 1: Five (5) or more members of Retired may establish a local Retired chapter.

Section 2: A copy of the local chapter's Constitution and Bylaws shall be on file at the Retired main office.

Section 3: An affiliation agreement shall be provided to the Retired Governing Board.

Section 4: New local Retired chapters shall receive a charter with documentation conferring all the benefits and privileges of membership in the local Retired chapter.

Section 5: Local Retired chapters shall have responsibility for implementing the policies of Retired.

Section 6: Local Retired chapters may choose to affiliate with Area Labor Retiree Councils of the AFL-CIO and/or Education Minnesota Intermediate Organizations.

## **Article III Officers**

Section 1: **Positions.** The officers of Education Minnesota Retired shall be a President, Vice-President, Secretary, and Treasurer. The officers shall be members of the Retired Governing Board and of the Executive Committee and shall have the authority and duties set forth in these bylaws.

### Section 2: **Authority and Duties**

- A. President: The President shall preside at all meetings of the Retired Executive Committee, the Retired Governing Board and the Annual Meeting of Retired Membership and shall see that all orders and resolutions are carried out; shall be a non-voting ex-officio member of all Retired standing committees and special committees; shall nominate all standing and special committee members subject to the approval of the Retired Governing Board; and shall, with the advice and consent of the Retired Governing Board, nominate representatives to serve on Education Minnesota committees. The President shall serve as Education Minnesota Retired representative on the Education Minnesota Governing Board and as the Retired delegate to the AFT Convention.
- B. Vice-President: The Vice-President shall perform the duties of the President when the President is absent or is unable to fulfill those duties; shall serve as President in the event a vacancy occurs in that position for the remainder of an unexpired term; shall serve as Education Minnesota Retired alternate to the AFT convention; and shall perform such other duties as may be prescribed by the Executive Committee.
- C. Secretary: The Secretary shall record and report all minutes of the Retired Executive Committee, Retired Governing Board, and Annual Meetings of Retired; shall maintain an accurate list of members in good standing; shall

provide a timely notice to all members of Retired meetings, elections and other activities of Retired; and shall perform such other duties as may be prescribed by the Retired Executive Committee.

- D. Treasurer: The Treasurer shall prepare a financial report for the Annual Meetings of Retired; shall prepare financial reports for the Retired Governing Board; for any meetings of Retired as requested by the President, shall chair the Finance Committee of Retired; and shall perform such other duties as may be prescribed by the Retired Governing Board.

Checks drawn on Retired accounts shall be subject to the check signing requirements of Education Minnesota.

## **Article IV Executive Committee**

The Executive Committee shall consist of the President, Vice-President, Secretary, Treasurer, immediate Past President and one Director elected by the Retired Governing Board. The President of Education Minnesota, or designee, shall be a non-voting ex-officio member of the Executive Committee.

### **Section 1: Duties**

Subject to the approval of the Retired Governing Board, it shall be the duty of the Executive Committee to:

- A. Conduct all business affairs of the Retired Governing Board between meetings;
- B. Plan the agenda for all meetings of Retired;
- C. Approve all standing committees and special committees appointed by the President; and
- D. Cooperate with and assign representatives to serve on all committees designated by Education Minnesota to study and recommend changes and improvements in retired benefits.

### **Section 2: Meetings**

- A. The Executive Committee shall meet at times and places to be determined by its body. Virtual meetings and conference calls are specifically permitted.
- B. Special meetings of the Executive Committee may be called by the President or at the request of two (2) members of the committee.
- C. A majority of the Executive Committee shall constitute a quorum. No business shall be transacted in the absence of a quorum. No proxies shall be allowed.

## **Article V**

### **Governing Board**

#### **Section 1: Representation**

- A. Voting members of the Retired Governing Board are the Executive Committee, the District Directors, and the At-Large Directors.
- B. Non-voting ex-officio members of the Retired Governing Board are:
  - 1. The chairs of the Standing and Special Committees;
  - 2. Staff Liaisons to Retired;
  - 3. The President of Education Minnesota, or designee; and
  - 4. The current retired member of the TRA Board, if a member of Education Minnesota Retired.
  - 5. Retired members appointed or elected to national governance positions with the AFT or NEA, retired members appointed to Education Minnesota standing committees and the Education Minnesota PAC Board and the chairperson or designee of the EMAC - Retired. Such members are non-voting members of the Governing Board unless they are also elected or appointed to the Governing Board in one of the voting board member categories listed in A.

#### **Section 2: Duties**

It shall be the duties of Retired Governing Board to:

- A. Require an annual audit;
- B. Establish financial policies of Retired;
- C. Approve the annual budget, as developed and presented by the Finance Committee;
- D. Implement Retired programs and projects;
- E. Work with Education Minnesota to develop legislative priorities on retirement;
- F. Conduct the elections for the Officers and Directors to the Retired Governing Board and certify the results of such elections;
- G. Elect delegates to the Minnesota State Retiree Council AFL-CIO annual convention and the Minnesota AFL-CIO annual convention; and
- H. Determine the number, type, and boundaries of the Districts from which District Directors are elected, subject to approval at the Annual Meeting.

#### **Section 3: Meetings**

- A. The Retired Governing Board shall meet at times and places to be determined by its body. Virtual meetings and conference calls are specifically permitted.
- B. Special meetings of the Retired Governing Board may be called by the President or at the request of five (5) members of the Retired Governing Board.



- C. A majority of the Retired Governing Board shall constitute a quorum. No business shall be transacted in the absence of a quorum. No proxies shall be allowed.
- D. There shall be a minimum of three (3) meetings per year of the Retired Governing Board.

## **Article VI Elections**

### **Section 1: General**

- A. Qualifications: Only active members of Retired are eligible to be candidates for or elected to the positions governed by these bylaws.
- B. Voting: Voting must be by secret ballot and conducted by mail. All positions shall be elected by a plurality of those voting. If the number of candidates on any ballot in any race is equal to or less than the number of positions to be filled, the candidate shall be declared elected. Ballots must be kept until the conclusion of the Annual Meeting where the election results are certified.
- C. Effective Dates/Transition: Elected terms begin immediately following the conclusion of the Annual Meeting. At the close of their term, each outgoing elected official shall deliver to their successor all books, papers and other property of Retired that may be in their possession.
- D. Vacancies: If the office of the President becomes vacant, the Vice-President shall serve as President for the remainder of the unexpired term. If any other elected position becomes vacant, the Retired Governing Board shall choose a successor who shall hold office for the remainder of the unexpired term.

### **Section 2: Officers**

- A. Terms: Officer terms are three (3) years. Officers may serve in a particular office for two (2) consecutive terms.
- B. Election Cycle: The three-year election cycle for offices of the President and Vice-President begins in the fall of 2007; the three-year election cycle for the offices of Secretary and Treasurer begins in the fall of 2008.
- C. Nominations: The Nominations/Elections Committee shall attempt to present at least one (1) nominee for each office to be filled.
- D. Voting: The officers shall be elected by the entire active membership of Retired.

### **Section 3: Retired Governing Board**

- A. Terms: Retired Governing Board terms are three years.
- B. Election Cycle: The three-year election cycle shall be staggered for the Directors pursuant to guidelines recommended by the Nominations/Elections Committee and adopted by the Retired Governing Board.
- C. Voting:

1. **District Directors.** Two (2) District Directors shall be elected from each Minnesota Congressional Districts. The active Retired members in each District shall elect their respective Director(s).
2. **At-Large Directors.** The At-Large Directors shall be elected by the entire active membership of Retired.

#### Section 4: Delegates

- A. Terms: Delegates and alternates to the annual Education Minnesota Representative Convention, NEA Retired Annual Meeting, and NEA Representative Assembly are elected annually.
- B. Voting: Such delegates and alternates shall be elected by the entire active membership of Retired.

### **Article VII Committees**

#### Section 1: Committee Membership

Committee members must be members of Retired.

#### **Section 2: Standing Committees**

The administrative structure of Retired shall include the following standing committees:

- A. Membership
- B. Government Relations/Legislative Action
- C. Statements of Principle
- D. Nominations/Elections
- E. Communications
- F. Program
- G. Finance
- H. Constitution and Bylaws

#### Section3: Standing Committee Responsibilities

- A. The Membership Committee shall be responsible for the recruitment of Retired and preretired members.
- B. Government Relations/Legislative Action Committee shall be responsible for submitting legislative goals to Retired, work closely with the Education Minnesota Legislative Action Committee, and monitor pertinent public boards and committees.
- C. The Statements of Principle Committee shall be responsible for the Retired Statements of Principle to be submitted to the Retired membership, and for monitoring pertinent public boards and committees.
- D. The Nominations/Elections Committee shall be responsible for the selection of nominees for each office and for the presentation of their names to Retired. It shall conduct the election of said officers, directors and delegates to State and National Conventions.

- E. The Communications Committee shall be responsible for establishing contact with the members of Retired, e.g., newsletters, web sites, e-mail, and such additional measures as the Retired Governing Board may prescribe.
- F. The Program Committee shall be responsible for planning programs for the membership, such as conferences and seminars.
- G. The Finance Committee consists of the Executive Committee and one Director elected by the Retired Governing Board. It will be chaired by the Treasurer of Retired. The Finance Committee will develop the annual budget for the Retired Governing Board.
- H. The Constitution and Bylaws Committee will recommend changes to the Constitution and Bylaws.
- I. All Committees are authorized to meet electronically.

#### **Section 4: Special Committees**

The Retired Governing Board shall authorize special committees when deemed necessary to carry out the work of Retired. The President may initiate the formation of special committees with approval of the Retired Governing Board.

### **Article VIII General Membership Meetings**

Section 1: Retired shall hold an Annual Meeting during the week of the Education Minnesota Representative Convention. The agenda for the Annual Meeting shall include installation of new officers and Directors, annual reports from each of the Standing Committees, a review of the budget and program for the ensuing year, approval of Bylaw changes adopted by the Retired Governing Board, adoption of any changes in the dues structure recommended by the Retired Governing Board and consideration of proposed amendments, if any, to the Constitution. The Retired Governing Board may authorize an electronic Annual Meeting. In addition to the Annual Meeting, membership meetings may be called by the Retired Governing Board.

Section 2: A special meeting of the general membership shall be called if requested by twenty (20) members in good standing.

Section 3: A quorum at a meeting of Retired, including the Annual Meeting, shall consist of at least twenty (20) members in good standing. No official business shall be transacted in the absence of a quorum.

### **Article IX Parliamentary Authority**

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern Retired in all cases to which they are applicable and in which they are not inconsistent with the Constitution, Bylaws, or any Special Rules of Order Retired may adopt.

### **Article X Amendments**

These Bylaws may be amended at a Retired Governing Board meeting by a majority vote of those present. Proposed Bylaw amendments must be forwarded to the Retired Governing Board members at least ten (10) days prior to the meeting. All changes will be considered interim until approved by the Annual Meeting.

Adopted 3/31/00/Annual Meeting  
Revised 1/22/01/Board/3/16/01/Annual Meeting  
Revised 7/23/02/Board  
Revised 3/13/03/Annual Meeting  
Revised 7/21/03/Board  
Revised 3/18/05/Annual Meeting  
Revised 3/17/06/Annual Meeting  
Revised 3/16/07/Annual Meeting  
Revised 3/14/08/Annual Meeting  
Revised 3/20/09/Annual Meeting  
Revised 3/19/10/Annual Meeting  
Revised 3/18/11/Annual Meeting  
Revised 4/26/13/Annual Meeting  
Revised 4/17/15/Annual Meeting  
Revised 4/22/17/Annual Meeting  
Revised 4/18/18 Annual Meeting  
Revised 4/26/19 Annual Meeting  
Revised 4/24/20 Annual Meeting  
Revised 4/23/21 Annual Meeting  
Revised 4/22/22 Annual Meeting  
Revised 4/28/23 Annual Meeting  
Revised 4/19/24 Annual Meeting