

CWALOCAL 3106  
LOCAL BY - LAWS

**ARTICLE I - NAME**

This Local shall be known as Local 3106, 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 - OBJECTIVES**

The objectives of Local 3106 shall be to represent and serve the workers within it's jurisdiction in accordance with the By Laws and rules of the Local and the Constitution and policies of the Union.

**ARTICLE IV - LOCAL STRUCTURE**

The structure of the Local shall consist of the following:

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

**ARTICLE V - MEMBERSHIP**

**Section 1 - Eligibility**

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

**Section 2 - Application**

~~Membership-~~The Local shall maintain a **Membership Committee** which shall act upon applications in accordance with Article V of the CWA Constitution. The Committee's decisions are subject to overrule by the Local. Upon acceptance and payment of initiation fees/dues pursuant to Article VI, the applicant shall become a member in good standing.~~in the Local shall be obtained upon the approval of the membership at the regular monthly meeting after signing a duly authorized card.~~

**Commented [NC1]:** Brings the Local into compliance with CWA Constitution Article V, Section 2(f), which requires a membership committee—not the entire membership—to review and approve applications.

**ARTICLE VI - LOCAL DUES AND ASSESSMENTS**

**Section 1 - Local Dues**

In Compliance 01/26/17 KK/sm  
Last Chng 8/01/2014 GWS  
Established 1944

Each member of the Local shall pay membership dues as certified by the National C.W.A. convention.

## **Section 2 - Local Special Assessment**

Special Assessment levied shall be in compliance with Article VI of the Union Constitution.

## **ARTICLE VII - GOVERNING AUTHORITY**

### **Section 1 - Membership**

The affairs of this Local shall be governed by its membership in accordance with the Constitution and policies of the Union in the following manner: (a) through action taken in membership meetings or by referendum of the membership. (b) Through action and decisions of the Executive Board between membership meetings. (c) Through actions and decisions of the Officers between meetings of the Executive Board. (d) The actions and decisions of the Executive Board and Officers of the Local between Local meetings may be overruled by the membership in a Local meeting or by referendum.

### **Section 2 - Executive Board**

The Local Executive Board shall consist of the following:

The President, who shall be a full-time or part-time officer with salary to be the same as the highest salaried wage scale/base to be wage scale 36 from the current ~~Bellsouth Telecommunications, LLC AT&T Southeast~~ contract bargaining unit this Local represents, plus 20% to the nearest dollar. Those Presidents that only work in a commissions based job shall be entitled to their salary bracket plus 20% to the nearest dollar. Any time the president is paid by his/her bargaining unit company as a result of a contractual provision, that amount shall be deducted from the wages paid by the Local. The President will be furnished with the same hospitalization, dental, and vision plan that are provided by the company if the President is retired from said Company. The President shall be eligible for the same number of vacation weeks, excused workdays, optional holidays, and other such time off specified in the bargaining unit contract from which the president previously worked. All treatment of such time off shall be in accordance with the contract of said bargaining unit.

First Executive Vice President  
Second Executive Vice President  
Secretary-Treasurer

All Chief Stewards are to be employed at the location of which they are nominated and elected. In the absence of a nominated and elected Chief Steward, the President shall have the right to appoint a Chief Steward for the work location to fill the

**Commented [NC2]:** Corrected contract name

In Compliance 01/26/17 KK/sm  
Last Chng 8/01/2014 GWS  
Established 1944

void. All Chief Stewards and other offices to include 1st Executive Vice President; 2<sup>nd</sup> Executive Vice President; Secretary/Treasurer will be regular full time employees.

1. One AT&T Chief Steward will be nominated and elected by members from the AT&T Mobility Services LLC - IHX.
2. One AT&T Chief Steward shall be nominated and elected by the members employed by AT&T, inclusive of the BCS Bargaining Unit employees, S.B.C., Western Way, and Avaya. The AT&T Chief Steward shall be responsible for representing members across all related departments, including Construction and Engineering.
3. One AT&T (formerly BellSouth Chief Steward will be nominated and elected by members from Customer Assistant Bureau (CAB)
4. One YP Holdings Chief Steward will be nominated and elected by members Employed by YP Holdings
5. One City of Jacksonville, Unit 120 Chief Steward will be nominated and elected by members of City of Jacksonville Unit 120.
6. AT&T Wireless Chief Steward to be nominated and elected by members employed by AT&T Mobility Services LLC
7. One AT&T internet Services Chief Steward to be nominated and elected by members employed by AT&T Internet Services.
8. Two AT&T Wire Tech Chief Stewards will be nominated and elected

**Commented [NC3]:** Removed gbrr add ihx

**Commented [NC4]:** Changed to one chief steward

**Commented [NC5]:** Corrected contract name

- A. ~~1. One AT&T Chief Steward will be nominated and elected by members from the Global Billing Center, formally the Large Business Center.~~

- ~~2. Two AT&T Chief Stewards will be nominated and elected by those members not specified otherwise in this section who work, for AT&T inclusive of the BCS Bargaining Unit employees, S.B.C. and Western Way and inclusive of Avaya. One Chief Steward will be assigned to the Construction and engineering.~~

- ~~3. One AT&T (formerly BellSouth Chief Steward will be nominated and elected by members from Customer Assistant Bureau (CAB)~~

- B. ~~1. One YP Holdings Chief Steward will be nominated and elected by members Employed by YP Holdings~~

- C. ~~1. One City of Jacksonville, Unit 120 Chief Steward will be nominated and elected by members of City of Jacksonville Unit 120.~~

- D. ~~1. One AT&T Wireless Chief Steward to be nominated and elected by members employed by AT&T~~

In Compliance 01/26/17 KK/sm  
Last Chng 8/01/2014 GWS  
Established 1944

~~Wireless~~

~~E. 1. One AT&T Internet Services Chief Steward to be  
nominated and elected by members employed by AT&T Internet Services.~~

~~F. 2 Two AT&T Wire Tech Chief Stewards will be nominated and elected  
by members employed by AT&T~~

The election of Executive Officers and Chief Stewards will be offered to all members to vote, by any approved legal method.

In the event a Bargaining Unit is eliminated in this section from this Local's jurisdiction that would abolish that Chief Steward from the Executive Board.

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

Executive Board members shall be paid the current IRS mileage rate while on Union business based on a mileage log to be submitted by the Executive Board members each month.

## **ARTICLE VIII - LOCAL MEETINGS**

Regular meetings of this Local shall be held on the first Tuesday of each month. If a majority of Officers are to be absent or the first Tuesday is a specified holiday; or if the hall is being used as a polling location the membership meeting shall be rescheduled. Special meeting may be called by five percent of the members. Upon receipt of a proper petition, the Local Officers shall call a special meeting to be held within 10 (ten) days.

## **ARTICLE IX- LOCAL DELEGATES TO UNION CONVENTIONS**

### **Section 1 - Delegate to National Convention**

The local Officers will serve as the 4 delegates to the Union National Conventions. In the event the membership chooses to send less than 4 delegates, the order will be as follows: (1) President, (2) First Executive Vice President, (3) Second Executive Vice President, (4) Secretary-Treasurer. In the event there are more than 4 delegates or alternates, they will be nominated by a quorum at a regular membership meeting which will be conducted not more than 120 days prior to the Union Convention. The membership will vote on additional delegates/alternates at the next regular membership meeting under the supervision of the election Committee.

### **Section 2 - Local delegates to "District and State Conventions"**

- A. The President shall be the 1<sup>st</sup> delegate to all District and State Meetings that require certified delegates. All other delegates will be elected by the Executive Board and approved by the membership. Only members in good standing will be nominated as delegates at a regular membership meeting, which has been duly advertised at least 15 days prior to the meeting.
  - 1. A signed and dated statement from the delegate advising that he/she will serve if elected and returned within seven (7) days from the date of nomination to the election committee.
  - 2. Convention votes shall be assigned in accordance with Article VIII of the Union Constitution.
  - 3. It shall be the duty of the Secretary-Treasurer of the Local to certify the Local delegates to the Union Convention to the Secretary-Treasurer of the International Union within the time limits specified in Article VIII of the Union Constitution.
  - 4. The delegates shall be elected by plurality.

## **ARTICLE X - LOCAL COMMITTEES**

- A. The Local shall have the following regular Committees which will meet

In Compliance 01/26/17 KK/sm  
Last Chng 8/01/2014 GWS  
Established 1944

monthly before every General Membership meeting with the exception of the Election, Building, By-Laws, and Grievance Committees, which will be convened as needed:

#### **A. Standing Committees**

1. Legislative Committee
2. Organizing Committee
3. Election Committee
4. Building Committee
5. Community Service Committee
6. Budget Committee
7. Entertainment and Recreation Committee
8. Health and Safety Committee
9. Equity Committee/Civil Rights/Women's
10. Local News Committee
11. By-Laws Committee
12. Membership Committee

**B.** The President shall appoint members to the Building, By-Laws, and Budget Committees. Members of all other Committees shall be appointed or removed by a majority vote of the Local Officers, subject to the right of the Local membership to overrule such appointments or removals. Each Committee shall elect its own chairperson.

**C.** Vacancies on Committees, with the exception of the Building, By-Laws, and Budget Committees, shall be filled in the same manner as the original appointments.

#### **D. Duties of the Committees**

##### **1. Legislative Committee.**

The Legislative Committee shall assist in developing and pursuing the program of the Union and the Local in the legislative field. It will be responsible for the Local's program to register each qualified voter and for educating the membership, including through regular meetings and the newsletter, on legislative issues. The chair shall be a member of the State CWA Legislative Council. The remaining delegates to the AFL-CIO and CLC, after the President and two Officers, will come from this Committee and be elected by the Committee. All members of the Committee shall participate in the CWA PAF program, formally known as COPE. The Local pays per capita dues.

##### **2. Organizing Committee.**

The Organizing Committee shall assist the Local Officers and Stewards in organizing all members within the Local's jurisdiction and shall report at least once each quarter at the membership meeting on the status of membership.

##### **3. Election Committee.**

The Election Committee shall conduct all nominations, elections, and referendums of this Local. The Election Committee will formulate procedures to cover all balloting within the Local. These procedures shall be approved by the Executive Board and be available to the membership.

**4. Building Committee.**

(a) This Committee shall be composed of seven members who shall be appointed by the Officers and confirmed by the Executive Board.

(b) The term of office for the members of this Committee shall be three years or until their successors have been appointed.

**5. Community Service Committee.**

The Community Service Committee shall assist in developing all community service programs. The Community Service Committee shall:

(1) Encourage equitable labor representation on agency boards and committees.

(2) Stimulate labor participation in formulating agency policies and programs.

(3) Develop techniques and methods to interpret agency programs and practices for union members.

(4) Assist union members, their families, and other citizens through charitable acts.

(5) Help in the development of health and welfare services, such as blood banks and multiple screening.

(6) Coordinate fund-raising drives through voluntary health and welfare services.

(7) Be responsible for the CWA Retirees Club and act as the liaison between the Club and the Local membership.

**6. Budget Committee.**

The Budget Committee shall consist of five members, one being the Secretary-Treasurer of the Local, who shall not be the chair. The remaining members of the Committee shall be appointed by the President and confirmed by the Executive Board. The duties of the Budget Committee shall be to prepare and submit a budget to the membership for approval no later than the September meeting of each year. The Budget Committee will review monthly bank statements, balance sheets, and statements of income.

**7. Entertainment and Recreation Committee.**

This Committee shall work under the direction of the Local President, Executive Board, and membership.

(a) All contracts with vendors must be approved by the President and the Executive Board Officers and signed by the President.

**8. Health and Safety Committee.**

The members of this Committee shall educate, supervise, and address health and safety issues for our members. They shall work with the Stewards, members, and Officers to accomplish this.

**9. Equity Committee.**

This Committee shall work with the Officers, Stewards, and members to ensure that all members are treated fairly within this Union and in their respective bargaining units. They shall work to educate our membership on issues that affect our members.

**10. Local News Committee.**

This Committee will print, publish, and distribute, via the Local website or hard copy as deemed necessary, an official publication. The Local publication shall be sent to all members and shall contain matters pertaining to Union functions, policies, activities, and matters of labor and public interest.

**11. By-Laws Committee.**

The By-Laws Committee shall review the Local's By-Laws and recommend revisions as needed to keep them in compliance with the CWA Constitution, Union policy, and current Local practices. The Committee shall review all proposed By-Law changes referred to it by the Executive Board, or the membership and report its recommendations at a regular membership meeting.

**12. Membership Committee.**

The Membership Committee shall act on applications for membership, subject to the right of the Local to; overrule the Committee, maintain accurate membership records, and ensure all practices comply with the CWA Constitution. The Committee shall coordinate with the Secretary-Treasurer and Organizing Committee on processing forms and outreach and report regularly to the Executive Board and membership.

1. ~~— Election Committee~~
2. ~~— Organizing Committee~~
3. ~~— Legislative Committee~~
4. ~~— Building Committee~~
5. ~~— Community Service Committee~~
6. ~~— Budget Committee~~
7. ~~— Entertainment and Recreation Committee~~
8. ~~— Health and Safety Committee~~
9. ~~— Equity Committee/Civil Rights/Women's~~
10. ~~— Local News Committee~~
11. ~~— By Laws Committee~~

~~B. The President shall appoint members to the Building, Bylaws, and Budget Committee. Members of all other Committees, shall be appointed or removed by a majority vote of the Local Officers, subject to the right of the local membership to overrule such appointments or removals. Each Committee shall elect their own chairperson.~~

~~C. Vacancies on Committees, with the exception of the Building, Bylaws, and Budget Committees, shall be filled in the same manner as the original appointments.~~

~~D. Duties of the Committees:~~

~~1. Legislative Committee.~~

~~The Legislative Committee shall assist in developing and pursuing the Program of the Union and the Local in the Legislative field. It will be responsible for the Local's program to register each qualified voter. Be responsible for educating the membership via regular meetings and in the newsletter of legislative issues. The chair shall be a member of the State CWA Legislative Council. The remaining delegates to the AFL CIO, CLC after the President and two Officers will come from this committee elected by the committee. All members of the committee shall participate in CWA PAF formerly known as Cope program. The local pays per capita dues.~~

~~2. Organizing Committee.~~

~~The Organizing Committee shall assist the Local Officers and Stewards in organizing all members within the Local's jurisdiction. At least once a quarter report at the membership meeting the status of membership.~~



~~3. Election Committee:~~

~~The Election Committee shall conduct all nominations, elections and referendums of this Local. The Elections Committee will formulate procedures to cover all balloting within the Local. These procedures shall be approved by the Executive Board and be available to the membership.~~

~~4. Building Committee:~~

- ~~(a) This Committee shall be composed of seven members who shall be appointed by the Officers and confirmed by the Executive Board.~~
- ~~(b) The term of Office for the members of this committee shall be three years or until their successors have been appointed~~

~~5. Community Service Committee:~~

~~The Community Service Committee shall assist in developing all Community Service programs. The Community Service Committee shall:~~

- ~~(1) Encourage equitable labor representation on agency boards and committees.~~
- ~~(2) Stimulate labor participation in formulating agency policies and programs.~~
- ~~(3) Develop techniques and methods to interpret for union members agency program and practices.~~
- ~~(4) Assist union members, their families and other citizen through charitable acts.~~
- ~~(5) Help in the development of health and welfare service, such as blood banks and multiple screening.~~
- ~~(6) Coordinate fund-raising drives through voluntary health and welfare services.~~
- ~~(7) Community Service Committee is responsible for the CWA Retirees Club, and is the liaison between the club and the Local Membership.~~

~~8. Budget Committee:~~

~~The Budget Committee shall consist of five members, one being the Secretary-Treasurer of the Local, who shall not be the chair; the balance of the Committee shall be appointed by the President and confirmed by the Executive Board. The duties of the budget committee shall be to prepare and submit a budget to the membership for approval no later than the September meeting of each year. The budget committee will review monthly bank statements, balance sheets, and statements of income.~~

~~9. Entertainment and Recreation Committee:~~

~~This committee shall work under the direction of the Local President, Executive Board and its membership.~~

~~(a) — All contracts to vendors must be approved by the President,  
the Executive Board Officers and signed by the President.~~

~~10. Health and Safety Committee.~~

~~The members of this committee shall educate, supervise, and control  
Health and safety issues for our members. They shall work with  
the stewards, members, and Officers to accomplish this.~~

~~11. Equity Committee.~~

~~This committee shall work with the Officers, stewards, and members to  
ensure that all of our members are treated fairly within this Union and  
their respective bargaining units. They shall work to educate our  
membership on issues that affect our members.~~

~~12. Local News Committee.~~

~~This committee will print, publish and distribute via local website  
or hardcopy as deemed necessary to members an official  
Publication. Local publication shall be sent to all members and shall  
contain matters pertaining to Union function, policies, activities, as  
well as matters of Labor and public interest.~~

\*Documentation, books, or any information from all committee chair persons will be  
furnished to their successor.

## ARTICLE XI - ORDER OF BUSINESS

A. The order of business at a Local meeting shall be as follows:

1. Call to Order.
2. Roll Call (optional).
3. Reading & approval of previous months General Meeting Minutes.
4. Treasurer Report
5. Officers Reports (committee members to be approved).
6. Unfinished Business.
7. Executive Board Motions to be approved.
8. New Business.
9. Committee Reports.
10. Good and Welfare (optional).
11. Adjournment.

B. The order of business may be suspended by a two-thirds (2/3) vote of the  
members present.

## ARTICLE XII - LOCAL OFFICERS, STEWARDS, AND THEIR DUTIES

## **Section 1 - Local Officers**

- A. The Officers of the Local shall be:
  - 1. President
  - 2. First Executive Vice President
  - 3. Second Executive Vice President
  - 4. Secretary-Treasurer
  
- B. The duties of the Local Officers shall be as follows:
  - 1. The local President shall:
    - (a) Be responsible for the conduct of all Local business.
    - (b) Preside at Local Membership, Local Executive Board, and Local Officer's meetings.
    - (c) Review appealed grievances to higher levels of the Union when not satisfactorily settled.
    - (d) Supervise all Local Committees.
    - (e) Approve all bills to be paid, and countersign all checks drawn on the Local treasury or authorized officer in her/his absence.
    - (f) Perform whatever additional duties as may be assigned by the Local or required by the policies or Constitution of the Union.
    - (g) The President shall be the first certified delegate to the CWA Convention and Meetings, chairman of the delegation if more than one delegate is sent to the Convention.
    - (h) Make regular work site visits to all work locations.
    - (i) The local President shall obtain concurrence from the appropriate Departmental Vice President prior to signing any Local Agreement affecting members within their department.
    - (j) Be the first automatic delegate to all called CWA Conventions and meeting that require certified delegates.
    - (k) Be the first delegate to the AFL-CIO Central Labor Council.
  
  - 2. The Local Secretary-Treasurer shall:
    - (a) Maintain a record of the Local Membership.
    - (b) Record and maintain the minutes of all meetings of the Local, the Local Executive Board, and the Local Officer meetings.
    - (c) Furnish the District Director and Secretary-Treasurer of the Union with copies of any changes in these by-laws within ten (10) days after such changes are made.
    - (d) Perform duties as may be assigned by the Local, the Executive Board, or the Local President.
    - (e) Be custodian of all assets of the Local.

- (f) Report to each membership meeting on the financial stature of the Local.
  - (g) Be bonded, as must any other person who handles Local funds or other property in accordance with the Union Constitution or any state or federal laws.
  - (h) Be responsible for the payment of all bills approved by the Local. The Local Executive Board, or the Local President.
  - (i) Work with Local CPA Auditor on any IRS problem.
  - G) Balance all checking accounts on a monthly basis.
  - (k) With the Executive Officers and CPA Auditor go over Financial, State, & Local Reports.
- 3. The First and Second Executive Vice Presidents shall:
  - (a) Work under the direction of the Local President.
  - (b) Perform duties as may be assigned by the Local, the Local Executive Board or the Local President.
- 4. The Local shall have one (1) Organizer who shall serve as a member of the Executive Board. The Organizer shall be appointed by a majority vote of the Officer Board and serve at the discretion of the Officers.
- 5. The Organizer shall:
  - (a) Work with Stewards and Committees to recruit new members and engage current members.
  - (b) Assist in planning and carrying out Local campaigns, trainings, and mobilization activities.
  - (c) Report on organizing progress at Executive Board and Membership meetings.
  - (d) Perform other duties as may be assigned by the Executive Board or the President.
- C. In the absence of the President, an officer may be designated by the President to perform the duties of the President if the President is out of the office for more than one day. The relieving officer shall receive Presidential pay.
- D. The Officers of the Local shall meet once a month.
- E. No elected Officer, Executive Board member, or Chief Steward shall perform bargaining unit work that improperly relieves management. Violations shall be addressed by charges and a fair trial under Article XXI of the CWA Constitution. Upon conviction, appropriate discipline, including removal from office, may be imposed. ~~elected Officer or Executive Board Member of this Local shall relieve management during their term of office. If an elected Officer does relieve they will be removed from office and replaced in accordance with these by-laws.~~

**Commented [NC6]:** Current violated due process requirement

In Compliance 01/26/17 KK/sm  
Last Chng 8/01/2014 GWS  
Established 1944

~~F.A. If a Job Steward Relieves Management, they will be inactive for the duration of the relief period.~~

## **Section 2 - Local Stewards**

- A. A Chief Steward has the authority to appoint or remove stewards in their department subject to the approval of the Officers. They are responsible for timely grievances and administering all Local activities and policies taking place in their respective areas.
- B. All Stewards shall be required to participate in and carry out all Union programs adopted by the Executive Board or membership. Failure to do so could result in their removal by the Executive Board.

In Compliance 01/26/17 KK/sm  
Last Chng 8/01/2014 GWS  
Established 1944

C. Job Stewards meeting shall be held at least bi-monthly.

D. If a Job-Steward Relieves Management, they will be inactive for the duration of the relief period.

e.

### **ARTICLE XIII - CONDUCT OF MEETING, OTHER LOCAL BUSINESS AND QUORUM**

- A. Membership meeting and any other business of this Local shall be conducted under these by-laws and rules of the Local and in conformity with the Union Constitution. On questions where the By Laws, the Local Rules or the Union Constitution do not clearly apply, Roberts Rules of Order shall govern or other acceptable parliamentary procedures.
- B. The number constituting a quorum for the Local meeting shall be 1% (one) of the membership in accordance with the latest print out from Washington.
- C. A majority of the members for a Committee meeting shall constitute a quorum as long as all members have been properly notified 24 hours in advance of such meeting.
- D. A majority of the members of the Executive Board shall constitute a quorum for that body if properly notified 24 hours in advance of such meeting.
- E. A majority of the Officers constitute a quorum for that body as long as all Officers have been duly notified 24 hours in advance of such meeting.

### **ARTICLE XIV - NOMINATION AND ELECTION OF LOCAL OFFICERS AND MEMBERS OF GOVERNING BOARD**

#### **Section 1 - Nominations**

- A. Local Officers and members of the Executive Board shall be nominated in the month of September every three (3) years. The Order of nomination shall be as listed in Article VII, Section 2.
- B. A Candidate for office may be nominated and elected to only one position.
- C. A signed and dated statement from the candidate nominated advising that he/she will serve if elected must be returned within seven (7) calendar days from the date nominated to the Election Committee.

#### **Section 2 - Notice of Nominations**

- A. The nominations of a person for the four (4) local Officers shall also constitute the nomination of that same person as a delegate to CWA National Conventions held during the term of office for which the election is being conducted.

In Compliance 01/26/17 KK/sm  
Last Chng 8/01/2014 GWS  
Established 1944

### **Section 3 - Elections**

- A. Election of Local Officers and governing board members shall be by secret ballot of the membership in the month of October every three (3) years.
- B. All members shall be afforded a reasonable opportunity to vote by any legal approved method.

### **Section 4 - Notice of Election and the Ballot**

- A. A vote cast for a candidate for the four (4) Local Officers shall also constitute a vote for such candidate to serve as a delegate to CWA National Conventions held during the term of office for which the election is being conducted.
- B. There will be no write-in candidates on the ballot.

### **Section 5 - Local Election Committee**

- A. The nomination and election of Local Officers, members of the governing board, and delegates to the CWA National Convention shall be conducted under the supervision of the Election Committee. This Committee shall have the authority and responsibility to see that nominations and elections are conducted in accordance with the union Constitution, and these by-laws, with reasonable opportunity for each member to nominate and vote for the candidate of their choice.
- 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 the member is a candidate for any office of the Local or delegate to the CWA Convention.
- D. The Election Committee, subject to the right of appeal to the governing board and membership of the Local shall determine all questions concerning the conduct and challenges of elections.

### **Section 6 - General Provisions**

- A. The nominee in any election except delegates to conventions receiving the majority of vote's cast shall be declared elected. If no one nominee has a majority of the first ballot, the vote shall be taken again and the two nominees having the greatest number of votes on the first ballot shall be nominees on the second ballot.

- B. Only members of the Local in good standing shall be eligible to vote or hold office.
- C. The term of office shall be for three (3) years.
- D. The officers and Executive Board shall take office at the first regular meeting in December unless there is a run-off.
- E. The President elect shall be authorized union paid time effective the month prior to assuming office or when announced after a run-off election, for the purpose of a smooth transition of leadership.

## Section 7 - Vacancies

~~1)a)~~ **Vacancies in the office of Local President shall be filled by the First Executive Vice President.**

~~2)~~ Vacancies in other Executive Officer Positions ~~Officers shall be filled in the same manner as required for regular election and within sixty (60) days as required for by Article XV of the Union Constitution.~~

~~a)~~ One-half (1/2) or less of the term remains. The Local President may appoint a qualified member to fill the office for the remainder of the term.

~~b)~~ More than one-half (1/2) of the term remains. The Local President may make a temporary appointment to keep the office operating. The office shall then be filled through an election by secret ballot in the same manner as for regular elections, within sixty (60) days. The temporary appointee serves only until the elected successor is qualified.

~~2)c)~~ A temporary appointee may be nominated and run in the election to fill the vacancy. The temporary appointee must comply with all Local election rules and the CWA Constitution and shall not use any non-public union information or resources (including but not limited to internal contact lists, member data, finances, equipment, email/text systems, websites, social media pages, rooms, or staff time) in a manner not equally available to all other nominees/candidates. If any union resource or forum is permitted for campaign purposes, the Local shall ensure equal access and equal terms for all nominees/candidates. Any violation is subject to election protest procedures and appropriate remedies by the Election Committee.

- 3) Vacancies in Chief Stewards shall be filled by election or by appointment by the President with approval by executive board and governing body.

## ARTICLES 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.

- a) All members on strike must perform at least 10 hours of strike related duties per week to be eligible for member relief/defense funds.



In Compliance 01/26/17 KK/sm  
Last Chng 8/01/2014 G WS  
Established **1944**

## **ARTICLE XVI - CHARGES, TRIALS, AND APPEALS**

### **Section 1 - Charges**

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

### **Section 2 - Trials**

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

In Compliance 01/26/17 KK/sm  
Last Chng 8/01/2014 GWS  
Established 1944

### **Section 3 - Appeals**

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

### **Section 4 - Local Trial Court**

A trial court of this Local shall be composed of 5 persons, who are members of this Local and not parties to the proceedings, and who shall be selected by the governing board of the Local.

## **ARTICLE XVII - RECALL OF LOCAL OFFICERS**

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

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

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

Majority votes of the members in a local meeting, if the proposed amendment has been advertised to the membership for informational purposes only by use of Bulletin Boards, E-mail, Local 3106 Website, Local 3106 Social Media, U.S. Mail postage prepaid at least seven (7) days in advance of the meeting; or

- (a) Referendum of the membership.
- (b) There will be no by-laws changes within 60 days prior to the nomination for election of candidates for Executive Board and Officers.

## **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 action of regular or special membership meeting.
- B. Questions submitted to referendum shall be determined by a majority vote of those voting on the question.

## **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 30th of the succeeding year.

In Compliance 01/26/17 KK/sm  
Last Chng 8/01/2014 GWS  
Established 1944

- B. The financial records of this Local shall be audited by a Certified Public Accountant or by a Committee selected by 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.

## **ARTICLE XXI - OATH OF OFFICE**

Each elected officer and Executive Board member of the Local, after meeting all other qualifications. Shall be duly installed upon taking the following oath:

I (give name) hereby accept the office of (name of office)  
Of Local (give Local number) Communication 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.

## **ARTICLE XXII - SEPARABILITY AND GENDER**

### **Section 1 - Separability**

If any provision of these by-laws is finally found by court of competent jurisdiction to conflict with the State or Federal laws, such provisions shall be null and void, but the remainder of these by-laws shall remain in full force and effect.

### **Section 2 - Gender**

The masculine gender used in these by-laws shall include both female and male members.

## **ARTICLE XXIII - UNION RESPONSIBILITIES**

Anyone delegated by this Local as a representative to a meeting, workshop, or convention must meet the 75% rule, The only excused absences on a rolling calendar year is out of town on Company or Union business. Attendance is taken from Membership meeting, Job Steward meeting, Committee meetings, Officer and Executive Board meeting all combined in order to meet the 75% rule.

In Compliance 01/26/17 KK/sm  
Last Chng 8/01/2014 GWS  
Established 1944

Those members attending an out of town meeting will be required to attend all meetings unless excused by the Chairperson or President. They must return expense and salary monies if they do not attend the function to which they were delegated. With review rights by the Officers of this Local.

#### **ARTICLE XXIV - 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.

~~**REVISED 12/2016 IN COMPLIANCE January 26, 2017 / By: Kevin Kimberlsm**~~