



Communications Workers of America
Local 1085

Bylaws

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**ARTICLE I
NAME**

This Local shall be known as Local 1085, Communications Workers of America.

**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
OBJECTS**

The objects of Local 1085 shall be as follows:

(a) To represent and advance the interests of those employees within its jurisdiction in all matters affecting the terms and conditions of their employment, through collective bargaining and appropriate grievance procedures;

(b) To inform the employees of economic, social, and political issues of concern to workers, and to advocate public laws and policies beneficial to them;

(c) To promote unity and fraternity among all employees within its jurisdiction; and

(d) To encourage pride in the work of its members and responsible citizenship in the community.

**ARTICLE IV
LOCAL STRUCTURE**

The structure of the Local shall consist of the membership, Executive Board, officers, and committees.

**ARTICLE V
MEMBERSHIP**

Section 1. Eligibility

(a) Any person eligible for membership in the Communications Workers of America, pursuant to Article V of the Union Constitution, shall be eligible for membership in the Local if performing work within the Local's jurisdiction or if employed by the Union.

(b) Members of the Local who retire or take leave of absence from their employment may continue to be active members or may elect to become associate members. Associate members shall not pay dues and shall not be entitled to vote.

Section 2. Initiation Fee

(a) Except as otherwise provided, applicants for membership in the Local shall be admitted upon paying an initiation fee of \$2.00 and upon approval by such membership committee as shall be constituted, subject to the right of the Local to overrule the committee.

(b) The Local may elect to waive its portion of the initiation fee if approved in accordance with Article V of the Union Constitution.

(c) No initiation fee shall be required of persons who become members by transfer pursuant to Article V of the Union Constitution.

Section 3. Termination

(a) Membership in the Local shall be terminated whenever a member accepts a position which renders him or her ineligible for membership; whenever a member leaves the jurisdiction of the Local; or whenever a member requests in writing that his or her membership be terminated. Members may also be expelled for just cause as provided in these Bylaws.

(b) If a member in good standing leaves the jurisdiction of the Local, he or she shall be issued a withdrawal card upon written request to the Local Secretary-Treasurer.

(c) If a member in good standing changes employment so as to come under the jurisdiction of another Local within the Communications Workers of America, a certificate of transfer shall be provided upon written request to the Local Secretary-Treasurer.

**ARTICLE VI
DUES AND ASSESSMENTS**

Section 1. Membership Dues

(a) Each member of the Local shall pay dues in an amount established by the Local. Dues may be changed only by a majority of those voting in a secret ballot referendum, or in a secret ballot vote at a duly constituted membership meeting, provided notice has been posted on bulletin boards or mailed to each member at least seven days in advance.

(b) Failure to pay dues without just cause, as determined by the Local Executive Board, shall be grounds for suspension of membership privileges or expulsion in accordance with Article VI of the Union Constitution.

Section 2. Special Assessments

The Local may levy special assessments in cases of emergency, pursuant to Article VI of the Union Constitution. Such levy shall be made in the same manner as required for the changing of dues.

ARTICLE VII GOVERNING AUTHORITY

The affairs of the Local shall be governed by its membership as follows, and in accordance with the Constitution and policies of the Union:

- (a) Through action taken in membership meetings or by referendum of the membership;
- (b) Through actions taken by the Executive Board between membership meetings, subject to the right of the membership to overrule them; or
- (c) Through actions taken by the Local officers between meetings of the Executive Board, subject to the right of the Executive Board or the membership to overrule them.

ARTICLE VIII LOCAL MEETINGS

Section 1. Calling of Meetings

Regular meetings of the Local membership shall be held at such times and places as the Local shall establish. Special meetings may be called by the President with the consent of the Executive Board or Local officers. The Executive Board shall also call a special meeting of the Local within ten days upon receipt of a petition signed by fifty percent of the Local membership requesting such meeting.

Section 2. Quorum

The members present shall constitute a quorum for all Local membership meetings, provided seven days advance notice has been given by means of general announcements, advertisements on bulletin boards, or by mail to each member. In the event that seven days advance notice has not been provided, a quorum shall consist of one-fourth of the membership.

Section 3. Parliamentary Authority

The conduct of Local meetings and other parliamentary procedures shall be governed by the current edition of Robert's Rules of Order Newly Revised, except as provided otherwise by these Bylaws, the Union Constitution, applicable statutes, or special rules of the Local.

Section 4. Order of Business

The order of business at Local membership meetings shall be as follows, unless suspended by a two-thirds vote of the members present:

- (a) Call to order
- (b) Reading and approval of minutes

- (c) Reports of officers
- (d) Reports of committees
- (e) Unfinished business
- (f) New business
- (g) Adjournment

ARTICLE IX OFFICERS

Section 1. Local Officers

The officers of the Local shall consist of (a) the President; (b) the Executive Vice President; (c) the Secretary-Treasurer; (d) a Vice President for each bargaining unit in the Local, except that there shall be one Vice President for State Judiciary employees; and (e) as many Chief Stewards as the Local shall from time to time establish. The Executive Vice President may be one of the bargaining unit Vice Presidents.

Section 2. Duties and Authority

The duties and authority of the Local officers shall be as follows:

(a) The President shall oversee the conduct of all Local business, preside at Local membership and Executive Board meetings, prosecute grievances, approve bills to be paid and countersign checks drawn on the Local treasury, represent the Local in negotiations, and perform such other duties as may be required by the Local, the Executive Board, or the Union.

(b) The Executive Vice President shall assist the President in overseeing the conduct of Local business, serve as parliamentarian, assume the duties of the President in his or her absence, and perform such other duties as may be required by the Local, the Executive Board, or the President.

(c) The Secretary-Treasurer shall maintain records of Local membership, take minutes of Executive Board and Local membership meetings, serve as custodian of the Local's assets, maintain appropriate financial records and provide periodic reports to the membership, cause payment of all bills approved by the President, and perform such other duties as may be required by the Local, the Executive Board, or the President.

(d) The Vice Presidents shall oversee their respective bargaining units, participate in negotiations on behalf of such bargaining units, and perform such other duties as may be required by the Local, the Executive Board, or the President.

(e) The Chief Stewards shall supervise the work of the stewards in each bargaining unit, together with such other duties as may be required by the Local, the Executive Board, or the President.

Section 3. Bonding

All Local officers who handle Union funds shall be bonded as required by the Union Constitution or by applicable statutes.

**ARTICLE X
EXECUTIVE BOARD**

Section 1. Composition

The Local officers shall constitute the Executive Board.

Section 2. Duties and Authority

The Executive Board shall set policies, make decisions, and otherwise act on behalf of the Local between meetings of the membership. The Executive Board shall also prepare the agenda for Local membership meetings, present an annual budget to the membership, and perform such other duties as may be assigned by the Local or required by these Bylaws.

Section 3. Meetings

The Executive Board shall meet monthly. Special meetings may be called by the President and shall be held at the request of three or more of its members. A majority of the Executive Board shall constitute a quorum. The Executive Board shall present reports of its meetings, including any actions taken, at the following regular membership meeting.

**ARTICLE XI
STEWARDS**

Section 1. Appointments

The Executive Board shall appoint as many stewards as it shall deem necessary to efficiently carry out their responsibilities, subject to ratification by the membership.

Section 2. Duties

Stewards shall be responsible for maintaining regular communication with members, assist with internal organizing, and represent employees in the presentation of grievances. Stewards shall work under the direction of a Chief Steward.

**ARTICLE XII
COMMITTEES**

Section 1. Establishment

The standing committees of the Local shall include

Membership, Legislative-Political Action, Organizing, Education, and Community Service committees. An Election Committee shall also be appointed when necessary to conduct any and all elections and referendums of the Local. Additional committees may be established by the Executive Board from time to time as it may deem necessary.

Section 2. Appointment of Members

The members of all committees shall be appointed by the Executive Board. Committee members shall serve at the pleasure of the Executive Board, subject to the right of the Local membership to overrule it.

Section 3. Duties

The committees enumerated in these Bylaws shall have the following duties:

(a) The Membership Committee shall act on applications for membership in the Local in accordance with these Bylaws, the Union Constitution, and other applicable rules of the Local or the Union.

(b) The Legislative-Political Action Committee shall advocate legislation in accordance with the goals of the Local and the Union, inform the Local membership of political issues, promote voter registration, and encourage participation in the political process.

(c) The Organizing Committee shall actively work to organize non-union employees within the Local's jurisdiction.

(d) The Education Committee shall provide for education and training with regard to union-related issues, through special programs, presentations, newsletters, public relations efforts, and similar means.

(e) The Community Services Committee shall develop and encourage participation in activities and programs beneficial to the community.

(f) The Election Committee shall oversee all nominations, elections, and referendums of the Local. It shall be responsible for seeing that these functions are conducted fairly, in accordance with these Bylaws, the Union Constitution, and any applicable statutes. The Committee shall determine all challenges and questions concerning elections and referendums, subject to the right of appeal to the Executive Board or the Local membership. No candidate for Local office or delegate to the CWA Convention shall serve on the Election Committee.

**ARTICLE XIII
LOCAL DELEGATES TO THE UNION CONVENTION**

Section 1. Selection

The President of the Local shall serve as delegate to

the Union Convention, unless unable to attend. Other delegates may be elected by the membership in a secret ballot election conducted not less than thirty days prior to the Convention. Fifteen days advance notice of such election shall be given to the membership.

Section 2. Assignment of Votes

If the Local elects more than one delegate to the Union Convention, it shall determine the number of convention votes assigned to each delegate in accordance with Article VIII of the Union Constitution.

Section 3. Certification

Local delegates to the Union Convention shall be certified by the Local Secretary-Treasurer to the Secretary-Treasurer of the Union as required by Article VIII of the Union Constitution.

ARTICLE XIV NOMINATIONS AND ELECTIONS OF LOCAL OFFICERS

Section 1. Nominations

During the month of September in each election year, the Election Committee will make nominating petitions available. Eligible members wishing to appear on the ballot as candidates for any Local office shall present signed nominating petitions to the Election Committee on or before October 15, which petitions must be signed by not less than 5% of the members eligible to vote for such office. The Secretary-Treasurer shall provide a list of members in good standing, according to bargaining unit, as of October 1.

Section 2. Elections

(a) Regular elections of Local officers shall be conducted by secret ballot every three years between November 1 and November 25. Unless the Election Committee shall determine otherwise, the election shall be conducted by mail ballot according to the rules of the Committee. The President, Executive Vice President, and Secretary-Treasurer shall be elected by the membership at large. The Vice Presidents and Chief Stewards shall be elected by the members in their respective bargaining units. The Election Committee shall provide notice of the Election to all members of the Local in good standing at least fifteen days in advance. Such notice shall specify the time and date of the election and the offices to be filled.

(b) Only members of the Local in good standing shall be eligible to vote or hold office.

(c) The individual receiving the majority of votes cast for a given office shall be declared elected. If no

candidate has a majority on the first ballot, a run-off election shall be conducted to choose between the two candidates having the greatest number of votes on the first ballot. Notwithstanding the above, if there should be more than one Chief Steward position to be filled in a particular bargaining unit, the individuals receiving the plurality of votes shall be declared elected. In the event of a tie, a run-off election shall be held.

(d) Officers-elect shall take office at the next membership meeting following the election, which meeting shall be held during the month of December; provided, however, that no person shall take office until the Election Committee has issued a final certification of the election for such office. Officers shall serve for terms of three years or until their successors take office.

Section 3. Vacancies

In case of vacancy in the office of Local President, the Executive Vice President shall immediately succeed to such office for the balance of the unexpired term. In case of vacancy in other offices, the Executive Board shall appoint a member of the Local to fill such office, subject to ratification by the members within 60 days thereafter.

ARTICLE XV REFERENDUM AND RECALL

Section 1. Referendum

(a) The Local membership, by action taken at a membership meeting, may order a referendum to decide any question within its purview, unless provided otherwise by these Bylaws or the Union Constitution.

(b) All referendums shall be conducted by secret ballot. A majority of the votes cast shall decide the question.

Section 2. Recall

(a) A petition for recall may be preferred against any elected officer of the Local by twenty percent of the Local membership. Petitions shall be signed by the accusing members and shall describe the allegations against the Local officer, together with the dates of the alleged offenses.

(b) Recall petitions shall be filed with the Local Secretary-Treasurer, provided, however, that if a petition is directed against the Local Secretary-Treasurer it shall be filed with the President of the Local instead.

(c) If a recall petition is received alleging embezzlement, larceny, or willful misapplication of Union assets by a Local officer he or she shall be suspended from office pending the outcome of the recall vote.

(d) Upon receipt of a valid recall petition, a recall

vote shall be taken by secret ballot. If two-thirds of the votes cast are in the affirmative, the Local officer shall thereupon be removed from office.

ARTICLE XVI DISCIPLINARY PROCEDURES

Section 1. Charges

(a) Members may be fined, suspended, or expelled by the Local for willful violation of these Bylaws or the Union Constitution, or for any other act specified in Article XIX, Section 1, of the Union Constitution.

(b) Charges must be filed with the Local Secretary-Treasurer no later than sixty days after the accuser learns of the alleged offenses; provided, however, that if the charges are lodged against the Local Secretary-Treasurer, they shall be filed with the President of the Local instead. The charges shall be in writing, signed and sworn to by the accuser, and shall describe the alleged offenses together with the approximate dates thereof.

Section 2. Investigation and Trial

(a) Upon the filing of charges, a prosecutor shall be appointed from the Local membership by the Executive Board. The prosecutor shall first investigate the charges and report to the Executive Board whether probable cause exists to believe that there has been a violation punishable under this Article. Copies of the findings and recommendations shall be furnished to the accuser and the accused.

(b) If probable cause is not found, the charges shall be dropped unless the accuser appeals within thirty days pursuant to Article IX, Section 7 of the Union Constitution. If the prosecutor determines that probable cause does exist, the case shall proceed to trial.

(c) Trials shall be heard by a court composed of three Local members who are not parties to the proceeding, selected by the Executive Board. The court shall decide guilt and impose penalties based on the evidence presented.

(d) The accused shall have the right to select a member of the Local as counsel, produce witnesses, present evidence, and cross-examine witnesses produced by the prosecutor.

(e) All witnesses shall testify under oath, and an accurate record shall be kept of the proceedings. A decision on the charges, together with the penalty, shall be rendered within five days after the trial.

Section 3. Appeals

Persons found guilty by a Local court may appeal to a Local membership meeting within thirty days after a decision is rendered. Further appeal may be made as

provided in Article XXI of the Union Constitution.

ARTICLE XVII CONTRACT RATIFICATION AND STRIKES

Section 1. Contract Ratification

Any contract collectively bargained on behalf of the Local and dealing with the terms and conditions of its members' employment shall be subject to ratification by a secret ballot vote of the members in the affected bargaining unit(s).

Section 2. Strikes

Strikes shall be conducted by the Local in accordance with the following procedures:

(a) A membership meeting shall be called, with reasonable notice to the members, to present the issues involved in the proposed strike.

(b) A majority of the members voting by secret ballot at such meeting shall decide whether a strike is to be called.

(c) The results of the strike vote shall immediately be sent to the Vice President and President of the Union for authorization.

(d) Strikes shall be terminated by action of the Local Executive Board or by the Local membership at a membership meeting.

ARTICLE XVIII FISCAL YEAR AND AUDIT

Section 1. Fiscal Year

The fiscal year of the Local shall be from October 1 of each year through September 30 of the succeeding year.

Section 2. Audit

The financial records of the 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 available for inspection by any member of the Local.

ARTICLE XIX OATH OF OFFICE

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

"I, _____, hereby accept the office of _____ of Local 1085, 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 Bylaws 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 XX AMENDMENTS

These Bylaws may be amended either by referendum of the membership or by vote of the members present at a Local membership meeting, provided the proposed amendments have been introduced at a previous membership meeting or have been advertised to the membership by means of bulletin boards or mail at least seven days in advance. A two-thirds vote shall be required for amendments.

Revised July 8, 1980
Amended August 14, 1984
Amended April 8, 1986
Amended August 14, 1990
Amended October 8, 1996