

# COMMUNICATIONS WORKERS of AMERICA



## LOCAL 4900

## BYLAWS

*as Amended December 2012*

### TABLE OF CONTENTS

<b>ARTICLE I - NAME.....</b>	<b>PAGE 3</b>
<b>ARTICLE II - JURISDICTION.....</b>	<b>PAGE 3</b>
<b>ARTICLE III - OBJECTIVES.....</b>	<b>PAGE 3</b>
<b>ARTICLE IV - LOCAL STRUCTURE .....</b>	<b>PAGE 3</b>
SECTION A - DIVISIONS .....	PAGE 3
SECTION B - AREAS .....	PAGE 3
<b>ARTICLE V - MEMBERSHIP .....</b>	<b>PAGE 3 &amp; 4</b>
SECTION A – ELIGIBILITY .....	PAGE 3
SECTION B – APPROVAL & FEES .....	PAGE 4
SECTION C – TRANSFERS .....	PAGE 4
SECTION D – RESIGNATIONS .....	PAGE 4
<b>ARTICLE VI - LOCAL DUES AND ASSESSMENTS .....</b>	<b>PAGE 4</b>
SECTION A – DUES, FINES, & ASSESSMENTS .....	PAGE 4
SECTION B – LOCAL SPECIAL ASSESSMENTS.....	PAGE 4
<b>ARTICLE VII - GOVERNING AUTHORITY .....</b>	<b>PAGE 4</b>
SECTION A – MEMBERSHIP .....	PAGE 4
SECTION B – EXECUTIVE BOARD .....	PAGE 4
<b>ARTICLE VIII - MEMBERSHIP MEETINGS.....</b>	<b>PAGE 5</b>
SECTION A – NOTICE OF MEETINGS .....	PAGE 5
SECTION B – AREA MEETINGS .....	PAGE 5
SECTION C – SPECIAL DIVISION MEETINGS .....	PAGE 5
SECTION D – SPECIAL AREA MEETINGS .....	PAGE 5
SECTION E – CONDUCT OF MEETINGS & QUORUM .....	PAGE 5

<b>ARTICLE IX - LOCAL DELEGATES TO THE UNION CONVENTION.....</b>	<b>PAGE 5 &amp; 6</b>
SECTION A – CERTIFICATION OF DELEGATES.....	PAGE 5
SECTION B – SELECTION OF DELEGATES.....	PAGE 6
<b>ARTICLE X - LOCAL COMMITTEES.....</b>	<b>PAGE 6</b>
SECTION A – REGULAR COMMITTEES .....	PAGE 6
SECTION B – MEMBERS OF COMMITTEES .....	PAGE 6
SECTION C – VACANCIES.....	PAGE 6
SECTION D – REMOVAL.....	PAGE 6
SECTION E – ADDITIONAL COMMITTEES.....	PAGE 6
<b>ARTICLE XI - ORDER OF BUSINESS.....</b>	<b>PAGE 7</b>
<b>ARTICLE XII - LOCAL REPRESENTATIVES &amp; DUTIES.....</b>	<b>PAGE 7 &amp; 8</b>
SECTION A – OFFICERS & THEIR DUTIES.....	PAGE 7
<i>Subsection 1. The President .....</i>	<i>Page 7</i>
<i>Subsection 2. Division Vice President (s).....</i>	<i>Page 7</i>
<i>Subsection 3. The Secretary-Treasurer .....</i>	<i>Page 7</i>
SECTION B – AREA REPRESENTATIVES & THEIR DUTIES .....	PAGE 8
SECTION C – CHIEF STEWARDS & THEIR DUTIES.....	PAGE 8
SECTION D – STEWARDS & THEIR DUTIES .....	PAGE 8
<b>ARTICLE XIII - NOMINATIONS &amp; ELECTION OF LOCAL OFFICERS/DELEGATES, ALTERNATE DELEGATES &amp; MEMBERS OF THE EXECUTIVE BOARD .....</b>	<b>PAGE 8 &amp; 9</b>
SECTION A – NOMINATIONS/ELECTIONS.....	PAGE 8 & 9
SECTION B – VACANCIES & APPOINTMENTS.....	PAGE 9
<b>ARTICLE XIV - STRIKES.....</b>	<b>PAGE 9</b>
<b>ARTICLE XV - CHARGES, TRIALS &amp; APPEALS.....</b>	<b>PAGE 9 &amp; 10</b>
SECTION A – CHARGES.....	PAGE 9
SECTION B – TRIALS.....	PAGE 9
SECTION C – APPEALS .....	PAGE 10
SECTION D – LOCAL TRIAL COURT .....	PAGE 10
SECTION E – ENFORCEMENT OF PENALTIES .....	PAGE 10
<b>ARTICLE XVI - RECALL OF EXECUTIVE BOARD .....</b>	<b>PAGE 10</b>
SECTION A – THE PRESIDENT & SECRETARY- TREASURER.....	PAGE 10
SECTION B – DIVISION VICE PRESIDENT (S) & AREA REPRESENTATIVE .....	PAGE 10
<b>ARTICLE XVII - REFERENDUM OF THE LOCAL .....</b>	<b>PAGE 10</b>
<b>ARTICLE XVIII - FINANCIAL RECORDS .....</b>	<b>PAGE 10</b>
SECTION A – FISCAL YEAR .....	PAGE 10
SECTION B – AUDIT.....	PAGE 10
<b>ARTICLE XIX - OATH OF OFFICE.....</b>	<b>PAGE 11</b>
<b>ARTICLE XX - AMENDMENTS.....</b>	<b>PAGE 11</b>

## **ARTICLE I - NAME**

This Local shall be known as Local 4900, Communications Workers of America, AFL-CIO.

## **ARTICLE II - JURISDICTION**

Jurisdiction of this Local shall be assigned by the International Union and identified on the Local's Charter.

## **ARTICLE III - OBJECTIVES**

The objectives of Local 4900 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 Union.

## **ARTICLE IV - LOCAL STRUCTURE**

The structure of the Local shall consist of the following:

1. Membership
2. The Officers: President, Division Vice President(s), Secretary-Treasurer
3. The Executive Board: The Officers and the Area Representatives
4. The committees

### **Section A – Divisions:**

1. There shall be as many Divisions as the Executive Board shall recommend and the membership shall approve;
2. The composition of the Division shall be as the Executive Board recommends and the membership shall approve;
3. There shall be one Division Vice President elected for each Division.

### **Section B – Areas:**

1. There shall be as many Areas within a Division as the Executive Board shall recommend and the membership shall approve;
2. The composition of an Area shall be as the Executive Board recommends and the membership shall approve;
3. There shall be one Area Representative elected from each Area unless otherwise recommended by the Executive Board and approved by the membership.

## **ARTICLE V - MEMBERSHIP**

### **Section A – Eligibility:**

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

**Section B – Approval & Fees:**

Membership in the Local shall be obtained after payment of the Local’s Initiation Fee of five dollars (\$5.00) and upon the approval of the Membership Committee authorized to accept or reject membership on behalf of the Local. The approval is subject to the right of the membership to overrule the committee. Initiation Fee may be waived upon approval of the Executive Board.

**Section C – Transfers:**

The transfer of membership from this Local to the jurisdiction of another local and from another local to the jurisdiction of this local shall be made in accordance with Article V of the Union Constitution.

**Section D – Resignations:**

Resignations from the Local shall be in accordance with the Constitution.

**ARTICLE VI - LOCAL DUES AND ASSESSMENTS**

**Section A – Dues, Fines, & Assessments:**

Dues, fines, and assessments will be governed in accordance with Article VI of the Constitution.

**Section B – Local Special Assessments:**

The Local may levy a special assessment in accordance with Article VI Section 3 of the Constitution.

**ARTICLE VII - GOVERNING AUTHORITY**

**Section A – 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:

1. Through action taken in Division, Area and Unit meetings and by referendum of the membership;
2. Through action of the Local Executive Board. The Executive Board shall establish administrative policies which become necessary;
3. Through action of the Local Officers;
4. The actions and decisions of the Executive Board and the Local Officers may be overruled by a majority vote of the membership.

**Section B – Executive Board:**

The Local Executive Board shall consist of the Officers and the Area Representatives.

## **ARTICLE VIII - MEMBERSHIP MEETINGS**

### **Section A – Notice of Meetings:**

Notice of meetings shall be given in advance and shall consist of the location, date and time. Notice can be posted on union website and/or sent through electronic means.

### **Section B – Area Meetings:**

Area membership meetings shall be held a minimum of six (6) times per calendar year provided that a minimum of one (1) such meeting is held within every two (2) month period.

### **Section C – Special Division Meetings:**

Special Division meetings shall be called by its Division Vice President upon receipt of a petition signed by ten percent (10%) of the Division membership. Such special meetings shall be held within fourteen (14) calendar days.

### **Section D – Special Area Meetings:**

Special area meetings shall be called by its Area Representative upon receipt of a petition signed by ten percent (10%) of the area membership. Such special meetings shall be held within fourteen (14) calendar days.

### **Section E – Conduct of Meetings & Quorum**

1. Division, Area and Unit meetings of this Local shall be conducted under these Bylaws and Rules of the Local and in conformity with the Union Constitution. On questions where the Local Bylaws, the Rules of the Local, or the Union Constitution do not clearly apply, Roberts Rules of Order shall govern;
2. The members in attendance at Division, Area and Unit meetings shall constitute a quorum;
3. A majority of the Officers, or a majority of the members of a committee, shall constitute a quorum for those bodies;
4. Motions effecting entire membership shall be referred to the Executive Board. The Executive Board shall find the motion in order or out of order. The Executive Board may refer motions to a committee or refer the motion to the membership.

## **ARTICLE IX - LOCAL DELEGATES TO THE UNION CONVENTION**

### **Section A – Certification of Delegates:**

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 union within the same time limits specified in the Union Constitution.

## **Section B – Selection of Delegates:**

Delegates to the Union Convention shall be Local Officers serving in the following order:

1. The President shall be the first convention delegate;
2. The Secretary -Treasurer shall be the second Convention delegate or first alternate Convention delegate;
3. Alternate and Additional Delegates, if necessary, upon the recommendation of the Executive Board and the approval of the membership that the Local is entitled to may be elected by a special election.
  - a. In the event the Local elects more than one (1) delegate to the union convention, the Local shall determine the convention votes assigned to each delegate in accordance with the Union Constitution.

## **ARTICLE X - LOCAL COMMITTEES**

### **Section A – Regular Committees:**

The Local shall have the following regular committees:

1. Education Committee
2. Election Committee
3. Organizing Committee
4. Legislative-Political Committee
5. Membership Committee
6. Community Services Committee
7. Finance Committee
8. Mobilization Committee
9. Women’s Committee
10. Safety Committee
11. Committee on Diversity

### **Section B – Members of Committees:**

Members of all committees shall be appointed by a majority vote of the Executive Board subject to the right of the membership to overrule such appointments.

### **Section C – Vacancies:**

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

### **Section D – Removal:**

A member of any local committee may be removed by a majority vote of the Executive Board subject to the right of the membership to overrule such appointments.

### **Section E – Additional Committees:**

The President, with the Executive Board's approval, may appoint any other committees as it becomes necessary.

## **ARTICLE XI - ORDER OF BUSINESS**

The order of business may be suspended by a two-thirds (2/3's) vote of the members present. The Order of Business at a local meeting shall be as follows:

1. Call to order
2. Roll call
3. Reading and action on minutes of previous meeting
4. Report of Officers
5. Report of committees
6. Unfinished business
7. New business
8. Adjournment

## **ARTICLE XII - LOCAL REPRESENTATIVES & DUTIES**

### **Section A – Officers & Their Duties:**

#### **1. The President:**

- a. The President or their designee shall preside at meetings of the Local and at meetings of the Local Executive Board and shall be responsible for the conduct of business as well as day to day operations of the Local;
- b. Shall perform any additional duties as may be assigned by the Executive Board or required by the Constitution.

#### **2. Division Vice President(s):**

- a. The Division Vice President(s) shall direct and assist the Area Representatives of their respective Division.
- b. Shall perform such other duties as may be assigned by the Local, the Local Executive Board or the Local President;
- c. Shall be responsible for all work locations within his/her Division.

#### **3. The Secretary-Treasurer:**

- a. The Secretary-Treasurer shall maintain a record of the Local and keep minutes of the Local Executive Board;
- b. Shall furnish both the District Vice President and Secretary-Treasurer of the Union with two (2) copies of any changes in the Local Bylaws;
- c. Shall be responsible for furnishing the Secretary-Treasurer of the International Union with all the proper forms, signed by Local Officers, which are required by State and Federal laws immediately upon their execution;
- d. Shall be bonded and shall be custodian of all assets of the Local and shall make a report to each membership meeting;
- e. Shall cause the payment of all bills approved by the Local President or bank-authorized designee;
- f. Shall perform such duties as may be assigned by the Local, the Local Executive Board, or the Local President.

### **Section B – Area Representatives & Their Duties:**

1. The Area Representatives shall work under the direction of their respective Division Vice Presidents and shall perform such other duties as may be assigned by the Local, the Local Executive Board, or the Local President;
2. The Area Representatives shall preside at meetings of their respective Areas.

### **Section C – Chief Stewards and Their Duties:**

1. This Local shall have as many Chief Stewards as may be deemed necessary by the Area Representative and approved by the Executive Board;
2. The Chief Stewards shall be appointed, or may be elected, from their work groups by the respective Area Representative of that work group;
3. The Chief Stewards shall work under the direction of the Area Representative of their respective Area. They shall perform such duties and responsibilities as may be assigned by their Area Representative.

### **Section D – Stewards and Their Duties:**

1. This Local shall have as many Stewards as may be deemed necessary by the Area Representatives;
2. The Stewards shall be appointed, or may be elected, from their work groups by the respective Area Representative of that work group;
3. The Stewards shall work under the direction of the Area Representative of their respective area. They shall perform such duties and responsibilities as may be assigned by their Area Representative.

## **ARTICLE XIII - NOMINATION & ELECTION OF LOCAL OFFICERS/DELEGATES, ALTERNATE DELEGATES, & MEMBERS OF THE EXECUTIVE BOARD**

### **Section A – Nominations/Elections:**

1. Nominations for President and Secretary-Treasurer shall be local wide. Nominations for Vice President (s) shall be from their respective Divisions. Nominations for Area Representatives shall be from their respective Areas;
2. The President and the Secretary-Treasurer shall serve as Local's delegates for the Convention during their terms of office. In the absence of any above listed Officer, the respective alternate delegate shall serve as the delegate;
3. The term of office shall be three (3) years or until their successors have been duly elected and qualified;
4. Such election shall be conducted via the US Mail with ballots being mailed to the last known address of each member in good standing and the Local shall supply a pre-addressed return envelope. The member shall be responsible for maintaining their address with the Secretary-Treasurer. All write-in votes will be void;
5. The membership shall elect a President and Secretary-Treasurer local-wide. The membership shall elect the Vice President (s) by their respective Divisions.
6. President, Division Vice President (s) and Secretary-Treasurer shall be elected by a majority of the votes cast. Area Representative shall be elected by a plurality of the votes cast;



7. Each election year, the Election Committee shall conduct the nominations and local elections in the following manner:
  - a. On the second Thursday of July, the numbers of members in the areas, Districts and local-wide will be determined;
  - b. On the second Thursday of August, a notice of nominations and a nomination form shall be mailed to the last known home address of members of the Local. The notice shall include the necessary information for submitting nominations. Nominations shall be made by United States certified mail;
  - c. The deadline for receiving nominations will be the second Thursday of September at 11:00 a.m., Indianapolis time;
  - d. The election ballots shall be mailed to the members on the second Thursday of October;
  - e. The run-off election ballots, if necessary, shall be mailed on the second Thursday of November.
8. The Local Executive Board shall take office on the second Thursday in December.

### **Section B – Vacancies & Appointments**

1. Vacancy in the office of President:
  - a. If the office of President becomes vacant, the Executive Board shall immediately assign a Division Vice President to act as President until a special election can be held;
2. Vacancy in the offices of Division Vice President(s), Secretary-Treasurer, Area Representatives and alternate delegates to the Convention:
  - a. The Executive Board shall fill all vacancies by temporary appointment until a special election can be held or the next election cycle;
3. Any Officer vacancy shall be filled by special election within sixty (60) days of the vacancy and the successor shall serve the balance of the unexpired term;
4. The method for all special elections shall be conducted by US Mail;
5. If there is only one (1) nominee for any position, the nominee shall be elected by acclamation.

### **ARTICLE XIV - 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 Constitution.

### **ARTICLE XV - CHARGES, TRIALS & APPEALS**

#### **Section A – Charges:**

Members of the Local may be fined, suspended or expelled for any of the acts enumerated in the Union Constitution.

#### **Section B – Trials:**

Any accused person shall be tried under the provisions of the Union Constitution.

### **Section C – Appeals:**

A member of this local, upon being found guilty by a local trial court, may appeal as provided in the Union Constitution.

### **Section D – Local Trial Court:**

An unbiased court composed of not less than 3 or more than 7 persons, who shall be members of the Local, not parties to the proceeding shall be selected by the governing body of the Local using a random selection process. The court shall be bound to render a decision and impose a penalty if the accused be found guilty without bias or prejudice based on the evidence presented.

### **Section E – Enforcement of Penalties:**

If a member who is found guilty by a local trial court fails to comply with any final penalty assessed by the trial court or an appellate body, the Local may seek enforcement of the penalty in a court of competent jurisdiction and the guilty member shall be liable for the reasonable attorney's fees of not less than Five Hundred Dollars (\$500.00) incurred by the Local in bring such an action.

## **ARTICLE XVI - RECALL OF EXECUTIVE BOARD**

### **Section A – President & Secretary-Treasurer:**

The President and Secretary-Treasurer may be recalled in conformity with the provisions of the Union Constitution.

### **Section B – Division Vice President(s) & Area Representatives:**

The Division Vice President(s) and Area Representatives of this Local may be recalled in conformity with the provisions set in the Constitution, but only by their respective membership comprising their Division or Area.

## **ARTICLE XVII - REFERENDUM OF THE LOCAL**

1. The Local Election Committee shall submit any questions to a referendum of the membership when directed to do so by a motion;
2. Questions submitted to referendum shall be determined by a majority vote of those voting on the question.

## **ARTICLE XVIII - FINACIAL RECORDS**

### **Section A – Fiscal Year:**

The fiscal year shall be from October 1st through and including September 30th of the succeeding year.

### **Section B – Audit:**

The financial records of this local shall be audited by the Finance Committee at least quarterly. The results of such audit shall be available to all members of the Local.

## **ARTICLE XIX - OATH OF OFFICE**

A person elected or appointed to an office 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 4900, 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 of the Local and the Constitution and policies of the International 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 International Union to the best of my abilities, so help me God."

## **ARTICLE XX - AMENDMENTS**

These Bylaws may be amended only by referendum of the membership. Any amendments to these Bylaws shall be adopted upon approval of a majority of the members voting upon their adoption.

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