

## **PREAMBLE**

This Local Union, realizing the need for prompt and united action concerning our problems and welfare, do hereby unite and adopt these By-Laws.

## **ARTICLE I NAME**

The name of the local union shall be Pennsylvania Telephone Guild, Communications Workers of America, AFL-CIO, Local 13500.

## **ARTICLE II PURPOSES**

The aims and purpose of this organization are:

- (a) Subject to the rules of the International Union and the PA Telephone Guild and the Communications Workers of America affiliation agreement, to obtain and provide proper and adequate facilities for effective collective bargaining and for the adjustment and arbitration of grievances of its member in dealing with the employers. To engage and participate in collective bargaining for those who have selected it for that purpose with regards to rate of pay, hours of employment, seniority rights and other conditions of employment, to enter into written agreements pertaining thereto with the employer, and to enforce the rights of employees in the bargaining unit under applicable law.
- (b) To join with other communications workers' organizations recognized by this Local in such concerted efforts as may be authorized by this Local to foster and advance the interest and welfare of communications workers through mutual assistance and cooperation.
- (c) To maintain and promote an active

interest as well as participation in all State and National Legislation affecting workers in the communications industry in particular and labor generally.

## **ARTICLE III DEFINITIONS**

- (a) "CWA Constitution" shall mean the Constitution of the International Union, Communications Workers of America, AFL-CIO, as amended at its most recent convention.
- (b) The word "Union" shall mean the International Union, Communications Workers of America, AFL-CIO.
- (c) The word "Local" shall mean the PA Telephone Guild, CWA Local 13500, AFL-CIO.
- (d) The word "employer" shall mean any employer whose employees in whole or part are represented by this Local union.
- (e) "Officers of the Local" shall mean the Local President, Executive Secretary-Treasurer, and the Executive Vice Presidents.
- (f) The term "Division Officers" shall mean the Executive Vice President and the Division Secretary-Treasurer.
- (g) A "Unit" is a group of members associated according to geographic location of job functions, represented by Stewards and/or a Chief Steward.

## **ARTICLE III (contd.)**

- (h) A "Division" is a semi-autonomous portion of the Local Union, established along geographic boundaries or specific

job functions, including individual employers and is represented by an Executive Vice President and a Division Council.

(i) The term "Division Council" means that semi-autonomous governing body consisting of an Executive Vice President, a Division Secretary-Treasurer and a Chief Steward elected from each unit within the jurisdiction of the Division.

(j) The term "Executive Board", unless otherwise stated, shall mean the governing body, between conventions, of this Local union, consisting of the President, Executive Secretary-Treasurer, and an Executive Vice President from each Division.

(k) All words in these By-Laws indicating the masculine gender shall be deemed also to refer to the feminine gender.

(l) The term "Convention", unless otherwise defined, shall mean the Convention of all Chief Stewards of this Local Union at time and place as determined by these By-Laws.

## **ARTICLE IV MEMBERSHIP**

**Section 1 - Eligibility of Membership**  
Rules for membership eligibility, application for membership, transfers, termination of membership, and retired members' clubs are set forth in Article 5 of the CWA Constitution.

### **Section 2 - Application and Acceptance of Membership**

(a) Application for membership shall be made to a Division Council.

(b) The applicant shall become a member upon approval of the Division Council. Upon receiving due notice of the applicant's acceptance as a member, the Executive Secretary-Treasurer shall then issue and endorse a membership card.

(c) Upon entering the bargaining unit, should the applicant decline becoming a member after a 30 day period, an initiation fee of \$50.00 would apply.

## **Section 3 - Resignation of Membership**

(a) Any member may terminate his membership by written resignation sent by certified or registered mail and by returning membership card and all property of the Union to the Secretary Treasurer of the Division Council. Resignations will become effective upon receipt of the notice.

(b) It shall be the duty of any member affected by a transfer to submit notice to the Division Council's Secretary-Treasurer from whose jurisdiction he is being transferred as well as to the Division Council's Secretary-Treasurer to whose jurisdiction he is transferred.

(c) Under special conditions, affiliation and transfers other than as prescribed herein may be authorized by the Executive Board.

## **ARTICLE V Charges Against Members**

(a) No member or officer of this Local may be disciplined, fined, suspended, or expelled except in accordance with the procedure set forth in Article XIX of the

CWA Constitution, "Charges Against Members".

(b) Any member who voluntarily supplies information to the company on another member that subsequently causes disciplinary action being invoked shall be subject to the procedures set forth in Article XIX of the CWA Constitution, "Charges Against Members". This would not include situations where such information could be harmful or cause harm to another.

## **ARTICLE VI Trials and Appeals**

### **Section 1 - Persons Subject to Trial**

(a) Members of the Local, including its Officers, shall be tried for any of the offenses listed in Articles XIX and XX of the CWA Constitution.

(b) Officers of the Local may be removed or suspended from office pursuant to Article IX Section 4, paragraph (b) of the CWA Constitution.

### **Section 2 - Charges**

(a) Charges made against a member of the Union or an Officer of the Local shall be in writing, signed, and sworn to by the accuser. All charges of offenses described in Article XIX, Sections 1 & 2 of the CWA Constitution shall be filed and processed in accordance with Article XX, Section 2 of the CWA Constitution.

(b) A prosecutor, who is a member of the Local, but not an accuser, shall be appointed by the Executive Board. The prosecutor shall investigate the evidence against the accused and report his findings to the Executive Board in accordance with the CWA Constitution

Article XX, Section 3, paragraph a, 2.

(c) If the prosecutor determines that probable cause does exist to prosecute the accused, a hearing shall be ordered. The prosecutor shall assist the accuser in the trial and presentation of evidence.

### **Section 3 - Trials**

(a) If a trial is ordered, the Executive Board shall select a Trial Board consisting of three (3) members in good standing (other than those making the charges) in the Division in which the accused is a member. The Secretary of the Executive Board shall then notify the accused of the date, time and place of the hearing. Such notice shall state the nature of the charges against the accused. The notice shall further state that the accused may be represented by a member of the Local in good standing, that the accused shall have the right to hear all of the evidence against him, to examine and cross-examine all witnesses and documents, and to present evidence in his own behalf, and that his failure to appear at the hearing will permit the hearing to take place and penalty to be imposed upon him in his absence.

(b) All witnesses shall testify under oath.

(c) At the hearing, the Trial Board shall **ARTICLE VI Section 3 (c) (contd.)** elect a Chairman from among their own number, who shall rule on all disputes regarding the introduction of evidence, and shall also elect a Secretary from among their number who shall take notes of the proceedings. Such notes need not be a verbatim record, but shall be a faithful and accurate record of the proceedings.

(d) The Trial Board, after hearing the evidence, shall render a verdict. If it finds the accused guilty, it shall also impose the penalty on the accused. The Trial Board shall have the authority to expel, suspend, and /or fine the accused. The verdict and penalty shall be in writing and shall be sent to the Executive Secretary-Treasurer of the Local, who shall thereupon notify the accused thereof in writing within ten (10) days after the close of the trial.  
(amended 1999)

#### **Section 4 - Appeals**

(a) The accused shall have thirty (30) days from the time they are notified of the verdict and penalty to appeal same in writing to the Executive Board of the Local, whose determination upon the appeal shall be final.

(b) The accused shall have the right to appeal from the decision of the Local to the Executive Board of the Union and to the next convention in accordance with Article XX Section 4 (a), 2, 3, and 4 of the CWA Constitution.

#### **Section 5 - Determination of Appeal**

Decisions on appeal shall be determined by majority vote.

### **ARTICLE VII STRUCTURE**

The organization of this Local shall consist of Units, Division Councils, Convention and an Executive Board.

### **ARTICLE VIII - ADMINISTRATION**

#### **Section 1 - Units**

(a) A unit shall consist of a group of

members associated together according to geographic location and/or job-function, as determined by the Division Council and shall be represented by a Chief Steward.

(b) The Chief Steward shall be elected directly by the members of the Unit or shall fill a vacancy as provided for herein, and shall represent the membership of the Unit on the Division Council. The Chief Steward shall be a delegate to the Local Convention.

(c) Any group of two (2) or more members within a Unit shall have the right to elect from among themselves a Steward with the approval of the Division Council. Stewards shall be elected directly by the members, or shall fill a vacancy as provided herein, within a geographic location or job function, within the Unit. The Steward shall serve as Alternate Delegate to the Local Convention.

#### **Section 2 - Division Councils**

(a) A Division is a group of Units associated together according to geographic location and/or job function.

#### **ARTICLE VIII - Section 2 (contd.)**

(b) A Division Council shall be composed of a Chief Steward from each Unit, an Executive Vice President and a Division Secretary-Treasurer. The Division Council shall be the governing body of the Division as herein provided by these By-Laws, with the Executive Vice President, Chief Stewards, and the Division Secretary-Treasurer having one vote each. The vote of the majority of the Council shall be binding upon the Division. In the event of a tie vote, the Chief Stewards will each cast a vote

equal to the number of members they represent in their respective Units. The majority per-capita vote shall then be binding upon the Division.

(c) The Executive Vice President and the Division Secretary-Treasurer shall be elected directly by the members of each Division or appointed to fill a vacancy as herein provided by these By-Laws, and shall be the Officers of the Division.

(d) The Executive Vice President shall represent their respective Divisions on the Executive Board and be responsible to their Division Councils and the Division membership.

(e) The Secretary-Treasurer of the Division shall be responsible to the Division Council and the Division Membership.

### **Section 3 - Executive Board**

(a) The Executive board shall consist of the Local President and Executive Secretary-Treasurer, both of whom shall be elected directly by the members of the Local or fill the unexpired term of a vacancy in either office as herein provided by these By-Laws and the Executive Vice Presidents of each Division of the Local. During the absence, or unavailability of any member of the Executive Board, the individual acting in place of such member, in accordance with these By-Laws, shall, during such period, exercise the authority of such Executive Board member, including the right to vote on matters before the Executive Board.

(b) The Executive Board shall be the governing body, between conventions,

of this Local with the President, Executive Secretary-Treasurer and the Executive Vice Presidents having one (1) vote. The vote of the majority shall be binding upon the Local. In the event of a tie vote, Executive Vice Presidents will each cast a vote equal to the number of members they represent in their respective Divisions. The majority per-capita vote shall then be binding upon the Local.

(c) The President of the Local shall be responsible to the Executive Board and to the entire membership of the Local.

(d) The Executive Secretary-Treasurer shall be responsible to the Executive board and to the entire membership of the Local.

### **Section 4 - Annual Census of Membership**

(a) Records on file in the office of the Executive Secretary-Treasurer as of June 30th of each year, shall be used as the basis of determining all eligibility and numerical voting requirements in these **ARTICLE VIII Section 4 (a)(contd.)** By-Laws for the subsequent twelve (12) month period with the exception of the Local convention. The Executive Secretary-Treasurer shall prepare a list showing the number of eligible members in each Division, which shall be in these By-Laws for the numerical representation.

(b) The Executive Secretary-Treasurer shall determine each Unit's numerical representation sixty (60) days prior to the Local convention.

### **Section 5 - Unit Meetings**

Each unit shall hold meetings periodically, or these meetings may be held on a Division basis, at the discretion of the Division Council, as hereinafter provided. A record of such meetings shall be forwarded to the Division Secretary-Treasurer.

### **Section 6 - Resolutions**

Each unit shall be governed by the By-Laws of this Local and any resolutions adopted at the Local convention or by their Division Council. Resolutions may be adopted by each Division Council for its own autonomous government. No Division Council shall adopt any resolution which in any way conflicts with the provisions of these By-Laws or the CWA Constitution. All resolutions thereto adopted by a Division Council shall be submitted for judicial review to the Executive Board of the Local.

Membership meetings shall be conducted in accordance with rules and regulations as set forth in these By-Laws of the Local and resolutions adopted by the Division Councils or Local Convention. When matters pertaining to rules of order are not specifically provided for above, "Robert's Rules of Order-Revised" shall govern.

### **Section 8 - Place of Membership Meetings**

All membership meetings shall be held at such places as may be deemed most convenient and economical by a majority of the members.

### **Section 9 - Administrative Assistant**

The Executive Board may appoint or engage an Administrative Assistant to perform the clerical work of the Executive Board, maintain membership records of this Local, and to perform such work as may be assigned. Such Administrative Assistant shall not be a member of the Executive Board, but may be a member of this Local or an employee of this Local. The Administrative Assistant shall be under, and subject to the supervision and direction of, the Local President. The Administrative Assistant shall have no authority to sign checks or approve vouchers for the withdrawal of funds of this Local.

### **Section 10 - Alternates**

For each Representative to a higher Body, an Alternate may attend in absence.

### **Section 11 - Method of Calculating Division Council Votes**

(a) Where a majority vote of the Division Councils is necessary to approve any recommendation of the Executive Board, the Executive Vice Presidents will report the decisions of their respective Division Councils as follows:

1. The majority vote of all Council members will be reported as the decision of the Council.

2. In the event of a tie vote between the Division Councils, the per-capita votes of each Chief Steward will be reported. The majority per-capita vote of all Chief Stewards in the Local will decide the issue.

(b) All Division Council votes on

Executive Board recommendations shall be recorded, at the time of the vote, both on a per-capita basis and as a majority vote of the Council members.

### **Section 12 - Quorum**

A majority of its members shall constitute a quorum of the Executive Board, Division Councils, Convention, Special Convention, or any committee of the Local.

## **ARTICLE IX LOCAL CONVENTION**

### **Section 1 - Time of Convention**

(a) A convention shall be held every two (2) years at a time and place to be designated by the Executive Board.

(b) A Special Convention may be called as provided herein.

### **Section 2 - Call to Convention and Delegates**

(a) The Local Secretary-Treasurer shall notify each Convention Delegate in writing of the call to Convention no later than thirty (30) days in advance of the opening date of the Local Convention and shall give as much advance notice as possible before a Special Convention.

(b) The Convention shall consist of the Convention Delegates and the Executive Board Members. Each Division Secretary-Treasurer shall chair the Delegation of their Division.

(c) Each convention Delegate and Division chair shall have one (1) vote except when per-capita voting is in order.

(d) The Convention Delegates shall be the Chief Stewards, as elected by the membership in their Units. Alternate Delegates shall be the Stewards, as elected by a specific group of members within their units.

(e) In no event shall there be more than one (1) delegate per forty-five (45) members in any Division.

(f) In the event a Delegate is unable to attend, their vote will go to an Alternate Delegate from the same Unit, as determined by the Division Council. If an Alternate is unable to attend, the Division Secretary-Treasurer will cast the proxy vote for that Unit.

(g) In the event the Division Secretary-Treasurer is unable to attend, an

**ARTICLE IX Section 2(g)(contd.)**  
Alternate Chair will be appointed by the Division Council from among the Delegates of that Division attending the Local or Special Convention.

### **Section 3 - Powers of Convention**

(a) Establish the policies to be followed by the Local Union, within the limitations set forth in these By-Laws, rules and the CWA Constitution.

(b) Pass upon the Credentials of the Delegates to the Convention and have the authority to permit voting by proxy.

(c) Do all things necessary for the proper disposition of any matter which may properly come before the convention for consideration.

### **Section 4 - Order of Business**

The Order of Business at the Convention shall be as follows:

1. Call to Order
2. Roll Call and Report on Credentials.
3. Reading of Convention Rules.
4. Report of Executive Board Members and Committees.
5. Report of District Vice President.
6. Membership report.
7. Financial Report.
8. Unfinished Business
9. New Business
10. Adjournment

**Section 5 - Special Convention**

(a) A special convention may be called by a majority vote of the Executive board or upon receipt of a petition signed by seventy-five percent (75%) of the Convention Delegates.

(b) Only such matters as are contained in the notice of the Special Convention shall be placed before the Convention.

**Section 6 - Voting**

(a) A Quorum at a Convention of this Local Union, whether Regular or Special, shall consist of a majority of the number of accredited Delegates. Except with respect to Amendments to these By-Laws and Rules and any other matter otherwise provided for, the affirmative vote of a majority of those voting shall be sufficient to carry any proposition brought before the Convention.

(b) At Local convention, a roll call per-capita vote shall be taken at the request of a delegate and upon approval of twenty percent (20%) of the delegates. When a per-capita vote is taken, the Division Secretary-Treasurer

shall not have a vote unless voting a proxy vote.

**Section 7 - Parliamentary Rules**

All questions of a Parliamentary nature shall be decided by the provisions of “Robert’s Rules of Order-Revised” unless contrary to provision of these By-Laws and Rules or the CWA constitution.

(a) All motions must be submitted in writing on an approved form to the convention chair. The Chair will state the intent of the motion. The maker of the motion will have five minutes to address the delegates. Additional speakers on any motion are limited to three minutes.

**ARTICLE IX Section 7 (contd.)**

b) Four floor microphones will be made available for the following purposes:

1. MOTIONS. A delegate desiring to make a motion shall notify the chair by approaching the microphone and raising their hand to seek recognition. Upon recognition, the delegate shall announce their name, Division and unit number. If it is a motion which is in order, the delegate shall be recognized to make the motion and after it is seconded, shall be permitted to speak on their motion from that microphone.

2. FOR AND AGAINST. These microphones shall be known as the debating microphones. Any delegate wishing to speak for or against a motion or subject on the Convention floor shall approach the appropriate microphone and seek recognition from the chair by raising their hand. The delegate shall



announce their name, Division and unit number. The Chair shall rotate between for and against microphones until all delegates have had an opportunity to speak or until a motion to close debate has been made and adopted by the delegates.

3. Point of Privilege/Questions. For the purpose of Point of Privilege this microphone may be used by any delegate to:

- a) Adjourn (Undebatable, majority vote required).
- b) Take a recess (Undebatable, majority vote required). This motion is privileged only when other business is pending before the Convention.
- c) Raise a Question of Privilege. Delegates may rise to a point of personal privilege, request the chair to explain the

parliamentary situation at the time or appeal a decision of the chair.

- d) Call for the orders of the day
- e) Raise a Point of Order

For the purposes of Questions, this microphone may be used for clarification of a report, motion, resolution or other matter before the convention. A delegate having questions of clarification shall seek recognition of the chair by approaching the microphone and raising their hand and when recognized, shall state their name, Division and unit number. No delegate shall be permitted to ask more than two questions.

(c) Two Sergeant of Arms shall be appointed daily by the chair to assist delegates at the microphones and to act at the call of the Chair.

(d) All Executive Board members may participate in any debate subject to the

approval of the convention and subject to the same time limits as the rules specify. When an Executive Board member requests to speak on a motion, the appropriate microphone should be used.

(e) Resolutions may be submitted by any delegate or Executive board member to the Rules and By-Laws Committee at any time prior to convention or when in session at least 24 hours before presentation to the convention.

(f) A Credentials Committee shall be established consisting of one delegate from each Division for the duration of the Convention. The committee will verify delegates and their per-capita voting strength (and proxies, if any)  
**ARTICLE IX Section 7 (f)(contd.)** against the roll call list provided by the Local Secretary-Treasurer and register the delegates. The committee shall also serve as tellers of election for per-capita voting proceedings.

### **Section 8 - Convention Rules and By Laws Committee**

(a) The convention Rules and By-Laws committee shall be composed of one (1) delegate from each Division. Each Division Council shall, not later than six (6) months prior to the Convention, determine their delegate to serve on the Convention Rules and By-Laws committee.

(b) The Executive Board, any Division Council, or any delegate, may submit items for consideration at the Convention to the Rules and By-Laws Committee at least ninety (90) days in advance of the Convention.

(c) The Rules and By-Laws committee shall, no later than thirty (30) days prior to the convention, submit the proposed convention Rules and Agenda to the Executive Board and Convention Delegates.

(d) The Rules and By-Laws committee shall consider, report, and recommend to the convention and to the Executive board, proposals to change these By-Laws.

(e) By a majority vote, the convention may change the Rules or Agenda as submitted by the Rules and By-Laws committee, however, after convention adoption of the Rules and Agenda, a two thirds (2/3) majority vote shall be required to change the rules or agenda.

## **ARTICLE X NATIONAL CONVENTION**

### **Section 1-Delegates and Alternates to the CWA National Convention**

(a) The Executive Board shall take all necessary steps to insure the attendance and qualifications of voting delegates, and a reasonable number of alternates, at the CWA National convention.

(b) The number of voting delegates to which the Local is entitled is provided in Article VIII, Section 4, paragraph (a) of the CWA Constitution.

(c) The Local President and Executive Secretary-Treasurer shall also be elected as delegates to the CWA convention. The Division Secretary-Treasurers shall also be elected as alternates to the CWA Convention.

### **Section 2 - Method of Selecting the**

## **Local Delegation**

(a) The Local President, Executive Secretary-Treasurer and Executive Vice Presidents shall attend all CWA Conventions as voting delegates.

(b) In the event that the Local President or Executive Secretary-Treasurer can not attend the convention as voting delegates, their votes shall be distributed equally among the delegates attending from the Local.

(c) In the event that an Executive Vice President is unable to attend the **ARTICLE X Section 2 (c)(contd.)** convention as a voting delegate, the Secretary-Treasurer from the same Division shall attend as the alternate.

(d) The Local President shall serve as chairman of the convention delegation. In the absence of the Local President, the Executive Board shall elect a chairman.

### **Section 3 - Distribution of Votes Among the Convention Delegation**

On per-capita votes, each delegate will have an equal number of votes. Any odd number of votes will be voted by the Chairman of the Convention Delegation.

## **ARTICLE XI Duties and Responsibilities of Stewards, Officers, Councils, and Executive Board.**

### **Section 1 - Duties of Steward**

(a) Shall receive oral or written complaints, grievances, or suggestions from the members and inform the Chief Steward of them.

(b) Shall present employee grievances to the employer and prosecute them at the direction of the Chief Steward.

(c) Shall maintain grievance records.

(d) Shall police the employer's administration of the contract and inform the Chief Steward of any violations.

(e) Shall assist the Chief Steward in the investigation of grievances.

(f) Shall actively recruit members and send membership and payroll deduction cards to the Division immediately upon signing of new members.

(g) Shall distribute Union and Local publications and bulletins as directed by the Chief Steward, Division Councils, or the Executive board.

(h) Shall keep the membership informed as to the policies of the Local and official action of the Division Council and the Executive board.

(i) Shall perform such duties as directed by the Chief Steward, Division Council, Executive Board or the Local Convention.

(j) Shall perform all duties in accordance with these By-Laws and the Constitution of CWA.

(k) Shall serve as alternate Delegate to the Local convention.

(l) The Steward shall refuse all company "in charge" and shall not accept any assignments that will require reporting of absences or rating of job performance.

## **Section 2 - Duties of Chief Steward**

(a) Shall represent the Unit on the Division Council.

(b) Shall see that all Steward elections are completed in accordance with the Local's By-Laws.

(c) Shall actively recruit members and send membership and payroll deduction cards to the Division Secretary-Treasurer immediately upon signing of new members.  
**ARTICLE XI Section 2 (c) (contd.)**

(d) Shall conduct at least three (3) membership meetings in the Unit per year.

(e) Shall keep the Stewards informed as to the policies and actions taken by the Executive Board and Division Council.

(f) Shall process all grievances at the direction of the Division Council.

(g) Shall maintain grievance records.

(h) Shall forward to the Division Office any and all complaints, suggestions, or grievances which may be received from the membership.

(i) Shall assist the Steward in the investigation and processing of grievances when needed.

(j) Shall assist the Executive Vice President in the investigation and processing of grievances when needed.

(k) Shall enforce the contract provisions regarding agency shop as well as all other provisions.

(l) Shall advise the Division Secretary

Treasurer immediately of any change in name and address or vacancy of the Stewards.

(m) Shall perform such duties as directed by the Division Council, Executive board, or the Local convention.

(n) Shall perform all duties in accordance with these By-Laws and the CWA Constitution.

(o) Shall represent the Unit as Delegate to the Local Convention.

(p) The Chief Steward shall refuse all company "in charge" and shall not accept any assignments that will require reporting of absences or rating of job performance.

### **Section 3 - Duties of the Executive Vice President**

(a) Shall represent the Division on the Executive Board and be an Executive Board member.

(b) Shall preside as chairman at all meetings of the Division Council and shall sit ex-officio at any meeting within the Division.

(c) Shall conduct at least three (3) Division Council meetings per year.

(d) Shall represent the Division and perform such duties as directed by the Division Council as herein provided by these By-Laws.

(e) Shall, together with the Division Secretary-Treasurer, sign all proper checks and vouchers subject to the final approval of the majority of the Division Council.

(f) Shall process all grievances as directed by the Executive board.

(g) Shall keep the Division Stewards and Chief Stewards informed of actions taken by the Executive board.

### **ARTICLE XI Section 3(contd.)**

(h) Shall forward to the Local's Executive office any and all complaints, suggestions, or grievances which may be received from the membership.

(i) Shall enforce all provisions of the contract.

(j) Shall police the employer's administration of the contract and inform the Local president of any violations.

(k) Shall serve as herein provided by these By-Laws and the constitution of CWA as delegate to the CWA convention.

(l) Shall perform such other duties as may be directed by the Executive Board, or the Local convention.

(m) Shall refuse all company "in charge" assignments while serving as Executive Vice President.

(n) Shall be bonded in accordance with the law.

### **Section 4 - Duties of the Division Secretary Treasurer**

(a) Shall receive all monies due to the Division's working fund.

(b) Shall deposit such monies in the name of the Division in such depository

as directed by the Division Council.

(c) Shall maintain the financial records as directed by the Executive Board.

(d) Shall, together with the Executive Vice president, sign all proper checks and vouchers subject to the approval of the majority of the Division Council.

(e) Shall notify all Division Council members of regular and special meetings of the Division Council.

f) Shall attend all meetings of the Division Council.

(g) Shall keep a true and accurate record in the form of minutes of all Division Council meetings.

(h) Shall forward copies of all Division Council meetings and membership meetings held in the Division to the Local's Executive Office, along with all copies of grievance forms and minutes.

(i) Shall advise the Executive Secretary Treasurer immediately of any changes in name, address, or vacancy of Stewards and Chief Stewards in the Division.

(j) Shall provide a current list of names, addresses and work locations of all Stewards and Chief Stewards in the Division at least twice per year, in the months of June and December to the Local's Executive Office.

(k) Shall keep a true and accurate record of the membership of the Division.

(l) Shall be custodian of all records in the Division.

(m) Shall in the absence of the Executive

Vice President, serve as his alternate.

(n) Shall refuse all company "in charge" assignments while serving as Division  
**ARTICLE XI Section 4 (n)(contd.)**

Secretary-Treasurer.

(o) Shall be bonded in accordance with the law.

(p) Shall perform such other duties as may be directed by the Division Council or the Executive board as herein provided by these By-Laws, or the Local Convention.

(q) Shall serve as herein provided in these By-Laws as Alternate to the CWA Convention.

(r) Shall serve as Chair person of their Division delegation to the Local convention.

#### **Section 5 - Duties of the Executive Secretary Treasurer**

(a) Shall receive and shall be responsible for all monies of the Local.

(b) Shall disperse money to the Division's working funds on a pro-rated basis as herein provided.

(c) Shall establish a satisfactory system of accounting, approved by the Executive board and shall arrange for periodic auditing of the Local's books by a Certified Public Accountant.

(d) Shall arrange the bonding of all officers and employees handling or having custody of the Local's funds.

(e) Shall issue and countersign checks

drawn on the Executive's funds and shall be a signatory to all accounts opened in the name of the Local and its Divisions.

(f) Shall sign all vouchers and shall have the responsibility of approving all vouchers drawn on the Executive funds of the Local.

(g) Shall make payments only against vouchers.

(h) Shall be responsible for preserving all financial records of the Local as required by law.

(i) Shall present financial records of the Local to the Executive Board for their review annually or more often if requested with proper notification.

(j) Shall be bonded in accordance with the law.

(k) Shall perform such duties as directed by the Executive Board or Local Convention.

(l) Shall serve as herein provided by these By-Laws as delegate to the CWA convention.

(m) Shall perform all other duties as specified by these By-Laws.

(n) Shall refuse all company "in charge" assignments while serving as Executive Secretary Treasurer.

(o) Shall be responsible for all official records of the Local.

(p) Shall record the minutes of the Executive Board meetings and any meetings when in attendance.

## **ARTICLE XI Section 5 (contd.)**

(q) Shall maintain a combined file of member and non member records of the Local.

(r) Shall issue Call to Local Convention.

(s) Shall furnish a Financial Report to the Local convention.

### **Section 6 - Duties of the Local President**

(a) Shall be presiding officer of the Executive Board.

(b) Shall, between meetings of the Executive board, have the obligation of asserting the authority and performing the duties of the Executive Board, subject to the instruction of the Executive Board of the Local.

(c) Shall administer the day to day affairs of the Local in accordance with these By-Laws as interpreted by the Executive Board and the membership of the Local.

(d) Shall be an ex-officio officer of all committees and at all meetings of the Local.

(e) Shall report to the Executive Board at regularly scheduled meetings on all activities of the Local and the National Union.

(f) Shall serve as herein provided by these By-Laws as delegate to the CWA Convention.

(g) Shall be responsible for signing legal documents and contracts for the Local as directed by the Executive Board.

- (h) Shall represent the Local at all official CWA meetings, conferences, and other activities.
- (i) Shall, except for Division working funds, countersign checks drawn on the funds of the Local.
- (j) Shall, except for the Division working funds, countersign all vouchers and shall have the responsibility along with the Executive Secretary-Treasurer of approving all vouchers drawn on the funds of the Local.
- (k) Shall be bonded in accordance with the law.
- (l) Shall refuse all company “in charge” assignments while serving as President.
- (m) Shall assume responsibility for furthering the principles and the objectives of the Union and the Local.
- (n) Shall perform other such duties as may be directed by the Executive Board or Local Convention.
- (o) Shall perform all duties and exercise all authority in accordance with these By-Laws.
- (p) Shall Chair the Local Convention.

**Section 7 - Duties of the Division Council**

- (a) Shall hold at least three (3) regular meetings per year and such special meetings as may be necessary.
- ARTICLE XI Section 7 (contd.)**
- (b) Shall have final approval of all

- expenditures of the Division.
- (c) Shall approve or disapprove all recommendations of its Units.
- (d) Shall coordinate the activities of the Units, to carry out the policies of the Local.
- (e) Shall adopt policies and resolutions and direct the activities of the Division officers in the execution of such policies and resolutions, as long as they do not conflict with the provisions of these By-Laws and the CWA Constitution. All such policies and resolutions shall be submitted to the Executive Board for judicial review.
- (f) Shall refer all matters, policies, resolutions, requests and problems beyond the scope of its authority to the Executive Board or Local convention.
- (g) Shall have the authority to recommend amendments to the Local’s By-Laws as herein provided by these By-Laws.
- (h) Shall have the authority to make changes in Unit organizations within the Division.
- (i) Shall have the authority to establish such quarters and offices, engage such clerical assistance, purchase such supplies, purchase or lease equipment and fixtures, and subscribe to such publications as may reasonably be deemed necessary for the proper representation of the membership and operation of the Division.
- (j) Shall have such further duties and authority as may be delegated by the Executive Board or Local Convention

consistent with the provisions of these By-Laws.

(k) Meetings of the membership may be held on a Division basis at the discretion of this council.

(l) Shall prepare and adopt a budget for the needs of the Division.

(m) Shall determine the method of selecting the appropriate alternate, from the unit when more than one exists, if the delegate is unable to attend the Local convention.

(n) Shall determine the Alternate Chair, from the delegates of the Division, in the event the Division Secretary-Treasurer is unable to attend the Local Convention.

#### **Section 8 - Duties of the Executive Board**

(a) Shall meet regularly, no less than once each quarter during the calendar year. The meeting shall take place at such time and location as designated by the President upon reasonable notice to all members of the Executive Board.

(b) Shall hold special meetings upon written request by a majority of the Board members to the President.

(c) Shall administer the affairs of the Local in accordance with these By-Laws and the CWA Constitution.

#### **ARTICLE XI Section 8 (contd.)**

(d) Shall be the governing body of the Local between conventions.

(e) Shall have full authority and responsibility for the enforcement of

these By-Laws.

(f) Shall have the powers not otherwise expressly allocated to another or others by the constitution of the CWA, these By-Laws or the 1986 merger agreement between the PA Telephone Guild and CWA.

(g) Shall, through delegates elected by its membership to the conventions of the CWA, participate in the formulation and administration of the CWA policy.

(h) Shall have the authority to determine the expenditure of Executive Funds of the Local.

(i) Shall prepare and adopt a budget as provided for by these By-Laws.

(j) Shall determine the manner in which grievances are to be handled and issue instructions relative to practices to be followed in the processing of the grievances.

(k) Shall have the authority and power to recommend reorganizing the jurisdiction of the Divisions, to merge Divisions and to create new Divisions out of existing Divisions, where organizational or membership changes require such reorganization, merge or creations in the interest and general welfare of the Local, subject to a referendum vote of those members affected.

(l) Shall have the authority to create new Divisions subject to the provisions of these By-Laws.

(m) In the absence of an Executive Board member, an alternate shall act and vote for him.



(n) Shall keep a true and accurate record of all Executive Board meetings, copies of which shall be made available to Division councils.

(o) Shall approve or disapprove all recommendations of the Divisions.

(p) Shall, between Conventions, coordinate all activities of the Local and shall formulate and decide policies of the Local and shall direct the officers in the execution of such policies.

(q) Shall be the final arbiter in all questions relating to these By-Laws and Rules, except while the Local convention is in session. Questions of interpretation of these By-Laws shall be subject to an "Appeal to the decision of the Chair". Such appeal will require a two thirds (2/3) vote.

(r) Shall have the authority to recommend amendments to these By-Laws as herein provided by these By-Laws.

(s) Shall have the authority to establish such offices, purchase such supplies, equipment, and furniture, engage such clerical assistance, and subscribe to such publications as may reasonably be deemed necessary for the general welfare of the membership of the Local.

**ARTICLE XI Section 8 (contd.)**

(t) Shall have the authority to engage legal counsel and power to appear and make defense of any actions or action at law or inequity, on behalf of the Local, before any court or quasi-judicial body as it may deem necessary for the protection of the Local and the enforcement of its rights.

(u) Shall obtain and distribute information concerning all matters affecting the welfare of the membership, including proposed and enacted legislation and government regulation. It shall take such action in such matters as may be deemed essential to the best interest of the membership.

(v) Shall have the authority to publish a periodical or magazine for distribution among the membership of the Local. This shall be the official publication of the Local.

(w) Shall have the authority to conduct all negotiations with the representatives of the employer wherever, in the opinion of the Executive Board, the matter is of such a nature or importance to justify initial negotiations by the Executive Board with the employer. If any collective agreement made between the Local and the employer or administered by this Local contains provisions for arbitration, the members of the Board of Arbitration who represent the Local shall be selected or approved by the Executive Board.

(x) Shall have the authority to appoint a representative to attend conventions of other organizations. Such representation shall render to the Executive board an account of the proceedings at such conventions.

(y) Shall have the authority to appoint members of the Local to serve as members of any committee as established by the Executive board or Local convention.

(z) Shall provide for the relevant training of Stewards and Officers of the Local.

(aa) Shall have the authority to designate the time and place of Special Conventions of the Local.

(bb) Shall have the authority and power to negotiate local contracts with the employer. The Executive Board shall appoint a bargaining committee to negotiate such contracts. Subjects for negotiations through collective bargaining must be approved by the appropriate authority in the International Union before submission to the employer. All contracts entered into shall be in the name of the International Union and bear the signature of approval of an authorized agent or representative of the International Union. All contracts negotiated by the Local shall be first adopted by a resolution of the bargaining committee prior to submission for ratification. Contract ratification shall be by secret ballot vote of the affected members. The procedure for ratification shall be established by the Executive Board.

## **ARTICLE XII - Elections, Balloting, Terms of office**

### **Part 1 - General**

#### **Section 1 - Eligibility to Vote - Responsibility of Member**

(a) All members in good standing shall be eligible to vote for elections of Stewards, Chief Stewards, Division officers and for the recall of same as provided in these By-Laws and on matters of referendum. Good standing means continuous payment of dues,

unless failure to do so is clearly not the fault of the individual, and payment of all fines, back dues, and assessment due the Union.

(b) It shall be the responsibility of the individual member to keep the Division Secretary-Treasurer informed of his residence address and telephone number.

### **Part 2 - Elections of Stewards and Chief Stewards**

#### **Section 1 - Chief Stewards**

(a) Eligibility Requirements:

1. Member of the unit.
2. Member in good standing in the Local.
3. Is willing to assume and perform all of the duties and obligations of Chief Steward as herein described in these By-Laws.

(b) Nomination and Election Procedures:

1. Nomination and election of Chief Steward shall be held every three years in the months of November and December.
2. Notice of election and a nomination sheet shall be made available to the members of the unit fifteen (15) days prior to the end of the nomination period.
3. The nomination sheets shall be returned to the Division office. The Division Secretary-Treasurer shall be responsible for the preparation of the ballots, listing of the names of eligible nominees. A list of nominees shall be made available to the members prior to the election. Write in votes are not permitted. In the case where there is only one (1) nominee for the office, such nominee shall be declared elected.
4. Election shall be by secret ballot of the members of the entire unit.

The election may be conducted on site or by mail ballot as deemed appropriate by the Division Council.

5. Mail ballots shall be mailed to the unit members fifteen (15) days prior to the date of the election.

a) The member shall then place the ballot in an envelope provided for that purpose and shall place the envelope containing the ballot in an outer addressed envelope. No ballot shall be counted unless the outer addressed envelope includes the members name clearly printed and the members signature.

b) No ballot shall be counted if it is received at the Division headquarters later than 12:00 noon of the election date.

6. On site elections shall be by secret ballot of the members of the entire unit at the place and time designated. Members who will be absent on election date may obtain an absentee ballot.

a) Absentee ballots may be obtained from the tellers of election seven (7) days prior to election.

b) The member shall then place the absentee ballot in an envelope  
**ARTICLE XII Part 2, Section 1, (6, b)**  
**(contd.)**

provided for that purpose and shall place the envelope containing the ballot in an outer envelope including the member's name clearly printed and the member's signature. No absentee ballot shall be counted unless the outer envelope is signed by the member.

c) No absentee ballot shall be counted unless returned to one of the tellers of election no later than 12:00 noon of the election date.

7. The nominee receiving the highest number of votes shall be deemed

the elected Chief Steward. In the event of a tie vote, there shall be a run off election among the candidates who tied.

8. Two (2) tellers shall be appointed by the Division Secretary Treasurer two (2) weeks prior to the election. They shall not be candidates for this election. The tellers shall prepare a ballot box (for onsite elections), confirm members eligibility to vote in the unit against a membership list provided by the Division Secretary Treasurer, provide ballots to eligible members and count the ballots. The tellers shall then immediately announce the election results. The tellers shall also forward the ballots and one copy of the teller sheet to the Division Secretary Treasurer who shall then forward the results to the Local Executive office. Ballots shall be retained for one year in the Division office.

9. The elected Chief Steward shall assume his position effective the Monday following the election and shall resign any other representative position with the Local at that time.

## **Section 2 - Steward**

(a) Eligibility Requirements:

1. Member of the unit.
2. Member in good standing in the Local.
3. Is willing to assume all of the duties and obligations of Stewards as herein described in these By-Laws.

(b) Nomination and Election Procedures:

1. Nomination and election of Stewards shall be held every three years in the month of January. The election shall be held in a place deemed most convenient and economical to the majority of the members of the unit or work group involved.

2. Notice of election/nomination sheet shall be made available to the members of the unit or group of workers fifteen (15) days prior to the date of the election by posting on the Union bulletin board.

3. The notice of election/nomination sheet, along with the ballots and tellers sheets, shall be prepared by the Division Secretary-Treasurer.

4. A list of nominees shall be made available to the members prior to the election. Write in votes are not permitted.

5. Election shall be by secret ballot of the members of the entire unit or a specific group of members within the unit, as appropriate for the representation of the members within the unit.

6. Members who will be absent on election date may obtain an absentee ballot.

**ARTICLE XII Part 2 Section 2 (6)  
(contd.)**

a) Absentee ballots may be obtained from the tellers of election seven (7) days prior to election.

b) The member shall then place the absentee ballot in an envelope provided for that purpose and shall place the envelope containing the ballot in an outer envelope including the member's name clearly printed and the member's signature. No absentee ballot shall be counted unless the outer envelope is signed by the member.

c) No absentee ballot shall be counted unless returned to one of the tellers of election no later than 12:00 noon of the election date.

7. The nominee receiving the highest number of votes shall be deemed elected

Steward. In the event of a tie vote, there shall be a run off election among the candidates who tied.

8. Two (2) tellers shall be appointed by the Division Secretary-Treasurer two weeks prior to the election. They shall not be candidates for this election. The tellers shall prepare a ballot box, confirm members eligibility to vote in the unit against a membership list provided by the Division Secretary-Treasurer, distribute the ballots to eligible members, count the ballots, announce the election results and then shall immediately forward the election results to the Division Secretary- Treasurer. They shall forward the nomination sheet, ballots, and one copy of the teller sheet to the Division Secretary-Treasurer who shall then forward the results to the Local Executive Office. Ballots shall be retained for one (1) year in the Division office.

9. The elected Steward shall assume his position effective immediately.

**Part 3 - Election of Executive Board  
and Division Council Officers  
and Delegates to the CWA  
National Convention**

**Section 1 - General Provisions**

(a) Elections for Local President, Executive Secretary-Treasurer, Division officers and Delegates shall be held every three (3) years. The elections shall be held simultaneously and during the months of September, October, November and December of the election year. A candidate may accept nomination for only one (1) office per election. At the time of assuming office, they shall resign any previously

held office in the local.

(b) The Local President and Executive Secretary-Treasurer shall be voted upon and elected by the members in good standing of the entire Local. Division Officers shall be voted and elected by the members in good standing within the jurisdiction of the Division.

(c) Write-in votes are not permitted. In the case where there is only one (1) nominee for office, such nominee shall be declared elected. In all other cases, such election shall be by secret ballot. The candidate receiving a majority of the votes cast shall be deemed elected. In the event of a tie vote, there shall be a run-off election among the candidates who tie. The members shall be afforded

**ARTICLE XII, Part 3, Section 1 (c)  
(contd.)**

a reasonable opportunity to vote.

(d) The elected officers shall take office on the second Monday after the date of election; and at that time all monies, official records, documents, and property belonging to the Local shall be turned over to such successors.

(e) All candidates for the offices of Local President, Executive Secretary Treasurer and Executive Vice Presidents shall automatically be candidates for the position of delegate to the conventions of the CWA.

(f) Candidates for the office of Division Secretary Treasurer shall automatically be candidates for the position of alternate to the conventions of CWA.

**Section 2 - Election Committee**

(a) An election committee shall be appointed by the Executive Board. The members of the committee shall elect a chairman from among their own number. No member of the election committee shall be a candidate for this election.

(b) The election committee shall have the general responsibility of conducting the elections for the Local President, Executive Secretary-Treasurer, and Division Officers. The instructions for conducting the elections as prepared by the committee shall be subject to the approval of the Executive board for compliance to the applicable laws, these By-Laws and the CWA constitution.

(c) The election committee shall have the responsibility for notification of election to the membership, preparation and distribution of nomination petitions and ballots. They shall also have the responsibility for arranging the counting of the ballots and announcement of election results to the membership.

**Section 3 - Election Complaints**

(a) Any complaint or challenge to the conduct of an election must be filed in writing with the election committee within ten (10) days of the certification of the tentative election results.

(b) All election complaints and challenges shall be handled in accordance with Article XV, Section 4 paragraphs (b) and (c) of the CWA Constitution.

**Section 4 - Eligibility Requirements  
for Local President, Executive  
Secretary-Treasurer, and  
Division  
Officers**

(a) Any member of the Local may be eligible for the office of Local President

and Executive Secretary-Treasurer, if the following requirements are met:

1. Member in good standing of CWA Local 13500 for a continuous period of at least two (2) years as of the date of election.

2. Is willing to assume all duties and obligations of office as provided in these By-Laws.

3. Is not barred from holding office by law.

(b) Any member of the Local may be eligible for the office of Executive Vice President or Division

Secretary-Treasurer if the following requirements are met:

1. Member of the Division.

2. Member in good standing in CWA Local 13500 for a continuous

**ARTICLE XII Part 3 Section 4  
(b)(contd.)**

period of at least two years as of the date of election.

3. Is willing to assume all duties and obligations of office as provided in these By-Laws.

4. Is not barred from holding office by law.

**Section 5 - Nomination Procedure**

(a) All members of the Local who meet the eligibility requirements specified in these By-Laws shall be eligible for nomination as a candidate for the office of Local President, Executive Secretary Treasurer, Executive Vice President, or Division Secretary-Treasurer.

(b) In the month of July or August, (as determined by the Executive Board in conformity with the CWA Constitution Article XV, Sections 3, 4, and 5) of the election year, all members of the Local shall be notified in writing of the date

and method of nominating and electing the candidates for the offices of Local President, Executive Secretary-Treasurer, Executive Vice Presidents, and Division Secretary Treasurer. This notice shall set forth the last day on which such nominations shall be received by the election committee. Such notice shall also instruct the members as to the form to be used for nomination petition.

(c) To be valid, nominations shall be in accordance with the following procedures:

1. A nominating petition shall contain the name, address, and telephone number of the eligible candidate together with the office for which such candidate is being nominated.

2. Such nominating petition for Local President and Executive Secretary Treasurer shall be signed by at least fifty (50) members in good standing with the Local. Nominating petitions for the Division Officers shall be signed by at least twenty-five (25) members in good standing in that Division.

3. The candidate who is nominated shall sign a statement on the nominating petition to the effect that "I accept this nomination". The election committee shall notify any candidate, on whose behalf valid nominating petitions for more than one (1) office have been filed, and the candidate may then specify

his preference. No candidate may accept nomination for more than one (1) office.

4. The nominating petition shall be delivered to the election committee by certified or registered mail or in person no later than the last day on which such nominating petitions must be filed, pursuant to the notice mentioned in

Part 3, Section 2, paragraph (b) of this article.

5. All eligible candidates for the offices of Local President, Executive Secretary-Treasurer and Executive Vice President shall automatically be candidates for Delegate to the CWA National Convention, and the nominating petition shall so state.

6. All candidates for Division Secretary-Treasurer shall automatically be candidates for alternate to the CWA National convention, and the nominating petition shall so state.

### **Section 6 - Election Procedure**

(a) Within three (3) weeks after receipt  
**ARTICLE XII Part 3 Section 6 (a)**  
**(contd.)**

of the nominating petitions, the election committee shall mail a ballot to every member in good standing of the Local. This ballot shall contain the names of the candidates for each office under the heading for that office. The names of the candidates for Division office shall only

be sent to the members of the appropriate Division. The ballot shall be accompanied by a ballot envelope and a stamped, addressed envelope, with instructions to the member to vote for the candidate of his choice for each office on the ballot, to insert the ballot into the ballot envelope, to insert the ballot envelope into the stamped, addressed envelope, to sign the stamped, addressed envelope, and to mail the same in time to be received no later than 12:00 noon of the election date specified in the instructions.

(b) The election committee shall appoint tellers to collect and count the ballots.

The tellers shall not be candidates for the elected offices. The tellers shall count the ballots on the election date specified in the instructions. Each candidate shall be entitled to be, or have, an observer present at the collecting and counting of the ballots.

(c) The names of those elected shall be sent to the Local headquarters along with the ballots, the signed outer envelopes and all other records pertaining to the election, where they shall be retained for at least one (1) year. The election committee shall be responsible for announcing the election results to the members.

## **ARTICLE XIII ----VACANCIES**

### **Section 1 - Steward**

(a) If a vacancy occurs in the position of Steward, such vacancy shall be filled for the unexpired term either by appointment by the Executive Vice President or by election by the appropriate members of the unit, as determined by the Division Council.

### **Section 2 - Chief Steward**

(a) If a vacancy occurs in the position of Chief Steward, such vacancy shall be filled for the unexpired term either by appointment by the Executive Vice President or by election by the members of the unit, as determined by the Division Council.

### **Section 3 - Division Secretary Treasurer**

(a) If a vacancy occurs in the position of Division Secretary-Treasurer, such vacancy shall be filled by appointment of the Division Council, subject to the

approval of the Executive Board and a vote of approval by the Division membership within sixty (60) days of the appointment or by election in the same manner as that required for regular elections and within sixty (60) days. The appointment or election shall be from among qualified members of the Division.

#### **Section 4 - Executive Vice President**

(a) If a vacancy occurs in the position of Executive Vice President, such vacancy shall be filled by appointment of the **ARTICLE XIII Section 4 (contd.)**

Division Council, subject to the approval of the Executive Board and a vote of approval by the Division membership within sixty (60) days of the appointment or by election in the same manner as that required for regular elections and within sixty days. The appointment or election shall be from among qualified members of the Division.

#### **Section 5 - Executive Secretary Treasurer**

(a) If a vacancy occurs in the office of Executive Secretary-Treasurer, such vacancy shall be filled for the unexpired term by election or appointment as determined by the Executive Board.

(b) The Executive Board shall fill a vacancy in the position of Executive Secretary-Treasurer by appointment, subject to a vote of approval by the Local membership within sixty (60) days of the appointment or by election in the same manner as that required for regular election and within sixty (60) days. The appointment or election shall be from

among qualified members of the Local.

(c) When the Executive board determines to hold an election, pending such election, the Executive Board shall appoint one of their own members to assume the duties of that office until the election is completed.

#### **Section 6 - Local President**

(a) If a vacancy occurs in the office of Local President, such vacancy shall be filled for the unexpired term by election within sixty (60) days in the same manner as that required for regular election.

(b) Pending such election, the Executive Vice President with the largest constituency, as reported in the most recent membership census, shall immediately assume all responsibilities of that office.

#### **ARTICLE XIV RECALL AND RESIGNATION OF OFFICE**

##### **Section 1 - Recall of Stewards**

(a) Recall proceedings against a Steward may be initiated by a petition clearly stating the charges, signed by at least two-fifths (2/5) of the Steward's constituents.

(b) Such petition shall be forwarded to the Division Council having jurisdiction over the unit. The Division council shall review the case and transmit copies of the petition, together with any defense or other pertinent information, to all constituents of the Steward.

(c) A recall vote shall be taken within thirty (30) days of the receipt of the



petition. A two thirds (2/3) vote of the Steward's constituency shall be necessary to effect a recall.

### **Section 2 - Recall of Chief Steward**

(a) Recall proceedings against a Chief Steward may be initiated by a petition clearly stating the charges, signed by at least two-fifths (2/5) of such Chief Steward's constituents.

(b) Such petition shall be forwarded to **ARTICLE XIV Section 2 (b)(contd.)** the Division council of which Chief Steward is a member. The Division council shall review the case and transmit copies of the petition together with any defense or other pertinent information to the Chief Steward's entire constituency.

(c) A recall vote shall be taken within thirty (30) days of the receipt of the petition. A two-thirds (2/3) vote of the entire constituency shall be necessary to effect a recall.

### **Section 3 - Recall of Local President, Executive Secretary-Treasurer, Executive Vice Presidents, and Division Secretary-Treasurers**

(a) A petition for recall of the Local President and Executive Secretary Treasurer may be preferred by twenty percent (20%) of the membership of the Local.

(b) A petition for recall for Executive Vice President and Division Secretary-Treasurer may be preferred by twenty percent (20%) of the membership of the Vice President's Division.

(c) The petition for recall for the Local

President, Executive Secretary-Treasurer, Executive Vice President and Division Secretary-Treasurer shall be handled in accordance with Article XXI, Sections 2, 3, and 4 of the CWA Constitution.

### **Section 4 - Resignation**

(a) Resignations of Chief Steward, Division Secretary-Treasurer, Executive Secretary-Treasurer, Executive Vice President and Local President shall be tendered in writing to the particular Council or Board of which they are a member.

(b) Resignations of Stewards shall be tendered in writing to the Division Secretary-Treasurer having jurisdiction over their unit.

### **ARTICLE XV Referendum**

Whenever these By-Laws provide for a referendum vote, it shall be by secret mail ballot or by secret ballot of the membership, as determined by the Council conducting the referendum.

### **ARTICLE XVI - INITIATIVE**

When two fifths (2/5) of the members of any Unit, Division or the Local, by petition, request action on any specific matter, the proposition contained in the petition shall be submitted to a referendum vote of the members thereof. The petition shall, as a condition for its recognition, clearly state the matter or matters which the signers wish to have submitted for a referendum vote, together with the supporting reasons and facts. The particular Body involved shall refer the petition to its Membership within sixty (60) days and a majority of

the Membership affected thereby shall decide the issue. No such petitions shall be recognized, however, if it results in amendment to these By-Laws unless it complies with the amendment procedure herein specified.

## **ARTICLE XVII - FINANCE**

### **Part 1 - Income and Pro-ration of monies**

#### **Section 1 - Dues and Other Income**

(a) All dues, assessments, interest, fines, and other monies payable to the Local or any of its Divisions shall be deposited in accordance with the instructions of the Executive Board.

(b) The dues of the Local have been prescribed by the membership by a secret ballot vote and may be paid through a payroll deduction plan.

(c) Any increase in Local dues shall require the approval of a majority vote of the membership voting. Voting shall be by secret ballot after reasonable notice to the membership.

(d) Assessments on the membership may be levied only after the approval by a majority vote of the membership voting. Voting shall be by secret ballot after reasonable notice to the membership.

(e) Any member sixty (60) days in arrears for dues, assessed in accordance with the provisions of these By-Laws, shall automatically be suspended from membership, except in cases where a member is receiving less than full pay under the plan for employees' disability benefits of the employers, or as may

further be provided in these By-Laws.

(f) If a member has been expelled and is permitted to rejoin, or if an employee has been a non member or agency fee payer and applies to become a member, there will be an initiation fee of \$50.00 plus any applicable fines and back dues.

### **Section 2 - Proration of Monies between Executive and Division**

(a) At its annual meeting to establish the Local's budget, the Executive Board will review and recommend any changes in the pro-ration of monies between the Divisions and the Executive Board.

(b) Any changes in that pro-ration shall be decided by a majority vote of the Division Councils, as herein provided in these By-Laws.

### **Part 2 - Audits**

(a) The Executive Board shall select a Certified Public Accountant to annually audit the financial records of the Local; such audit shall be published in accordance with the law.

(b) The Executive Board shall appoint an auditing committee composed of four (4) members of the Local to review the expenditures of the Local for the previous year.

### **Part 3 - Expenses Section 1 - General**

(a) The funds of the Local shall be expended to carry out the purpose of the Local and its Divisions.

(b) Those who by virtue of their office of President, Executive Secretary-Treasurer, Executive Vice President,

Division Secretary Treasurer with these assignments pursuant to these By-Laws, perform any duties or assignments or service on behalf of the Local or any of its Divisions, shall receive wages for the time spent performing Union business in **ARTICLE XVII - Part 3, Section 1 (b)(contd.)**

addition to expenses incurred by way of transportation, lodging, and meals in performance of such duties, assignments or services. The wage for each officer shall be the base pay for the company title held or last held by the officer. Any member or officer may receive a per diem allowance to be established by a majority of the Executive Board in addition to his actual hotel and traveling expenses incurred by him while engaged in the legitimate business of the Local. Any member or officer shall be reimbursed for any services and lost time. All payments to such persons shall only be by voucher sent to the Executive or Division Secretary-Treasurer.

(c) Budgets for the Local, including the Executive and Division budgets, shall be reviewed annually in the month of October by the Executive Board. The Executive Board shall make the final determination and approve all budgets for the Divisions and the operation of the Local, in accordance to the provisions of these By-Laws.

(d) The Executive Secretary-Treasurer shall be a signatory to all accounts opened in the name of the Local or its Divisions.

(e) All expenses incidental to the proper operation of the Local and its Divisions as herein before provided, including rentals, supplies, printing, postage,

fixtures, furniture, clerical services, and legal and accounting fees, shall be the proper expenses of the Local.

(f) When away from home or headquarters or engaged in business of the Local or its Divisions, officers and members shall be allowed hotel, meal and miscellaneous expenses, and transportation expenses.

(g) A lost vacation allowance may be received by any member who is on Union Business while simultaneously on a vacation day, excused day, holiday and/or floating holiday from his/her employer. The member shall be paid by the Local at his/her normal base rate for the actual lost vacation time.

## **Section 2 - Executive Fund**

(a) The Executive board shall prepare a budget for the proposed operation of the Local.

(b) All expenses incidental to the operation of the Local and the Executive Board shall be paid from the Executive Fund.

## **Section 3 - Division Funds**

(a) The Executive Fund shall contribute an agreed upon amount to each Division Fund as provided in these By-Laws.

(b) Each Division Council shall prepare a budget recommendation for the proposed operation of the Division which shall be presented to the Executive Board.

(c) All expenses incidental to the operation of the Division and the Division Council shall be paid by the

Division.

**ARTICLE XVII Part 3 (contd.)**

**Section 4 - Advances**

(a) Cash advances for union business may be drawn by members of the Executive Board, Division Councils or by any other member of the Local when approved by a majority of the particular Board or Council.

(b) A voucher for the cash advance shall be returned to the Secretary-Treasurer of the particular Board or Council. No individual shall have more than one (1) outstanding cash advance.

**Section 5 - Assets of the Local**

(a) Title of all property, funds and other assets of the Local shall at all times be vested in the Local and no Executive board member or other persons holding office shall have any proprietary right, title, or interest therein.

(b) The Local and its Divisions shall conduct an annual inventory of all assets of the Local. This inventory will be maintained on file in the Local Headquarters. It shall be the responsibility of the Executive or Division Secretary-Treasurers to advise the Local Executive Office of changes in the assets of the Local or its Divisions between these annual inventories.

**ARTICLE XVIII - AMENDMENTS**

**Section 1 - General**

These By-Laws and rules may be amended either by:

- a) Membership referendum or;

- b) the Local Convention

**Section 2 - Amendments by membership referendum**

(a) A petition signed by two-fifths of the membership of a unit, presented to the Division council, may initiate an amendment to the By-Laws.

(b) The proposed amendment shall be submitted within sixty (60) days to the membership of the particular unit. A majority vote thereon shall be required before it shall be forwarded to the Division Council for a vote of the remainder of the Division membership.

(c) The proposed amendment shall be submitted to the vote of the Division membership within sixty (60) days. A majority vote of those voting thereon shall be required before it shall be forwarded to the Executive board for a vote of the other Divisions.

(d) The Executive board shall submit the proposed amendment to a vote of the other Divisions within thirty (30) days. A majority vote of those voting thereon shall decide the issue.

(e) An amendment to these By-Laws may be initiated by a majority vote of the Executive Board. Upon approval of the majority of the Divisions councils, as herein provided in these By-Laws, it shall be submitted to the membership of the Local and the vote of the majority voting thereon shall decide the issue.

**Section 3 - Amendments by the Local Convention**

(a) These By-Laws and rules may be amended by a two thirds (2/3) vote of **ARTICLE XVIII , Section 3(a)**

**(contd.)**

the Convention Delegates voting, provided the sense of the proposed amendment and the article, section and paragraph to be amended have been published to the membership at least sixty (60) days in advance of the Convention.

(b) Any amendment proposed at the Convention shall require a three-fourths (3/4) vote of those voting thereupon at the Convention to effectuate such proposed amendment.

(c) No such amendment shall be placed before the convention that removes from the membership their right to election, recall, ratification, to move or reject by referendum, initiative or ballot any matter so established in these By-Laws. In addition, provisions for roll call voting, the procedure for By-Laws and Rules amendment by the membership as outlined in this article, and the dues structure of this Local shall not be amended except by membership referendum.

## **ARTICLE XIX STRIKES**

This Local shall call or participate in a strike only when such action has been approved by a majority of its members affected and is approved by the International Union, according to Article XVIII of the CWA Constitution.

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