

**COMMUNICATIONS WORKERS OF AMERICA**  
**LOCAL 1153**  
**BY-LAWS**

**ARTICLE I - NAME**

This Local shall be known as Local 1153, Communications Workers of America, AFL-CIO.

**ARTICLE II - JURISDICTION**

Jurisdiction of this Local shall be the jurisdiction assigned by the Union and appearing on the face of the Local charter.

**ARTICLE III - OBJECTS**

The objects of Local 1153 shall be to represent and serve the workers within its jurisdiction in accordance with the by-laws and Rules of the Local and the Constitution and policies of the Union.

**ARTICLE IV - LOCAL STRUCTURE**

The structure of the Local shall consist of the following:

- (1) Membership
- (2) Executive Board
- (3) Officers
- (4) Stewards
- (5) Committees

**ARTICLE V - MEMBERSHIP**

**SECTION 1 - ELIGIBILITY**

Any person eligible for membership in the Communications Workers of America, as defined in Article V of its Constitution, shall be eligible for membership in this Local, if performing work within the Local's assigned jurisdiction, or if employed on a part time or full time basis by the National or International Union.

**SECTION 2 – APPLICATION**

Membership in this Local shall be obtained in the following manner:

- (a) Approval of any membership committee authorized to accept or reject membership in the Local. Subject to the right of the membership to overrule the decision of a membership committee.
- (b) Initiation Fee:
  1. For any New Worker: Application for membership within 6 months of becoming eligible for membership, the initiation fee shall be \$2.00 of which \$1.00 shall be forwarded to the Union.
  2. For any other Worker: Applications for membership later than 6 months after becoming

eligible for membership in this Local the initiation fee shall be \$4.00 of which \$1.00 shall be forwarded to the Union.

3. The initiation fee of Local 1153 may be waived for any period at the discretion of the Executive Board.

- (c) Workers rejoining the Local after having been expelled or having resigned while eligible for membership shall pay an initiation fee of \$5.00 of which \$1.00 shall be forwarded to the Union

### **SECTION 3 - TRANSFERS**

The transfer of membership from this Local to the jurisdiction of another Local shall be made in accordance with Article V of the Union Constitution.

## **ARTICLE VI - LOCAL DUES AND ASSESSMENTS**

### **SECTION 1 - LOCAL DUES**

Each member of the Local or Dues Equivalent of the Local shall pay membership dues in the amount of 1.5%.

### **SECTION 2 - LOCAL SPECIAL ASSESSMENTS**

Any special assessments levied shall be in compliance with Article VI, Section 3 of the Union Constitution.

## **ARTICLE VII - GOVERNING AUTHORITY**

### **SECTION 1 - MEMBERSHIP**

The affairs of this Local shall be governed by its membership in accordance with the Constitution and policies of the Union in the following manner:

- (a) Through action taken in membership meetings or by referendum of the membership
- (b) Through actions and decisions of the Executive Board between membership meetings.
- (c) Through actions and decision of the Local officers between meetings of the Executive Board.
- (d) The action and decision of the Executive Board and Officers of the Local between Local meetings may be overruled by the membership in a Local meeting or by referendum.

### **SECTION 2 – ORGANIZATION**

- (a) Executive Board:

The Local Executive Board shall consist of the following six (6) members:

President, Executive Vice President, Secretary/Treasurer, and three (3) Area Vice Presidents.

Members of the Executive Board shall forfeit their titles and positions by accepting any transfer or promotion outside the jurisdiction of the Local.

## **ARTICLE VIII - LOCAL MEETINGS**

### **SECTION A**

General meetings of the Local shall be held quarterly. The first of these shall take place each year prior to March 31<sup>st</sup>. These shall be held under the direction of the President.

## **SECTION B**

Special meetings of the Local or Unit may be called by a majority vote of the Executive Board or by the President. Special meetings of any unit shall be confined to the subject for which they were called and shall be held upon receipt, by the Executive Board, of a petition bearing the signatures of at least 4% of the membership of that unit. Special meetings of the general membership may also be called by a petition signed by 10% of the members. It shall be held within 10 days after the Local Officer or Local Officers, or Executive Board receives a properly signed petition.

## **SECTION C**

Seven days notice for all general meetings shall be given and adequate notice for emergency and special meetings.

## **SECTION D**

All meetings shall be held at a time and place most convenient for the majority of those members concerned. The principal business for each meeting, i.e., the introduction of motions, and/or propositions and the amending of and voting the same shall be conducted at one main session. A quorum must be in attendance this session. **WORKING OVERTIME SHALL BE PROHIBITED DURING THE TIME AND DURATION OF A MEMBERSHIP MEETING.**

## **SECTION E**

Membership meetings of this Local shall be conducted under these by-laws and in conformity of the Union Constitution. On questions where the Local by-laws and Union Constitution do not clearly apply, Robert's Rules of Order shall govern.

## **SECTION F**

Executive Board and Committee Meetings: A majority of its members shall constitute a quorum of the Executive Board or any Committee of the Local.

General and Special Meetings: 4% of the entire membership shall constitute a quorum.

## **ARTICLE IX – LOCAL DELEGATES TO THE INTERNATIONAL CONVENTION**

### **SECTION 1**

- (a) Delegates to the Union Convention shall be elected in accordance with Article XIII of these by-laws.
- (b) The Local shall elect Delegates to the Convention which shall be the President, Executive Vice President, Secretary/Treasurer, and 3 Area Vice Presidents.
- (c) The order of attendance shall be as specified in (b). Area Vice Presidents shall be in the order of the number of votes received. (highest to lowest)

### **SECTION 2 – DUTIES**

- (a) Delegates shall be responsible for carrying out the mandates of the Local at all Convention.

- (b) The President of the Local shall be the Chairperson of the delegation; the Executive Vice President shall be the Vice Chairperson.
- (c) It shall be the duty of the Secretary/Treasurer to certify the Local Delegates to the Union Convention to the Secretary-Treasurer of the Union within the time specified in Article VIII of the Union Constitution.

## ARTICLE X – LOCAL COMMITTEES

- A. The Local shall have the following regular committees:
  - 1. Education Committee
  - 2. Election Committee
  - 3. Organizing Committee
  - 4. Legislative Committee
  - 5. Membership Committee
  - 6. Local Health and Welfare Committee
  - 7. Grievance Committee
  - 8. Finance Committee
  - 9. Social Committee
  - 10. Equity Committee
  - 11. Community Services Committee
  - 12. Safety Committee
- B. Chairpersons of all committees, except for Grievance Committee, shall be appointed by the President and approved by a majority vote of the Executive Board, subject to the right of the Local membership to overrule such appointments. The Chairperson shall have the right to appoint his/her own members, and shall be obligated to make quarterly reports to the Executive Board.
- C. Vacancies on committees shall be filled in the same manner as the original appointments.
- D. A member of any Local committee may be removed by the Executive Board subject to the right of the Local to overrule the action. A committee member may also be removed by the action of the Local in a membership meeting.
- E. Duties of Committees:
  - 1. Membership Committee – The Membership Committee shall accept or reject membership applications in accordance with the by-laws and rules of this Local and Article V of the Constitution and policies of the Union.
  - 2. Legislative Committee – The Legislative Committee shall assist in developing and pursuing the program of the Union and Local in the Legislative field. It shall be responsible for the Local's program to register each qualified voter.
  - 3. Organizing Committee – The Organizing Committee shall assist the Local Officers and members in organizing all non-union employees both within and outside the Local's jurisdiction.
  - 4. Election Committee – The Election Committee, under the direction of the Executive Board shall be responsible for the conduct and supervision of all Local nominations, elections, and certifications thereof, and referenda and certifications of this Local. By the direction of the Board, the Election Committee shall have full authority to engage the services of a qualified outside agency or organization for the conduct and supervision of any Local election or referenda.
  - 5. Education Committee – The Education Committee shall assist in developing the Local's education program and, with the Local Officer's, be responsible for effectuating the Union's and Local's educational program.

6. Health and Welfare Committee – The Local's Health and Welfare Committee shall assist in the Health and Welfare needs of the membership.
7. Grievance Committee – The Grievance Committee shall consist of the President, Executive Vice President, Secretary/Treasurer, and Area Vice Presidents. The Committee shall negotiate all grievances assigned to it.
8. Finance Committee – The Finance Committee shall assist the Local Secretary/Treasurer and Executive Board in maintaining financial records, reports and audits of the Local and shall render a monthly analysis of payments to the members to the Executive Board and shall be responsible for making a copy of this analysis available upon request to any member in good standing.
9. Social Committee – The Social Committee shall conduct all social events of the Local.
10. Equity Committee – The Equity Committee shall study and report to the Local on the ways and means of eliminating discrimination on the basis of sex, race, or any other basis.
11. Community Services Committee – The Community Services Committee shall assist in developing all Community Services programs.
12. Safety Committee – The Safety Committee shall assist in developing Safety programs for the membership and when appropriate, meet with management to resolve or eliminate Safety violations or potential health hazards and, when and where appropriate, to establish a joint Union/Management Safety Committee with regularly scheduled meetings.

## **ARTICLE XI – ORDER OF BUSINESS**

- A. The Order of business at a Local meeting shall be as follows:
  1. Call to order
  2. Reading and action on minutes of previous meeting
  3. Committee Reports
  4. Unfinished Business
  5. New Business
  6. Adjournment
- B. The Order of business may be suspended by a two-thirds (2/3) vote of the members present.
- C. Minutes of all meetings are required to be taken.

## **ARTICLE XII – LOCAL OFFICERS, STEWARDS AND THEIR DUTIES**

- A. The Officers of this Local shall be:
  1. Local President
  2. Local Executive Vice President
  3. Local Secretary/Treasurer
- B. The duties of the Local Officer's shall be as follows:
  1. The Local President shall –
    - a. Be responsible for the conduct of all Local business.
    - b. Preside at Local Membership, Local Executive Board and Local Officers meetings.
    - c. Approve all bills to be paid and countersigned all checks drawn on the Local treasury.

- d. Perform whatever additional duties as may be assigned by the Local or required by the policies or Constitution of the Union.
  - e. In the absence all Local Officers it shall be the responsibility of the President to appoint an Acting Representative of the Local Officers.
  - f. Shall make an annual report to the general membership.
2. The Local Executive Vice President shall –
    - a. Work under the direction of the Local President and shall perform such duties as assigned by the Local President, the Local Executive Board and the Local. He/She shall act in place of the Local President in the event of the latter's absence or incapacity.
    - b. Act as Chief Steward of the Local. As such he/she shall preside over and head the Steward System and any portion thereof.
    - c. Prosecute grievances and appeal them to higher levels of the Union when not satisfactorily settled.
  3. The Local Secretary/Treasurer shall –
    - a. Maintain a record of the Local membership
    - b. Record and maintain the minutes of all meetings of the Local, the Local Executive Board or Local Officers.
    - c. Furnish the District Vice President and Secretary-Treasurer of the Union with copies of any changes in these By-laws within ten (10) days after such changes are made.
    - d. Certify the Local Delegates to the Union Convention, to the Secretary-Treasurer of the Union within the time limits specified in Article VIII of the Constitution.
    - e. Perform such other duties as may be assigned by the Local, the Local Executive Board, or the Local President.
    - f. Be custodian of all assets of the Local.
    - g. Be bonded, as must any other person who handles Local funds or other property, in accordance with the Union Constitution or any State or Federal Law.
    - h. Cause the payment of all bills approved by the Local President, signed by President or Secretary/Treasurer.
    - i. Perform such other duties as may be assigned by the Local, the Local Executive Board, or the Local President.
  4. The Executive Board and Duties –

The Executive Board shall be elected as hereinafter prescribed in these By-laws

1. Duties: The Executive Board shall have the following powers in addition to all those defined elsewhere in these By-laws.
  - a. It, as the properly designated representative, shall serve as the representatives of the Local and shall be responsible for all dealings with employers or their representatives within the jurisdiction of this Local in all matters not specifically delegated to the Executive Board of the parent Union.
  - b. It shall maintain in the name of the Local, a proper office and other facilities necessary for the efficient function of the Local.
  - c. It shall be responsible for all monies expended by the Local in the conduct of its legitimate affairs.
  - d. It shall be responsible for an annual audit of the finances of the Local. The cost of such

audit shall be paid from the general funds of the Local.

- e. It shall meet at least once monthly to carry on the regular business of the Local.
- f. It or its properly designated representative shall act in the name of the Local unless specifically prohibited by action of the Local expressed through a membership meeting.
- g. Special meetings of the Board shall be called by the President or by written request of any three members of the Board.
- h. Executive Board shall act as interpreter of these By-laws and shall adjudicate all questions arising under them.
- i. Copies of the minutes of all meetings of the Executive Board shall be provided to all Executive Board members and Shop Stewards.
- j. A majority of Executive Board must be present to conduct a meeting.
- k. May direct the Elections Committee to employ a duly recognized outside agency to conduct an election or referendum. The agency shall be one that has been approved by the Union.

#### 5. Stewards Organizations

- a. Chief Steward – The Local Executive Vice President in addition to other duties assigned by these By-laws will act as the Chief Steward of the Local
- b. Area Vice Presidents – Their duties shall consist of handling grievances and assisting the Shop Stewards with other Union matters.
- c. Shop Stewards – The on the job representative of this Local at each locality or department shall be a Shop Steward. The number and jurisdiction of Shop Stewards shall be determined by the Executive Board.
- d. Charges Against Stewards – Should be written charges, signed by five (5) members of the unit for which the Shop Steward is responsible, be presented before the Executive Board, the Executive Board, by majority vote may remove said Shop Steward from his/her office upon written presentation of notice and charges to the Steward. Should the Chief Steward, (Executive Vice President) or any Area Vice President present written charges against any Shop Steward to the Executive Board, the Executive Board may, by majority vote, vacate the stated position upon written presentation of notice and charges to the Steward so charged.

Any member of the Steward's body who is dissatisfied with the decision of the Executive Board on any matter concerning the discharge of a Steward from his/her responsibilities may appeal the decision of the Executive Board, the discharged Steward shall be restored with full rights as a Steward.

### **ARTICLE XIII – ELECTIONS AND NOMINATIONS**

Election with nominations for any office in this Local shall be held in accordance with Article XV, Sections 3 and 4 of the Union Constitution.

#### **SECTION 1 – NOMINATIONS**

- a. On or before the 10<sup>th</sup> day of September of every 3<sup>rd</sup> year, notification shall be given by the Executive Board to the membership of a nomination period.
- b. A nominating period of twenty (20) days shall be proclaimed immediately following notification.
- c. The Election Committee shall immediately canvass all nominees concerning their desire to run.
- d. Official ballots shall be prepared by the Election Committee or by the designated election agency directed by the Executive Board.

- e. All nominees shall be listed on the official ballot by drawn lot.
- f. A sample ballot listing all nominees shall be given wide publicity at least fifteen (15) days prior to elections.
- g. Elections of Local Officers and Delegates (Area Vice Presidents) to the Convention shall be by secret ballot of the membership prior to the month of December of every third year.

### **SECTION 1A – NOMINATION OF PRESIDENT, EXECUTIVE VICE PRESIDENT, SECRETARY/TREASURER, AND DELEGATES (AREA VICE PRESIDENTS) TO THE UNION CONVENTION**

A nominating petition containing twenty (20) signatures of members in good standing shall be required for a position on the election ballot.

### **SECTION 1B**

The President, Executive Vice President, Secretary/Treasurer shall automatically be considered Executive Board Members and Convention Delegates. The candidate receiving 50% plus 1 of valid votes cast shall be declared elected.

### **SECTION 1C – AREA VICE PRESIDENT**

- a. A nominating petition containing the signatures of twenty (20) members in good standing with the respective section shall be required for a position on the election ballot. All three Area Vice Presidents shall automatically be considered Executive Board Members and Convention Delegates.
- b. The candidate receiving the highest number of votes cast shall be declared elected.

### **SECTION 1D – SHOP STEWARD**

- a. A nominating petition containing five (5) signatures of members in good standing within the Unit shall be required for position on the election ballot.
- b. The candidate receiving the highest number of votes shall be declared elected. Alternates shall be appointed by the elected Shop Steward.
- c. General Elections of Shop Stewards: Shop Stewards shall be nominated and elected in the year following General Elections for Local Officers (every three years). For election purposes there shall be no more than one Steward for every fifteen members. The local Executive Board may appoint members in good standing to Shop Stewards between elections provided it receives a properly signed Steward's Petition.

### **SECTION 2 – LOCAL ELECTION COMMITTEE**

- a. All nominations, elections, and referenda of Local 1153 shall be conducted under the supervision of the Election Committee. This committee shall have the authority and responsibility to see that nominations and elections are conducted in accordance with the Union Constitution and these By-laws with reasonable opportunity for each member to nominate and vote for the candidate of their choice. Ballots must indicate which nominees are Executive Board Member and Convention Delegates.
- b. The Election Committee or outside election agency, as directed by the Executive Board, shall conduct any referenda submitted to the membership.
- c. A member shall not be permitted to serve on the Election Committee if he/she holds office or is a candidate for any office of this Local or takes an active part in Local Election campaigns.
- d. All questions concerning the conduct and challenges of elections shall be resolved by the Election Committee subject to the right of appeal to the Executive Board or membership of this Local.

### **SECTION 3 – GENERAL PROVISION**

- a. The nominee in election for President, Executive Vice President, and Secretary/Treasurer receiving 50% plus 1 of the valid votes cast shall be declared elected. If no one nominee has a majority on the first ballot, the vote shall be taken again and the two nominees having the greatest number of votes on the first ballot shall be nominees on the second ballot.
- b. The nominee of Area Vice President or Shop Steward receiving the highest number of votes shall be declared elected.
- c. Only members of the Local in good standing shall be eligible to vote or hold office.
- d. The term of office shall be for three (3) years.
- e. The newly elected officers shall take office the 3<sup>rd</sup> Monday following the general election date or immediately if he or she is filling the vacancy of that office.

### **SECTION 4 – VACANCIES**

A vacancy in the office of Local President shall be filled by the Local Executive Vice President. A vacancy in any other office shall be filled in the same manner as the regular election and within sixty (60) days as required by Article XV of the Union Constitution. Except, when a vacancy occurs in the year of a General Election it shall be filled by appointment of the Executive Board, subject to approval of the appointment by the Local membership within sixty (60) days.

Unopposed Candidates: If there is only one (1) nominee for any elective office, that nominee will be elected by the casting of one (1) unanimous vote by the Secretary/Treasurer of the Local at the next General Membership Meeting.

### **ARTICLE XIV – STRIKES**

The calling, conduct and termination of strikes affecting this Local shall at all times be carried on in compliance with the rules prescribed by the Union and Article XVII of its Constitution.

### **ARTICLE XV – CHARGES, TRIALS AND APPEALS**

#### **SECTION 1 – CHARGES**

Members of this Local may be fined, suspended or expelled, in a manner provided in these By-laws, for any of the acts enumerated in Article XIX of the Union Constitution.

#### **SECTION 2 – TRIALS**

Any accused member, including officers, of this Local shall be tried under the provisions of Article XXI of the Union Constitution.

#### **SECTION 3 – APPEALS**

A member or Officer of this Local, upon being found guilty by a Local trial court, may appeal as provided in Article XXI of the Union Constitution.

#### **SECTION 4 – LOCAL TRIAL COURT**

A trial court of this Local shall be composed of three (3) persons, who are members of this Local and

not parties to the proceedings, and who shall be selected by the Executive Board of the Local.

## **ARTICLE XVI – RECALL OF LOCAL OFFICERS**

Any elected Officer of this Local may be recalled in accordance with the provisions of Article XX and XXII of the Union Constitution.

## **ARTICLE XVII – AMENDMENTS TO LOCAL BY-LAWS**

After adoption, these By-laws may be amended by either of the following methods:

- a. Majority vote of the members present in a Local meeting, if the proposed amendment has been introduced at a previous membership meeting or has been advertised to the membership by use of Bulletin Boards or U.S. Mail, postage prepaid at least 7 days in advance of the meeting; or,
- b. Referendum of the membership.

## **ARTICLE XVIII – REFERENDUM**

- a. The Local Election Committee shall submit any question to a referendum of the membership when directed to do so by the action of a regular or special membership meeting, or by action of the Executive Board.

## **ARTICLE XIX – FISCAL YEAR AND AUDIT**

- a. The fiscal year of this Local shall be from October 1<sup>st</sup> of each year to and including September 30<sup>th</sup> of the succeeding year.
- b. The financial records of this Local shall be audited by a Certified Public Accountant at the end of each fiscal year. The results of such audit shall be made part of the annual report of the President to the general membership.

## **ARTICLE XX – PAYMENTS TO OFFICERS AND MEMBERS**

### **SECTION 1 – LOCAL OFFICER**

- a. The President of this Local shall be elected by and act in full compliance with the CWA Constitution. He/She shall be paid by the Local for time off the job at the rate of the highest Bargaining Unit job for this Local.
- b. At the requests of the Executive Board, the President shall be paid at the rate of top Bargaining Unit job for work performed for the Union. At no time will the President assume full time responsibilities unless membership exceeds eight hundred (800) members.
- c. Members of this Local shall not be paid any salary during a labor dispute involving a general work stoppage.

### **SECTION 2- OFF-THE-JOB PAYMENTS**

Any Officer or member of this Local who is conducting official Union Business on an off the job basis (time which otherwise would have been spent working in the industry) shall be reimbursed by the Local so the he/she will receive no less than the amount he/she would have earned at work in the industry.

### **SECTION 3 – APPROVALS**

- a. When payment is to be requested for work done on an off-the-job basis, the approval of such work must be obtained before the work is begun and the request for payment also must be approved.
- b. The approval must be obtained from the President
- c. No officer or member shall have the authority for self-approvals.
- d. The President must obtain approval for his/her expenses from the Secretary/Treasurer or the Executive Board.

#### **SECTION 4 – MEAL VOUCHERS**

All officers and members of this Local who do work on their own time may submit a voucher for any meal expense incurred, subject to the approval of the President. Rates for those vouchers shall be set by the Executive Board and reviewed by the Board at the request of the Secretary/Treasurer or upon their own authority.

#### **SECTION 5 – EXPENSES**

All expenses of operation by all authorized committees shall be vouchered against the Local Treasury and shall be subject to approval by the Local President.

#### **ARTICLE XXI – OATH OF OFFICE**

Each elected officer of the Local, after meeting all other qualifications, shall be duly installed upon taking the following oath:

“I (give name) hereby accept the office of (name of office) of Local 1153, Communications Workers of America, with full knowledge of the responsibilities and duties of such office.

I promise to faithfully discharge my duties according to the By-laws and rules of the Local and the Constitution and policies of the Union.

I further promise to give my successor in office all books and records in my possession. I shall at all times endeavor to serve my Local and the Union to best of my ability, so help me God.”

#### **ARTICLE XXII – ADOPTION**

These By-laws shall be adopted upon the approval of a majority of the members voting upon their adoption in the members meeting called for that purpose or by referendum of the members.