

# **BYLAWS OF C.W.A LOCAL 3640**

## **ARTICLE I – NAME**

This Local shall be known as Local 3640. Communications Workers of America

## **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 object of Local 3640 will 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:

### Section 1 – Local

- A. The Membership
- B. The Executive Board: The Officers and the Area Representatives
- C. The Officers: President, Executive Vice President, Secretary/Treasurer, Area Vice Presidents (2) INT-RO and RDU-RO.
- D. The Committees

### Section 2 – Areas

- A. INT-RO: There shall be four (4) areas of the Local defined as follows:
  - Area 1 – First Floor
  - Area 2 – Second Floor
  - Area 3 – Third Floor
  - Area 4 – Fourth Floor
- B. RDU-RO: There shall be two (2) areas of the Local defined as follows:
  - Office Base Area Representatives (2)
  - Home Base Area Representatives (2)
- C. The composition of an area can be changed or additional areas created by recommendation of the Executive Board with membership approval.
- D. There shall be one area representative elected from each area, unless otherwise specified.

## **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, if employed on a part-time or full-time basis by the Local.

### Section 2 – Transfers

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

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

### Section 1 – Local Membership Dues:

- A. Each member of the Local shall pay minimum membership dues as established by the CWA Convention.
- B. Membership dues which exceed in amount of the minimum membership dues may be authorized by a majority of those voting on the question in accordance with the Local By-Laws.
- C. Membership dues may be changed only by a majority of those voting on the question by a secret ballot referendum, or a membership meeting with 7 day notice.

### Section 2 – Local Special Assessment:

The membership of this Local may levy a special assessment only in the same manner as provided for changing Local dues: However any special assessment levied shall be in compliance with Article VI, of the Union Constitution.

## **ARTICLE VII – GOVERNING AUTHORITY**

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 at membership meetings and by referendum of the membership.
- B. Through actions and decisions of the Executive Board between membership meetings. The Executive Board shall establish administrative policies, which become necessary to insure that members can participate in the governance of the Local. The Executive Board will consist of the Officers and the Area Representatives.
- C. Through actions and decisions of the Local Officers, between meetings of the Executive Board.

## **ARTICLE VIII – MEETING**

### Section 1 – Executive Board:

The Executive Board shall hold meetings as may be necessary to properly transact the business of the Local, on the call of the President, by request of 50% of the Executive Board. The President must call a meeting within 7 days.

### Section 2 – Local Meetings

Regular Membership meetings shall be held bi-monthly on the second Tuesday of the month between the INT and RDU reservations centers as follows:

INT - Jan/Mar/May/Jul/Sept/Nov

RDU – Feb/Apr/Jun/Aug/Oct/Dec

### Section 3 – Special Local:

Special meetings may be called by a majority vote of the Local Officers, or by a petition signed by ten percent (10%) of the members. Upon receipt of a proper petition the President shall call a special meeting to be held within (7) days for the purpose set forth in the petition.

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

- A. Delegates to any General or Special Convention shall be the Local Officers serving in the following order.
  - 1. President
  - 2. Executive Vice President
  - 3. Secretary/Treasurer
  - 4. Area Vice Presidents
- B. The Executive Vice President shall become an Alternate automatically if the Local is allowed less than two delegates
- C. Upon recommendation of the Executive Board and approval of the membership, any additional delegates or alternates that the Local is entitled to may be elected by a special secret ballot election conducted not less than 30 days in advance of the Union Convention.
- D. Convention votes shall be distributed among all the Delegates in accordance with Article VIII of the CWA Constitution.
- E. It shall be the duty of the Secretary of the Local to certify the Local Delegates to any General or Special Convention, to the Secretary-Treasurer of the National Union within the limits specified in the National Constitution.

## **ARTICLE X – LOCAL COMMITTEES**

- A. The Local shall have the following regular committees:
  - 1. Education
  - 2. Election
  - 3. Organizing
  - 4. Legislative – Political
  - 5. Mobilization
  - 6. Community Services
  - 7. Equity
  - 8. Finance/By-Laws
  - 9. Health/Safety
  - 10. Other Committees as determined by the Executive Board
- B. Members of all committees shall be appointed by the President with the approval of the Executive Board: subject to the right of the Local membership to overrule such appointments.
- 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 a majority vote of the Executive Board, subject to the right of the Local members to overrule the action of the Executive Board. A committee member may also be removed by action of the Local in a membership meeting.
- E. Duties of Committees:

Mobilization Committee: The Mobilization Committee will work to put in place a mobilization structure that enables communications, education and action for the Local and it's members.

Legislative-Political Committee: The Legislative Committee shall assist in developing and pursuing the program of the Union and the Local in the Legislative field. It shall be responsible for the Local's program to register each qualified voter.

Organizing Committee: The Organizing Committee shall assist the Local Officers and Stewards in organizing all members within the Local's jurisdiction.

Election Committee: The Election Committee shall conduct all nominations and elections and referenda of the Local.

Education Committee: The Education Committee shall assist in developing the Local's education program and, with the Local Officers, be responsible for effectuation of the Union and Local's educational program.

Community Services Committee: The Community Services Committee shall assist in developing all Community services programs.

Committee on Equity: The Committee on Equity shall study and report to the Local on ways and means of eliminating discrimination on the basis of sex, race or any other basis.

Finance/By-Laws Committee: The Finance/By-Laws Committee shall review the financial records of the Local and make a written report semi-annually to the Local. The Committee will assist the Local Officers in preparing the annual budget, maintain the By-Laws and recommend any updates. The Committee will maintain Local By-Laws and recommend any needed changes.

Health/Safety Committee: The Health & Safety Committee shall study workplace health & safety issues and coordinate the Locals efforts in joint union/management health and safety programs.

## **ARTICLE XI- ORDER OF BUSINESS**

- A. The order of business at a Local or Membership Meeting shall be as follows:
  - 1. Call to Order
  - 2. Roll Call (optional)
  - 3. Reading and action on minutes of previous meeting
  - 4. Report of Officers
  - 5. Report of Committees
  - 6. Unfinished business
  - 7. New business
  - 8. Good and Welfare
  - 9. Adjournment
  
- B. The order of business may be suspended by a two-thirds vote of the members present.

## **ARTICLE XII- DUTIES OF LOCAL OFFICERS & STEWARDS**

Section 1 – The Officers of the Local shall be:

- A. Local President
- B. Local Executive Vice President
- C. Local Secretary/Treasurer
- D. Local Area Vice President

Section 2 – Local Officers shall hold no other office.

Section 3 – Duties of Local President

The Local President shall be full-time and shall preside at meetings of the Local and at meetings of the Local Executive Board and shall be responsible for the conduct of the Local including:

- 1. The prosecution of grievances and appealing them to higher levels of the Union, if not satisfactorily settled.

2. The supervision of all Committees of the Local.
3. The approval of all bills to be paid by the Local Treasurer and to countersign checks drawn on the Treasury of the Local.
4. Select a location for the Local Union Headquarters, where official correspondence will be sent, books and records maintained and Local business conducted, subject to the approval of the Executive Board.

The Local President shall have additional duties as assigned by the Local, the Governing Board, or required by the Constitution or Policies of the Union.

#### Section 4 – Duties of the Local Executive Vice President

- A. The Executive Vice-President shall 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.
- B. The Executive Vice President shall assume duties of the President in his/her absence.

#### Section 5 – Duties of the Secretary/Treasurer

- A. The Secretary/Treasurer shall keep minutes of all Local meetings of the Local Executive Board.
- B. The Secretary/Treasurer shall furnish both the District Vice President and Secretary/Treasurer of the National Union with two (2) copies of any changes in the Local By-Laws, within (10) days after such changes are adopted.
- C. Certify the Local delegates to the Union Convention to the International Secretary Treasurer within the time limits specified in Article VII of the Union Constitution.
- D. The Secretary/Treasurer shall be responsible for furnishing the Secretary-Treasurer of the National union with all the proper forms signed by Local Officers which are required by State and Federal laws immediately upon completion.
- E. The Secretary/Treasurer shall be bonded and shall be custodian of all assets of the Local and shall make a report to each membership meeting.
- F. The Secretary/Treasurer shall cause all payment of all bills approved by the President.
- G. Cause the filing of all reports or filings required by federal, state or local law.
- H. The Secretary/Treasurer shall perform such other duties as may be assigned by the Local, the Executive Board, or the Local President.
- I. Maintain the membership records of the Local.

#### Section 6 – Duties of the Area Vice President

- A. The Area Vice President shall work under the direction of the Local President and shall perform such duties as assigned by the Local, the Executive Board, and the Local President.

#### Section 7 – Duties of the Area Representatives

- A. Area Representatives shall work under the direction of the President and shall perform such duties as may be assigned by the Local Executive Board, or the Local.
- B. The Area Representative shall preside at meetings of their respective area.

#### Section 8 – Chief Stewards and their duties:

- A. This Local shall have as many Chief Stewards as may be deemed necessary by the Area Representative.
- B. The Chief Stewards shall be selected from their respective groups by informal election. The Area Representatives may appoint Chief Stewards until requested elections are held.
- C. The Chief Stewards of the area shall work under the direction of the Area Representative of their respective area. They shall perform such duties and responsibilities as may be assigned by their Area Representatives.

Section 9 – Job Stewards:

- A. Each area shall have as many Job Stewards as may be deemed necessary by the area representative.
- B. The Job Stewards will be appointed by Area Representatives with the approval of the membership of their respective area.
- C. The stewards of the area shall work under the direction of the Area Representative of their respective area. They shall perform other duties and responsibilities as may be assigned by their Area Representative.

Section 10 – Local Executive Board

- A. The duties of the Local Executive Board shall be as follows:
  - 1. Be responsible for making decisions and taking action on behalf of Local Membership between Local or Area meetings on all matters concerning the good and welfare of members.
  - 2. Meet as necessary. The Local President shall call a meeting of the Executive Board whenever requested by a majority of the board members to do so.
  - 3. Cause an annual budget to be prepared and presented to the membership.
  - 4. Be responsible for the operation of strike action procedures as outlined in the Constitution.
  - 5. Actions and decisions of the Executive Board are subject to the approval of the membership.
  - 6. A majority of the Executive Board shall constitute a quorum.

**ARTICLE XIII – CONDUCT OF MEETINGS AND QUORAM:**

Section 1:

Local and membership meetings of the Local shall be conducted under these BY-LAWS and RULES and in conformity with the National Union Constitution. On questions where the Local BY-LAWS, the Local rules, or the National Constitution does not clearly apply, Roberts Rules of Order shall govern.

Section 2:

The members in attendance at a Local or membership meeting shall constitute a quorum, provided due notice is given.

Section 3:

A majority of the Executive Board, or the majority of the members of a Committee, shall constitute a quorum for those bodies.

Section 4:

Motions made at membership meetings that effect the entire membership shall be referred to the Executive Board for the purpose of determining whether or not the motion is in order under these By-Laws and the Union Constitution. The Executive Board may refer motions to committee or to the membership through all of the membership meetings. Action taken by the Executive Board on Motion shall be part of the Executive Board report.

**ARTICLE XIV – NOMINATION AND ELECTION OF LOCAL OFFICERS AND AREA REPRESENTATIVES**

Section 1 – Nomination/Elections

- A. Nominations for President/First Convention Delegate, Executive Vice President/Second Convention Delegate, Secretary/Treasurer and one (1) Area Vice President shall be local-wide. Nominations for Area Representatives shall be from their respective group/department.
- B. The President and Executive Vice President shall serve as Local delegates during their term of office. In the absence of any above listed officer, the respective Alternate Delegate shall serve as Delegate.
- C. The term of office shall be three years or until their successors have been duly elected and qualified.
- D. President, Executive Vice President, Secretary/Treasurer and Area Vice President shall be elected by a majority of votes cast. Area Representatives shall be elected by a plurality of votes cast.

Each election year, the Election Committee shall conduct nominations and Local elections in the following manner:

- 1. Nominations for Local Officers and Executive Board shall be held at the regular scheduled membership meeting on the 2<sup>nd</sup> Tuesday in September.
- 2. If there is only one (1) nominee for any position, the nominee shall be elected by acclamation. Write-in votes are not permitted.
- 3. Election shall be conducted via U.S Mail in the month of October with ballots being mailed to the last known address of each member in good standing, and the Local shall supply prepaid, first class postage on a preaddressed return envelope. The members shall be responsible for maintaining their address to the Local.
- 4. The Local Executive Board shall take office on the 2<sup>nd</sup> Tuesday in December.

#### Section 2 – Local Election Committee:

- A. The nominations and election of Local Officers and Executive Board members shall be conducted under the supervision of the Election Committee. The Committee shall have the authority and responsibility to see nominations and elections are conducted in accordance with the Union Constitution and BY-LAWS with reasonable opportunity for each member to nominate and vote for the candidate of his/her choice.
- B. The Election Committee shall also conduct any referendums submitted to the membership. The Committee shall preserve the ballots and all other election records for one year.
- C. A member shall not be permitted to serve on the Election Committee if He/she is a candidate for any office of the Local.
- D. All questions concerning the conduct and challenges of the elections shall be determined by the Election Committee, subject to the right of appeal to the Executive Board and membership of the Local in accordance with Article XV of the CWA Constitution.

#### Section 3 – General Provisions

- A. In the case of elections requiring a majority vote, if no one nominee receives a majority on the first ballot, a run off election shall be conducted, and the two nominees receiving the greatest number of votes on the first ballot shall be the nominees on the second ballot.
- B. Only members in good standing shall be eligible to vote or hold office.
- C. No elected officer of the Local shall be qualified to take office until he or she meets the qualifications and requirements set forth in these BY-LAWS, the CWA Constitution, or any state or federal law.
- D. The term of office shall be three years.

#### Section 4 – Vacancies:

- A. A vacancy in the office of the Local President shall be filled by the Executive Vice President.

- B. Vacancies in other Local Offices shall be filled by appointment of the Executive Board, subject to approval by the affected membership within 60 days.

Section 5 – US/AA Merger CWA National Executive Board re-affirmation:

- A. On 8/8/2014, The CWA National Executive Board re-affirmed its policy as follows: “That the Executive Board reaffirms CWA’s longstanding policy that newly-organized workers may be members of CWA despite the fact that they do not pay dues until a first contract is ratified.”
- B. Following directive above in a non-precedent setting action, the following appointments and additions to our Local Executive Board structure will be:
  - 1. Addition of Area Vice President - RDU-RO
  - 2. Addition of (2) Area Representatives - RDU-RO/Office Based Members.
  - 3. Addition of (2) Area Representatives – RDU-RO/Home Based Members.
  - 4. Additional Area Representatives may be appointed as needed to comply with the National Executive Board directive.
  - 5. All newly created positions will revert to the Local’s normal election process effective in the next scheduled election year.

**ARTICLE XV – STRIKES**

The calling, conduct, and termination of strikes effecting this Local shall at all Times be carried on in compliance with rules Prescribed by the C.W.A and Article XVIII of its Constitution.

**ARTICLE XVI – CHARGES, TRAILS AND APPEALS**

Section 1 – Members of this Local may be fined, suspended, and/or expelled for any of the Acts enumerated in Article XIX of the Union Constitution.

Section 2 – Any accused person shall be tried under the provisions of Article XX of the Union Constitution.

Section 3 – A member or officer of this Local, upon being found guilty by a Local Trial Court, may appeal as provided in Article XX of the Union Constitution.

Section 4 – A trial court of this Local shall be composed of five (5) persons in accordance with the Constitution must be randomly selected who are members of this Local and not parties to the proceedings.

**ARTICLE XVII – RECALL OF OFFICERS**

- A. The President, Executive Vice President, Secretary/Treasurer and Area Vice President may be recalled in conformity with the provisions of Article XXI, Section 2 and XXI, Section 8 of the Union Constitution.
- B. The Area Representatives of this Local may be recalled under the provisions of the Union Constitution, by their respective constituencies and the membership comprising the constituency.

**ARTICLE XVIII – AMENDMENTS TO LOCAL BY-LAWS**

After adoption, these BY-LAWS may be amended by a majority of the members voting in a referendum of the Local.



**ARTICLE XIX – REFERENDUM OF THE LOCAL**

- A. The local Election Committee shall submit any questions to a referendum of the membership, when directed to do so by action of the Executive Board or by Motion approved by the membership at membership meetings.
- B. Questions submitted to referendum shall be determined by a majority vote of those voting on the questions.

**ARTICLE XX – 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 and the Finance Committee of the Local, at the end of each fiscal year. The results of such audit shall be made available for the inspection of any member of the Local and a copy thereof shall be sent to the District Vice 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 (name of office) of Local 3640, 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 shall promise to give my successor in office all books and records in my possession. I shall at all time’s endeavor to serve my Local and the Union to the 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 Membership meeting called for that purpose or by referendum of the membership.

These BYLAWS Adopted \_\_\_\_\_

Revised BYLAWS Adopted \_\_\_\_\_

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