

By-Laws of CWA Local 1105



**Communications Workers of
America**

A.F.L. - C.I.O.

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Preamble

We, the Communications Workers of America, believing that as an integral part of society we are entitled to an equitable share in the products of our labor and realizing that our welfare can best be protected and advanced through this Constitution, under God, seek to for a more perfect means of securing for ourselves and labor generally full enjoyment of the inherent rights and dignities which our institutions were ordained to preserve.

Article I. Name

This Local shall be known as Local 1105, Communications Workers of America, AFL-CIO, herein after referred to as the Local.

Article II. Jurisdiction

The Jurisdiction of the Local shall be as assigned by the Communications Workers of America, hereinafter referred to by the initials C.W.A., and appearing on the face of the Local Charter.

Article III. Objects

The objects of the Local shall be to represent and serve the workers within its jurisdiction in accordance with the By-Laws and rules of the Local, and the Constitution and policies of the C.W.A.

Article IV. Local Structure

Section 1.

A. The structure of the Local shall consist of the following:

- 1) Membership Committee

2) Executive Committee

3) Executive Board

4) Committees

B. The Executive Committee shall consist of the Local Officers.

Article V. Geographic Breakdown

Section 1.

The Local shall be comprised of two divisions:

a) Northern Division

b) Eastern Division

Section 2.

The President shall have the authority to designate which locations in which members work shall be placed in which division and to change the division to which a location is assigned, subject to overrule by the Executive Board or the Membership.

Article VI. Membership Section 1. Eligibility

a) All persons eligible for membership in the C.W.A., as defined in Article V. of the C.W.A. Constitution, shall be eligible for membership in the Local, provided such persons fall within the jurisdiction of the Local as defined in Article II of the By-Laws, or if employed on a part-time or full-time basis by the C.W.A. or the Local.

b) No person otherwise eligible for membership, shall be denied membership in the Local because of age, race, creed, color, national origin, sexual orientation, military status, sex, marital status, or disability.

Section 2. Application

- a) Membership in the Local shall be obtained after payment of the Local initiation fee and upon approval of any Membership Committee authorized to accept or reject membership on behalf of the Local subject to the right of the Local to override the decision of the Membership Committee.
- b) The initiation fee for the Local shall be five dollars (\$5.00). If no application is received within sixty (60) days of eligibility, the initiation fee shall be twenty-five dollars (\$25.00). In accordance with Article V, Section 2b of the C.W.A. Constitution.
- c) In the event an application for membership is denied, the initiation fee shall be refunded to the applicant.
- d) The Local shall not establish qualifications for membership which contravene those set forth in the Union Constitution.
- e) The Executive Board shall be the authority to waive the initiation fee for any individual or groups applying for membership in accordance with Article V. Section 2(b), of the C.W.A. Constitution.

Section 3. Transfers

The transfer of membership from this Local to the jurisdiction to another Local and from another Local to the jurisdiction of this Local shall be made in accordance with Article V, Section 3 of the C.W.A. Constitution and the rules and By-Laws of this Local.

Section 4. Terminations

Membership in the Local may be terminated **by sending a signed letter of resignation to the office of C.W.A. Local 1105, attention C.W.A. President.**

Article VII.

Local Dues and Special Assessments

Section 1. Local Dues

a) Each member of the Local shall pay dues 52 weeks per year in an amount established by the Local Membership. The dues shall be 1.85% of basic weekly wages.

b) Membership dues may be changed only by a majority of those voting on the question by secret ballot referendum, provided the question has been advertised at least fifteen (15) days in advance of the mail out. The ballots shall be mailed, postage prepaid, to each member.

c) The Executive Board shall have the right to establish a lower initiation fee, local dues structure and assessments for new units of members who affiliate with the Local.

Section 2. Local Special Assessments

The membership of the Local may levy a special assessment only in same manner as provided for changing Local dues. However, any special assessments levied shall be in compliance with Article VI Section 3 of the C.W.A. Constitution.

Article VIII Governing Authority

Section 1. Authority of Governance.

The affairs of this Local shall be governed in accordance with the By-Laws and rules of the Local and the Constitution and policies of the C.W.A. in the following manner.

- a) Through action taken by referendum of the membership.
- b) Through action of the Executive Board in the absence of a membership referendum on a matter.
- c) Through action of the President in the absence Executive Board action on a matter.
- d) The actions of the President may be reversed by referendum of the membership or by action of the Executive Board. The Executive Board may be reversed by referendum of the membership.

Section 2. Executive Board

- a) The Local Executive Board shall consist of **four (4)** Local Officers and four (4) Business Agents.
- b) The Local Officers shall be President, two (2) Vice Presidents, and the **Secretary/Treasurer**.
- c) The Executive Board shall be elected by the Membership as a whole.
- d) The two (2) Vice Presidents shall be nominated, one (1) each, from their respective divisions.
- e) There shall be four (4) Business Agents. They shall be nominated from their respective divisions as follows: two (2) from the Northern Division and Two (2) from the Eastern Division.

Article IX. Local Meetings

Section 1.

- a) Meetings of the Local may be called by the President at any time as circumstances warrant. The date and place of the meetings shall be posted on the Union Bulletin board in work locations prior to such meetings.
- b) Meetings of the Local shall be held in a place convenient to the members, primarily work building locations. The purpose of the meetings is informational.
- c) The Executive Board shall meet regularly not less than once each month.
- d) The Chief Stewards shall meet regularly at a meeting called by the Vice President of the division the Chief Stewards serve in.
- e) There shall be four (4) Steward meetings each year called by the Vice President of the division the Steward serve in.

Article X. Local Delegates to the C.W.A. Convention

- a) The Local President, **Secretary/Treasurer**, two (2) Vice Presidents, and the four (4) Business Agents shall be delegates to the C.W.A. Convention. The President shall be the Chairperson of the delegation.
- b) The Local shall determine the convention votes assigned to each delegate in accordance with Article VIII of the C.W.A. Constitution.

c) It shall be the duty of the Secretary/Treasurer of the Local to certify the Local's delegates to the C.W.A. Convention to the Secretary/Treasurer of the C.W.A. within the time limits specified in Article VIII of the C.W.A. Constitution.

Article XI. Local Committees

a) The Local shall have the following regular committees:

- | | |
|-----------------------|----------------------|
| 1. Community Services | 7. Membership |
| 2. Education | 8. Health and Safety |
| 3. Election | 9. Designated Area |
| 4. Organizing | 10. Scholarship Fund |
| 5. Legislative | 11. Ethnic Affairs |
| 6. Finance | |

b) The Local shall establish such other committees as may be necessary to effectuate the policies of the Local and the C.W.A.,

c) Members of all committees shall be appointed by the Local President.

d) Vacancies on committees shall be filled in the same manner as the original appointments.

e) A member of any committee of the Local may be removed by the Local President subject to the right of the Local Executive Board or Local referendum to reverse such removal.

f) Duties of the Committees

1. The Community Service Committee shall assist in developing community services programs and, along with the Local Officers, be responsible for effectuating all community service programs and policies of the Local and the C.W.A.
2. The Education Committee shall assist in developing the Local's Education programs.
3. The Election Committee shall be responsible for the conduct and supervision of all Local nominations, elections, referenda, and certifications thereof.
4. The Membership Committee shall accept or reject membership applications in accordance with the By-laws and rules of the Local and Article V of the C.W.A. Constitution and polices of the C.W.A.

5. The Health and Safety Committee shall assist in development of the Local's health and Safety Program and with the Local Officers shall be responsible for effectuating the Local's program.
6. The Ethnic Affairs Committee shall assist in developing a program of common interest to minority members of the Local.
7. The Organizing Committee shall assist the Local Officers in developing and carrying out the external organizing programs of the Local and the C.W.A.
8. The Legislative Committee shall assist in developing and pursuing the program of the C.W.A. and the Local in the Legislative and political field. It shall also be responsible for the Local's program to register each qualified voter.
9. The Designated Area Committee shall assist in resolving problems in connection with the designated areas.
10. The Scholarship Committee shall assist in formulating a program of financial assistance to members and their immediate families in conjunction with continuing education.
11. The Finance Committee shall include the **Secretary/Treasurer** of the Local who shall serve as Chairperson. This Committee shall prepare a budget and make a report to the Executive Board at the beginning of the fiscal year.

Article XII.

Local Officers, The Executive Board, Business Agents, Chief Stewards, Job Stewards and their duties.

Section 1. Local Officers

The duties of the Local Officers shall be as follows:

A. The Local President Shall;

1. Be responsible for the conduct of all Local Business and, in keeping with that responsibility, shall have the power to employ, bond, and fix compensation of such employees as may be necessary for the efficient operation of the Local;
2. Preside at Local membership and Local Executive Board meetings;
3. Prosecute grievances and appeal them to higher levels of the C.W.A. when not satisfactorily settled. The President may designate such other alternate(s) to prosecute said grievances as he or she may deem necessary;

4. Serve as ex-officio member and supervise all local committee;
5. Approve all bills to be paid and countersign all checks drawn on the Local Treasury;
6. Perform whatever additional duties as may be assigned by the Local Executive Board, the Membership, or required by the policies of the Constitution of the C.W.A.
7. Be spokesperson for the Local;
8. Shall hold no other elective office in the Local.
9. Not less than ninety (90) days prior to an election the President shall establish and define the composition and make up of each division subject to reversal by referendum.

B. The Local Vice Presidents shall;

1. Work under the direction of the Local President;
2. Perform whatever duties as may be assigned by the Local Executive Board or the Local President.
3. Hold no other elective office in the Local.

C. The Local Secretary/Treasurer Shall;

1. Maintain a record of the membership.
2. Record and maintain the minutes of all meetings of the Local and the Executive Board.
3. Furnish the District Vice President and the Secretary-Treasurer of C.W.A. with copies of any changes in the By-Laws within ten (10) days after such changes are made
4. Be custodian of all assets of the Local;
5. Report to the membership and Executive Board on the financial status of the Local;
6. Be bonded, as must any other person who handles local funds or other property, in accordance with the C.W.A. Constitution or any State or Federal Law.
7. Cause the payment of all bills approved by the Local President and/or Executive Board;
8. Co-sign with the President, all checks drawn on the Local treasury.
9. Work under the direction of the Local President.
10. Cause the financial records of the Local to be audited by a certified public accountant at the end of each fiscal year;
11. Perform whatever duties as may be assigned by the Local Executive Board or the Local President.

12. Hold no other elective office in the Local;

Sections 2. Executive Board

A. The duties of the Executive Board shall be as follows:

1. To make decisions and take action in behalf of the Local on all matters not elsewhere specifically delegated by these By-Laws which actions shall be for the good and welfare of the members. The Executive Board shall make policy for the Local;
2. Interpret these By-Laws;
3. Be responsible for the operation of strike action procedures as set forth in the C.W.A. Constitution;
4. By majority vote of the Executive Board, institute a membership referendum and;
5. Hold a regular meeting of the Executive Board not less than once a month.

B. A special meeting of the Executive Board may be called by the Local President at any time by written or oral notice. Not less than 24 hours' notice shall be given, which notice shall be waived by a majority of the Executive Board at the special meeting. If a member of the Executive Board cannot be contacted after diligent efforts, such failure to contact that person shall not prevent conduct of the meeting.

Section 3. Business Agents

a) There shall be four (4) Business Agents in accordance with Article VIII Section 2 of these By-Laws.

b) The duties of the Business Agents shall be as follows;

1. Each business Agent shall be a member of the Executive Board.
2. They shall be responsible for processing grievances in their division along with the division Vice President;
3. They shall be responsible for liaison between the Executive Board and the Division membership;
4. They shall work under the direction of the Local President and Division Vice President;

5. They shall perform whatever duties as may be assigned by the Local Executive Board, the Local President, or Division Vice President;

6. They shall hold no other elective office in the Local.

Section 4. Chief Stewards

- a) The Chief Stewards shall be appointed by the President of the Local from those Stewards in each division.
- b) Any Chief Steward may be removed by the President subject to being reversed by the Local Executive Board at a meeting immediately following the President's action.
- c) The duties of the Chief Stewards shall be as follows:
 - 1. Work under the direction of the Local President, Vice Presidents, or Business Agents.
 - 2. Perform whatever duties may be assigned by the Local President, Vice President or Business Agents.
 - 3. Shall hold no other elective office in the Local;
 - 4. The area of responsibility shall be designated by the President;
 - 5. Attend all meetings assigned to them by the Executive Board;

Section 5. Stewards

- a) The Local shall have as many Job Stewards as may be determined necessary by the Local Executive Board.
- b) They may be elected by the members they represent or may be appointed by the President.
- c) Any elected Job Steward may be decertified pursuant to Article XVI of these By-Laws.
- d) Any appointed Job Steward may be decertified for failure to fulfill his or her duties by the President subject to being overruled by the Executive Board at its next meeting.
- e) The duties of Job Stewards shall be:

1. Work under the direction of the Local President, Vice Presidents, Business Agents and Chief Steward;
2. Perform whatever duties may be assigned by the Local Executive Board, Local President, Vice Presidents, Business Agent, or Chief Steward;
3. Attend all meetings assigned to them by the Executive Board and these By-Laws.

Article XIII.

Conduct of Meetings, other Local Business, and Quorum

- a) Business of the Local shall be conducted under these By-Laws and rules of the Local and in conformity with the Union Constitution. On questions where the Local By-Laws and Local rules as may be established by the Local Executive Board or the Union Constitution do not clearly apply, the Local President shall determine procedure.
- b) A majority of the Local Executive Board shall constitute a quorum.
- c) All members of the Executive Board shall be entitled to cast one (1) ballot on any issue before that body, but in no event by proxy.
- d) A majority of those on the Executive Board voting on an issue shall be required to pass said issue.
- e) A referendum may be initiated by petition of 14% of the members in good standing on any question involving the Local. A referendum may not contradict applicable law of the C.W.A. Constitution. Should two members of the Executive Board believe in good faith that a proposed referendum, be contrary to applicable law or the C.W.A. Constitution, it shall be the duty of the Local Election Committee to obtain a legal opinion of the attorneys for the Local on the issue. If the attorneys for the Local give a legal opinion that a proposed amendment to the By-Laws is in violation of applicable law or the C.W.A. Constitution, the Election Committee shall reject the proposal referendum on those grounds.

Article XIV.

Nomination and Election of Local Officers and Business Agents

Section 1. Nomination

- a) Local Officers and Local Executive Board Members shall be nominated and elected during the months of September, October, November, and/or December. Fifteen Days (15) notice shall be given for the purpose of nominating Local Officers and Local Executive Board members.
- b) The President, **Secretary/Treasurer**, Vice Presidents, and Business Agents shall be delegates to the C.W.A. convention and the ballots shall so state.
- c) Candidates for the office of President, **Secretary/Treasurer** shall be nominated by members in good standing as follows:

A minimum of four hundred (400) nominating signatures, of which at least one hundred (100) shall be from each of the two divisions as defined by Article V. Section 1.

- d) Candidates for office of Vice President require a minimum of two hundred (200) nominating signatures of members in good standing from within his/her division as defined by Article V. Section 1.
- e) Candidates for nomination for the office of Business Agents require a minimum of one hundred (100) nominating signatures from their division as defined by Article V. Section 1 of these By-Laws.
- f) No one shall be a candidate for more than one office.
- g) The method of nominations shall be decided by the Local Election Committee in accordance with provisions of these By-Laws.

Section 2. Election

- a) Election of Local Officers and Local Executive Board members shall be by secret ballot
- b) Ballots shall state that the candidates elected President, two (2) Vice Presidents, **Secretary/Treasurer**, and four (4) Business Agents shall be delegates to the C.W.A. Convention.
- c) Nominees shall state that they shall serve if elected.
- d) Only members in good standing are eligible to nominate and vote.

Section 3. Local Election Committee

- a) The nomination and election of Local Officers and Business Agents shall be conducted under the supervision of the Election Committee. Such voting shall be done by ballot, voting machine, or otherwise, but in no event by proxy. This Committee shall have the authority and responsibility to see that nominations and elections are conducted in accordance with the C. W. A. Constitution and these 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 referenda submitted to the Membership.
- c) A member shall not be permitted to serve on the Election Committee if he is a candidate for any office of the Local.
- d) All questions concerning the conduct and challenges of elections shall be determined by the Election Committee subject to appeal to the Executive Board.

Section 4. General Provisions

- a) In any election of Local Officers and Executive Board the candidate receiving the majority of votes for the office for which he is a candidate shall be deemed elected to that office.
- b) All terms of office for Local Officers and Business Agents shall be for three (3) years or until their successors have been duly elected and certified.
- c) In the case of elections requiring a majority vote, if no nominee receives a majority on the first ballot, a run-off election shall be conducted and the two (2) nominees receiving the greatest number of votes on the first ballot shall be the nominees on the second ballot. If no nominee receives a majority on the first ballot and there is a tie for second place, a run-off election shall be conducted and the nominee receiving the greatest number of votes and the nominees who tied for second place on the first ballot shall be the nominees on the second ballot.

- d) The Local Officers and Business Agents and any other Executive Board members shall take an oath of office prior to assuming office. The term of office shall commence effective January 1 of the year following the election. Those elected in a special election shall assume office immediately.
- e) Whenever there is an unopposed candidate duly nominated for any office or elected position in the Local, such candidate shall be considered elected without the necessity of an election. Write-in votes for other than duly nominated candidates shall not be permitted. Only members duly nominated shall appear on the ballot.
- f) All members of the Union in good standing for two (2) consecutive years, or more, at the time of nomination shall be eligible to be nominated as a candidate and elected to office.

Section 5. Stewards

- a) The term of office for steward shall be two (2) years.
- b) Stewards shall be elected by plurality vote in a work group.
- c) Any member in the Union in good standing for two (2) consecutive years, or more, at the time of nomination shall be eligible to be nominated and elected steward in their work group.
- d) A work group shall consist of members of this local who are closely associated either geographically or vocationally as determined by the President.

Section 6. Vacancies

- a) The Office of any elected or appointed official of the Local shall be declared vacant when such official of the Local accepts a temporary or permanent position in management, retires from their elected post, becomes permanently incapacitated, or dies.
- b) In case of vacancy in the office of President of the Local, the Vice President of the Northern Division shall thereupon fill the vacancy and in accordance with Article XV of the C.W.A. Constitution.
- c) Vacancies in other Local Offices shall be filled by appointment by the Local President, with approval of the Executive Board, subject to approval of the appointment by the Local membership within sixty (60) days.
- d) Any union steward who accepts a transfer or promotion by the Company which is outside of the area assigned to him by the Local shall forfeit his elected position in the Local.

Article XV. Strikes

- a) 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 C.W.A. and Article XVIII of its constitution.
- b) Termination of a strike shall be made by the Executive Board subject to membership approval by referendum by a majority of the members voting.

Article XVI. Charges, Trial and Appeals

Section 1. Charges

Members of the Local may be fined and/or suspended and/or expelled in the manner provided for in these By-Laws for any of the acts enumerated in Article XIX of the C.W.A. Constitution.

Section 2. Trials

Any accused members, including officers of the Local, shall be tried under Article XX of the C.W.A. Constitution.

Section 3. Appeals

Any member or Officer of the Local, upon being found guilty by a Local trial court, may appeal as provided in Article XX of the C.W.A. Constitution.

Section 4. Local Trial Courts

A trial court shall be composed of five (5) persons who are members of the Local and not parties to the proceeding who shall be selected by the President, subject to the approval of the Executive Board, in accordance with Article XX, Section 3a of the C.W.A. Constitution.

Article XVII. Amendments to the Local By-Laws

These By-Laws may be amended by referendum of the Membership.

Revised May 19, 2017

**Article XVIII.
Labor Affiliations**

- a) This Local may affiliate with City and State councils and with City and State central labor bodies of the AFL-CIO with the approval of the Local Executive Board.
- b) Delegates to City and State councils and City and State central labor bodies of which this Local is affiliated shall be selected by the Local President with the approval of the Local Executive Board.

**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 Article XIII Section e.
- b) Questions submitted to referendum of the membership shall be determined by a majority vote of those members in good standing voting on the question.

**Article XX.
Fiscal Year Audit**

- a) The fiscal year of the Local shall be October 1st through September 30th.
- b) The financial records of the 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 inspection by any member of the Local in good standing.

**Article XXI.
Compensation for Union Business**

- a) The Executive Board shall periodically by resolution determine the compensation and reimbursement and applicable insurance (if any) to be paid to Union Officers, Business Agents, Executive Board Members, Chief Stewards, Stewards and any other members required to perform services on behalf of the Union or in connection with the duties and obligations under these By-

Laws and the C.W.A. Constitution. Expenditures actually incurred by any such person shall be reimbursed by the Local upon the same being vouchered and approved.

- b) However, in no event shall any Union Official receive compensation or benefits less than those he would have been entitled to had he been working for the employer.
- c) Union business shall be authorized by the Local President or by a Local Officer he designates.

**Article XXII.
Oath of Office**

Each elected officer of the Local shall be duly installed upon taking the following oath:

“I, *(name)*, hereby accept the office of *(name of Office)* of Local 1105 Communications Workers of America, AFL-CIO, 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 Constitution and policies of the C.W.A.”

“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 C.W.A. to the best of my ability so help me God.”

**Article XXIII.
Gender**

Whenever the masculine gender has been used herein it is intended to cover both female and male members.

Article XXIV.

These By-Laws shall be adopted upon approval of a majority of the members in good standing voting upon their adoption.