

BYLAWS  
OF THE  
INDEPENDENT ASSOCIATION OF PUBLISHERS' EMPLOYEES  
TNG-CWA LOCAL 1096

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## **HISTORICAL NOTE**

The Independent Association of Publishers' Employees Inc. (IAPE) was founded 1937 by a group of Dow Jones & Company employees in Manhattan, NY. It has grown to represent employees at various parts of Dow Jones & Company in many locations across the North American continent. In 1997, by vote of the membership, IAPE became Local 1096 of the Communications Workers of America (CWA). Subsequently, IAPE joined The Newspaper Guild sector of the CWA by action of the Board of Directors.

### **ARTICLE I. NAME**

This Local shall be known as the Independent Association of Publishers' Employees (IAPE), Local 1096, The Newspaper Guild (TNG) – Communications Workers of America (CWA), hereinafter known as either the Local or as IAPE.

### **ARTICLE II. JURISDICTION**

The jurisdiction of the Local shall be the jurisdiction assigned by the TNG-CWA and appearing on the face of the Local Charter. A copy is attached to these Bylaws.

### **ARTICLE III. PURPOSE**

The purpose of Local 1096 shall be to represent and serve the workers within its jurisdiction, in accordance with the Bylaws and Rules of the Local and the Constitution and policies of the TNG-CWA.

### **ARTICLE IV. GOVERNING AUTHORITY**

The affairs of Local 1096 shall be governed by its membership, in accordance with the Constitution and policies of the TNG-CWA, in the following manner:

- Through action taken by referendum of the membership.
- Through action and decision of the Board of Directors.
- Through action and decision of the Executive Council between meetings of the Board of Directors.
- Through action and decision of the President between meetings of the Executive Council.

### **ARTICLE V. LOCAL STRUCTURE**

The structure of the Local shall consist of the following elements, ranked in descending order of governing authority, notwithstanding any other provisions of these Bylaws.

1. Membership

2. Board of Directors
3. Executive Council
4. Officers
5. Committees

## **ARTICLE VI. MEMBERSHIP**

### ***Section A. Eligibility***

Membership in the Local shall be open to all employees covered by collective-bargaining agreements entered into by the Local, or employed in bargaining units represented by the Local by agreement with an employer, through government certification, or otherwise. Any person employed by the Local on a part-time or full-time basis shall also be eligible for membership in the Local. Any member who becomes employed by TNG or CWA may retain membership. Any member who retires may become a Retired Member by following the process as established by the Board of Directors.

### ***Section B. Application***

Membership in the Local shall be obtained after payment of the Local initiation fee of \$3.00 and upon the approval of the Organizing/Membership Committee.

Employees at newly-organized locations will become full, voting members of the Local upon payment of the initiation fee. Dues for these members will be waived until they are covered by a collective-bargaining agreement.

### ***Section C. Member In Good Standing***

A member in good standing is defined as a member who is current in payment of all dues, assessments and fees. A member who is serving out sanctions and/or suspensions as defined in Article XV of these Bylaws is not a member in good standing.

### ***Section D. Transfers***

The transfer of membership from Local 1096 to the jurisdiction of another Local, or from another Local to the jurisdiction of Local 1096, shall be made in accordance with the CWA and TNG Constitution(s). No initiation fee shall be charged for a transferring member.

## **ARTICLE VII. BOARD OF DIRECTORS**

*Section A.* The Board of Directors shall consist of the President, Vice President, Treasurer, Secretary, the Classification Directors and the Location Directors.

**Section B.** The duties of the **BOARD OF DIRECTORS** shall be:

- To conduct the business of the Local.
- To create and maintain its own set of operating rules.
- To approve a budget for each fiscal year.

**Section C.** The Board of Directors shall meet, either in person or via telephone, at least twice each fiscal year. At least one of these meetings must be in person. All meetings and other business of the Local shall be conducted under these Bylaws and Rules of the Local and in conformity with the TNG-CWA Constitution(s). On questions where the Local's Bylaws, the Local's Rules or the TNG-CWA Constitution(s) do not clearly apply, Roberts Rules of Order (revised) shall govern. A majority of the Directors shall constitute a quorum, unless otherwise stipulated in these Bylaws.

**Section D.** Meetings of the Board of Directors shall be open to all members. However, the Board may close any meeting and go into executive session upon a vote of two-thirds (2/3) of the Board members present and voting.

**Section E.** The order of business at any Board meeting shall be as follows:

- Call to order
- Roll call
- Reading and action on minutes of previous meetings
- Report of Officers
- Report of committees, staff and representatives from CWA and/or TNG
- Unfinished business
- New business
- Adjournment

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

**Section F. Roll Call**

The Secretary (or designee) will call the roll of the elected Officers and Directors of the Local.

**Section G. Oral Commentary**

Time shall be made available at each Board meeting for oral commentary by members of the Local who wish to address the Board. The Board shall determine how long a member may speak. The President may, at his or her discretion, limit the total amount of oral

commentary to the Board by Local members to thirty (30) minutes at each meeting.

**Section H. Attendance At Board Meetings**

Members of the Board of Directors are required to attend all meetings of the Board. A Board member who misses two (2) consecutive meetings, without good cause, shall be removed from office, and that seat on the Board shall be declared vacant. Good cause shall be determined by the Executive Council.

**Section I.** The Board of Directors may authorize stipends or salaries to be paid to Officers and Directors.

**ARTICLE VIII. DIRECTORS**

**Section A.** The duties of a **DIRECTOR** shall be:

- To represent his or her constituents within the Local.
- To represent the Local and the TNG-CWA to the membership.
- To mobilize, organize and involve members in union activities.
- For Location Directors, to hold at least one (1) location membership meeting each year.
- To defend the collective-bargaining agreement(s) and the Union.
- To accompany and defend members in labor/management actions.
- To maintain the Local's bulletin boards.
- To recruit Stewards.
- To serve as a voting member of the Board of Directors.

**Section B.** A **CLASSIFICATION DIRECTOR** is responsible to members in one of several broad job classifications. Every Local member shall be in a job that is assigned to a classification. A Classification Director shall be employed in the job classification he or she represents, and shall be nominated and elected by the members employed in that classification. The term of office for a Classification Director shall be three (3) years, effective with the term beginning December 1, 2005. The Job Classification Committee shall assign job classifications to Classification Directors and recommend the number of such Directors to the Board. The Board of Directors, by a two-thirds (2/3) vote of those present and voting may increase or decrease the number of Classification Directors.

**Section C.** A **LOCATION DIRECTOR** is responsible to members of the geographic location or area he or she represents. Location, for the purposed of this Article, means any facility or region with 30 or more represented employees. All Local members will be represented by a

Location Director. Location Directors shall be employed in the locations they represent and shall be nominated and elected by the members employed in those locations. Location Directors shall serve for a term of three (3) years, effective with the term beginning December 1, 2005. Other provisions notwithstanding, each country outside of the United States with IAPE representation is entitled to at least one Location Director. The Board of Directors, by two-thirds (2/3) vote of those present and voting, may increase or decrease the number of Location Directors provided it adheres to the following formula:

A facility with less than 30 employees will be combined on a broad regional basis with other facility(s) until their combined number is at least thirty (30) represented employees, at which time this group would be entitled to a Location Director. A facility with less than thirty (30) represented employees may also be combined with a larger facility (or location group) that already has more than thirty (30) represented employees.

Recommendations of how regional areas will be combined and how a particular facility will be assigned will be made by the Membership Committee and adopted by a two-thirds (2/3) vote of the Board of Directors present and voting.

Facilities with more than 100 represented employees will be entitled to a second Location Director. Facilities with more than 300 represented employees will be entitled to a third Location Director. Facilities with more than 600 represented employees will be entitled to a fourth Location Director. Facilities with more than 1,000 represented employees will be entitled to a fifth Location Director. Facilities with more than 1,500 represented employees will be entitled to a sixth Location Director.

Each separate bargaining unit having at least 150 employees at a location shall be entitled to at least one Location Director for that unit to be voted on by the members of that bargaining unit, in that location. In the event there are not enough members in the separate bargaining unit and location, the members will be combined with other bargaining units to select a Location Director. The Board of Directors may authorize additional Directors consistent with the formula in these Bylaws.

**Section D.** Each Location Director shall hold at least one membership meeting each year. The meeting shall be held in a place convenient to the largest number of members within that location. Also, the President, from time to time, may schedule regional meetings for members, Officers and Directors of the Local to discuss matters of interest to the Local.

**Section E.** A **VACANCY** in any directorship shall be filled by appointment of the Board of Directors on recommendation of the Executive Council. The appointed Director shall be vested with the full powers of the office.

### **ARTICLE IX. OFFICERS**

The Officers of Local 1096 shall be the President, Vice President, Treasurer and Secretary. The term of office shall be three (3) years, effective with the term beginning December 1, 2005. Officers may only hold one office per term.

**Section A.** The duties of the **PRESIDENT** shall be:

- The Chief Executive Officer of the Local.
- The Chief Administrative Officer of the Local.
- To preside at meetings of the Local's Board of Directors.
- To chair the Executive Council.
- To have primary oversight of all bargaining on behalf of the Local.
- To have primary oversight of all grievance handling.
- To preside at membership meetings when possible.
- By virtue of the office, to be an ex officio member of all committees. The President may appoint a representative to attend any committee meetings he or she is unable to attend.
- To approve bills for payment and countersign checks.
- To approve payroll in the absence of the Treasurer.
- To supervise employees of the Local, not otherwise assigned, as directed by the Board of Directors.
- To represent Local 1096, as spokesperson, in dealing with the media, at shareholder meetings, CWA meetings and any other events deemed necessary by the Board of Directors or the Executive Council.
- To serve as a Delegate to the CWA Convention.
- To serve as a Delegate to The Newspaper Guild Sector Conference.
- To perform whatever additional duties may be assigned by the Local or as required by the CWA Constitution or policies.

- To serve as a voting member of the Board of Directors.

**Section B.** The duties of the **VICE PRESIDENT** shall be:

- To preside during the President's absence. During such times, the Vice President will be vested with the full duties and powers delegated to the President.
- To serve as a Delegate to the CWA Convention.
- To serve as a Delegate to The Newspaper Guild Sector Conference.
- To oversee and drive organizing efforts.
- To approve bills for payment and countersign checks.
- To approve payroll in the absence of the Treasurer.
- To supervise the External Organizer and any related part-time staff.
- To perform whatever additional duties may be assigned by the Local, the President, the Executive Council and/or the Board of Directors.
- To serve as a voting member of the Executive Council.

**Section C.** The duties of the **TREASURER** shall be:

- To serve as a custodian of all assets of the Local.
- To report to the membership, annually, the financial status of the Local.
- To draft, in consultation with other Officers, a comprehensive budget (except as outlined in Article XVI, Section B.) and submit it to the Finance Committee.
- To approve bills for payment and countersign checks.
- To approve payroll.
- To supervise the bookkeeping staff.
- To insure the annual audit is performed in a timely manner and is reported to the Board of Directors.
- To pay all authorized bills in a timely manner.
- To report to the Board of Directors, semi-annually, the financial status of the Local.
- To serve as an ex officio member of the Finance Committee.
- To serve as a Delegate to the CWA Convention.
- To serve as a Delegate to The Newspaper Guild Sector Conference.
- To serve as a voting member of the Board of Directors.
- To serve as a voting member of the Executive Council.
- To perform whatever additional duties as may be assigned by the Local, the President, the Executive Council and/or the Board of Directors.



**Section D.** The duties of the **SECRETARY** shall be:

- To serve as a Delegate to the CWA Convention.
- To serve as a Delegate to The Newspaper Guild Sector Conference.
- To serve as a voting member of the Board of Directors.
- To serve as a voting member of the Executive Council.
- To furnish the Vice President, Secretary-Treasurer of the CWA with copies of any changes in these Bylaws within ten (10) days after such changes are made.
- To certify Delegates to the CWA Conventions and TNG Sector Conferences.
- To certify a quorum at meetings of the Board of Directors and the Executive Council.
- To ensure that the roll is called at meetings of the Executive Council and the Board of Directors.
- To accept and process charges for Local trials.
- To accept and process referenda and petitions.
- To provide membership lists for those who wish to circulate petitions.
- To oversee the Membership rolls.
- To ensure that minutes are recorded for meetings of the Board of Directors and the Executive Council.
- To maintain minutes of official Local meetings.
- To perform whatever additional duties as may be assigned by the Local, the President, the Executive Council and/or the Board of Directors.

#### **ARTICLE X. EXECUTIVE COUNCIL**

**Section A.** The **EXECUTIVE COUNCIL** shall consist of the President, Vice President, Treasurer, Secretary and three (3) Directors. Of the three Directors on the Executive Council, one must be a Classification Director and one must be a Location Director. The third may be either a Classification Director or a Location Director.

**Section B.** The three non-officer Directors serving on the Executive Council shall be nominated and elected by the Board of Directors.

**Section C.** Unless specifically excluded elsewhere in these Bylaws, it shall be the duty of the Executive Council to exercise the powers of the Board of Directors at all times that the Board of Directors is not meeting. A majority of those present and voting shall bind the Executive Council, except as otherwise noted in these Bylaws. A quorum to transact business shall be a majority of members serving on the Executive Council.

**Section D.** The Executive Council shall meet, either in person or via telephone, at least six (6) times per year. Whenever a majority of the members of the Executive Council request the President to call a meeting thereof, it shall be mandatory for him or her to do so within fifteen (15) days.

**Section E.** The actions and decisions of the Executive Council may be overturned by the Board of Directors or by the membership of the Local.

#### **ARTICLE XI. CONVENTION DELEGATES**

**Section A.** The President, Vice President, Treasurer and Secretary shall be standing Delegates, so long as they meet the guidelines specified in the CWA Constitution. Any remaining Delegates allotted to IAPE (up to three) by the CWA and/or TNG, along with an alternate, shall be elected by the membership voting by secret ballot during the general elections.

**Section B.** All Delegates shall serve a term of three (3) years, effective with the term beginning December 1, 2005.

**Section C.** The Board of Directors shall determine the Convention votes assigned to each Delegate in accordance with the CWA Constitution. It shall be the duty of each Delegate to the CWA Convention to make a formal report to the Board of Directors.

**Section D.** It shall be the duty of the Secretary of the Local to certify the Local Delegates to the CWA Convention to the Secretary-Treasurer of the CWA within the time limits specified in the CWA Constitution.

**Section E.** In accordance with the policy of The Newspaper Guild, Delegates to the CWA Convention shall also be Delegates to The Newspaper Guild Sector Conference.

#### **ARTICLE XII. STEWARDS**

**Section A.** Persons wishing to be Stewards shall be appointed by the President, their Location Director, their Classification Director, or, where practicable, elected by the members they serve. The term of office shall coincide with that of the current Director or Officer.

**Section B.** The duties of a **STEWARD** shall be:

- To aid and support the Director and/or Officers.
- To educate, mobilize and involve the membership in union activities and programs.
- To defend the contract.
- To notify the appropriate committee of any work-related problems.
- To represent and defend the members.

### **ARTICLE XIII. NOMINATIONS AND ELECTIONS**

#### **Section A. Nominations**

Nominations for all elected offices shall be open in the month of June of the election year. Nominations must be in writing. Any member of Local 1096 in good standing may nominate himself or herself, or any other member in good standing, for President, Vice President, Treasurer, Secretary or Delegate to the CWA Convention. Any member in good standing may nominate himself or herself, or any other member in good standing, for Classification Director, provided the nominator and the nominee are both employed in that classification. Any member in good standing may nominate himself or herself, or any other member in good standing, for Location Director, provided the nominator and the nominee are both employed in that location.

A member may accept nomination to only one office; however, said member may accept nomination to both one office and as a CWA Delegate.

#### **Section B. Elections**

Elections of the Local Officers and members of the Board of Directors shall be by secret ballot of the membership in the month of November of each election year.

The Elections Committee will publish a Notice of Election, Nomination and Rules, which will be posted in every location. This Notice will put forth all rules and regulations for the nominations and elections.

#### **Section C. General Provisions**

Only members in good standing of the Local shall be eligible to vote.

In the elections for the offices of President, Vice President, Treasurer and Secretary, the nominee who receives the majority of the votes cast shall be declared elected. If no one nominee receives a majority

on the first ballot, the vote shall be taken again. The two nominees having the greatest number of votes on the first ballot shall be nominees on the second ballot. The nominee receiving the majority of the votes cast on the second ballot shall be declared elected.

In the election for the offices of Classification Director, Location Director and CWA Delegate, the winner(s) shall be the one(s) receiving the most votes. The candidate who is runner up to the last elected CWA Delegate shall be the alternate Delegate.

Any nominee running unopposed shall be declared elected.

***Section D. Oath Of Office***

Each elected Officer, Director and CWA Delegate, after meeting all other qualifications, shall be duly installed upon taking an oath of office. A copy is attached to these Bylaws.

***Section E. Vacancies***

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

A vacancy in the office of Vice President, Treasurer or Secretary shall be filled in the following manner:

If, at the time the Executive Council is notified of said vacancy, there is less than eighteen (18) months remaining in the term of office, the vacancy shall be filled by appointment of the Board of Directors on recommendation of the Executive Council. This appointed Officer shall be vested with the full powers of the office.

If, at the time the Executive Council is notified of said vacancy, there are eighteen (18) months or more remaining in the term of office, the Elections Committee shall conduct a special election. This special election shall take place within sixty (60) days. The newly elected Officer shall be vested with the full powers of the office. The Executive Council may appoint an interim Officer during the 60-day election period. This interim Officer shall be vested with the full powers of the office.

**ARTICLE XIV. RECALL**

Any elected Officer or Board Member of this Local may be recalled in accordance with the CWA Constitution. A recall may be initiated by petition of fifteen percent (15%) of the elected official's constituency.

Recall votes must pass by two-thirds (2/3) of the members voting by secret ballot.

## **ARTICLE XV. CHARGES, TRIALS AND APPEALS**

### ***Section A. Charges***

Members of Local 1096 may be fined, suspended or expelled in the manner provided in these Bylaws for any acts enumerated in the corresponding article of the CWA Constitution. Examples of offenses include failure to pay dues, violation of the CWA Constitution or Local Bylaws, misappropriation of union money or instigating an unauthorized strike.

### ***Section B. Trials***

Any accused member of Local 1096, including Officers and Board Members, shall be tried under the provisions of the CWA Constitution. Those provisions include, but are not limited to:

- Charges must be in writing and filed with the Secretary within 60 days from the time the accusing member(s) become aware of the alleged offense(s).
- A Local member, other than the accuser, will be appointed prosecutor.
- The accused may pick a Local member to act as his or her counsel.
- The accused shall have the right to call and cross-examine witnesses.
- The counsel of the accused will have these rights on behalf of the accused.

### ***Section C. Local Trial Court***

A trial court of the Local shall be composed of five (5) members of the Local who are not parties to the proceedings, and who shall be selected by the Executive Council of the Local.

### ***Section D. Appeals***

An Officer or other Board Member found guilty by the Local court may file an appeal as provided by the CWA Constitution. A Local member found guilty may appeal to the Local Board of Director, then to the CWA Executive Board. The Local trial court has the authority to impose penalties, including reprimands, fines and expulsion from membership.

## **ARTICLE XVI. COMMITTEES**

### ***Section A. Membership***

Certain affairs of the Local shall be overseen by committees. Any Local member in good standing may serve on any committee at his or

her request, subject only to that committee's approval, or any previously established maximum number of members for that committee. A decision by a committee to deny such participation may be appealed to the Executive Council.

**Section B. Duties**

The Local shall have the following standing committees and such other ad hoc committees as the Board may, from time to time, deem necessary:

- **COLLECTIVE BARGAINING** – Responsible for polling the membership to determine contract priorities and for negotiating collective-bargaining agreements. One per bargaining unit.
- **JOB CLASSIFICATION** – Responsible for determining appropriate job classifications and descriptions and negotiating any changes with the employer, subject to approval by the Executive Council. Monitors employer compliance with contract provisions regarding job classifications and descriptions. Shall make recommendations to the Board of Directors regarding placement of specific job classifications for purposes of Classification Director representation.
- **ORGANIZING/MEMBERSHIP** – Responsible for organizing new locations, bringing in new members at represented sites, and maintaining Local membership rolls. Also responsible for oversight of membership training, and for membership mobilization during contract negotiations.
- **FINANCE** – Responsible for overseeing the Local's budget. Shall consider proposed budgets from the Treasurer, and shall submit a comprehensive budget to the Executive Council and full Board of Directors at the final meeting of the fiscal year. This committee should also review any budget adjustment requests whenever possible.
- **ELECTIONS** – Responsible for publicizing, organizing and conducting Local elections and referenda. Also oversees any Officer recalls. The Local's Officers, incumbent Directors and nominees are ineligible for membership on this committee.
- **GRIEVANCE** – Responsible for representing Local members who have filed, or are about to file, grievances with the employer.

Recommends arbitration cases to the Executive Council. One per bargaining unit.

- **LABOR MANAGEMENT** – Responsible for conducting informal meetings with management in an attempt to resolve workplace issues before they reach the grievance stage. One per bargaining unit.
- **JOBS WITH JUSTICE** – Responsible for educating, training and mobilizing members on broad issues that affect the working environment. Also responsible for mobilizing membership regarding Local issues and outreach functions.
- **HUMAN RIGHTS** – Responsible for identifying inequitable workplace treatment of Local members and for negotiating appropriate changes with the employer. Inequitable treatment includes disparities in hiring, pay promotion or working conditions based on differences in gender, race, ethnic background, religion, sexual orientation or union activity. The committee chair shall serve as Human Rights Coordinator, in compliance with CWA regulations.
- **SAFETY** – Responsible for monitoring the workplace for patterns of job-related injury or illness and for communicating safety concerns to members, management and Local leadership. Members serve on work-site safety committees, including those established by the employer or the collective-bargaining agreement.
- **COMMUNICATIONS** – Responsible for producing the Local's newsletter and web site, and for fostering other lines of communication between the membership and the Local's leadership. Responsible for promoting public awareness of the Local and issues of concern to organized labor in general.

### ***Section C. Quorum***

A quorum to transact business shall be a majority of the members of the committee.

### ***Section D. Committee Chairs***

The President of the Local shall appoint committee chairs from among each committee's membership. However, a committee may overturn such appointment and select its own chair by a super-majority vote of two-thirds (2/3) of its members.

**Section E. Committee Term**

The President shall make initial committee appointments, where another method is not specified. All committee members serve the same term of office as elected officials.

**Section F. Budget Preparation**

Each committee will prepare an annual budget, outlining its spending priorities for the following year. Such budget proposals shall be submitted to the Finance Committee and Treasurer no less than sixty (60) days prior to the last Board meeting of the fiscal year. Based on such proposals, the Finance Committee shall submit a comprehensive proposed budget for discussion, amendment and adoption to the full Board at its final meeting of the fiscal year.

**ARTICLE XVII. DUES AND ASSESSMENTS**

**Section A. Local Dues**

The Local shall have the right to collect dues, fees, and assessments from members of the Local, and the equivalent thereof from employees represented by the Local who are not members.

The regular dues of members of the Local shall be determined by a two-thirds (2/3) vote of the directors present and voting at a meeting of the Board of Directors and agreed to by a majority of the members of the Local voting in a secret-ballot referendum. Ballots shall not be mailed to members until at least 30 days after the vote of the Board of Directors. Any dues structure in effect prior to the vote of the membership shall continue until the effective date of any new dues structure voted upon in accordance with these Bylaws.

**Section B. Special Assessments**

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

**Section C. Suspension Of Dues**

Any member may apply to have his or her regular dues, or any special assessment, suspended or waived for a temporary period not to exceed six (6) months, based upon such member's extraordinary financial hardship, such as disability. The member's application shall be submitted in writing to the Executive Council, and shall set forth the reasons for the requested suspension or waiver. The Executive



Council shall review the application and shall grant or deny the application, and shall notify the member of its decision in writing.

At each regular meeting of the Board of Directors, the Executive Council shall report each application made under this Article, and the Executive Council's decision on each application. The Board may vote to overturn the decision of the Executive Council. A member whose application for suspension of dues has been denied may file a written appeal of that decision with the Board, which shall take up that appeal at its next regular meeting.

### **ARTICLE XVIII. STRIKES**

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

A strike may be called only when the following three (3) things occur:

1. The Board of Directors authorizes a strike vote of the bargaining unit.
2. The strike vote is approved by a majority of the members of the bargaining unit, voting by secret ballot.
3. The strike is approved by the Executive Board of the CWA.

### **ARTICLE XIX. REFERENDA AND PETITIONS**

**Section A.** The only binding membership action shall be by referendum.

**Section B.** Referendum votes may be called by the Board of Directors, the President, or upon written petition of fifteen percent (15%) of the members of the Local submitted to the Secretary. If the referendum is by petition, the exact wording of the referendum must be included on any petition. The Secretary shall determine the number of members of the local equal to fifteen percent (15%) and shall verify that at least 15% of the members have, in fact, joined the petition.

**Section C.** The Elections Committee shall establish the rules and procedures for the conduct of any referendum vote.

**Section D.** Except as may be otherwise provided in these Bylaws, a majority of members voting in a referendum vote shall determine the question or questions at issue.

**Section E. SPECIAL MEMBERSHIP MEETINGS** may be called by the President, or by the Board of Directors, or by written petition signed by at least fifteen percent (15%) of the members of the Local and submitted to the Secretary. Written notice of the time and place of special meetings shall be mailed to each member at least fifteen (15) days prior to such meeting. The time and place of special meetings shall be determined by the Executive Council. If a special meeting is called by petition of the members, efforts shall be made to select a location convenient to such members. No binding action may be taken at a membership meeting.

#### **ARTICLE XX. FISCAL YEAR AND AUDIT**

**Section A.** Through September 30, 2004, the fiscal year of the Local shall remain the calendar year. Beginning October 1, 2004, the fiscal year shall be from October 1 of each year up to, and including, September 30 of the succeeding year.

**Section 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 reported to the Board of Directors and made available for inspection by any Local member in good standing.

#### **ARTICLE XXI. NEWSLETTER**

The Local shall publish, at least once a year, a printed newsletter to provide the Local's financial statement to all members. Notwithstanding the preceding, newsletters may be published electronically. The newsletter shall allow dissent and discussion of Local issues.

#### **ARTICLE XXII. PRIORITY GRIEVANCES**

Termination, harassment or forced transfer by the employer of any validly elected Officer, Director or CWA Delegate of this Local shall be handled on an expedited basis as a grievance and, if warranted, shall be pressed into arbitration on an urgent basis.

#### **ARTICLE XXIII. AMENDMENTS TO LOCAL BYLAWS**

After adoption, these Bylaws may be amended as follows:

**Section A.** Amendments to the Bylaws shall be presented to the Local membership upon the recommendation of a majority of the members of the Board of Directors present and voting at a regular or special meeting, or upon the petition of fifteen percent (15%) of the members of the Local. Upon request of any member of the Local, the Secretary shall furnish the number of members of the Local equal to fifteen

percent (15%) of the membership for the purpose of determining the number of members needed to petition for an amendment to the Bylaws.

**Section B.** Where amendments to the Bylaws are proposed by the Board of Directors, the Board shall establish the rules and procedures for the membership vote. Where the amendment to the Bylaws is submitted upon petition of fifteen percent (15%) of the membership of the Local, the Elections Committee shall establish the rules and procedures for the membership vote.

**Section C.** The amendment of the Bylaws shall take effect upon adoption by a vote of two-thirds (2/3) of the members of the Local voting, in accordance with the effective date set forth in the amendment. If no effective date is set forth, the amendment shall take effect upon the first day of the month following adoption by the membership.

#### **ARTICLE XXIV. SAVINGS CLAUSE**

Should any federal, state, or local law, or the final determination of any administrative agency or court of competent jurisdiction, be in conflict with any part of these Bylaws, the part so affected shall be without force or effect, but the remainder of these Bylaws shall continue in full force and effect.

#### **ARTICLE XXV. ADOPTION**

These Bylaws shall be adopted upon the approval of two-thirds (2/3) of a majority of the members voting in a membership vote.

All changes to numbers of Directors, Officers, the Executive Council structure and terms of office caused by the latest revision shall take effect December 1, 2005. All other provisions, where appropriate, shall be effective upon passage.

These Bylaws adopted on May 24, 1937.

Revised:   March 15, 1975  
              November 1, 1980  
              October 1, 1985  
              February 13, 1989  
              December 1, 2003