

# Labor & Employment Law Student Association Constitution

## Preamble

We, the members of Labor & Employment Law Student Association (LELA), hereby associate ourselves to promote interest and involvement in legal and policy issues surrounding this practice of law from the perspective of all participants including but not limited to government agencies, employers and management, individual employees, labor unions, and the public.

## Article I. Name

The name of this organization shall be Labor & Employment Law Student Association (LELA) at the University of Miami School of Law.

## Article II. Membership

Section A: The membership of this organization shall be University of Miami students, staff, administrators and alumni who meet membership criteria<sup>1</sup> and unite to promote their common interests.

Section B: The advisor of this organization shall be full time faculty, administrator, or staff.

Section C: The membership fees are \$10.00 payable annually. If a member becomes delinquent in payment, he/she will not be allowed to vote and will be dropped from the organization. However, the policy of dues should be broad and LELA should work to be inclusive rather than exclusive. Before any member is dropped or suspended from LELA for payment default, he/she will be notified of their delinquent status and be given a reasonable time to restore payment. In the interim, he/she will not have access to the privileges of a due paying member.<sup>2</sup>

## Article III: Officers

Section A: The officers of this organization shall be: (ranked in order of importance)<sup>3</sup>

1. President

The President serves as the executive “head of the organization”. He/she plays a large role in crafting the bylaws of the organization, heading the organization

---

<sup>1</sup> Membership criteria for UM students can be found in Article II Section C. These criteria do not apply to UM staff, administrators or alumni. Those participants shall be deemed a “member” according to the preferences of the LELA executive board and is at their full discretion. If there is disagreement among the executive board pertaining to this matter than an executive board vote shall be held. If there are an even amount of executive board members and the vote results in a tie, then a new vote shall be held including all LELA members.

<sup>2</sup> A member in default of payment is not allowed to vote, will not be invited to organization activities, and will not be recognized as a member in any written publication, online or otherwise.

<sup>3</sup> A duty that is not specifically listed does not necessarily imply omission. Instead, e-board members should evaluate the nature of the position to determine if the duty exists. If there is disagreement amongst members as to the specific duties of a position, then the e-board shall consult the faculty advisor for advice.

meetings, planning and executing organization activities, speaking on behalf of the organization to its members and to the UM community as well as the larger outside community. Any bylaw or organization action that is suggested by LELA members or the executive board must be presented to the President in writing, and the Faculty advisor if applicable, before it may be voted on. The President may then present the amendment to the organization for a vote which requires a 2/3 vote by all LELA members. If the President disagrees with the amendment, he/she may present his/her reasoning before the organization. If the amendment is passed, it shall be documented in this constitution.<sup>4</sup> All communication between LELA and its members or the outside community may only be sent by the President unless delegated to another e-board member.

2. Vice President

The Vice President is also an executive position. In the event that the President cannot attend an event or meeting or anything of the like, the Vice President will act on behalf of the President unless that task is specifically delegated to another e-board member beforehand such as ICC meetings which is reserved for the ICC Liaison. If the President, for any reason, must resign from its position before the end of the closing academic school year, the Vice President will automatically take the position of President.<sup>5</sup>

3. Treasurer

The Treasurer will collect all member dues and make sure that members are not in default. When a member becomes in default, the treasurer will notify the President who will then contact the member. The treasurer is responsible for keeping the balance positive and when the balance is close to depletion, it shall notify the President that an e-board meeting is necessary to discuss fundraising options. The treasurer is responsible for all funds that come into the organization through fundraising or LAFAC or sponsorship and must keep a good working relationship with the Budget Office (or whatever office regulates student organization funds). The treasurer is also responsible for any outgoing funds necessary for organizational activities and must make sure that LELA stays within its budget for specific projects. In the event that the treasurer must resign before the conclusion of the academic school year, a mid-year election will be held and the duties will be taken over by the Vice President in the interim.

4. Secretary

The Secretary handles all documentation regarding LELA e-board and general meetings. The Secretary makes notations and minute meetings which should be submitted to the President after every meeting. The Secretary is responsible for

---

<sup>4</sup> The amendment must be explained as to why it was necessary either in the text of the amendment or in a footnote.

<sup>5</sup> It is more advantageous for the organization to have a Vice President move into the Presidential position than conduct a mid-year election to ensure a smooth transition and so that the Presidential position is taken over by an e-board member with executive experience.

keeping a list of all due-paying members and their contact information, list serve, etc. The Secretary shall also play a major role in drafting and advising the President on all official memoranda conducted between the organization and the outside community. Often times, the President shall ask the Secretary for a draft on a specific proposal for his or her suggestions. In the event that the secretary must resign before the conclusion of the academic school year, a mid-year election will be held and the duties will be taken over by the President in the interim.

5. Inter-Club Counsel Liaison

The ICC Counsel Liaison attends ICC meetings with the President and documents meeting conversations which are to be submitted to the Secretary, when pertinent. In the event that the President cannot attend an ICC meeting, the ICC Liaison will attend the meeting alone, speak on behalf of LELA, and vote. The ICC liaison will only relate information that has been approved by the President. In the event that the ICC liaison must resign before the conclusion of the academic school year, a mid-year election will be held and the duties will be taken over by the Secretary in the interim.

- a. These officers shall be considered the “executive board” (e-board) of LELA. No position shall be added without the consent of all e-board members. No position and its duties shall be changed without the consent of all e-board members and if a change in the duties of a position shall occur, then it is to be implemented by its successor. Once the e-board has decided to change a position or its nature, the changes shall be reflected in this constitution by an amendment.
- b. No officer shall be terminated unless for egregious behavior such as honor code violation or other impermissible behavior. If an officer is not fulfilling his/her official duties, they may be removed by an e-board vote but only after they are given the opportunity to cure the violation. The e-board vote must be unanimous to remove an officer from his/her position.

Section B: All officers shall be full/part time or LLM UM students who have paid the activity fee and are in good academic standing.<sup>6</sup>

Section C: The length of the term of office shall be one academic school year beginning in August, Fall semester and ending in May, Spring semester. In the event that a transition occurred because of the resignation/termination of an officer, that position shall be held by the successor until the conclusion of that academic school year or until a mid-year election may take place.

Section D: Officers may be nominated by organization members or a member may nominate himself. E-board members must be elected by LELA members with the majority vote controlling. The vote may be held at the last general meeting before the start of a new academic year so that the new acting president may be recognized at Barrister’s Ball. Only members who attend the meeting may vote. There is no limitation on the terms an officer may hold.

---

<sup>6</sup> 2.0 or above

## Section IV: Meetings

Section A: Regular general meetings are held once or twice per semester or at the discretion of the e-board. A minimum of once per semester is mandatory.

Section B: E-Board meetings may be called by any member of the e-board for important, specific issues and not just for general issues unless other e-board members consent. General issues should be discussed before all members at a general meeting. E-board meetings are intended to be on specific issues that concern the e-board or that are appropriate.<sup>7</sup>

Section C: If an e-board member is unable to attend a general meeting or an e-board meeting they must notify the President before the commencement of the meeting with a reason. The Secretary will provide meeting notes to the absent member.<sup>8</sup>

## Article V: Committees

Section A: There are currently no standing committees.

Section B: The e-board may feel that a committee is necessary for a particular issue. If so, they hold the authority to create a committee and appoint delegates. Once this is completed, it must be amended in this constitution with information concerning the date, objective, results, and whether the committee shall continue to operate or not.

## Article VI: Discipline

Section A: Whatever is documented throughout this constitution relating to discipline and procedure is applicable here as well.

Section B: Any violation of this constitution by this organization or its member will be presented to the Committee on Student Organizations for a hearing. But before that may occur, the member must be notified of their violation and given an opportunity to explain him or herself before this e-board and the opportunity to cure the violation if a cure is applicable. This organization does not hold the power to review incidents of honor code violations or matters concerning the administration. Any conduct which is punishable by the rules of the honor code or academic standing results in the member automatically terminated without notice.

## Article VII: Dissolution

Section A: This organization may be dissolved if the decision is approved by all e-board members and by all the active members. The decision must be unanimous.<sup>9</sup> In the event that all members decide dissolution of LELA is appropriate, a formal written notification must be presented to the Faculty advisor

---

<sup>7</sup> Common reasons for an e-board meeting include discussion of funds, ICC meeting information, planning an event, or similar activities.

<sup>8</sup> Absence to significant meetings or several meetings is grounds for "impermissible" behavior under Article III subsection b.

<sup>9</sup> If there are members who would like to continue the organization they should be afforded the opportunity.

and an informal written notice must be furnished to all active members at least 60 days before the vote is taken.

Section B: Upon dissolution, officers shall use organization funds to pay all existing organization debts. The balance, if any, will be donated to LAFAC to be used to the benefit of other existing organizations as LAFAC deems appropriate.

#### Article VII: Inconsistency in the constitution

Section A: Any inconsistency or conflict in this constitution shall be discussed by the e-board for resolution. The e-board should err on the side of caution and assess the nature of the document to reach a conclusion. Once a decision is made, it shall be documented as an amendment in the constitution.