

**Federation of Social Workers  
IUE-CWA 81381  
By-Laws**

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## **Mission**

The mission of the Federation of Social Workers (FSW) IUE-CWA, 81381, is to:

1. Promote the common good of our members on economic, social and political levels;
2. Maintain an effective bargaining organization;
3. Actively participate in the formation of and administration of policies relative to the working arrangements, conditions, safety and human rights that affect the welfare and dignity of our members and ultimately the wider community we serve;
4. Proclaim our common identity with all of those who labor, or have labored, to provide, produce or serve in the American society.

All members have the right to work in environments free from abusive behavior, such as, bullying, hostility, abuse of authority, and reprisal for identifying abuse in the workplace. Members have a responsibility to avoid bullying, promptly report incidents of abuse, and most importantly, promote dignity in the workplace for all members.

## **Non-Discrimination Policy**

As a matter of principle and policy, the FSW will ever vigilantly oppose any vestige or discrimination against a person on the basis on race, nationality, political affiliation, sex, religion, age, marital or parental status, sexual orientation, veteran status, or disability. Allegations of discrimination will be investigated and resolved in an expedient, appropriate, equitable manner. Any member of the FSW has the opportunity to represent the bargaining unit on both the local and national level. This local shall make every effort to ensure that such representation reflects a cross section of the general membership.

## **Political Action Committee (PAC)**

We the Federation of Social Workers believe that the best way to protect the rights of working people in this country is to take an active role in the political process. This role can be, but is not limited to:

- Provide support for the elected officials who support working people in this country;
- Be knowledgeable about the laws affecting working people in this country;
- Take an active role in developing laws that benefit the FSW membership;
- Stay on top of laws that affect the clients that we serve in our daily work lives.

A member contribution to political action fund is the only way unions have to support these efforts on a local, state or national level. Members seeking to serve as stewards, officers or executive board members must make every effort to support political action fund recruitment within the membership and are encouraged to serve as role models by their own contributions to political action fund.

## **ARTICLE I - NAME**

This organization shall be known as the Federation of Social Workers (FSW), IUE-CWA Local 81381, and shall be affiliated with the state and local AFL-CIO Councils. FSW will also be referred to in this document as the Local.

## **ARTICLE II - JURISDICTION**

Jurisdiction of this Local shall be the jurisdiction assigned by the International Union Communication Workers of America (CWA) and appearing on the face of the Local Charter. CWA will also be referred to in this document as the Union.

## **ARTICLE III - OBJECTS**

Section 1. The object and purpose of this Local is to represent, protect, maintain and advance the interests of the workers within its jurisdiction; to improve their wages, hours and conditions of employment; to engage in legislative, political, educational, civic, and other activities which further, directly or indirectly, the interests of the membership of this organization (FSW) and of the CWA. This will be accomplished in accordance with the Rules of the Division and the Constitution and policies of the CWA, and of workers everywhere in the improvement of general economic and social conditions in the United States of America and Canada, and generally in the nations of the world.

Section 2. To achieve the objectives and purposes of this organization, the funds of this organization are authorized to be managed, invested, expended or used not only for the purposes and objectives expressly set forth in this and the CWA Constitution, but also for any additional purposes and objectives not inconsistent therewith as may be contained at any time in the resolutions and programs adopted and/or ratified by conventions of the CWA, Conferences of the Division or by the membership of this Local.

## **ARTICLE IV - LOCAL STRUCTURE**

The structure of the Local shall consist of the following:

1. General Membership
2. Executive Board
3. Stewards
4. Committees

## **ARTICLE V - MEMBERSHIP**

### Section 1 - Eligibility

Any person eligible for membership in the CWA, as defined in Article V of the CWA Constitution, shall be eligible for membership in this Local, if currently or previously performing work within the Local's assigned jurisdiction, or if employed on a full-time or part-time basis by the CWA or the Local.

- (a) All persons engaged in the communication field and other fields of endeavor, both public and private sectors, excepting those excluded by law, shall be eligible for membership in the Union.
- (b) All persons who are officers of labor organizations representing workers within the jurisdiction of the Union or Local shall be eligible for membership in the union.
- (c) Members of the Union or Local who are on leaves of absence from their employer or who are employed on a full-time or part-time basis by the Union or Local or who are or may be retired for any reason may continue to be active members.
- (d) No person, otherwise eligible for membership, shall be denied membership in the Union because of race, nationality, political affiliation, sex, religion, age, marital or parental status, sexual orientation, veteran status, or disability.
- (e) No person, otherwise eligible for membership in the Union or Local, shall be admitted to membership if the person has been fined, suspended or expelled by a Local of this Union, until the person has complied with the terms of such fine, suspension or expulsion.

## Section 2 - Application

Membership in the Local shall be obtained upon payment of the Union initiation fee of \$2.00 (the initiation fee will be paid by the Local to the Union) and upon the approval of any membership committee authorized to accept or reject membership on behalf of the Local, subject to the right of the Local to overrule the decision of a membership committee.

Each member shall be deemed to have pledged himself or herself to support the Constitution of the CWA, the Rules of the IUE-CWA Division, and to comply with the obligations required by the Local.

## Section 3 - Transfers

The transfer of membership from this Local to the jurisdiction of another Local or from another Local to the jurisdiction of this Local shall be made in accordance with Article V, Section 3 of the Union Constitution.

## Section 4 - Withdrawal

A withdrawal card shall be issued by this Local in accordance with Article V, Section 4(c) of the CWA Constitution. In the event a withdrawal cardholder obtains employment under the jurisdiction of this Local, he or she shall be admitted to membership in accordance with the CWA Constitution.

## Section 5 – Retirees

In accordance with the CWA constitution retirees are eligible to maintain active membership by paying 1.3 percent of their pension as membership dues. Retiree members' dues can be paid in increments at the discretion of the retiree (weekly, monthly or annually). As active members they are eligible to run for union office, with the exception of those offices that require a presence at the work sites, such as President and Stewards. In addition, retirees can join the Local Retired Members' Chapter and the CWA Retired Member's Council.

A retiree in good standing is defined as; a retiree who has paid their dues as defined above and meet the criteria as set forth in Article V membership, Section 1, (a) through (e).

## **ARTICLE VI - LOCAL DUES AND ASSESSMENTS**

### Section 1 - Local Dues

A. Effective January 1, 2009, each member of the Local shall pay minimum membership dues of two (2) hours pay per month, in accordance with convention action.

B. Membership dues may be increased above the constitutionally mandated CWA minimum by a majority of those members of the Local voting on the question by secret ballot referendum, or by a majority secret ballot vote in a meeting where a quorum is present, if the question has been advertised on Union bulletin boards, in the Union newsletter at least seven (7) \*business days in advance of the meeting or by notice mailed postage prepaid to each member at least seven (7) business days in advance of the meeting.

C. Membership dues that exceed the minimum membership dues, as required by CWA, may be authorized by a majority of those voting on the question, in accordance with the Local bylaws as set out below. Dues in excess of the minimum dues shall be retained by the Local.

### Section 2 - Local 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 Article VI, Section 3 of the Union Constitution.

## **ARTICLE VII - GOVERNING AUTHORITY**

The affairs of this Local shall be governed by its active current membership in accordance with the Constitution and policies of the CWA in the following manner:

1. Through action taken in membership meetings or by referendum of the membership;
2. Through actions and decisions of the Executive Board between membership meetings; and
3. Through actions and decisions of the Local Officers between meetings of the Executive Board.

## **ARTICLE VIII - LOCAL MEETINGS**

General membership-meetings of this Local shall be held at such time and place as determined by Executive Board, Steward Council and/or general membership as desired special meetings may be called by a majority vote of the Local Executive Board, or by a petition signed by forty (40) members. Upon receipt of a proper petition, the Local officers shall call a special meeting for the purpose set forth in the petition to be held within ten (10) days \*.

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\*Business days exclude holidays, Saturdays, Sundays and Religious observances. Holidays as defined by the contract of FSW (Article 13.1)

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

A. The election of a person for the office of President shall also constitute the election of the same person as a delegate to CWA conventions held during the term of office for which the election is being conducted.

Additional delegates to the CWA convention shall be elected by the membership voting by secret ballot conducted not less than thirty (30) days\* in advance of the CWA convention.

B. 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 Article VIII of the Union Constitution.

## **ARTICLE X - LOCAL COMMITTEES**

A. The Local shall have the following standing committees:

1. Social Action Committee
2. Election Committee
3. Committee on Civil Rights and Equity
4. Legislative-Political Committee
5. Membership Committee
6. Organizing Committee
7. Safety and Health Committee
8. Retiree Committee
9. Other Ad Hoc Committees.

B. The President shall name the chairperson of each committee, subject to the approval of the Executive Board.

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

D. Any member of any Local committee may be removed by majority vote of the Local Executive Board, subject to the right of the membership to overrule the action of the Executive Board. A committee member may be removed by action of the Local in a membership meeting.

E. Duties of Committees:

Note: These are minimum duties.

1. Social Action - The Social Action Committee shall assist in developing all Community Services programs. The Social Action committee shall also be responsible for promoting and planning activities that enhance the well being of the local's members and their families. The committee head is responsible for the yearly planning needs of the committee, conducting committee meetings and monthly reporting to the Executive Board.

2. Election Committee - The Election Committee shall conduct all nominations and elections and referenda of this Local, to include any/all major votes held throughout the year (i.e. contract ratification). The committee head is responsible for the yearly planning needs of the committee, conducting committee meetings and monthly reporting to the Executive Board.
3. Committee on Civil Rights and Equity - The Committee on Civil Rights and Equity will encourage appreciation and tolerance of the diversity of the members. There will be a concerted effort to cultivate member education and acknowledge the unique perspectives that spur the momentum of the labor movement within the local and the community. The Committee on Civil Rights and Equity shall study and report to the Local on the ways and means of eliminating discrimination on the basis of race, nationality, political affiliation, sex, religion, age, marital or parental status, sexual orientation, veteran status, or disability or any other basis. The committee head is responsible for the yearly planning needs of the committee, conducting committee meetings and monthly reporting to the Executive Board.
4. Legislative-Political Committee -- The Legislative-Political Committee shall assist in developing and pursuing the program of the CWA and the Local in the Legislative-Political arena. It shall be responsible for the Local's program to register each qualified voter. The committee head shall report to the Executive Board monthly on any legislative actions, initiatives taken from the monthly meeting of the Monroe County Human Services Legislature meeting and the full meeting of the Monroe County Legislature. The committee head is responsible for the yearly planning needs of the committee, conducting committee meetings and monthly reporting to the Executive Board.
5. Membership Committee - The Membership Committee shall accept or reject membership applications in accordance with the bylaws and rules of this Local and Article V of the CWA Constitution and policies of the CWA. The Membership Committee shall be responsible for developing membership education in the areas of the Local history and ongoing education programs of the Local. The Membership Committee shall also be responsible for the orientation of all new employee of the employer. The Membership Committee shall also be responsible for promoting and planning activities that enhance the well-being of the Local's members and their families. The committee head is responsible for the yearly planning needs of the committee, conducting committee meetings and monthly reporting to the Executive Board.
6. Organizing Committee - The Organizing Committee shall assist the Local officers and members in organizing all non-union employees within the Local's jurisdiction as well as unorganized workers in external units. The committee head is responsible for the yearly planning needs of the committee, conducting committee meetings and monthly reporting to the Executive Board.

7. Safety and Health Committee - The Safety and Health Committee shall be responsible to be knowledgeable about safety and health issues affecting the membership in their work. They shall work with the employer and the Membership Committee to advocate for and inform the members on Health and Safety issues. The committee head is responsible for the yearly planning needs of the committee, conducting committee meetings and monthly reporting to the Executive Board.
8. Retiree Committee – The Retiree Committee will work closely with the Membership Committee to include all retired members in all union activities and keep retired members informed of local, state, and national policy changes that can affect their lives. The committee head is responsible for the yearly planning needs of the committee, conducting committee meetings and monthly reporting to the Executive Board.
9. Other/Ad hoc Committees (such as, Mobilization and Communication) – These committees exist as needed and as created by the Executive Board. As such, they are under the direction of the Executive Board and local President. The committee head is responsible for the yearly planning needs of the committee, conducting committee meetings and monthly reporting to the Executive Board.

#### **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 and action on minutes of previous meeting
  4. Report of President, Vice President, Treasurer, Trustees, Grievance Co-Chairs
  5. Report of committees
  6. Unfinished business
  7. New business
  8. Adjournment
- B. The order of business may be suspended by a two-thirds (2/3) vote of the members present.

#### **ARTICLE XII - LOCAL OFFICERS, EXECUTIVE BOARD, STEWARDS AND THEIR DUTIES**

##### Section 1 - Local Officers

- A. The officers of the Local shall be:
  1. Local President
  2. Local Vice President
  3. Local Secretary

4. Local Treasurer
5. Two Grievance Co-Chairs
6. Two trustees

B. The duties of 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 and Local Executive Board meetings;
  - c. Approve all bills to be paid, and countersign all checks drawn on the Local treasury;
  - d. Attend all Labor Management meetings and any other meetings that are considered as Labor/Management in nature.
  - e. Preserve order, interpret and enforce the Constitution and bylaws of the Local and enforce the Constitution of the International;
  - f. Be an ex-officio member of all committees; but shall have no vote at such meetings, except in case of a tie; be responsible for the orientation of all committee heads regarding duties and expectations; be responsible for enforcement of documentation requirements of the committee:
  - g. Appoint, subject to the approval of the membership, all special committees when an election of same is not called for;
  - h. Be accountable to the Executive Board;
  - i. Be an automatic delegate to all bodies to which the Local sends a delegate;
  - j. Be an automatic member on the Grievance committee,
  - k. Be an automatic member on the Negotiation committee
  - l. Be responsible to direct the Local's PAC, legislative and organizing activities and take actions as necessary to ensure the effective implementation of these programs within the Local;
  - m. Send a copy of the annual audit and official notice, in conjunction with the Recording Secretary, that the Local's books and records have been audited and stating the condition of the books and records to the Division President and the CWA Secretary-Treasurer;
  - n. Perform such other additional duties as may be assigned by the Local, the Local Executive Board or required by the policies or Constitution of the Union.

2. The Local Vice President shall:
  - a. Work under the direction of the Local President; and
  - b. Attend monthly Steward Council and such Ad-hoc committees as Local President and Executive Board deem necessary.
  - c. Be responsible for any/all Presidential duties when said President is not able to attend to the duties of said office.
  - d. Attend all Labor Management meetings and any other meetings that are considered as Labor/Management in nature.
  - e. Be an automatic member of the Grievance Committee.
  - f. Be an automatic member of the Negotiation Committee.
  - g. Perform such other additional duties as may be assigned by the Local, the Local Executive Board or the Local President.
  
3. The Local Secretary shall:
  - a. Record and maintain the minutes of all membership meetings of the Local and the Local Executive Board;
  - b. Furnish the Division Vice President and the International Secretary-Treasurer copies of any changes in these bylaws within ten (10) days after such changes are adopted;
  - c. Certify the Local delegates to the CWA Convention to the International Secretary-Treasurer within the time limits specified in Article VIII of the CWA Constitution;
  - d. Perform such other additional duties as may be assigned by the Local, the Local Executive Board or the Local President.
  
4. The Local Treasurer shall:
  - a. Be custodian of all assets of the Local;
  - b. Prepare a budget each fiscal year;
  - c. Maintain a record of the Local membership;
  - d. Report to each membership meeting on the financial status of the Local;
  - e. Be bonded, as must any other person who handles Local funds or other property in accordance with the CWA Constitution or any state or federal law;

- f. Cause the payment of all bills approved by the Local President;
- g. Cause the proper filing of all reports or filings required by federal, state or local law;
- h. Perform such other additional duties as may be assigned by the Local, the Local Executive Board or the Local President.

5. The Grievance Co-Chairs shall:

- a. Preside over all meetings of the Stewards Council and provide monthly updates on grievance actions. Attend such Ad-hoc committees as Local President and Executive Board deem necessary.
- b. Attend all Labor Management meetings and any other meetings that are considered as Labor/Management in nature.
- c. See that all provisions of the contract are enforced.
- d. Assist the department Steward in any emergency situations that may arise during working hours.
- e. Help in the education of all Stewards in regards to the contract.
- f. Respond to emergency calls from union members when department Stewards are unable to act.
- g. Check the activities of the department Stewards in order to improve the functioning of the Stewards system and to make reports and recommendations to the meetings of the Stewards Council for this purpose.
- h. Work with Membership Committee for the purpose of educating the membership on contract issues.
- i. Be an automatic member of the Grievance committee.
- j. Be an automatic member of the Negotiation committee.

6. The Trustees shall:

- a. Be established as an audit committee to audit all books and records of the Local quarterly, and witness the official report by the President and Secretary of the Local to the International's Secretary-Treasurer that the Local's books and records have been audited.
- b. Make a written report of findings and recommendations at the next regular meeting following such audit.
- c. Safeguard all properties of the Local.

d. Observe the counting of any ballots/voting of the Election Committee.

7. Negotiation Team Shall:

- a. Consist of the President, Vice President, two (2) Grievance Co-Chairs, one (1) elected member and one (1) elected alternate member.
- b. Produce or assist in producing a survey of the members prior to negotiations with the employer.
- c. Be empowered to negotiate a tentative agreement between the employer and the members.
- d. Prior to the ratification/informational meetings, present the tentative agreement to the E Board and Stewards to educate the two boards on the rationale for each item in the tentative agreement.
- e. Schedule and attend the ratification/informational meeting to inform members about the tentative agreement.
- f. Members will be updated at membership/informational meetings regarding the negotiation committee's interaction with employer.

Section 2 - The Steward System

A. Stewards shall enforce the contract and protect and advance the rights of the workers. This includes:

1. Watching for violations of contract and of labor laws affecting workers;
2. Calling meetings of employees in their department or section to discuss problems;
3. Working under the guidance of their respective Grievance Co-chair with respect to grievances and other matters arising under the contract.

C. The duties of Local Stewards shall be as follows:

1. Recruit Team Captains for each work team of members they represent to aid in distribution of information and communications: set bi-monthly meetings with Team Captains for the purpose of continuing education and updating union business.
2. Direct the activities of the Team Captains in their respective jurisdictions in relation to the issues previously identified.
3. Inform members on a monthly basis of union meetings, activities, goals, policies and accomplishments;

4. Get acquainted with each new member in their jurisdiction as soon as possible and provide them with information about the Local;
5. Keep informed on all matters of general concern to the Local;
6. Supporting the political, educational and organizing work of the Local;
7. Attend scheduled Steward Council meetings (attendance is mandatory unless previously excused by the Local President, Vice-President or Grievance Co-chairs).
8. Stewards are encouraged to attend all Local ~~Union~~ membership and other appropriate meetings.

### Section 3 - Local Executive Board

The Local Executive Board will be composed of elected officers and appointed committee chairs.

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

1. Be responsible for making decisions and taking action on behalf of the Local membership between Local meetings on all matters concerning the good and welfare of the members;
2. Attend scheduled Executive Boards meetings and whenever requested by the President or a majority of the Board Members to do so;
3. Executive Board members are encouraged to attend all Local membership and other appropriate meetings.
4. Determine the financial arrangements necessary to ensure that the business of the Local functions in an orderly way, including ensuring that an annual budget be prepared and presented to the membership.
5. Be responsible for the operation of strike action procedures as outlined in the CWA Constitution.
6. Actions and decisions of the Executive Board shall be presented to the membership. Questions arising from these actions and decisions may be discussed at a special membership meeting.
7. A majority of the Executive Board shall constitute a quorum.
8. All decisions of the Executive Board shall be by a majority of the quorum.
9. The Executive Board at any time may require from an officer or committee chair a full and detailed statement of account of any action or business done in the name of the Local.

B. Officers and members of the Local shall not be loaned funds of the Local, nor shall they use funds of the Local for purposes not related to the Local's official activities.

### **ARTICLE XIII – SECURING RECORDS**

Local records are an important asset that documents the rights and activities of all Local members. Records created by Local Officers, Stewards and Committee Heads while conducting Union business are the property of the Local, not the individual. Therefore such records should be kept under direct Local control.

1. All records created by elected or appointed Local officials in the course of conducting Local business are the property of this Local. Such records must be complete and kept in an orderly fashion and surrendered to the Local upon the retirement, resignation or removal of said officials.
2. Upon the dissolution of this Local, all of its records become the property of the National IUE-CWA. If the records are of no interest to the National, the FSW agrees to contact a related historical society in order to arrange for the continued care of those records deemed historically significant.

### **ARTICLE XIV - CONDUCT OF MEETINGS, OTHER LOCAL BUSINESS AND QUORUM**

A. Membership meetings and any other business of this Local shall be conducted under these bylaws and rules of the Local and in conformity with the Division Rules and CWA Constitution. On questions where the Local bylaws, the Division rules or the CWA Constitution do not clearly apply, Robert's Rules of Order shall govern.

B. The number constituting a quorum for Local meetings shall be a majority of those members present.

C. A majority of the officers of the Executive Board or a majority of the members of a committee shall constitute a quorum for those bodies.

### **ARTICLE XV - NOMINATION AND ELECTION OF LOCAL OFFICERS AND STEWARDS.**

#### Section 1 - Nominations

- A. Local officers and stewards shall be nominated at the membership meeting within the first fifteen (15) days of month of October of each National CWA election year. Written notification will be distributed to the membership at least fifteen (15) days prior to the nomination meeting in an election year. This information will also be posted on the local union bulletin boards for the same time period.
- B. Nominations for office shall be made:
  1. Prior to the nomination meeting by phone or email to the Chair of the Election committee, or,

2. From the floor at the nomination meeting. Nominations will end for all races at the nomination meeting.
- C. The order of nominations shall be President, Vice President, Secretary, Treasurer, Grievance co-chairs from two different departments, Trustees and Stewards.
  - D. Only members in good standing shall be eligible for nomination for office. Retired members shall not be eligible to be nominated for the offices of President, Vice President or Grievance Chairs. The nomination procedure set forth in this Article shall be exclusive. No member whose dues have been withheld by the employer for payment to the Local pursuant to the voluntary authorization provided for in a collective bargaining agreement shall be ineligible to be a candidate for office or to vote by reason of delay or default in the payment of the dues so withheld.
  - E. Nominees may accept nomination to only one office.
  - F. Nominees not present at the meeting at which nominations are made shall be informed by the Election Chair verbally, through email or through certified mail within five calendar days following the date of nomination of the office for which they have been nominated. Nominees are asked to reply verbally, via email or certified mail to the Election Chair within three calendar days if they accept or decline the nomination. Any such nominee failing to reply within the specified time shall be deemed to have declined the nomination. All nominees nominated at the nomination meeting must be present to accept or decline the nomination.
  - G. NOTICE OF NOMINATIONS: It is required that this language be included in the notice of nominations: "The nomination of a person for the office of President shall also constitute the nomination of the same person as a delegate to CWA Conventions held during the term of office for which the election is being conducted."

## Section 2 - Elections

Elections of Local officers and Stewards shall be by secret ballot of the membership for contested races in the month of November of each election year. In the instance of races that are uncontested by the end of the nomination meeting, elections will be by acclamation of the membership present at the nomination meeting.

## Section 3 - Local Election Committee

- A. The nomination and election of Local officers and Stewards, and delegates to the CWA 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 federal law, the CWA Constitution and these bylaws, with reasonable opportunity for each member to nominate and vote for the candidate of his/her choice.
- B. NOTICE OF ELECTION AND THE BALLOT: It is required that this language be included in the notice of election and on the ballot: "A vote cast for a candidate for the office of

President shall also constitute a vote for such candidate to serve as a delegate to CWA Conventions during the term of office for which the election is being conducted, in the event such candidate is elected to office."

- C. The Election Committee shall also conduct any referenda submitted to the membership (see Article XX of these by-laws).
- D. A member shall not be permitted to serve on the Election Committee if he/she is a candidate for any office of the Local or delegate to the CWA Convention. Candidates cannot be present where the ballots are being tallied, however, the Candidate may assign a representative to observe the process.
- E. All questions concerning the conduct and challenges of elections shall be determined by the Election Committee, subject to the right of appeal to the governing body and membership of the Local in accordance with Article XV, Section 4 of the CWA Constitution.
- F. All ballots cast, except blanks, must be counted. Blank ballots are simply ignored and are neither counted nor reported. Ballots which are not cast for actual persons (for example, a ballot cast for Mickey Mouse) are considered as blanks. If two or more filled-out ballots are folded together they are both rejected and reported as one (1) fraudulent vote; however, they are counted as one (1) vote cast. Votes for ineligible persons are rejected and so reported; however, they are counted as votes cast.

EXAMPLE: One hundred (100) ballot papers are found in the ballot box. Three (3) of them are blank; two (2) are filled out but folded together; one (1) is cast for a person who is ineligible to hold office; and ten (10) are cast for a "write-in" candidate. The ballots cast should be counted and reported as follows:

Number of votes cast .....	96 <sup>(a)</sup>
Number necessary for election.....	49
Candidate A received .....	49 <sup>(b)</sup>
Candidate B received .....	35
Candidate C ("write-in") received .....	10

-- Illegal Votes --

Two (2) ballot papers cast for Candidate A (Or 1 for A and 1 for B) but folded together.....	1
One (1) ballot for Candidate D (ineligible).....	1

(a) The three (3) blank papers are ignored, and two (2) papers folded together are counted as a single vote cast, thus 96 votes were cast.

(b) Since Candidate A received a majority of the votes cast, he/she is elected.

## Section 4 - General Provisions

- A. Only members of the Local in good standing shall be eligible to vote.
- B. Elections for contested races will take place at the various worksites with hours and voting locations duly advertised in advance. Any member requesting an absentee ballot for elections should refer to Article XX (c) (1) and (c) (2).
- C. The nominee in any election receiving the majority of the votes cast shall be declared elected. If no one nominee has a majority on 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.
- D. The term of office shall be for three (3) consecutive years, beginning in January 2012 in accordance with changes to the CWA constitution.
- E. Officers and stewards shall take office beginning in the month of January, following the election.

## Section 5 - Vacancies

A vacancy in the office of Local President shall be filled by the Local Vice President if the remaining term is less than six months or until a special election is held for other terms of office. Vacancies occurring in other offices shall be filled by appointment of the governing body of the Local, subject to approval of the appointment by the Local membership within sixty (60) days if the remaining term of office is greater than six months.

## **ARTICLE XVI - 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 Article XVIII of its Constitution.

## **ARTICLE XVII - CHARGES, TRIAL AND APPEALS**

### Section 1 - Charges

Members of this Local may be fined, suspended and/or expelled, in the manner provided in these bylaws, for any of the acts enumerated in Article XIX of the CWA Constitution.

### Section 2 - Trials

Any accused member, including officers, of this Local shall be tried under the provisions of Article XX of the CWA Constitution.

### 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 XX of the CWA Constitution.

## Section 4 - Local Trial Court

A Trial Court of this Local shall be composed of three persons, who are members of this Local and not parties to the proceedings, and who shall be selected by the Executive Board of the Local.

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

Any elected officer or Steward of this Local may be recalled in accordance with the provisions of Articles XXI, Section 2, and XXII, Sections 8 and 9, of the CWA Constitution.

## **ARTICLE XIX - AMENDMENTS TO LOCAL BYLAWS**

Copies of these Bylaws shall be distributed by the Local to all new members and be available upon request to any members. These Local Union Bylaws and amendments thereto shall become effective upon their adoption by the Local, if they do not conflict with the IUE-CWA Division Rules or the Constitution of the CWA; subject, however, to the approval of the IUE-CWA Executive Council and, after the transition period, the Division President and the CWA Executive Board. The Local shall send for review copies of the Bylaws and any amendments thereto to the Division, within thirty days following their adoption.

If these Bylaws or part thereof is disapproved, the Bylaws or part disapproved shall become ineffective. In the event of a conflict between these Bylaws and the IUE-CWA Division Rules or the Constitution of the CWA, as such may hereafter be amended; the Division Rules and the CWA Constitution shall prevail.

After adoption, these Bylaws may be amended by either of the following methods:

1. Majority vote of the members present in the Local meeting, if the proposed amendment has been introduced at a previous membership meeting or has been advertised to the membership by use of the Local's website, newsletter, Bulletin Boards or U.S. Mail, postage prepaid, at least seven (7) business days\* in advance of the meeting; or
2. Referendum of the membership.

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

A. The Local Election Committee shall submit any question(s) to a referendum of the membership when directed to do so by the governing body of the Local or by action of a regular or special membership meeting. Unless arising during a membership meeting, voting on referenda of this local shall be advertised seven (7) days\* in advance of the membership meeting by either mail to the member's home address, Local newsletter, bulletin boards or website advising where a vote will take place. Contract ratification meeting notice and terms of the contract will be mailed at least seven (7) days\* in advance to the last known home address of each member. The local shall not be responsible for misdirected mail.

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\*Business days exclude holidays, Saturdays, Sundays and Religious observances. Holidays as defined by the contract of FSW (Article 13.1)

B. Questions submitted to referendum shall be determined by a majority vote of those voting on the question.

C. Actual voting shall occur, after a minimum of two (2) informational membership meetings at which information pertinent to the vote is presented to the membership by the Negotiation Committee and other presenters.

1. Absentee ballots will be allowed in the event of scheduled County work on the day of elections or of unusual circumstances (such as but not limited to: long term illness, scheduled vacation, or extenuating circumstances).

2. Such allowances will be cleared with Election Committee Chair or President five (5) days\* in advance of the meetings or date of elections.

To receive an absentee ballot you must contact the Election Chair.

4. Absentee ballots will be delivered via U.S. mail, email (via an address the member gives to the Election Chair) or hand delivered.

#### **ARTICLE XXI - FISCAL YEAR AND AUDIT**

A. The fiscal year of this Local shall be from October 1st of each year to and including September 30th of the succeeding year.

B. The financial records of this Local shall be audited by a Certified Public Accountant, or by a committee established 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 and a copy thereof shall be sent to the Division President and the CWA Secretary-Treasurer.

#### **ARTICLE XXII - OATH OF OFFICE**

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

Installing Officer: "Brother or Sister....., do you accept the office to which you have been elected?"

Officer Elected: "I do."

Installing Officer: "Raise your right hand and repeat after me: I do solemnly swear (or affirm) in the presence of the assembled members that I will faithfully execute the office to which I have been elected; and will, to the best of my ability, preserve, protect and defend, the Constitution of the CWA, the Rules of the IUE-CWA Division, and the Constitution/Bylaws of Local 81381. I further swear (or affirm) that I will protect and conserve the property of this Local, and that I will make an accounting for, and turn over all such property to my successor in office. I further swear (or affirm) that I will adhere to and support all trade union policies determined upon or subscribed to by the CWA and the IUE-CWA."

## **ARTICLE XXIII - ADOPTION**

These bylaws shall be adopted upon the approval of a majority of the members voting upon their adoption in the membership meeting called for that purpose or by referendum of the membership.

These bylaws were revised on 05/06/11

These bylaws were adopted on 06/22/11