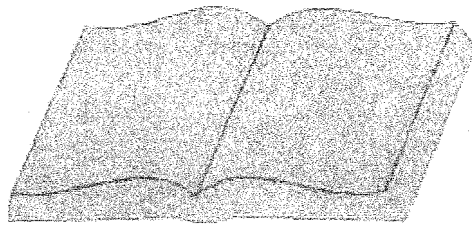




STAFF CWA UNION

CONSTITUTION



AS AMENDED

JUNE 2021

CWA STAFF UNION CONSTITUTION

ARTICLE I - NAME AND OBJECTS

This organization shall be known as the CWA Staff Union. Its purpose shall be to protect and advance the interests of its members through collective bargaining.

ARTICLE II - MEMBERSHIP

Membership in the CWA Staff Union shall be open to all non-elected staff of the Communications Workers of America, AFL-CIO and all persons engaged in other fields, except those excluded by law.

ARTICLE III - STRUCTURE

1. The Membership
2. The Executive Board
3. The Officers

ARTICLE IV - MEMBERSHIP MEETING

Regular meetings of the membership shall be held in conjunction with the CWA Convention. Additional meetings may be held via conference call or electronic media, or by any other means.

ARTICLE V - EXECUTIVE BOARD

1. The Executive Board shall consist of a President, a Vice-President, a Secretary-Treasurer, and a Representative from each District and Headquarters.
2. The CWA-IUE shall elect three (3) At-Large Executive Board Members to the Staff Union Executive Board, one (1) of which shall serve on the Bargaining Committee. The Staff Union Executive Board will review, prior to the next election cycle; the number of Executive Board Members needed to appropriately represent the CWA-IUE membership.
3. One (1) Representative from the SIF/Growth Fund Titles shall be elected at large by the Staff Union Membership, but for the exception of the Pennsylvania State AFL-CIO, pursuant to Article XVII.
4. Meetings of the Executive Board may be called at the discretion of the President or by a majority of the Executive Board.
5. The President shall call a meeting of the Executive Board prior to the membership meeting in conjunction with the CWA Convention.

ARTICLE VI - OFFICERS AND THEIR DUTIES

1. The Officers shall act on all matters between Executive Board Meetings and Membership Meetings, subject, however to the right of the membership or the Executive Board to overrule the actions of the Officers at a Membership Meeting or Executive Board Meeting.
2. The President shall preside at all meetings.

3. The President shall sign all membership cards.
4. The President, or their designee, shall handle the arbitration of all grievances, with assistance from the Executive Board Member where the grievance originated.

A lawyer will only be hired when possible legal action may result, and must be approved, in advance, by the Executive Board.

5. The Vice-President shall perform the duties of the President in their absence.
6. The Secretary-Treasurer shall be the custodian of the records of the CWA Staff Union; shall conduct all regular correspondence and such other correspondence as may be directed by the Executive Board or by the Membership; shall keep accurate minutes of membership meetings and meetings of the Executive Board.

They shall be the custodian of all funds of the CWA Staff Union, under the direction of the Executive Board, except that no authorization shall be required for routine office expenses.

They shall report on the organization's finances at all regular meetings and whenever called upon by the Executive Board or the Membership and shall present the accounts for audit at any time the Executive Board or the organization desires.

The Secretary-Treasurer shall keep complete and accurate records of the membership, their addresses and dues standing.

They shall be responsible for the application of the financial provisions of this Constitution.

They shall issue membership cards for persons admitted to membership.

They shall be bonded in a sum to be set annually by the Executive Board.

The books of the Secretary-Treasurer shall be audited annually by a C.P.A. and a copy of their report shall be furnished to the membership.

ARTICLE VII – ELECTIONS

1. Nominations and election of Officers and Representatives shall be held every four (4) years, at the regular membership meetings. Nominations may also be submitted via e-mail at least fifteen (15) calendar days before the day of the membership meeting to the Chair of the Election Committee.
2. Elections for CWA-IUE Representatives shall take place among the CWA-IUE membership. Nominations may also be submitted via e-mail at least fifteen (15) calendar days before the day of the membership meeting to the Chair of the Election Committee.
3. Election shall be held by secret ballot, and a majority of the votes cast shall be required to constitute an election.
4. In all contested elections for the offices of President, Vice-President, and Secretary-Treasurer, the elections shall be conducted by a mail or electronic referendum within thirty (30) calendar days of the date of the regular membership meeting. The referendum will be conducted by the Election Committee and the results certified by the Secretary-Treasurer of the CWA Staff Union.

All write-in votes will be void.

Should no candidate receive a majority of the votes cast, a runoff election will be conducted between the two (2) candidates receiving the most votes.

5. All Officers and Representatives shall take office immediately following the official tabulation of the ballots.
6. A vacancy in the office of Vice-President and Secretary-Treasurer shall be filled by the Executive Board and shall serve only until the next regular membership meeting.
7. A vacancy in the office of President shall be filled by the Vice-President.

ARTICLE VIII - REPRESENTATIVES

1. There shall be a Representative from each District and Headquarters, elected by the respective members of the District and Headquarters, at a membership meeting, as specified in Article VII, section 1.
2. There shall be Representatives from the CWA-IUE, as specified in Article V, Section 2 and Article VII, Section 2.
3. Vacancies in the position of Representative shall be temporarily filled by the Officers and shall serve until an election for a Representative to complete the remainder of the unexpired term is concluded. Such election shall take place among the members in the respective jurisdiction within sixty (60) days following notification of the vacancy.
4. Representatives shall be responsible for the processing of grievances and shall perform any other duties as may be assigned by the President or the Executive Board.

ARTICLE IX – COLLECTIVE BARGAINING

1. The Bargaining Committee shall consist of the President, the Vice-President, and the Secretary-Treasurer, the At-Large SIF/Growth Fund Executive Board Member, and one of the three CWA-IUE Representatives, as elected by the CWA-IUE members shall serve on the Bargaining Committee.
2. The elected CWA-IUE Representatives shall determine who will serve on the Staff Union Bargaining Committee. If there is no agreement then the CWA-IUE Representative receiving the most votes shall serve on the Staff Union Bargaining.
3. The President shall be the chairman of the Bargaining Committee.
4. The Bargaining Committee shall have the authority to negotiate and sign agreements on behalf of the CWA Staff Union, subject to ratification of the membership by secret ballot conducted electronically or through the U.S. Mail.

ARTICLE X – FINANCES

1. The membership dues of the CWA Staff Union shall be as determined by the membership.
2. The initiation fee, if any, will be determined by the Executive Board and the Membership.
3. Members in good standing who leave the jurisdiction of the CWA Staff Union shall be issued a withdrawal card and shall not be subject to additional initiation fees upon return to the jurisdiction of the CWA Staff Union.

4. Assessments may be levied only by a majority of the membership voting at a regular membership meeting or in a membership referendum.
5. Assessments may be initiated by the Executive Board and submitted to a membership referendum.
6. Officers' salaries, if any, shall be established by a majority vote at a regular membership meeting.
7. The Executive Board shall develop an annual budget and will submit it annually for approval by the membership. The Executive Board shall also distribute quarterly itemized expense statements to the membership.

ARTICLE XI - COMMITTEES

The President shall appoint the following Committees:

1. Election Committee
2. Constitution Committee
3. Finance Committee

ARTICLE XII - CHARGES AGAINST MEMBERS AND TRIAL PROCEDURE

Section 1 - CHARGES

CWA Staff Union members may be fined, suspended and/or expelled in the manner provided in the Staff Union constitution for any of the following acts:

- (a) Willfully refusing to pay assessments properly established or fines properly imposed or other valid financial obligations to the CWA Staff Union.
- (b) Willfully violating the Constitution and Rules of the CWA Staff Union.
- (c) Disobeying or willfully failing to comply with any lawful decision or order of the CWA Staff Union.
- (d) Working without proper Union authorization during the period of a properly approved strike in or for an establishment which is being struck by the CWA Staff Union.
- (e) Willfully violating the adopted standards as to wages, hours or working conditions.
- (f) Misappropriating money or property of the CWA Staff Union.
- (g) Making false material statements or willfully withholding material information to a duly authorized investigative body of the CWA Staff Union.

Section 2 - NON-IMMUNITY

No member of the CWA Staff Union shall be immune from penalty for committing any of the offenses set forth in section 1 of this article.

Section 3 - TRIALS AND APPEALS

Members of the CWA Staff Union, including Officers and Executive board members shall be tried for any of the offenses listed in section 1 of this article.

Section 4 - CHARGES

- (a) Charges made against a member of the CWA Staff Union shall be in writing, signed and sworn to by the accuser(s). Charges of offenses shall be filed with the Secretary-Treasurer of the CWA Staff Union. In the event the accused is the Secretary-Treasurer of the CWA Staff Union, the charges should be filed with the President of the CWA Staff Union. Should both the Secretary-Treasurer and the President be involved as a charging party or as a party charged, the charges shall be filed with the appropriate Executive Board Member of the charging party or parties.
- (b) Charges must be submitted within sixty (60) days of the time the accuser becomes aware of the alleged offense.
- (c) Charges shall contain an allegation of the facts constituting the offense with which the accused is charged and the approximate date or dates said offense is alleged to have occurred.

Section 5 - TRIALS

- (a) A court, composed of not less than three (3) nor more than five (5) persons, who shall be members of the CWA Staff Union, not parties to the proceeding, shall be selected by the Executive Board of the CWA Staff Union. 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 all the evidence presented.
- (b) A prosecutor, who is a member of the CWA Staff Union but not an accuser, shall be appointed by the Executive Board of the CWA Staff Union to assist the accuser in the trial and presentation of evidence. If, after an investigation, the prosecutor is of the opinion that there is no probable cause to believe that a violation punishable under this article has been committed, the prosecutor shall report the findings in writing to the Executive Board of the CWA Staff Union with a recommendation that the charge not be prosecuted. Copies of the findings and recommendations shall be delivered to the accuser and the accused. The recommendation shall become final unless appealed by the accuser within thirty (30) days after receipt using the procedures established pursuant to the appeals procedure established by the CWA Staff Union.
- (c) If the prosecutor determines that probable cause does exist, the trial shall be held speedily with due notice to the accused.
- (d) The accused shall have the right to select a member of the CWA Staff Union to act as counsel, the right to produce witnesses and present documentary evidence and be heard on the accused's own behalf. The accused shall have the opportunity to cross-examine witnesses.
- (e) All witnesses shall testify under oath.
- (f) A decision shall be reached and written notice of the decision and penalty, if any, shall be given to the person charged within five (5) days after the close of the trial. The requirement of such notice shall be satisfied by personal service or certified mail receipt.
- (g) A faithful and accurate record of the proceedings shall be made.
- (h) The trial shall be held with due notice to the accused, at a time and place determined by the trial court to be fair and reasonable to the accused.
- (i) The Staff Union Executive Board may suspend the accused pending the final decision on an appeal.

ARTICLE XIII - APPEALS PROCEDURE

1. The Executive Board shall establish reasonable appeal procedures within the structure of the CWA Staff Union to review complaints of members which allege violation of the Constitution or the rights and privileges of members.
2. The Executive Board shall establish reasonable appeal procedures within the structure of the CWA Staff Union to review the determination of guilt by the trial court, if requested by the guilty party.

ARTICLE XIV - RECALL AND TRIAL PROCEDURE FOR ELECTED OFFICERS AND EXECUTIVE BOARD MEMBERS, AND STEWARDS

A. Recall and Trial of Elected Officers and Executive Board Members

1. Any Officer or Executive Board Member may be recalled by two-thirds (2/3rds) of those voting at a regular membership meeting or in a general referendum if two-thirds (2/3rds) of the votes cast in such referendum favor recall.
2. A petition for recall of an Officer of the Union may be proffered by twenty-five percent (25%) of the membership of the Union. Such petition shall be in writing and signed by the accusing member(s) and shall contain the description of the offense or offenses as specified in Article XII, Section 1 and the approximate date(s) thereof.
3. A petition for recall of an Executive Board Member of the Union may be proffered by twenty-five percent (25%) of the membership that the Executive Board Member represents. Such petition shall be in writing and signed by the accusing member(s) and shall contain the description of the offense(s) as specified in Article XII, Section 1 and the approximate date(s) thereof.
4. Such petition shall be filed with the Secretary-Treasurer of the Union provided, however, that a petition directed against the Secretary-Treasurer shall be filed with the President.
5. A Trial Board of three (3) members shall be elected by the Membership and shall act upon all petitions filed as provided herein.
6. The accused shall be notified of any petition and shall be given a copy of the petition. The accused shall have the right to select a member of the Staff Union as counsel and the right to cross examine the accusers.
7. A faithful record of the proceedings shall be kept by the Trial Court.

B. Recall of Stewards

1. Any Steward may be recalled by a majority (50%+1) of such Steward's represented office/workgroup by referendum, if a majority of the votes cast in such referendum favor recall.
2. A petition for recall of a Steward may be proffered by thirty-three percent (33%) of such Steward's represented office/workgroup.
3. Such petition shall be filed with the Secretary-Treasurer of the Union in writing, shall be signed by the accusing member(s) and shall contain the description of the offense(s) as specified in Article XII, Section 1 and the approximate date(s) thereof.
4. A petition for recall shall be submitted within sixty (60) days from the time the accusing member(s) became aware

of the alleged offense(s).

5. The accused shall be notified of any petition, shall be given a copy of the petition, and shall have the right to respond to the offense(s) if they so choose.

ARTICLE XV - RULES GOVERNING MEETINGS

All meetings of the Executive Board and membership meetings, unless otherwise specified by this Constitution shall be conducted under Robert's Rules of Order.

ARTICLE XVI – STRIKES

A strike may be called only after an affirmative vote of a majority of the membership voting at a regular membership meeting or in a membership referendum conducted by the Executive Board and subject to the President setting the date.

Strikes shall be terminated by a majority vote of the Officers.

ARTICLE XVII – SIF/GROWTH FUND REPRESENTATIVE

1. There shall be one (1) SIF/Growth Fund Representative. The At-Large SIF/Growth Fund Representative shall act under the direction of the President and perform such duties as may be assigned by the President of the Executive Board. Such representative shall not be responsible for processing grievances.
2. Nominations and elections for the position of an At-Large SIF/Growth Fund Representative shall be held every four (4) years at the regular membership meeting. Nominations may also be submitted via e-mail at least fifteen (15) calendar days before the day of the membership meeting to the Chair of the Election Committee. Nominations may be submitted by any member in good standing. Nominations shall only be for a member who is funded by the SIF/Growth Fund.
3. If more than one (1) nomination petition is received and certified for the At-Large SIF/Growth Fund Representative, the election shall be conducted by the Election Committee, electronically or via first class mail.
4. A vacancy in the position of the At-Large SIF/Growth Fund Representative shall be filled by the Executive Board and shall serve only until the next regular membership meeting.
5. Elections for the At-Large SIF/Growth Fund Representative shall take place among the entire Staff Union membership.

ARTICLE XVIII – STEWARDS

1. Local Stewards shall be voted on by members in their office/workgroup. The groups shall be determined by the District/Sector/Division. The vote shall be conducted within the office/ workgroup and shall not be conducted by the election committee. Members within that District/Sector/Division may vote on their desired number of stewards.
2. The duties of the Local Stewards shall be as follows:

- a. Work under the direction of the President and District/Sector/Division Representative.
 - b. Perform whatever duties as may be assigned by the Staff Union Officers and/or Executive Board.
3. Nomination and election of stewards shall be held every four (4) years and within thirty (30) days of the election of officers and representatives. If the steward position is vacated, that position shall be nominated and voted on by the members of their office/workgroup pursuant to Section 1 of this Article within thirty (30) days.

ARTICLE XIX – AMENDMENTS

1. The Constitution may be amended by a majority vote of the members in a mail or electronic referendum.
2. Proposed amendments may be submitted at a membership meeting, by the Executive Board or by the Constitution Committee.
3. All amendments properly submitted shall be presented to the membership for their consideration.
4. The referendum will be conducted by the Election Committee and the results certified by the Secretary-Treasurer of the Staff Union.

Amended June, 1968
Amended June, 1974
Amended June, 1976
Amended August, 1984
Amended July, 1985
Amended August, 1988
Amended June, 1991
Amended April, 1993
Amended May, 1998
Amended June, 2005
Amended June, 2012
Amended June, 2013
Amended April, 2018
Amended September, 2019
Amended June, 2021

POLITICAL POLICY – CWA STAFF UNION

Whereas, the Staff Union is vividly aware of the fact that a unique relationship exists between itself and CWA; and

Whereas, the internal politics of CWA has been and will continue to be an important force in the retention of that relationship;

Therefore be it resolved, that the Staff Union shall participate actively within the internal politics of CWA if and when evidence proves to the CWA Staff Union Executive Board that the relationship in question has become threatened or placed in jeopardy by elected officials of CWA concerning the rates of pay, wages, hours of employment, or other conditions of employment as it relates to the membership of the CWA Staff Union.

ADOPTED BY THE MEMBERSHIP JANUARY 7, 1980