

Republic of the Philippines
SSPSC-FACULTY UNION
Tandag, Surigao del Sur
CONSTITUTION AND BY - LAWS OF SURIGAO DEL SUR POLYTECHNIC
STATE - COLLEGE FACULTY UNION
(SSPSC-FU)

PREAMBLE

We, the teaching staff of **SURIGAO DEL SUR POLYTECHNIC STATE COLLEGE**, imploring the aid of Divine Providence in order to establish an organization that unites ourselves in safeguarding our security of tenure and other constitutionally-guaranteed rights, establish justice, promote our individual and collective rights, and foster harmonious, agreeable and progressive labor management relations, do ordain and promulgate this Constitution and By-Laws.

ARTICLE I
NAME AND DOMICILE

Section 1. This organization shall be known as the **SURIGAO DEL SUR POLYTECHNIC STATE COLLEGE-FACULTY UNION (SSPSC-FU)**.

ARTICLE II
DECLARATION OF OBJECTIVES

The SSPSC-FU commits itself to the pursuit of the following objectives:

Section 1. To establish as Organization that will represent the faculty of the Surigao del Sur Polytechnic State College in collective negotiation beneficial to the members.

Section 2. To promote the moral, social, and economic, well-being of all the members.

Section 3. To protect and uphold the individual and collective rights and responsibilities of all faculty members in the six campuses.

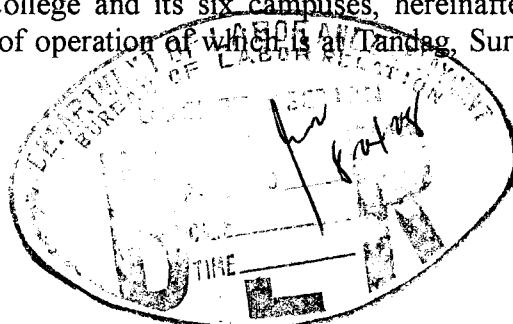
Section 4. To foster harmonious and progressive labor-management relations.

Section 5. To strive for the adoption of legislation, policies and other measures that will promote the economic, social and general well-being of all the members.

Section 6. To promote the enlightenment of all members in regard to their rights and obligations as union members and as employees, the present labor systems, and all other matters that directly or indirectly affect the union.

ARTICLE III
NAME OF EMPLOYER AND PLACE OF OPERATION

Section 1. For collective negotiating purpose, the definite employer is the Surigao del Sur Polytechnic State College and its six campuses, hereinafter referred to as the Agency, the principal place of operation of which is at Tandag, Surigao del Sur and the



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other campuses respectively located in the municipalities of Cantilan, San Miguel, Cagwait, Lianga and Tagbina of the same province,

ARTICLE IV DUTIES, OBLIGATIONS AND RIGHTS OF MEMBERS

Section 1. Every member must abide the rules and regulations set forth by the Association in its Constitution and By-Laws, and in the decisions of the Board and the General Assembly. He shall be considered a member in a good standing if he paid full all his current and pass dues accounts, and if he is not under suspension for any cause.

Section 2. It shall be the duty and obligation of SSPSC-FU members to support, patronize and help in the income generating activities of the college.

Section 3. Any member in good standing shall have right to participate in all the deliberation of the general membership meetings, to vote on all matters brought before such meeting, and to receive the benefits or incentives as stipulated in the Collective Negotiation Agreement.

ARTICLE V PRINCIPAL OFFICERS

Section 1. The governing body of the SSPSC-FU shall be the Executive Board whose members shall elect through secret ballot or by the acceptable method the majority of the members so decides.

Section 2. The Executive Board shall administer union affairs, formulate policies and implement programs to effectively carry out the objectives of the SSPSC-FU, and manage all the finances and properties of the SSPSC-FU.

Section 3. Composition – The Executive Board shall be composed of fourteen (14) officers. They are as follows: one President, one Executive Vice President, six Vice Presidents, one secretary, one Asst. Secretary, one Treasurer, one Asst. Treasurer, one Auditor, and one Public Information Officer. The Vice Presidents shall respectively come from the six campuses while the other officers shall be elected and voted largely from the body.

Section 4. The number of the Board of Directors shall be determined through ten percent of campus memberships and shall likewise be elected by the respective campus members. Members of the Membership, Grievance and Labor, Education and Research Committees shall be duly elected by the body.

Section 5. The officers of the SSPSC – FU shall hold office for a period of two (2) years from the date of their election until their successors shall have been duly elected and qualified, provided however, that the officers remain a good standing SSPSC – FU memberships.

Section 6. Vacancies in the Executive Board, except the position of the President shall be filled up by the Board through an appointment of any member/s of good standing membership for a continuous period of one (1) year immediately preceding such appointment. The said appointee/s shall hold office in an acting capacity for the

uncompleted term of office of the immediate predecessors, or until special election therefore authorized by the Executive Board.

Section 7. The office of the Executive Board shall be paid only compensation, salaries allowances and expenses due their position as may be provided in written resolution duly adopted / approve by the majority of all the members at a meeting duly called for the purpose. The Board of Directors shall be paid their respective per diems. Honoraria and other form of benefits, as provided in written resolution should be adopted by the majority of all the members in a regular or special meeting.

Section 5. The officers of the Executive Board and Members of Directors may be removed from office by a vote majority of the members entitled to vote in an annual or special meeting of the general assembly, after having been given the opportunity to be heard at said assembly.

ARTICLE VI DUTIES AND POWERS

Section 1. The duly elected President of the SSPSC-FU shall be the Executive Officer. His duties and powers include the following:

- a. Preside over all the meetings and deliberations of the Executive Board and of the General Membership Assembly.
- b. Appoint all members of the different standing committee of the SSPSC-FU with the concurrence of a majority of members of the Executive Board.
- c. Approve vouchers covering the application or expenditure of funds before payment or disbursement is made by the treasure;
- d. Call special meeting of the SSPSC-FU general assembly of the Executive Board whenever he deems it necessary or upon written request of at least 30% of the general membership or a majority of the membership of the Executive Board.
- e. Represent the SSPSC-FU on any all occasions and on all matters where in the representation of the SSPSC-FU is required or deemed imperative, for the protection of the interest and welfare of the federation and its members

Section 2. The Executive Vice-President shall perform the duties and functions of the President in case of the latter, absence, disability, death or resignation. He shall perform functions that may be assigned to him to him by the President.

Section 3. The Vice-Presidents shall assist and coordinate with the Executive Vice-President regarding all union matters and deliver the same to their respective campuses.

Section 4. The Secretary shall perform the following duties and functions.

- a. Take down minutes of the meetings of the general membership and of the Executive Board.
- b. Keep and preserve minutes of the meeting and other records of membership.
- c. Act as the custodian of all records, documents, minutes of the meetings of the Executive Board and of the general membership as well as of the printed and/ or written policies, projects and activities of the Union.

- d. Submit to the Department of Labor and Employment (DOLE) and Civil Service Commission (CSC) annually a list of union members, list of officers and their respective addresses, minutes of election of officers and list of voters within 30 days from the date of election or from the occurrence of a change in the union officer and such other documents or papers as may be required.

Section 5. The Assistant Secretary shall perform the duties and functions of the secretary in case of the latter's absence, disability, death or resignation. He shall perform functions that may be assigned to him by the Treasurer or President.

Section 6. The duties and functions of the Treasurer are as follows:

- a. Collect, receive and issue receipts for all money, funds and contributions of the Union.
- b. Make sure that all disbursements and payments made by him are covered by vouchers and accompanied by the necessary receipts.
- c. Keep a record of all receipts and expenditures.
- d. Prepare such financial reports as may be required of him by the general membership, the Executive Board and the proper government agency/ies, which shall include all money received and paid by him from time to time, starting from the date he assumed office, including all bonds and securities and other properties of the Union entrusted to his custody or under his control, by virtue of his position as treasurer. The rendering of such account shall be made.
- e. Together with the President, withdraw money from the Union depository bank, in an amount earlier determined by the Executive Board in a special meeting for the purpose/ and or circumstance:
 - At least once a year within thirty (30) days after the close of the Union's fiscal year.
 - At such other times as may be required by a resolution of the majority of the members of the Union.
 - Upon vacating his office or upon the dissolution of the Union for any case provided for under its constitution and by-laws. The account shall be verified by affidavit, duly audited by a Certified Public Accountant and a copy thereof furnished the proper government agency/ies concerned.

Section 7. The Assistant Treasurer shall perform the duties and a function of the Treasurer in case of the latter's absence, disability, death or resignation. He shall perform function that may be assigned to him by the Treasurer or President.

Section 8. The Auditor shall audit, verify and examine all the financial accounts of the Union. He shall supervise the entries in the books of accounts of the Union and shall render a report of his audit as may be required by the Executive Board or by resolution of a majority of the general membership.

Section 9. The Public Information Officer shall oversee all matters involving the maintenance of the good image of the Union, as well as all other aspects of good

public relations. With the approval of the Executive Board, he may establish an official publication or Newsletter of the Union.

Section 10. The Board of Directors shall be in charged of the legislative functions of the Union under the guidelines to be issued by the Executive Board. The Board of directors shall consult the different standing committees of the Union on the matters, problems and areas that may be subjected to Union rules, regulations or policies.

ARTICLE VII STANDING COMMITTEES

Section 1. To ensure coordination and efficiency in the transactions of SSPSC-FU matters and in order to realize the objectives of this Constitution, the following three (3) standing comities are hereby created:

- a. **Committee on Membership** shall receive and process application for membership and make recommendations thereon to the President. It shall implement rules, regulations and decisions as may be promulgated by the Executive Board or the general membership for the admission of members in the SSPSC-FASA.
- b. **Committee on Grievance/ Welfare** shall investigate internal UNION disputes in accordance with Article XIV of this Constitution. It shall assist in the presentation and settlement of UNION grievance with Management subject to pertinent provisions of the existing Collective Negotiation Agreement (CNA). It shall be responsible for the adoption and implementation of programs, projects and activities that will promote and protect the general welfare of the members.
- c. **Committee on Labor Education and Research** shall prepare, adopt and implement labor education programs and activities that will promote the enlightenment of the members in regard to the prevailing labor relations system, the provisions of the constitution and the existing CBA and all labor legislations rules, issuances and policies that affect the members directly or indirectly.

ARTICLE VIII MEETING OF THE UNION

Section 1. The UNION shall hold regular membership meetings at least once a year. Notices of the meeting shall be sent out by the Secretary at least ten (10) days prior to such meeting by posting in conspicuous places preferably inside office premises, said notices. The date, time and place for the meeting shall be determined by the Executive Board.

Section 2. Regular meeting of the Executive Board shall take place every month with appropriate notice to be sent out by the Secretary to each member of the Board at least (5) working days prior to such meeting, The time and place of the meeting shall be determined by the President. The meeting shall preferably be held in the UNION office.

Section 3. Special meeting of the Executive Board of the general membership may be called at any time, either at the call of the President, upon request of majority of

the members of the Executive Board or upon petition addressed to the President of at least (20%) percent of all members in good standing the UNION.

ARTICLE IX UNION ELECTION

Section 1. There shall be a Committee on Election (COMELEC) to be created by the Executive Board at least (30) days before any regular or special election. The functions of the COMELEC include the following.

- a. Adopt and promulgate rules and regulations that will ensure a free, clean, honest and orderly elections, whether regular or special;
- b. Pass upon qualification of candidates;
- c. Rules of any question or protest regarding the conduct of the election subject to the procedure that may be promulgated by the Executive Board; and
- d. Proclaim duly elected office.

Section 2. The COMELEC shall be composed of chairman and two members all of who shall be appointed by Executive Board and are disqualified from running on any election position.

Section 3. The COMELEC shall automatically dissolve thirty days (30) after the duly elected officers are proclaimed.

Section 4. Regular election of officers on the UNION shall be held on June or during the College Charter Day and on the same every two (2) of years thereafter.

Section 5. All members of the UNION in good standing shall be eligible to vote in UNION election. Candidates for elected position must be members of the union in good standing for a period of at least one (1) year on the date of the election.

Section 6. Voting shall be by secret balloting and the election shall be decided by plurality of votes.

Section 7. The duly elected officer's shall meet within one (1) week following their proclamation to which time outgoing administration shall turn over all records and properties of the UNION to the new administration.

ARTICLE X FEES, DUES, SPECIAL ASSESMENTS, FINES AND OTHER PAYMENT

SECTION 1. An admission fee on One Hundred Pesos (P100.00) shall be paid by an applicant before he becomes officially member of the UNION.

SECTION 2. Every member shall pay monthly dues to the UNION in the amount of Fifty Pesos (P50.00) which may be collected through check off deduction upon previous written authorization of the member concerned.

SECTION 3. All amount collected pursuant to the two preceding section shall constitute the General Fund of the UNION to be applied to the operational and organizational expenses of the UNION or for any purposes or object as may be

authorized by the executive Board in written resolution adopted at a meeting duly called for the purposes.

SECTION 4. Every member shall contribute to the UNION such amounts as may be fixed by the Executive Board of General Membership through a written resolution adopted at a General Membership meeting duly called for the purposes to be applied to or expended for any or all following objects.

- a. Labor education programs
- b. CBA negotiation
- c. Welfare and cooperative program
- d. Such other and plans and program that will promote the interest and welfare of the UNION and the members.

SECTION 5. Special assessment or the other extraordinary fees shall be made only upon resolution duly ratified $\frac{3}{4}$ of the General Membership through secret balloting.

SECTION 6. Any member who shall be six (6) months arrears in the payment of his regular monthly dues or who fails for two times to pay the special assessments, fines or other payments required to be made, shall cease to be a member in good standing and mat subjected to other disciplinary actions. In the event of sickness, leave of absence without pay and other similar causes, the Executive Board may excuse non-payment or defer collection and thereof at its discretion.

SECTION 7. Every payment of fees, dues or other contributions by a member shall be evidence by a receipt signed by the Treasurer or his duly authorized representative making the collection and entered into the records of the UNION to be kept and maintained for the purposes.

SECTION 8. Every expenditure of the funds of the UNION shall be evidence by a receipt from the person to whom the payment is made which shall state the date, place and purposes of such payment. Such receipt shall form part of the financial records of the UNION.

SECTION 9. The books of accounts and other records of the financial activities of the UNION shall be open for inspections by any officer or member anytime during office hours.

ARTICLE XI DISPOSITION OF UNION

SECTION 1. In case of voluntary dissolution of the UNION or final cancellation of its registration certificate, the UNION members shall enjoy equality to the UNION properties to the extent that said properties shall first be sold to the UNION members before said properties are offered to non union members and the proceeds therefore, together with the balance of the UNION funds shall be distribute, pro-rata to its members, depending on the amount of membership due contribute to the UNION. The general membership may be consulted to settle differences of opinion.

**ARTICLE XII
QUORUM AND RULES ORDER**

SECTION 1. Except when a greater proportion is required herein or by law, a majority vote shall prevail at meetings and deliberation of the UNION. A majority of the members of the UNION shall constitute a quorum to officially transact any business.

SECTION 2. Meetings of UNION, shall whenever practicable, be governed by the Roberts Rules of Order.

**ARTICLE XIII
COLLECTIVE NEGOTIATION**

SECTION 1. Collective negotiation for and in behalf of the general membership shall be undertaken by the Executive Board and shall acts as the Negotiating Panel.

SECTION 2. The Collective Negotiating Agreement resulting from the negotiation shall be subject to ratification and approval by majority vote of the UNION members at a meeting convened or by referendum held for such purpose.

**ARTICLE XIV
SETTLEMENT OF INTERNAL DISPUTE**

SECTION 1. Disputes involving union members of its officers shall made in writing and submitted to the President who shall undertake to have them settle their differences amicably.

SECTION 2. In event of failure to settle the dispute amicably, the General Secretary we shall pass on the dispute to the committee on Grievance/Welfare that shall undertake to investigate or hear the case on the merits.

SECTION 3. The committee on Grievance/Welfare shall require the respondent within five (5) days from the date of the aforementioned confrontation of the parties to reduce their answer in writing. Thereafter, both sides shall be entitled to a hearing.

SECTION 4. After proper evaluation of evidence submitted, the Committee on Grievance/Welfare shall render its written decision on the dispute within five (5) working days from termination of the hearing.

SECTION 5. Decisions of the committee On Grievance/Welfare shall become final unless appealed to the General Membership within three (3) days from receipt of a copy of the decision of the Committee on Grievance/Welfare.

**ARTICLE XV
IMPEACHMENT AND RECALL**

SECTION 1. Any of the following shall be a ground for the impeachment or recall of the UNION. Officers:

- a. Committing or causing the commission directly or indirectly of acts against the interest and welfare of the UNION;

- b. Malicious attack against the UNION. Its officers of against fellow UNION officer or member;
- c. Failure to comply with the obligation to turn over and return to the UNION Treasure within three days are unexpected sum or sums of money received from the UNION funds to answer for an authorized UNION purpose;
- d. Gross misconduct unbecoming of a union office;
- e. Misappropriation of UNION funds and properly. This is without prejudice to filling of an appropriate criminal or civil action against the responsible officers by any interested party.
- f. Willful violation of any provisions of this constitution of rules, regulations, measures resolution and decisions of the UNION.

SECTION 2. The following procedure shall govern the impeachment and recall proceeding:

- a. Impeachment or recall proceeding shall be initiated by a formal petition or resolution signed by at least thirty (30) percent of all bonafide members of the UNION and address to the President of the Executive Board;
- b. The President of the Executive Board shall then convene a general membership meeting to consider the impeachment or recall of officer or a group of officers, whether elective or appointed'
- c. UNION officer against whom impeachment or racall charges have been filled shall be given ample opportunity to defend themselves before any impeachment or recall vote is finally taken;
- d. A majority of all the members of the union be required to impeach or recall union officers;
- e. A UNION officers impeached shall ipso facto be considered resigned or ousted from office and shall no longer be elected nor appointed to any position in the UNION;
- f. The Decision of the general membership on the impeachment or recall charge shall be final and excretory.

ARTICLE XVI FISCAL YEAR

SECTION 1. The UNION's fiscal year shall commence on the 1st day of July and end on the 30th day of June of every year.

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**ARTICLE XVII
AMENDMENTS**

SECTION 1. Proposal for impeachments to this Constitution may be made by the Executive Board or upon formal petition of the least thirty (30) percent of the general membership.

SECTION 2. No proposal shall be considered an amendment and become a part of this constitution until after the same shall have been ratified by two-thirds (2/3) vote of all the members of the UNION either at special meeting or referendum called for such purpose.

**ARTICLE XVIII
EFFECTIVITY**

SECTION 1. This constitution shall take effect on the day following its ratification.

Adopted and ratified this 10th day of August 2007 at SSPSC - Campuses with list of members together with their signature, who ratified the same appearing in Annex 'A' hereof.

CERTIFIED CORRECT:

mcaylt
ROSA V. CAYBOT, MA-ELT
Secretary

ATTESTED:


ULDARICO D. URQUIZA, MS. Agri.
President

SUBSCRIBED AND SWORN to before me this 10 day of July at SFADS affiant exhibiting to me his/her Residence Certificate No. 02082476 issued at BARO BOY DON, SURIGAO DEL SUR on Feb. 13, 2008


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