

CWA Local 1150

By-Laws

Last Revision: July 28, 2016

Article XI: section 2B,Removed Middletown Chief

CWA Local 1150 By-Laws

Article I - Name

This local shall be known a Local 1150, Communications Workers of America, AFL-CIO, CLC.

Article II – Jurisdiction

The jurisdiction of this Local shall be the jurisdiction assigned by the Union and appearing on the face of the Local Charter.

Article III- Objectives

The objectives of Local 1150 shall be to represent and serve the workers within its jurisdiction in accordance with the By-laws and rules of the Local and the Constitution of the Union.

Article IV- Local Structure

The structure of the Local shall consist of the following

- A. Membership
- B. Executive Board
- C. Officers
- D. Stewards
- E. Committees

Article V – Membership

Section 1 – Eligibility

- a) Any person eligible for membership in Communications Workers of America as defined in Article V of its Constitution, shall be eligible for membership in the Local if performing work within the Local’s assigned jurisdiction.
- b) A member shall be considered to be in bad standing for one of the following reasons:
 - a. Failure to comply with the term of conviction by a Trial Court
 - b. Non-payment of dues for more than 60 days upon written notice of such to the member
- c) A member in bad standing shall be ineligible to vote, run or hold office, or attend meetings of this local.

Section 2 – Application

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Membership in this Local shall be obtained in the following:

- a) Approval of any membership committee authorized to accept or reject membership in the Local subject to the right of the membership to overrule the decision of the membership committee.
- b) Initiation fee
 - a. If applying for membership within 6 months of becoming eligible for membership, the initiation fee shall be \$2.00, of which \$1.00 shall be forwarded to the Union.
 - b. If applying for membership later than 6 months after becoming eligible for membership, the initiation fee shall be \$4.00, of which \$.00 shall be forwarded to the Union.
 - c. Workers rejoining the Local after having been expelled or having resigned while eligible for membership shall pay an initiation fee of \$25.00, of which \$1.00 shall be forwarded to the Union
 - d. The initiation fee of Local 1150 may be waived for any period at the discretion of the Executive Board

Section 3 – Transfers

The transfer of membership from this 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 Union Constitution.

Article VI- Local Dues and Assessments

Section 1 – Local Dues

Each member shall pay the minimum membership dues as established by the CWA Convention (currently 2.25 hours of pay per month plus .2% (or 1.5%). The minimum payment shall be \$2.70 per week. Membership dues may be changed only by a majority of those voting on the question by a secret ballot referendum, or by a majority of those voting a membership meeting where a quorum is present, providing the questions has been advertised on bulletin boards at least 7 days in advance or by notice mailed to each member 7 days in advance of the meeting.

Section 2 – Local Special Assessments

A special assessment may be levied only with the approval of a majority of those voting on the question by secret ballot referendum, or by a majority of those voting at a membership meeting where a quorum is present, provided the question has been advertised on bulletin boards at least 7 days in advance or by notice mailed to each member 7 days in advance of the meeting. Such special assessments shall be in accordance with Article VI, Section 3 of the Union Constitution.

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Article VII – Governing Authority

Section 1 – Membership

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

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

Section 2 – Organization

The Executive Board shall consist of the following:

- 1- President, Vice-President, Secretary-Treasurer
- 2- Chief Stewards
- 3- Area Directors

Article VIII – Local Meetings

Section I – Calling of a meetings

- a) General meetings of the Local shall be held twice a year. The first of these meetings shall take place prior to June 30th.
- b) Special meetings of the Local may be called by the President or Executive Board, or upon receipt of the Executive Board of a Petition hearing the signatures of at least 4% of the membership of the Local. Such meetings shall be confined to the subject matter for which it is called.
- c) A minimum of 7 days' notice is required prior to the scheduled date of all meetings.
- d) Time, Place a date of membership meetings shall be set by the Executive Board. The principle business of each meeting, i.e., the introduction of motions and/or propositions and the amending of and voting the same shall be conducted at one main session. The quorum must be in attendance at this session.

Section 2 – Conduct of Meeting

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Membership meeting of this Local shall be conducted under these By-Laws and in conformity with the Union Constitution. On questions where the Local By-Laws and the Union Constitution so not clearly apply, Roberts Rules of Order shall govern.

Section 3 – Quorums

The following requirements shall constitute quorum.

- a) Executive Board and Committee Meetings: A majority of the members shall constitute a quorum of the Executive Board of any Committee of the Local.
- b) General and Special Membership Meetings: 4% of the entire membership shall constitute quorum.

Section 4 – Order of Business

- a) The order of Business at a Local Meeting shall be as follows:
 - 1. Call to order
 - 2. Reading of and action on minute or previous meeting
 - 3. Unfinished business
 - 4. New business
 - 5. Adjournments
- b) The order of business may be suspended by a 2/3 vote of the members present.

Article IX – Local Delegates and Alternates to the CWA Convention

Section 1 – Delegates

- a) Delegates to the CWA Convention shall be elected 3 months prior to the announced starting date of each Convention in accordance with Article XIII Section 1, Paragraph C through I of these By-Laws.
- b) The President, Vice President and Secretary-Treasurer shall be delegates to the Convention and so stipulated on the ballot.
- c) The Local shall elect the number of delegates allowed to it under Article VIII, Section 4 of the Union Constitution. If the General Fund of the Local falls below \$50,000 30 days prior to the Convention, the number of delegates shall be determined by the Executive Board.
- d) It shall be the duty of the Local Secretary-Treasurer to certify the Local delegates of the Convention to the Union Secretary-Treasurer within the time limits specified in Article VIII of the Union Constitution.

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- e) The President of the Local shall be Chair of the delegation, the Vice President shall be the Vice Chair and the Secretary-Treasurer shall be the Secretary.
- f) Delegates will be chosen in order according to the number of votes received in the election of votes received in the election until the number of delegates is reached. The alternate delegates shall be chosen in order from those remaining.

Section 2 – Vacancies

- a) In the event the Local President cannot attend the Convention. The Vice President shall become the Chair of the delegation. A meeting of the delegates will then be held with the first alternate in attendance as a delegate and they shall appoint a replacement as Vice Chair of the delegation.
- b) In the event the Vice President or Secretary-Treasurer cannot attend the Convention, a meeting of the delegates will then be held with the first alternate in attendance, and they shall appoint a replacement for the vacated positions.
- c) In the event any of the other delegates cannot attend the convention, the first alternate shall fill the vacancy.

Section 3 – Duties

Delegates to the CWA Conventions shall:

- a) Attend all sessions of the Convention except as authorized by the Chair.
- b) Attend all District of Unit meetings except as authorized by the Chair.
- c) Be responsible to work for the best interest of the Local membership at all times.

Article X – Committees

- A) The Local shall have the following regular Committees and their duties shall be as follows:
 - 1. Education Committee: shall assist in development the Local's Education Programs.
 - 2. Election Committee:
 - a. The nomination and election of Local Officers, Members of the Executive Board, and Delegates to the CWA Convention shall be conducted under the supervision of Election Committee. This Committee shall have the authority and responsibility to see that nominations and elections are conducted in accordance with the Union Constitution and these By-Laws with reasonable opportunity for each member to nominate a vote for the candidate of their choice.

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- b. The Election committee shall conduct any referenda submitted to the membership.
 - c. Members of the Elections Committee shall not be permitted to serve if they hold office or are a candidate for any office of the Local or Delegate to the CWA Convention.
 3. Organizing Committee: Shall assist the Local Officers in organizing all non-union employees in the Local's jurisdiction.
 4. Legislative Committee: Shall assist in developing and pursuing the legislative program of the Local and shall be responsible for the Local's voter registration drive.
 5. Membership Committee: shall accept or reject membership applications in accordance with these By-Laws and rules of the Local and Article V of the CWA Constitution and Policies of the Union.
 6. Community Services Committee: Shall assist in developing all Community Services Programs
 7. Grievance Committee: Shall consist of the Officers and Chief Stewards and shall be chaired by the Vice-President. It shall serve as an advisory committee and shall review all grievances before being sent to the 3rd step.
 8. Financial Committee: Shall assist the Local Secretary-Treasurer and Executive Board in maintaining financial records, reports and audits of the Local and shall render monthly analysis of payments to members of the Executive Board and shall be responsible to post there analysis on the Local Bulletin Boards.
 9. Health and Safety Committee: shall work to ensure safety and health laws are enforced in all work areas
 10. Equity Committee: Shall consider all matters regarding equity
- B) Members of all Committees shall be appointed by the President and approved by the Executive Board.
 - C) Each Committee shall have a Chair and Secretary appointed by the President and approved by Executive Board.
 - D) All Committee meetings shall be run by the Chair. The Secretary shall keep minutes of each meeting and submit a report to the Executive Board after each meeting.
 - E) A member of any Local Committee may be removed by the Executive Board or by actin of the membership at a membership meetings.
 - F) Vacancies in the Committees shall be filled in the same manner as the original appointments.

Article XI – Local Officers, Chief Stewards, Area Directors, Stewards and their duties

Section 1 – Local Officers

The Local Officers and their duties shall be:

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A. President

1. Be responsible for the conduct of all local business.
2. Preside at Local membership, executive board and officers meetings.
3. Supervise all committees.
4. Approve all bills to be paid and countersign all checks drawn on the local treasury.
5. Perform whatever additional duties as may be assigned by the Local or required by the policies or the constitution of the Union.
6. In the absence of all Local officers, it shall be the responsibility of the President to appoint, with compensation, an acting representative of the Local officers. Compensation being the President's salary.

B. Vice President

1. Work under the direction of the Local President and shall perform such duties as assigned by the President, executive board and of the Local.
2. Shall act in place of the President, with compensation, in the event of the latter's absence or incapacity.
3. Shall preside over and be responsible for the steward system.
4. Prosecute grievances and appeal them to higher levels of the union when not satisfactorily settled at 2nd step.

C. Secretary-Treasurer

1. Maintain a local record of the membership.
2. Record and maintain the minutes of all meetings of the local, executive board or local officers.
3. Furnish the district Vice- President and Secretary-Treasurer of the union with copies of any changes in these by-laws within 10 days after such changes are made.
4. Be the custodian of all assets of the local.
5. Be bonded, as must any person who handles local funds or other property in accordance with the union constitution or any state or federal law.
6. Cause the payment of all bills approved by the President.
7. Perform such duties as may be assigned by the President, Executive board or local.

Section 2 – Chief Stewards

A. The Chief Steward shall:

1. Be members of the executive board
2. Review the nominating petitions of those wishing to be stewards in their jurisdiction and meet with the nominee prior to submitting the petition to the executive board.

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3. Meet regularly with the stewards in their jurisdiction to review grievances, organizing efforts, or whatever else may be required by the Vice-President or executive board.
 4. Supervise the prosecution and administration of the grievance procedure through step 2.
 5. Recruit and train stewards in their jurisdiction and act as a source of information to and from the stewards to the executive board.
 6. Render assistance to stewards and members of all jurisdictions when needed or directed by the Vice-President.
 7. Attend all membership meetings and training sessions as may be required by the Vice-President.
- B. The jurisdiction of Chief stewards shall be as follows:
1. All locations within the jurisdiction of the local in the state of New York.
 2. All locations within the jurisdiction of the local in the state of New Jersey.
- C. The executive board, subject to the approval of the membership, may adjust the number and jurisdictions of the Chief Stewards in accordance with the changing needs of the Local.

Section 3 – Area Director

- A. Area Director shall:
1. Be a member of the Executive Board.
 2. Work under the direction of and be subordinate to the President and Vice-President and perform such duties as assigned by them.
 3. Be responsible for all organizing of the non-members in the Local.
 4. Chair the organizing and legislative committees in the Local.
- B. There shall be one Area Director for the Local.

Section 4 – Stewards

Stewards are on-the-job representatives of the Local. As such they shall:

1. Be responsible for the prosecution and administration of all grievances in their jurisdiction through the 1st step of the grievance procedure.
2. Report regularly on the status of their stewardship to their Chief Steward.
3. Attend any Stewards meetings and training sessions as may be required by the Chief Steward or Vice-President.
4. Act as a source of information to and from the Chief Steward and the Executive Board.

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Article XII – Executive Board

The Executive Board shall have the following duties and responsibilities in addition to those listed elsewhere in these By-Laws:

- A. It, as the properly designated representative, shall serve as the representatives of the Local and shall be responsible for all dealings of the Local and shall be representatives within the jurisdiction of this Local in all matters not specifically delegated to the Executive Board or Union.
- B. It shall maintain, in the name of the Local, proper office and other facilities necessary for the efficient functioning of the Local.
- C. It shall be responsible for all monies expended by the Local in the conduct of its legitimate business.
- D. It shall be responsible for the annual audit of the finances of the Local, the costs of such audit shall be paid from the General fund of the Local.
- E. It shall meet 4 times a year, at least once every three-month period to carry on the regular business of the Local.
- F. It, or its properly designated representative, shall act in the name of the Local unless specifically prohibited by action of the Local expressed through a meeting.
- G. Special meetings of the Executive Board may be called by the President or upon receipt of a written request of any 3 members.
- H. The Executive Board shall act as interpreter of these By-Laws and shall adjudicate all questions rising under them.
- I. Copies of the minutes of all meetings of the Executive Board shall be provided to all Executive Board members and Stewards.

Article XIII – Nominations and Elections

Nominations and elections for any office of this Local shall be held in accordance with Article XV, Section 3 and 4 of the Union Constitution and applicable Federal laws.

Section 1- Nominations

- A. On or before the 20th day of October of every third year, beginning with the election of 1972, notification shall be given, by the Executive Board to the membership, of a nominating period for the election of:
 1. President
 2. Vice-President
 3. Secretary-Treasurer
 4. Chief Stewards
 5. Area Directors

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- B. Candidates for Chief Steward and Area Directors shall be nominated from those members who spend the most time working in the jurisdiction of the office they are seeking.
- C. A nominating period of 20 days shall be proclaimed.
- D. A nominating petition containing the signatures of 4% of members in good standing (rounded out to the next highest number) shall be required for President, Vice-President, and Secretary-Treasurer. 2% (rounded out to the next highest number) will be required for all other Executive Board offices.
- E. The Election Committee shall immediately canvas all nominees concerning their desire to run.
- F. All nominees for each office shall be listed on the ballot in a random order selected by lot.
- G. The Election Committee shall prepare official ballots.
- H. A sample ballot listing all nominees shall be given wide publicity at least 15 days prior to the election.
- I. Voting shall be limited to those nominated and whose names are listed on the ballot.
- J. Nominees running unopposed shall be considered elected and be so certified by the Election Committee.

Section 2 – Elections

- A. Elections of Local Officers and Executive Board members shall be by secret ballot of the membership prior to the month of December every third year starting with the election of 1972.
- B. Only members in good standing shall be eligible to vote or hold office.
- C. The term of office shall be three years.
- D. Officers and Executive Board members shall take office on the third Monday following the date on which their election is confirmed.
- E. All questions concerning the conduct and challenges to the election shall be determined by the Election Committee, subject to the right of appeal to the Executive Board or the membership of this Local.

Section 3 – General Provisions

- A. The nominee receiving a majority of the votes in the election of President, Vice-President and Secretary-Treasurer shall be declared the winner. If no one nominee received a majority of the first ballot, the two nominees receiving the highest number of votes shall be nominees on the second ballot.

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- B. The nominee receiving the highest number of votes in the election of Chief Steward or Area Director shall be declared the winner. If two or more nominees are tied for the highest number of votes on the first ballot, those nominees shall be on the second ballot.

Section 4 – Vacancies

- A. A vacancy in the office of President shall be filled by the Vice-President.
- B. A vacancy in the office of Vice-President or Secretary-Treasurer shall be filled in the same manner as required for the regular elections within 60 days as required by Article XV of the Union Constitution.
- C. A vacancy in the office of Chief Steward or Area Director shall be filled by appointment of the President and approved by the Executive Board. Shall there be more than 1 year remaining in the original term, the appointment will be temporary pending an election within 60 days. If there is less than 1 year remaining in the original term, the appointee will serve until the next General Election.

Article XIV – Selection of Stewards

- A. The number and jurisdiction of stewards shall be established by the Executive Board.
- B. Any member wishing to become a Steward shall submit to the appropriate Chief Steward a petition bearing the signatures of at least 25% of the members of the unit for which they wish to be Steward.
- C. The Chief Steward shall review the petition, interview the nominee, and announce the nomination to the unit. Should there be no opposition within 10 days, the petition shall be submitted to the Executive Board for approval.
- D. Should more than one petition be submitted from one unit, an election shall be held by the Chief Steward. The petition of the winner will then be submitted to the Executive Board. Once approved by the Executive Board, the nominee will become a provisional Steward. As such, they will be required to attend any training session and/or Stewards meetings as may be required by the Chief Steward or Vice-President. After 12 months, the Chief Steward shall verify to the Executive Board that these conditions have been met and the Steward shall be certified.
- E. Alternates may be appointed by the Steward with the approval of the Chief Steward.
- F. Charges against Stewards by at least 25% of the members in the unit may be presented to the Executive Board. Upon written notice of the charges to the Steward, the Executive Board may, by majority vote, remove the Steward from office. Should the Vice-President of the Local or Chief Steward present written

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charges against a Steward, the Executive Board may, following written notice of the charges to the Steward, by majority vote, remove said Steward from the position. A Steward so removed from office may appeal the decision of the Executive Board to the membership at a General Membership meeting. Should the membership by majority vote reverse the decision, the Steward shall be reinstated.

- G. Should 50% of the unit request it, a new election shall be held following the rules set forth above.

Article XV – Strikes

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

Article XV1 – Charges, Trials and Appeals

Section 1 – Charges

Members of the Local may be fined, suspended and expelled in the manner provided in these By-Laws for any of the acts committed in Article XIX of the Union Constitution.

Section 2 – Trials

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

Section 3- Appeals

A member or officer of this Local, upon being found guilty by a Local Trial Court, may appeal the Court's decision as provided in Article XXI of the Union Constitution.

Section 4 – Local Trial Court

A Trial Court of this Local shall be composed of not less than 3 or more than 7 persons who are members of this Local and parties to the proceedings. The Court shall be selected and approved by the Executive Board.

Article XVII – Recall of Local Officers

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

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Article XVIII – Amendment to the Local By-Laws

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

- A. by a majority vote of the members present at a Special membership meeting called for the purpose, or at a General membership meeting where a quorum is present if the proposed amendment has been introduced at a previous membership meeting or have been advertised to the membership by use of bulletin boards or through the mail to the membership at least 7 days in advance of the meeting.
- B. By referendum of the membership.

Article XIX – Referendum of the Local

- A. The Local Election Committee shall submit any question to a referendum of the membership when directed to do so by the action of the members at a Special Membership meeting, or when directed by the Executive Board.
- B. Questions submitted to referendum shall be determined by majority vote of the members voting on the question.

Article XX – Fiscal Year and Audit

- A. The fiscal year of this Local shall be from October 1 of each year up to and including September 30 of the succeeding year.
- B. The financial records of this Local shall be audited by a Certified Public Accountant at the end of each fiscal year. The results of such audit shall be made available for the inspection of any member of the Local.

Article XXI – Payments to Local Officers and Members

Section 1 – Officers’ Salaries

- A. The President of the Local may be a full time officer and shall receive a salary equivalent to the highest paid bargaining unit in the Local.
- B. The Vice-President, Secretary-Treasurer, Chief Stewards and Area Directors shall receive a salary equivalent to the highest paid bargaining unit in the Local.
- C. The Salaries shall be adjusted by the same amount negotiated in each contract.
- D. Officers of the Local shall not be paid any salary during labor disputes involving a general work stoppage.

Section 2 – Members’ Salaries

When it is necessary for a member to be off the job and engaged in business on behalf of the Local, they shall be paid their equivalent wage for said work.

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Section 4 – Other Payments

- A. Stewards shall receive a stipend of \$25 for attendance at Stewards Meetings. Alternates attending in the place of a Steward shall receive the stipend.
- B. When required to do so, members using their own car on Local business shall receive the I.R.S. allowable amount per mile (to cover gas and usage) plus tolls and parking fees.
- C. The Local shall pay a per diem allowance of \$35 a day for the first 5 days and \$40 a day for the 6th and thereafter, when appropriate, to members on Local business requiring overnight travel. The per diem shall cover meals, laundry, local transportation, gratuities, etc. which the member shall incur. Costs of transportation from home to/from airports, train stations, etc., and hotels will be reimbursed at the completion of the trip.
- D. Officers and members doing work outside of normal business hours may receive a meal allowance of \$9.
- E. The above amounts may be changed as required by law or vote of the Executive Board.

Section 5 – Approvals

- A. Approval for payment of any expense must be obtained in advance.
- B. All requests for payment for expenses must be made by voucher and include receipts.
- C. Approval must be obtained from the President or another officer designated by the President.
- D. No officer or member shall have the authority to self-approve any payments.

Article XXII – Oath of Office

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

“I _____ hereby accept the office of _____ of Local 1150, Communications Workers of America, with full knowledge of the responsibilities and duties of such office.

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

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