



## The Legislative and Functional Structure of the WMU-AAUP

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In order for all of us to better understand both the current issues and those longer term issues that will arise during negotiations, the Executive Committee has asked me to present a review of our structure. What follows here is a discussion of the WMU-AAUP Chapter's constituent bodies and how they relate to each other. The quotes come from our Constitution.

Our superordinate body is the Chapter itself, which comprises all of us together. The Chapter meets at least once each semester, with the official Annual Meeting, when we approve the budget and dues, in April. At a Chapter meeting, an assembly of the whole, every member has equal standing. Approved motions, like balloted votes of the membership, are instances of direct democracy legislation and are binding upon all of the members.

We have two subordinate legislative bodies that function in the service, and at the direction, of the Chapter - the Association Council (AC) and the Executive Committee (EC). Association Council members are determined by the principle of representation by population. Executive Committee members are determined by other principles: representation of distinct constituencies, and inclusion of expertise or function that is necessary to Chapter operations.

The Association Council has up to 63 members (if all seats are filled), one or more elected from each of the academic units on campus. The AC membership is designed to give a voice to every department, but to give more of a voice to the larger departments; English and History, for example, have more AC representatives than Anthropology. The major function of the Association Council is to hear reports from Chapter officers, on behalf of the Executive Committee, about the ongoing business of the Chapter. The Association Council may take whatever "actions it deems appropriate in regard to such reports," i.e., it may engage in legislative action on behalf of the Chapter. When the Association Council passes a motion, it speaks for all of us; such motions must be implemented by the Executive Committee and the officers. The Association Council approves the appointment of the Grievance Officer and the Contract Administrator and, during negotiations, it helps to formulate proposals, monitors our progress, and recommends the tentative agreement to the Chapter for ratification.

The Executive Committee may have as many as 18 members with up to 13 elected members. The president and vice president are elected by the entire membership, while the 11 constituency representatives are elected by their respective colleges or units. In addition, there are up to 5 full voting ex officio members. The past president and chief negotiator serve because of expertise they have acquired in their previous roles; the contract administrator, grievance officer and information officer are recommended to the Association Council by the Executive Committee, and serve because the functions they perform are necessary to the Chapter's daily operations. The secretary and the treasurer, who also serve as officers, are elected from among the 11 constituency representatives.

Our Constitution's design for the constituency membership of the Executive Committee is intentionally different from the design for the Association Council. EC Representation is not based on the size of our units, but on their unique identities. Arts and Sciences is diverse enough that it requires three constituencies – Science, Social Science and Humanities – to represent the full range of its academic characteristics. Aviation and CELCIS are different enough from the other units in their employment arrangements that it would be difficult for someone from outside these areas to remain current on their unique issues. Clearly, an important Constitutional goal for the Executive Committee is assembling a wide diversity of views from units that are unique and distinct. It is very important at this juncture to realize that the 11 constituency representatives are balanced by the other 7 members, the president, the vice president, and the 5 ex officio members, all of whom represent the interests of the entire Chapter.

As a historical aside, for about 25 years until April 2000, all of the Executive Committee's constituency representatives were elected by the entire Chapter. This meant that everyone on the EC was responsible to all of us. In 2000, the Constitution was amended so that EC members could be elected more locally, by the people who knew them best; the rationale was that doing so would lead to representation that was more committed to the individual constituency needs.

With the membership of both bodies in mind, we can compare the Association Council and the Executive Committee. The U.S. House of Representatives is a reasonably fair analogy for the Association Council. However, the U.S. Senate is not a fair analogy for the Executive Committee which is, instead, a hybrid body; the EC's 11 constituency representatives are similar to the Senate, but when we add the other 7 members, it's as if the Executive Branch is also blended in. The Executive committee has an internal structure that provides its own checks and balances.

As for its function, the Executive Committee is the operational agent of the Chapter; it represents both the Chapter and the Association Council "in day-to-day activities and in intervals between" Chapter and AC meetings. In other words, the Executive Committee has responsibility for the day-to-day business of the Chapter. Some of this is carried out by the resident officers (president, vice president, grievance officer, contract administrator, information officer, i.e., those with reassigned time) who do the daily work with our members, as well develop policy and initiatives for the Executive Committee and implement directives from the Executive Committee. The Executive Committee as a whole is also a legislative body; it passes motions and develops and implements policy on behalf of the entire Chapter. Most of the Chapter's formal business with Western is conducted directly under the auspices of the Executive Committee. "The negotiation team works under the direction of the Executive Committee."

Our Chapter attorney explains our legislative structure as being close to an absolute democracy. This is because when the Chapter meets, it is not a representative body, but the whole body. And it is empowered to make decisions that everyone in the Chapter – the members, the AC, the EC and the Officers - must follow. The Chapter – that's all of us together - has "the ultimate authority for action." During this coming year, it is especially important that we remain committed to being unified throughout the whole Chapter, that we make the appropriate demands on our constituent bodies to fulfill their functions to the best of their ability, and to keep us all informed about what's happening. That is how we will garner the greatest success in the 2008 negotiations.

