



Republic of the Philippines
Western Mindanao State University
UNIVERSITY FACULTY UNION
Normal Road, Baliwasan, Zamboanga City
BLR Reg. No. 945; CSC Accre. No. 319



Constitution and By-Laws of the WMSU Faculty Union

PREAMBLE

We, the faculty members of the Western Mindanao State University, Zamboanga City, in order to promote our moral, social, and economic well-being; protect and uphold our individual and collective rights, as well as foster harmonious and progressive faculty-administration relations do hereby promulgate this Constitution and By-Laws.

ARTICLE I

NAME AND DOMICILE

Sec. 1. This organization shall be known as the Western Mindanao State University Faculty Union, or briefly the **WMSU Faculty Union**.

Sec. 2. The Union shall be domiciled at the Western Mindanao State University Main Campus, Normal Road, Baliwasan, Zamboanga City.

ARTICLE II

DECLARATION OF OBJECTIVES

Sec. 1. To establish a union that will represent the faculty members of the Western Mindanao State University in a collective negotiation, and promote a healthy and closer relationship among its members.

Sec. 2. To promote, protect and uphold the individual and collective rights of all its members.

Sec. 3. To foster harmonious and progressive faculty-administration relations.

Sec. 4. To strive for the adoption of measures that will promote economic, social, and general well-being of all its members.

Sec. 5. To promote the enlightenment of all the members of their rights and obligation as union members and as employees, with respect to the present labor relations systems, the existing collective negotiation agreement (CNA), and all other matters that directly or indirectly affect the union.

ARTICLE III
NAME OF EMPLOYER

Sec. 1. For collective negotiation purposes, the definite employer is the **Western Mindanao State University**, hereinafter referred to as the Agency, the principal place of operation of which is at the Normal Road, Baliwasan, Zamboanga City.

ARTICLE IV
MEMBERSHIP

Sec. 1. Faculty members with plantilla items not otherwise disqualified by law regardless of sex, race, nationality, religious or political affiliation are eligible for membership in the Union.

Sec. 2. Qualified faculty members of the University may become members of the Union upon filing of application for membership and payment of the corresponding membership fee as defined under Art. X. Sec. 1. of this Constitution and By-Laws, and upon approval of his/her membership application by the Union President upon the recommendation of the Committee on Membership.

Sec. 3. **Termination of Membership.** Membership in the Union is automatically terminated upon death, retirement, voluntary or forced resignation, or upon transfer to an administrative item in the university and shall not be entitled anymore to all rights and privileges within the context of this Constitution and By-Laws.

Sec 4. All members of the Union in good standing shall be entitled to all the rights and privileges within the context of this Constitution and By-Laws.

ARTICLE V
OFFICERS AND BOARD OF DIRECTORS: THEIR TERMS, QUALIFICATIONS AND MANNER OF ELECTION

Sec. 1. **The Executive Officers.** The executive officers of the Union shall be comprised of the President, Vice President, Secretary, Treasurer, Auditor, Public Information Officer, and the Project Manager. There shall be Finance Officers who shall be appointed by the President upon the confirmation of the Board of Directors.

Sec. 2. **The Board of Directors.** The governing body of the Union shall be vested in the Board of Directors who shall be composed of the Executive Officers and the Faculty Club Presidents of the different local colleges in the University; provided that, a college or institute without organized faculty club shall choose from among themselves a representative, either by consensus or secret balloting. Such members shall sit in the Board until their respective faculty members shall have chosen their successor.

Sec. 3. **Terms of Office.**

(a) The Executive Officers of the Union shall hold office for a term of three (3) school years (SY) beginning SY 2018-2019, which shall commence at noon on the 31st of July following their election.

(b) All officers of the Union shall be eligible for re-election to the same office for a maximum of two (2) consecutive terms.

Sec. 4. Qualifications. All members of the Union in good standing are qualified to run for any of the offices mentioned in Section 1 of this Article, except those who perform supervisory and managerial functions whether by appointment or designation, such as deans, directors, administrators and special assistants to the President and/or Vice-Presidents.

Sec. 5. Manner of Election.

(a) The Executive Officers of the Union shall be elected by a plurality of votes of all members through secret balloting, which shall be held on the 3rd Friday of July every three (3) years thereafter. College faculty organizations' elections shall be held not later than the 3rd Friday of July each year, to determine their respective representatives to the Board as provided for under Section 2 of this Article.

(b) If on the day of election a seat in any of the elective positions is not filled up by a candidate, the general assembly may nominate one from among those present; provided that the incumbent thereto, with his/her consent, shall be given priority for the nomination.

Sec. 6. Special Election. In case of vacancy in any of the offices mentioned in Section 1 of this Article, the same shall be filled up through a special election which shall be filled up through a special election which shall be held within thirty (30) days from the date of such vacancy; provided further, the successor in this instance shall serve only the remainder of the term thereof; provided finally, that no special election shall be held if the vacancy occurs within ninety (90) days preceding the next regular election.

ARTICLE VI
THE ELECTORAL BOARD

Sec.1. There shall be an independent Electoral Board to supervise the conduct of election, which shall be composed of the Dean of the College of Law as Chairman, the Dean of Admission and the Dean of Research, as members. The Electoral Board shall promulgate its own rules and regulations that will ensure free, honest and clean election; determine the qualifications of candidates; rule on any question or protest regarding the conduct of the election, and perform such other powers and duties pertaining to election as provided for in the Omnibus Election code.

ARTICLE VII
POWERS AND DUTIES OF THE EXECUTIVE OFFICERS AND BOARD OF DIRECTORS

Sec.1. The President. The President shall be the Head of the Executive Officers of the Union and as such shall exercise the following duties:

- (a) Execute policies formulated by the Board of Board of Directors;
- (b) Preside in all meetings of the Board of Directors;
- (c) Attests all resolutions passed and/or adopted by the Board or as are authorized under this Constitution and By-Laws;
- (d) Approve disbursement of funds duly appropriated by the Board or as are authorized under this Constitution and By-Laws;
- (e) Sign memorandum of agreement with other organizations, or institutions, whether government or non-government, for the advancement of the Union and its members with the concurrence of majority of all members of the Board;

- (f) Create ad Hoc committees when necessary to work on matters pertaining to the Union not covered within the duties and responsibilities of the standing committees;
- (g) Designate all members of the different committees mention in this constitution and By-Laws including those of the Ad Hoc committees;
- (h) Call a special meetings of the Board or of the general membership whenever he deems it necessary or upon a written request of at least 20% of the general membership or majority of the members of the Board;
- (i) Represent the Union on all occasions and/or all matters in which the represent the representation of the
- (j) Represent the Union in collective negotiation, and serve as the spokesperson of the Union;
- (k) Conduct consultation with the representatives of the faculty, students and/or members of the university stakeholders in aid of policy formulation; and
- (l) Perform such other duties as the Board may deem it necessary for the interest of the Union and its members.

Sec.2. The Vice President. In the absence of the President, the Vice President shall serve as the acting President; the Vice President shall become President of the Union to serve the unexpired portion of the term thereof. The Vice President shall likewise perform such other functions as may be assigned to him by the President in addition to the duties he performed as a regular member of the governing Board of the Union.

Sec.3. The Secretary. The secretary shall be the custodian of all records of the Union; He shall keep the records of the proceeding of every meeting of the Board and the Union's general assembly; and prepare notice of meetings for the signature of the President; and perform such other function as the President or the Board may assign him from time to time.

Sec.4. The Treasurer. The treasurer shall collect all dues, fees, and assessments from the members (and others such cash donations and solicitations, net earnings from the income generating projects); deposit all general funds of the Union in a Bank designated by the Board of Director, except the Medical Fund and Insurance Fund; prepare and sign disbursement of funds in accordance with the Union's accounting and auditing rules and regulations, or in the absence thereof, the normal State accounting rules and regulations; and deputize treasurers of local college/institute/school to assist him in the collection of such dues, fees, and assessments when necessary; and to maintain the Union's Book of Accounts of the general fund.

Sec.5. The Auditor. The auditor shall examine all income, receipts and disbursement of all Union's accounts, the general fund, medical fund and the insurance fund; and shall verify and certify as to the veracity of all disbursements in accordance with accepted accounting and auditing rules and regulations.

Sec. 6. Finance Officer 1: The Finance Officer 1 shall be responsible for the collection of all monthly dues from the fifty percent (50%) share from canteen operation consigned to the designated college/institute for the Medical Fund and the protection and safekeeping seed money used in the Insurance Fund; deposit these funds of the Union in a Bank designated by the Board of Directors; prepare and sign disbursement of funds in accordance with the Union's accounting and auditing rules and regulations. Financial statements shall be presented to the board ever quarter and during General Assembly.

Sec. 7. Finance Officer 2: The Finance Officer 2 shall be responsible in managing all income generating projects of the Union. He/she shall be responsible for the purchases and procurement of the items intended for the operation of the business.; keep accurate records for all daily

transactions; prepare balance sheets; process invoices, prepare monthly reports and turnover all net earnings of the business monthly to the treasurer to be deposit in the general fund account.

Sec. 8. The Public Information Officer. The public information officer shall take charge of the publication of the activities of the Union with the media; bring to the attention of the Board of Directors or the President news that may affect the Union and its members.

Sec. 9. The Business Manager. The project manager shall take charge of the project and the economic activities of the Union; prepare the Union's investment and project feasibility studies; and chair the Committee on Ways and Means, and Economic Affairs.

Sec. 10. The Board of Directors. The Board of Directors, which shall chaired by the Union President, shall be the highest policy making body of the Union. As such, it shall perform the legislative function of the Union; conduct constant consultation with both Ad Hoc and Standing Committees of the Union when preparing its legislative agenda; and to act as a body, on such matters as may be brought before it by any committee or individual member of the Union.

Sec. 11. Ex-Officio. The immediate past president shall serve as the adviser and consultant of the Board. He/she can participate in the discussion during Board and Executive officers meeting and render his/her best opinion and ideas to the best interest of the Union but has no voting power.

ARTICLE VIII **PERMANENT COMMITTEES**

Sec. 1. Committee on Membership. The committee on membership shall receive and process application for membership and make recommendation thereon to the Union President. It shall implement rules and regulations and decisions as may be promulgated by the Board of Directors or the general membership for the admission of members in the Union.

Sec. 2. Committee on Human Resource Management and Development. It prepares, adopt and implement human resource education program and activities that will promote career advancement; and prepares program design that promote faculty growth and development. It shall also prepare program that will promote the enlightenment of the Union members on matters pertaining to the labor relations systems in accordance with the provisions of this Constitution and existing Collective Negotiation Agreement.

Sec.3. Committee on Grievance/Welfare. It shall investigate internal dispute among members of the Union in accordance with Article XIII of this Constitution; Assist in the presentation and settlement of Union Grievance with the Administration subject to pertinent provision of the Collective Negotiation Agreement. 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.

Sec. 4. Committee on Ways and Means, and Economic Affairs. It prepares plans and/or project feasibility study involving income generating or economic activities, and investments of the Union.

Sec. 5. Committee on Resolutions and Amendments. It shall take charge of all draft resolutions submitted by any member of the Board for deliberation, including resolution proposing the amendment of this Constitution and By-Laws, such other legislative measure within the jurisdiction of the Board.

Sec. 6. Committee on Socio-Cultural Affairs and Sports Activities. It shall be responsible for the preparation of program and planning on matters pertaining to the socio-cultural affairs and sports activities of the Union, and the participation of the Union in the socio-cultural affairs and sports activities of the University.

Sec. 7. Term of Office. The term of office of all members of the permanent as well as ad hoc committees shall be co-terminus with the Union President designating them.

ARTICLE IX **MEETINGS**

Sec. 1. General Membership Meeting. The Union shall hold its general meeting at least twice in a given school year, one of which shall be on the 1st Friday of March each year corresponding to the regular Election Day; and the other shall not be later than the twenty fifth (25th) of December, each year.

Sec. 2. Regular Board Meeting. The Board of Directors shall hold a regular meeting at least once a month on the date, time and venue to be fixed by the new Board upon their assumption to office: provided that their first meeting shall be held not later than the commencement of their official duties, which shall be at noon on the thirty first day of July following their election.

Sec. 3. Special Meeting. A special meeting of the Board of Director or of the general assembly may be called at any time, either at the call of the President, or upon request of majority of the Board of Directors, or upon petition address to the President of at least 20% of all members of the Union in good standing.

Sec. 4. Notice of Meeting. Notice of meeting whether it is of the general membership or of the Board of directors, regular or special shall be served, which shall contain the business to be discussed not later than five working days before such meeting.

Sec. 5. Quorum and Rules of Order.

(a) A simple majority shall constitute a quorum in all meetings of the general assembly; however, for purposes of all meetings of the governing board, one third plus one ($1/3+1$) of the membership thereof shall constitute a quorum.

(b) The meeting of the Union shall be governed by rules of procedure, which shall be promulgated by the Board of Directors.

(c) Until the promulgation of the rules of procedure mentioned in the preceding paragraph, the Union shall observe the Robert's Rules of Order or Rules of Parliamentary Procedure when conducting its board or general membership meeting.

ARTICLE X **FEES, DUES, AND OTHER ASSESMENTS**

Sec. 1. Membership Fee. A new member upon approval of his membership by the President of the Union shall pay a non-refundable one time membership fee of one thousand pesos (Php 1,000.00)

Sec. 2. **Dues.**

- (a) Every member shall pay a monthly due to the Union in the amount of two hundred pesos (P200.00), which shall be collected through payroll deduction. Amounts collected pursuant to this paragraph and section 1 of this Article shall constitute the General Fund of the Union, which shall be applied to its operational and organizational expenses or for any purpose or object duly approved by the board in a written resolution adopted at meeting called for the purpose.

Sec. 3. **Special Assessments.** Special assessments or other extraordinary shall be made only upon resolution duly ratified by at least $\frac{3}{4}$ of the general membership through secret balloting.

Sec. 4. **Fines.** A fine as may be determined by the board shall be imposed to any member who shall be in arrears for at least six (6) months in the payment of his regular monthly dues or who fails for two times to pay the special assessments, fines, or other dues required of a members in good standing, except in the event of illness, the Board at its discretion may defer payment of such dues; Provided that leave of absences without pay for reason other than illness shall not exempt a member from paying his dues and other obligations.

Sec. 5. **Receipts and Expenditures.**

(a) Every payment of fees, dues, or other contributions by a member shall be evidenced 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 purpose.

(b) Expenditure of the funds of the Union shall be evidenced by a receipt from the person to whom the payment is made which shall state the date, place and purpose of such payments. Such receipt shall form part of the financial records of the Union.

Sec. 6. **Book of Accounts.** The book of accounts and other records of the financial transaction of the Union shall be open for inspection by any officer or member anytime during office hour.

ARTICLE XI UNION FUNDS

Sec. 1. The **general fund** is an account consisting of monthly dues of two hundred pesos (P200.00) collected from each member, the one-time membership fee of one thousand pesos (P1,000.00) collected from the new members, net earnings from the income generating projects, and other cash donation or solicitation from an individual. This fund shall be managed by the treasurer. The disbursements chargeable from this fund shall be limited to any of the following:

(a) for the medical assistance of the member in case of illness or accident that requires confinement in a hospital for at least three (3) days; Provided that benefit accruing thereof shall not exceed five thousand pesos (P5,000.00), for less serious illness; or ten thousand pesos (P10,000.00) for serious illness or those requiring major operation, which shall be automatically approved by the Union President for release by the treasurer upon presentation of proof of such confinement; Provided further that privilege enjoyed hereof shall not exceed P10,000 in a given school year.

(b) for the payment of retiree's gratuity amounting to a minimum of ten thousand pesos (P10,000.00) but not to exceed fifteen thousand pesos (P15,000.00) based on the number of contributing years from the monthly dues; Provided the amount thereof shall be determined and

approved by the Board in a written resolution adopted at a meeting called for the purpose. This privilege is granted to a member who retires due to age or physical disability in recognition of the retiree's invaluable service and contribution to the Union. The qualifications for the gratuity who retires due to age must be at least 60 years old and must have at least 25 years of continuous membership with the union.

(c) for the payment of death aid. In case of death of a member, the amount of twenty thousand pesos (P20,000.00) shall be given to the bereaved family (the legal spouse or legitimate children or parents or any legal heirs, in the order provided by civil law) and released only upon the presentation of the original marriage contract and death certificate of the deceased. A death aid of two thousand pesos (P2,000.00) shall likewise be given to any member of the union in case of death of any of his/her immediate family member.

(d) payment for the operational organizational expenses, capital outlays for projects or object duly approve by the Board in a written resolution adopted at a meeting called for the purpose.

(e) to pay for the members education program, CNA negotiations and other plans and programs that will promote the interest and welfare of the Union and members.

(f) The Board upon approval in a written resolution adopted at a meeting called for this purpose may grant also mortuary aid at a fix amount of ten thousand pesos (P10,000.00) to members who retired before the affectivity date of granting the retiree gratuity in January 1, 2014.

Sec. 2. The **medical fund** shall be created from all collections from the fifty percent (50%) share from the rental of the canteen operation consigned to each respective College Faculty Organization paid by their respective concessionaires pursuant to BOR Resolution No. 144, Series of 2011 dated July 5, 2011. The College Faculty Club President shall remit to the Finance Officer 1 the Union share every last Friday of the month. This fund is managed by the Finance Officer 1 and is separate and distinct from the general fund and the insurance fund. The disbursements chargeable from this fund shall be limited to any of the following:

(a) to pay for the additional medical expenses if on account of illness or accident a member is required to go on sick leave without pay beyond one month for recuperation. Provided the amount thereof shall be determined and approved by the Board in a written resolution adopted at a meeting called for the purpose.

(b) to pay for the medical assistance of the member in cases of illness or accident that requires confinement in a hospital for at least one (1) day but not to exceed two (2) days; Provided that benefit accruing thereof shall not exceed one thousand pesos (P1,000.00), for less serious illness; or three thousand pesos (P3,000.00) for serious illness and five thousand pesos (P5,000.00) those requiring surgical operation, which shall be automatically approved by the Union President for release by the Finance Officer 1 upon presentation of proof of such confinement; Provided further that privilege enjoyed hereof shall not exceed five thousand pesos (P5,000.00) in a given school year.

Sec. 3. **Medical Assistance Loan Program** shall be established using the Medical Fund as a capital. This is intended to further help the medical expenses of a member due to serious illness that requires major operation or confinement beyond fifteen (15) days. Members of the Union are entitled to avail of the said loan subject to the evaluation and approval of the President, Vice President and Finance Officer 1. The loan shall not exceed twelve thousand pesos (P12,000.00)

with a payment term not exceeding one (1) year and with zero interest. Subsequent loan can be availed after FULL PAYMENT of the previous loan but subject to the availability of funds.

(a) A member who availed of the medical of the Medical Assistance Loan Program shall no longer be eligible to avail of the Emergency Faculty Assistance Loan (EFAL) Program unless the former loan has been fully paid.

(b) In the event of death of a member while the medical Assistance Loan is not yet fully paid, the remaining balance shall be deducted from the death aid.

(c) In case such medical Fund becomes insufficient to address the medical needs of the members, all pending claims under this fund shall be charged to the General Fund. Thus, all Medical Assistance Loan Program shall be automatically be suspended until such fund is replenish.

Sec. 4. Insurance Fund

(a) It was realized that the previous insurance companies were inefficient in delivering the immediate needs of the members. According to records, only few members were able to avail of the medical benefits due to its tedious requirements and it took time to claim the financial assistance. For this viable reason, the Union will no longer engage in any agreement with other insurance company and thereby decided to create and manage its own **INSURANCE FUND**. The initial seed money from this fund is taken from the General Fund amounting to Forty Thousand Pesos (P40,000.00) every year. The fund shall be managed by the Finance Officer I and shall be deposited in a bank designated by the Union Board. The disbursements chargeable from this fund shall be limited to any of the following:

(a) Daily cash assistance for hospital confinement due to accident or illness;

a.1. for member on the 4th day to 15th day of confinement at P500 per day per year

a.2. for spouse, maximum of 10 days at P300 per day per year

a.3. for dependent (maximum of two children below 18 years old), maximum of 10 days at P300 per day per year a.4. for parents in case a member is single, maximum of 10 days at P300 per day per year

(b) Burial Assistance

b.1. Member, P10,000.00

b.2. Spouse, P5,000.00

b.3. Per dependent, P1,500.00

(c) Medical reimbursement due to accident or animal bite

c.1. Member, P5,000.00 per year

c.2. Spouse, P2,000 per year

c.3. Per dependent below 18 years old, P1,000 per year

c.4. Parents (if member is single), P1,000 per year

(d) Permanent and total disability (for member only), P20,0000

(e) Emergency Faculty Assistance Loan (EFAL) Program shall be established using the Insurance Fund as capital. Members are entitled to avail of the said loan solely intended for medical emergency cases to include the immediate members of his/her family. Provided the loan application is subject to the evaluation and approval by the President, Vice President and Finance Officer 1. The amount of loan to be granted shall not exceed Fifteen Thousand Pesos (P15,000.00) with a payment term not exceeding one (1) year with an interest rate of one (1) percent per month on the outstanding balance on the principal base on diminishing return. Subsequent loan can be availed after FULL PAYMENT of the previous loan. In the event of a death of a member, the remaining balance on the EFAL shall be deducted from the Burial Assistance. EFAL and Medical assistance loan cannot be availed simultaneously.

(f) A member who will travel on official business (for reimbursement but not ADA) may avail a cash advance equivalent to that amount stated on the voucher, provided it must not exceed ten thousand pesos (P10,000.00). Upon return from travel, he/she shall repay the said cash advance after five (5) working days with zero interest, an interest rate of five (5) percent shall be charged on the principal for every day delay up to maximum of fifteen (15) working days.

(g) Not contrary to the religious belief of a deceased member, flowers shall be sent as an expression of sympathy and condolences to the bereaved family.

Sec. 5. Implementing Rules and Regulations regarding Loans

(a) For purposes of paying all types of benefits and loans, the term year used herein refers to fiscal year of the Union, pursuant to Article XV, Section 1 of the Constitution and By-Laws.

(b) In order to provide equal opportunity to all members of the Union despite its limited Assistance Loan and Emergency Faculty Assistance Loan funds, a demand letter shall be given to a delinquent borrower to remind him of his outstanding obligation with the Union. A borrower shall be considered delinquent if he/she fails the agreed monthly loan amortization for three (3) consecutive months.

(c) Notwithstanding the written demand in the preceding Rule (b), if the delinquent borrower ignores and fails to pay the agreed amortization for six (6) months, it shall be the moral duty and obligation of such delinquent borrower to surrender his/her LANDBANK ATM Card to the Finance Officer 1, where his/her WMSU monthly salary is credited. In such case the borrower and the Union Board shall agree how much shall be deducted from his/her salary every month and for how many months, provided such new term of payment agreed upon shall not be more than twelve (12) months.

(d) If the delinquent borrower refuses to surrender his ATM Card, his/her membership in the Union shall be suspended, until such time that all obligations would be settled, thus shall not be entitled to any benefits due him from the Union while under suspension.

(e) When a delinquent member further failed to comply with Rule (d) within six (6) months, a penalty by expulsion in the Union shall be imposed upon a majority vote of the Union Board in a written resolution adopted at meeting called for this purpose.

ARTICLE XI
DISPOSITION OF UNION FUNDS

Sec. 1. In case of voluntary dissolution of the Union or final cancellation of its registration certificate, the Union members shall enjoy equity to the Union properties shall first be sold to the Union members before same are offered to non-Union members and proceeds there from, together with the balance of the Union funds shall be distributed pro-rata to its members, depending on the amount of membership may be consulted to settle differences of opinion.

ARTICLE XII
COLLECTIVE NEGOTIATION

Sec. 1. The Board of Directors acting as the negotiating panel shall undertake collective negotiation for and in behalf of the general membership.

Sec. 2. The collective negotiation agreement resulting from the negotiations shall be subject to ratification and approval by majority vote of the Union members at a meeting convened or a referendum held for the purpose.

ARTICLE XIII
SETTLEMENT OF INTERNAL DISPUTES

Sec. 1. Disputes involving Union members or its officers shall be made in writing and submitted to the Chairperson of the Committee on Grievance/Welfare who shall facilitate the amicable settlement of their differences.

Sec. 2. In facilitating such settlement, the committee shall look into the merit of the case and require the respondents to submit his/her answer in writing within five (5) days from date of receipt of the complaint. Thereafter, if the complainant is not satisfied with the answer, the committee shall set a schedule for the hearings within three (3) days whereby both parties are given the opportunity to present their respective evidences or witnesses, as the case may be, after which the committee shall evaluate the merit of the evidence presented, render its decision in writing.

Sec. 3. The decision of the Committee shall be final unless the party involved appeal to the general membership within three (3) working days from receipt of the copy of the Committee decision.

ARTICLE XIV
IMPEACHMENT AND RECALL

Sec. 1. **Grounds for Impeachment.** Any of the following shall be a ground for 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) Assassination of the character of a fellow Union officer or member.

- (c) Failure to comply with the obligation to turnover and return to the Union Treasurer with three days unexpended sums of money received from the Union funds to answer the authorized Union financial obligations.
- (d) Gross misconduct or conduct unbecoming of a Union officer.
- (e) Misappropriation of the Union funds and/or property, without prejudice to the filing of appropriate criminal or civil action against the responsible officer or officers by any interested party.
- (f) Willful violation of any provisions of the Constitution or rules, regulation, measures, resolutions and decision of the Union.

Sec. 2. Procedure for Impeachment. The following procedures shall be observed in the conduct of impeachment or recall:

- (a) Impeachment or recall proceedings shall be initiated by formal petition or resolution signed by at least thirty percent (30%) of all bona fide members of the Union, Provided that ten percent (10%) of each college faculty shall be among the signatories. Such petition or resolution shall be addressed to the President/Chairman of the Board of Directors; Provided that if the officer to be impeached is the President/Chairman of the Board of Directors, shall act as President and Chair of the Board;
- (b) The President/Board Chairperson or the acting President/Chairperson, as the case maybe, shall then convene a general membership meeting to consider the impeachment or recall of an officers, whether elective or appointive;
- (c) The Union officers against whom impeachment or recall charges have been filed shall be given ample opportunity to defend themselves before any impeachment or recall vote is finally taken;
- (d) A majority vote of all the members of the Union shall be required to impeach or recall Union officers;
- (e) 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 executor.

ARTICLE XV FISCAL YEAR

Sec. 1. The fiscal year of the Union shall commence on the first day of August each and ends on thirty – first day of July of the immediate following year.

ARTICLE XVI MISCELLANEOUS PROVISIONS

Sec. 1. Amendments. Amendments to this constitution and by-laws may be proposed by the Committee on Amendments or by written petition signed by at least ten percent (10%) of the bona fide members of the Union. Such amendment is approved if ratified by the majority votes of all members in the general assembly called for the purpose or through a referendum.

Sec. 2. Adopted Resolutions. Resolutions adopted by the Board or the Union general membership shall continue to be in force until they are repealed, revised amended, or revoked by the same body.

Sec. 3. Referendum. Important proposals or any urgent matters that need the opinion of the greater majority other than the Board shall be resolved through referendum.

Sec. 4. Effectivity. This Constitution and By-Laws shall take effect upon its ratification by the majority of the members in a general assembly or through a referendum called for the purpose.

ADOPTED AND RATIFIED by the majority members of the **WMSU Faculty Union** through a Referendum on July 11, 2018.


DR. MANILYN V. MINQZA
Secretary

Attested by: 
ENGR. ALVIN P. MIGUEL
President

