



# Local 717

# CONSTITUTION

10/25

## PREAMBLE

There are times in the lives of men and women when they feel compelled to join together to more fully enrich their lives. This is a time-honored, God-given right universally recognized by free men and women. With such a privilege comes, also, responsibility which men and women must bear to their associates and to society.

The struggle to improve our working and living conditions through an industrial union organization is in vain unless we remain united, regardless of craft, age, sex, race, creed or nationality, to protect ourselves collectively against the organized forces of the Employers.

With such precepts in mind, we, as free and prayerful persons, do hereby join together to form an organization in order to achieve honorable and reasonable goals which have been unattainable by us as individuals; a chance to earn a fair share of the fruits of one's labors, an opportunity to work in an atmosphere of tranquility and security, and the privilege to adjust graciously to the ever-changing technology of competitive industry.

To these goals we pledge our time, our talents, our good names and our sacred honor. We pledge ourselves to perpetuate our Union, and to work concertedly with the AFL-CIO and through it with other labor organizations, for the advancement of these objectives.

**CONSTITUTION OF IUE-CWA LOCAL 717  
INTERNATIONAL UNION OF ELECTRONIC, ELECTRICAL, SALARIED  
MACHINE AND FURNITURE WORKERS  
COMMUNICATION WORKERS OF AMERICA AFL CIO (09/01)**

**ARTICLE I**

**NAME**

This organization shall be known as the International Union of Electronic, Electrical, Salaried, Machine and Furniture Workers-CWA AFL-CIO. It may also be referred to briefly as IUE-CWA AFL CIO Local 717. It is sometimes referred to herein as Local or Local Union. The International Union of Electronic, Electrical, Salaried, Machine and Furniture Workers-CWA AFL CIO is sometimes referred to herein as International Union, or IUE-CWA (09/01)

**ARTICLE II**

**AFFILIATIONS**

This Local shall be affiliated with CWA, IUE-CWA Division, appropriate Region, Trumbull County Federation of Labor and State AFL CIO Council. (09/05)

**ARTICLE III**

**OBJECTS AND PURPOSES**

**Section A.**

The objects and purposes of this Local are to represent, protect, maintain, and advance the interests of the workers within its jurisdiction; to improve their wages, hours and conditions of employment; to unite all such workers in this industrial union, without regard to craft, age, sex, race, nationality, creed or marital status; to engage in permissible legislative, political, education, civic, welfare and other activities which further, directly or indirectly, the interests of the membership of the organization of the International Union, and of workers everywhere in the improvement of general economic and social conditions in the United States of America, Canada and generally in Nations of the free world.

**Section B.**

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 purpose and objectives expressly set forth in Section A of this Article, and otherwise in this and the CWA Constitution and IUE-CWA Divisional Rules, 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 CWA or IUE-CWA Division, by the Executive Board; or by the membership or the Executive Board of this Local. (09/01)

**ARTICLE IV**

## **JURISDICTION**

### **Section A.**

Except as provided in this Constitution, all persons whose normal occupation and employment fall within the bargaining unit(s) in which the IUE-CWA and/or this Local are certified or recognized by the Employer and this Local is designated to represent, shall be eligible for membership. Persons holding full time elective office or appointed position who were originally good standing members when obtaining leave pursuant to the collective bargaining agreement with the Employer shall be eligible for membership. (09/01)

### **Section B.**

All retirees who were members in good standing at the time of their retirement will be awarded an Honorary Lifelong Membership in Local 717 and shall be awarded an Honorary Lifetime Membership Card. Such retirees shall not be considered to be in good standing, unless they pay union dues in accordance with the provisions of the International and Local Constitutions and meet all other eligibility requirements of the International and Local Constitutions. (02-04)

## **ARTICLE V**

### **OFFICERS**

#### **Section A.**

Elected officers of this Local; shall be a President, Vice President, Chairperson of the Shop Committee, Financial Secretary, Recording Secretary, Treasurer, Floor Guard, Three (3) Trustees, and Seven (7) Executive Board Members-elected at large. (11/20)

#### **Section B.**

The Executive Board shall be composed of the President, Vice President, Chairperson of the Shop Committee, Financial Secretary, Recording Secretary, Treasurer, Floor Guard and Seven (7) Executive Board Members elected at large. (11/20)

#### **Section C.**

- (1) No individual shall be eligible to hold office in this Local who is a member of the Communist Party or who consistently pursues policies and activities directed toward the achievement of the program or purposes of the Communist Party, or of any other totalitarian or fascist organization.
- (2) No person shall be eligible to hold an elective office or appointed position in this Local who has been convicted of any crime involving moral turpitude offensive to trade union morality or who is commonly known to be a crook or racketeer preying on the labor movement.

- (3) Determination of ineligibility under Sub-section 1, 2 and 10 may be made only on the basis of charges filed and heard in accordance with the regular trial procedures of the Local. The trial body is empowered to consider any extenuating circumstances in determining eligibility of the person or individual charged.
- (4) No person shall be eligible to hold elective office or appointed position in the Local who is disqualified for such position by applicable federal law.
- (5) Eligibility to be nominated for, elected to, or holds office in the Local Union shall be determined in accordance with provisions and interpretation of the International Union Constitution and IUE-CWA Divisional Rules. (11/01)
- (6) In addition to the above qualifications, a person must be a member in good standing with the Local to be eligible to be nominated for, elected to, or hold any or other position.
- (7) Members on official union business, vacation or approved sick leaves of absence, as defined by agreement with Employer, or working in the plant during the regular membership meeting hours, must submit a written excuse within fifteen (15) calendar days to the President to be considered as having attended such membership meeting (02-04)
- (8) No member fired for non-payment of dues shall be eligible to hold office or other position in this local until good standing has been maintained for a period five (5) years after reinstatement.
- (9) Effective October 1, 2001 and thereafter, active retirees who are members in good standing are eligible to be nominated for and elected to the following offices: Financial Secretary, Treasurer, Recording Secretary, Floor Guard, Executive Board at large and Trustee. (11/01)

### **DUTIES OF THE PRESIDENT**

#### **Section D.** Duties of the President shall be:

- (1) Preside at all regular and special meetings of the Local and Executive Board. Call special meetings of the Local and Executive Board.
- (2) Preserve order, interpret and enforce the Constitution of the Local and enforce the Constitution of the International Union and IUE-CWA Divisional Rules. (09/01)
- (3) Be an ex-official member of all committees, but have no vote at the membership, executive board or committee meetings at which he presides, except in case of a tie.
- (4) Appoint all special and standing committees when an election of same is not called for and name the Chairperson thereof.
- (5) Conduct nomination and elections of Zone, District and Alternate Committeeperson.

- (6) Sign checks with the Financial Secretary or Treasurer; or in their absence with the Vice President.
- (7) Be accountable to the Executive Board.
- (8) In conjunction with the Financial Secretary, send official notice to the Secretary-Treasurer of the International Union setting forth the condition of the Local's books and records and stating if such books and records have been audited.
- (9) Mail the Quarterly Trustees Report to the International Secretary-Treasurer no later than forty-five (45) days after the close of the quarter for which the audit is made.
- (10) Be responsible to orient the Vice-President on all executive matters within ten (10) days after the signing of a Local Supplement or any Amendment or Modification of, or addition to a Local Supplement. Send three (3) copies of such to the International Secretary-Treasurer and IUE-CWA Divisional President. (09/01)
- (11) Inform the International Union, IUE-CWA Divisional President and the CWA District Vice President of charges filed against the Local with Federal and State agencies, and all lawsuits in Federal or State court against the Local Union. (02-04)
- (12) Authorize all lost time.
- (13) Purchase all office supplies.
- (14) Be responsible for normal operating expenses.
- (15) In conjunction with the Chairperson of the Shop Committee, provide the membership with a publication prior to any ratification vote, listing changes or amendments to all collective bargaining agreements, both National or Local and all Memoranda of Understanding, and make recommendations to the Executive Board concerning its recommendations to the membership of acceptance /rejection of all National and Local Agreements and Memoranda.
  - (a) In conjunction with the Chairperson of the Shop Committee, conduct information meeting(s) for the membership prior to any ratification vote to discuss the National or Local Agreements and Memoranda of Understanding and any changes or amendments thereto.
- (16) Be responsible for all publicity issued in the name of the Local.
- (17) Be responsible for all publications and content of an official news organ, such news organ shall be in the form of a newspaper, leaflet, or both. Appoint an Editor and at the discretion of the President, a Managing Editor from among the members in good standing.
- (18) Conduct all correspondence.

- (19) Regularly provide the International Union with an update mailing list of the Local's members, and with the name and address of each new member, member withdrawals, transfers, or suspended members and any other changes that may affect the mailing list.
- (20) Direct the activities of Benefit Plan Representatives.
- (21) Except as provided herein, be authorized to spend up to Fifty (\$50.00) dollars without approval of the membership.
- (22) Determine the hours and work assignments of all employees employed by the Local.
- (23) Perform all the duties necessary to the proper administration of the affairs of the Local, consistent with this Constitution, subject to the advice and control by the Local's membership. Be the Chief Executive Officer the Local.
- (24) Will be a member of both National and Local Negotiating Committees.
- (25) Automatic delegate to all functions to which the local is entitled to send delegates. (02-04)

### **DUTIES OF THE VICE PRESIDENT**

**Section E.** Duties of the Vice President shall be:

- (1) Assist the President in the performance of all duties and act in his absence.
- (2) Sign checks with the President in the absence of the Financial Secretary/Treasurer.
- (3) In the event the office of President is vacated, the Vice President shall assume the office for the remainder of the President's un-expired term.
- (4) Serve as strike committee chairperson (04/98)

### **DUTIES OF THE CHAIRPERSON OF THE SHOP COMMITTEE**

**Section F.** Duties of the Chairperson of the Shop Committee shall be:

- (1) Serve as Chairperson of the Negotiating Committee when meeting with Employer for Local Negotiations.
- (2) Serves as Chairperson of the Shop Committee.
- (3) Call and preside over special meetings of Zone, District, Alternate Committeepersons and Skilled Trades chairperson.
- (4) Serve as a member of the Locals' National Negotiating Committee.
- (5) Direct the activities of Zone, District & Alternate Committeeperson; all joint Union-Employer Committees and Skilled Trades Chairperson.

- (6) Have the authority to interpret the contract with the Employer.
- (7) See that all provisions of the contracts are enforced.
- (8) Assist Skilled Trades Chairperson, Zone, District and Alternate Committeeperson in situations that may arise in accordance with agreement with the Employer.
- (9) Respond to emergency calls from Union Members when Zone, District and Alternate Committeeperson and all joint Union-Employer Committees and Skilled Trades Chairperson are not available.
- (10) Send notice to terminate or modify the collective bargaining agreement with Employer and notice to federal and state mediator agencies by registered mail. (09/01)
- (11) Make monthly reports to the membership.
- (12) Be responsible for education of all Skilled Trades Chairperson, Zone, District and Alternate Committeeperson.
- (13) Be responsible for maintenance of grievance records.
- (14) Appoint acting Chairperson of the Shop Committee, Skilled Trades Chairperson, Zone, District and Alternate Committeeperson.
- (15) Formulate and maintain Committeeperson kits.
- (16) In conjunction with the President provide the membership with a publication prior to any ratification vote, listing changes and amendments to all collective bargaining agreements, both National and Local, and all Memoranda of Understanding, and make recommendations to the membership of acceptance or rejection of all National and Local Agreements and Memoranda of Understanding.
- (17) In conjunction with the President, conduct informational meeting(s) for the membership prior to any ratification vote to discuss the National or Local Agreements and Memoranda of Understanding, and any changes or amendments thereto.
- (18) Automatic delegate to all functions to which the local is entitled to send delegates. (02-04)

### **DUTIES OF THE RECORDING SECRETARY**

**Section G.** The duties of the Recording Secretary shall be:

- (1) Keep minutes and other necessary records of the meeting of the Local Union and Executive Board.
- (2) Conduct correspondence upon request of the President.
- (3) Maintain the Membership Meeting Attendance Registration Book, and notify the President in writing of any violation of attendance requirements established by this Constitution.



- (4) Perform such other duties, with the approval of the Local Membership, as may be necessary for the proper and effective administration of the record keeping functions of the Local Union.

### **DUTIES OF THE FINANCIAL SECRETARY**

**Section H.** The duties of the financial Secretary shall be:

- (1) Receive, receipt, and account for all money paid to the Local.
- (2) Check all money received with the receipt book.
- (3) Deposit all money within five (5) business days after receipt of such moneys, in accounts as directed by the Executive Board.
- (4) Account for all moneys deposited.
- (5) Give accounting of all Local expenditures and receipts.
- (6) Furnish a monthly and semi-annual written and other periodic financial reports of the Local Union.
- (7) Furnish a semi-annual financial report to the International and the IUE-CWA Division. (09/01)
- (8) Issue membership and withdrawal cards.
- (9) Annually check the bonding level of the Local and make recommendations to the Executive Board concerning the level of bonding.
- (10) File federal, state and local tax forms and other federal and state forms as required by law. File a joint LM-2 form with and in behalf of the 717 Building Corporation.
- (11) When assuming office, check with the IUE-CWA Division or International concerning forms the Local must file. (09/01)
- (12) Maintain the file of membership (application for membership) authorization cards.
- (13) Check investment possibilities for the Local and make recommendations to the Executive Board.
- (14) Sign checks in conjunction with the President or Treasurer, and in the absence of the President with the Vice President.
- (15) Furnish a monthly report on and if necessary pay the per capita to the office of the International Union and IUE-CWA Division no later than the 27th day of the month following the month in which dues are collected, and furnish monthly to the International Union and IUE-CWA Division a duplicate copy of the dues and initiation fees deduction letter received from the organization deducting the dues. (09/01)
- (16) Pay per-capita to State and Local bodies with which the Local is affiliated.

- (17) In conjunction with the President, send official notice to the Secretary-Treasurer of the International Union, setting forth the condition of the Local's books and records and stating if such books and records have been audited.
- (18) Secure an annual audit by a qualified accountant and send a copy of such audit to the International Union as soon as possible.
- (19) Secure from the 717 Building Corporation at the end of its accounting year all its liquid assets, so long as said Corporation has a Section 501(c) (2) exemptions.
- (20) Perform all such duties, with the approval of the Local Membership, as may be necessary for the proper and effective administration of the financial affairs of the Local.

### **DUTIES OF THE TREASURER**

#### **Section I.** Duties of the Treasurer shall be:

- (1) Act in the absence of the Financial Secretary.
- (2) Sign checks with the President or Financial Secretary and in the absence of the President with the Vice President.
- (3) Perform such other duties, with the approval of the Local Membership, as may be necessary for the proper and effective administration of the financial affairs of the Local.  
(02-04)

### **DUTIES OF THE FLOOR GUARD**

#### **Section J.** Duties of the Floor Guard shall be:

When a Membership Meeting is declared a closed meeting, the Floor Guard shall examine all persons present at the meeting to ascertain if they are in good standing.

Not permit any person who is not in good standing to remain at a closed membership meeting. Anyone who is under the influence of intoxicating liquors or drugs will not be permitted to remain at any membership meeting. Eject from the meeting any person ordered ejected by the membership. Assist the Chairperson in maintaining order. Have available at all membership meetings the Registration Book- (for members to sign)-which will be signed by the President, or meeting Chairperson, and Floor Guard at the end of the meeting. Call upon any or all members to assist in maintaining order.

### **DUTIES OF THE TRUSTEES**

#### **Section K.** Duties of the Trustees shall be:

- (1) To audit all books and records of the Local at least four (4) times per year--January, April, July and October.
- (2) When appropriate sign the semi-annual financial report.

- (3) Witness the audit financial report by the President and Financial Secretary of the Local Union to the International Secretary Treasurer informing him/her that the Local's books and records have been audited.
- (4) Make written report of findings and recommendations at the next regular Executive Board Meeting following such audit.
- (5) Safeguard all properties of the Local Union.
- (6) Maintain an inventory of property owned by the Local Union and perform an annual inventory in January.
- (7) In all cases where an election results in the election of three (3) inexperienced Trustees, the President shall appoint an incumbent Trustee to continue in a consulting capacity for a period covering at least one audit.
- (8) The Trustee receiving the highest number of votes shall be Chairperson of the Trustees. In the event two (2) candidates receive the same number of votes and more than the third (3rd) elected candidate, the candidate who has been a member of the Local for the longest time shall be designated Chairperson of the Trustees.

### **EXECUTIVE BOARD MEMBERS AT LARGE**

#### **Section L.**

Duties of the At Large Executive Board members shall be to serve on the Executive Board.

### **DUTIES OF THE EXECUTIVE BOARD MEMBERS**

#### **Section M.** Duties of the Executive Board shall be:

- (1) The Local's Executive Board, subject to membership approval, consistent with this Constitution, shall advise and control the course of action of all officers and committees of the Local and shall act, in conjunction with the President, in the name of the local between membership meetings. The Executive Board, subject to the membership approval, shall perform such duties, in conjunction with other Officers, as are necessary to the proper administration of the affairs of the Local consistent with the Constitution and shall be furnished a complete itemized account of all expenses entailed in the administration of the Local.
- (2) All matters concerning questioned action taken by any Officer in the name of the Local shall first be brought to the Executive Board for its recommendation prior to membership Action.
- (3) The Executive Board at any time may require from any Officer or committee representative a full and detailed statement of account of any action or business done in the name of the Local.
- (4) Recommend to the membership the acceptance or rejection of all National and Local Agreements and Memoranda of Understanding.

- (5) Meet at least one (1) time per month between membership meetings and at such other times as seven (7) members of the Executive Board request or the President may determine.
- (6) A majority of the members of the Executive Board shall constitute a quorum.
- (7) All decisions of the Executive Board shall be by a majority of the members present and voting.
- (8) Perform such other duties as required by this Constitution.
- (9) Executive Board members shall serve on strike committee, and report to the Union hall for assignment. (04/98)

### **DUTIES TO ATTEND MEMBERSHIP AND EXECUTIVE BOARD MEETINGS**

#### **Section N.**

Any Officer who missed any three (3) Executive Board or Membership Meetings within a one (1) year period, without reasonable excuse, may be removed from office after charges have been filed and hearings held pursuant to this Constitution. All alleged reasonable excuses must be submitted in writing to the President within fifteen (15) days of the meeting missed.

### **ARTICLE VI**

### **STRUCTURE OF THE COMMITTEEPERSON SYSTEM**

#### **Section A.**

This Local shall have the following Committeeperson: Skilled Trades Chairperson, Zone, Committeeperson and Alternate Committeeperson.

### **ZONE COMMITTEEPERSON**

#### **Section B.**

The number and areas of Zone Committeeperson shall be determined by agreement with Employer.

#### **Section C.**

The duties of the Zone Committeeperson within their respective areas shall be:

- (1) Perform duties as established by agreement with Employer.
- (2) Meet with the Employer concerning grievances as provided by agreement with Employer.
- (3) See that the contract(s) are enforced.

- (4) Assist District and Alternate Committeeperson in situations that may arise in accordance with agreement with Employer.
- (5) Direct the activities of District and Alternate Committeeperson within their respective areas.
- (6) Be responsible for the maintenance of the grievance records at their level of the grievance procedure.
- (7) Turn over all closed grievances within 14 calendar days of closure and, upon demand other grievances to the Chairperson of the Shop Committee.(09/05)
- (8) Zone Committeepersons are not Officers and agents of the Local and their representation of the Local is solely with respect to their grievance functions.
- (9) Be accountable to and perform such other duties as may be designated by the Chairperson of the Shop Committee.
- (10) Turn over all grievances and Local 717 property to the Chairperson of the Shop Committee within 5 calendar days of the expiration of term of office. (09/05)

### **DISTRICT AND ALTERNATE COMMITTEEPERSON**

#### **Section D.**

The number and areas of representation shall be determined by agreement with the Employer.

#### **Section E.**

The duties of District and Alternate Committeeperson within their respective areas shall be:

- (1) Perform duties as established by the agreement with the Employer.
- (2) Meet with the Employer concerning grievances as provided by agreement with the Employer.
- (3) See that the contract(s) are enforced.
- (4) Be responsible for the maintenance of grievance records at their level of the grievance procedure.
- (5) Turn over all closed grievances within 14 calendar days of closure and, upon demand other grievances to the Chairperson of the Shop Committee. (09/05)
- (6) District and Alternate Committeepersons are not Officers or agents of the Local and their representation of the Local is solely with respect to their grievance functions.
- (7) Be accountable to and perform such other duties as may be designated by the Chairperson of the Shop Committee.

- (8) Alternate Committeepersons shall act in the absence of the District Committeepersons, assist him/her in the performance of their duties and succeed, if willing, to the position of District Committeeperson in the event that position becomes vacant.
- (9) Turn over all grievances and Local 717 property to the Chairperson of the Shop Committee within 5 calendar days of the expiration of term of office.
- (10) Turn over all grievances and Local 717 property to the Chairperson of the Shop Committee within 5 calendar days of the expiration of term of office. (09/05)

### **SKILLED TRADES CHAIRPERSON**

#### **Section F.**

- (1) There shall be one Skilled Trades Chairperson.
- (2) The duties of the Skilled Trades Chairperson.
  - (a) Be an advisor on all skilled trades matters and insure that the objectives and purposes of the skilled trades are pursued.
  - (b) Serve on the negotiating committee for National and Local negotiations.
  - (c) Serve as Chairperson of the Local Apprentice Committee- subject to the approval of the IUE-CWA Division President. (09/01)
  - (d) Serve on the Shop Committee.
  - (e) Perform all other duties as established by agreement with the Employer.
  - (f) See that the contract(s) are enforced.
  - (g) Be a member of the Lines of Demarcation Committee and all other Local committees that deal with skilled trades matters.
  - (h) Be accountable to and perform such other duties as may be designated by the Chairperson of the Shop Committee.
  - (i) Meet with Employer concerning grievances as provided by agreement with Employer.
  - (j) Assist Zone, District and Alternate Committeeperson in situations that may arise in accordance with agreement with Employer.
  - (k) Direct and check the activities of Zone, District and Alternate Committeeperson within his/her respective areas.
  - (l) Be responsible for the maintenance of grievance records at his/her level of the grievance procedure.

- (m) Turn over all closed grievances within 14 calendar days of closure and upon demand other grievances to the Chairperson of the Shop Committee. (09/05)
- (n) Turn over all grievances and Local 717 property to the Chairperson of the Shop Committee within 5 calendar days of the expiration of term of office. (09/05)

## **RESIGNATION**

### **Section G.**

- (1) All Skilled Trades Chairperson, Zone, District and Alternate Committeeperson resignations shall be signed and dated and given to the President or Chairperson of the Shop Committee.
- (2) Any or Skilled Trades Chairperson, or Zone, District or Alternate Committeeperson who resigned shall not be eligible to run for that vacated position at the vacancy election.

## **ATTENDANCE REQUIREMENTS**

### **Section H.**

All Zone, District, Alternate Committeeperson and Skilled Trades Chairperson shall attend membership meetings. Any such Committeeperson missing any three (3) regular or special membership meetings in a six (6) month period without reasonable excuse shall be automatically removed from the position which shall be declared vacant.

All alleged reasonable excuses must be submitted in writing to the President within fifteen (15) days of the meeting missed. Any such person removed under this section shall not be eligible to run for such vacated position in that vacancy election.

## **ARTICLE VII**

### **COMMITTEES...REPRESENTATIVES**

**Section A.** THE STANDING COMMITTEES OF THE LOCAL SHALL BE AS FOLLOWS:

Community Services, Organizing, Political Action, Equity Committee, Education, Constitution, Shop Committee (Negotiating), Apprentice, Women's Committee, Lines of Demarcation, Legislative Committee and Veteran's Committee. Each committee shall consist of not less than one (1) member. (09/05)

### **Section B**

Except as provided herein, the above committees shall be appointed by the President subject to the approval of the membership. The President shall name the Chairperson of each committee.

### **Section C.**

The committees shall assume their functions immediately after appointment, and upon request of the President shall make a report of their activities at regular membership meetings of the Local.

### **LINES OF DEMARCATION COMMITTEE**

#### **Section D.**

It shall be composed of two (2) journeyperson members for each trade as follows: Tool and Die Makers, Electrician, Maintenance Machinist, Maintenance Mechanic, Pipefitter and Carpenter as members of the committee. The Chairperson and Secretary shall be selected and determined in accordance with the By-Laws of the Committee. A copy of said By-laws shall be given to the President. These By-Laws shall not conflict with this Constitution.

### **COMMITTEES, REPRESENTATIVES, ELECTION COMMITTEE**

#### **Section E.**

- (1) During the month of January, following the General Election, the President shall appoint an Election Committee of four (4) members provided, however, no member holding any elected position may serve on this committee. (09/05)
- (2) The President shall appoint a Chairperson-Secretary for the Election Committee.
- (3) The President's designation shall be approved by the membership at the February meeting.
- (4) Within ten (10) calendar days after the Election Committee has been approved by the membership, the President and Chairperson of the Election Committee shall jointly appoint a minimum of twenty (20) tellers from among the members in good standing.
- (5) Tellers may not hold any full time appointed, or elected position.
- (6) Any member of this committee who accepts nomination to any elected position will be automatically removed upon their acceptance of the nomination.
- (7) This committee shall supervise and conduct all elections of the Local, except committee elections.

### **SHOP COMMITTEE**

#### **Section F.**

The Shop Committee shall be composed of the President, Chairperson of the Shop Committee, Skilled Trades Chairperson and Zone Committeeperson. Serve as the negotiating committee for National and Local negotiations. Handle grievances in accordance with agreement with Employer.

### **APPRENTICE COMMITTEE**

#### **Section G.**



The composition and duties of this committee shall be determined by agreement with the Employer.

## **COMMUNITY SERVICES**

### **Section H.**

This committee shall be composed of the Chairperson of the following committees: Women's Committee, Human Relations, Political Action, the Legislative Representative and others as determined by the President.

## **REPRESENTATIVES**

### **Section I.**

**(1)** The Local shall have the following representatives:

Health and Safety and Alternate, Legislative, Benefit Plan, Alternate Benefit Plan and Benefit Administrator.

**(2) Safety and Alternate Safety:**

The number and identity of Safety Representatives shall be determined in accordance with agreement with the Employer. They shall represent the Local on safety matters as provided by agreement with the Employer. The Alternate Safety Representative shall perform the Safety Representatives' functions in the absence of a Safety Representative in accordance with agreement with the Employer. The Safety and Alternate Safety Representative shall be appointed by the Chairperson of the Shop Committee, subject to the approval of the IUE-CWA Division. (09/01)

**(3) Legislative:**

There shall be one Legislative Representative appointed by the President, subject to membership approval. The duties shall consist of representing the Local on legislation and keeping the Local informed concerning same.

**(4) Benefit Plan and Alternate B.P. Representative:**

The number and duties of Benefit Representatives and Alternates shall be determined in accordance with the agreement with the Employer. The Benefit Plan and Alternate Benefit Plan Representatives shall be appointed by the President, subject to the approval of the IUE-CWA Division. (09/01)

**(5) Benefit Administrator:**

There shall be one (1) Benefit Administrator. The President shall determine when and who shall fill this position. The President shall determine the duties of the Benefit Administrator. (1990)

## **MEETING ATTENDANCE**

### **Section J.**

The following representatives and members shall attend membership meetings: Safety and Alternate Safety; Legislative; Benefit and Alternate Benefit Plan Representatives; Benefit Administrator; Editor and Managing Editor; Election Committee and Community Services Committee. (09/01)

Any such representative or member missing any three (3) regular or special membership meetings in a six (6) month period without reasonable excuse shall be automatically removed from the position, which shall be declared vacant. All alleged reasonable excuses must be submitted in writing to the President within fifteen (15) days of the meeting missed. Any person removed under this section shall not be appointed to fill the vacancy, created by said removal.

### **Section K.**

Special committees may be established by the membership.

### **Section L.**

Except as provided herein, the Committee shall determine duties, subject to supervision and control by the President.

### **Section M.**

The membership shall determine the number and identity of delegate(s) to any conference or meeting relating to any subject covered by a standing committee or relative to the functions of an Officer or Representative. The provisions of Article VIII shall have no effect upon, nor control the operation of this section. In the event a selected delegate cannot attend, the designated alternate shall attend in his/her absence. (09/01)

### **Section N.**

The President may determine which conference he/she wishes to attend.

## **ARTICLE VIII**

## **MEMBERSHIP MEETINGS**

### **Section A.**

Regular membership meetings shall be held on the second Sunday each month at 7:00 P.M. - at the Union Hall. The President shall give forty-eight (48) hours notice of all regular membership meetings. When special circumstances require, Executive Board may change the date, time or place of a months membership meeting, provided at least three (3) days notice is given to all members. The President shall have the power in an emergency situation to change the membership meeting time, date or place. A regular monthly membership meeting may be canceled completely upon approval of the membership.

### **Section B.**

Special membership meetings may be called by the President, on petition of seven (7) members of the Executive Board, or on the petition of one hundred (100) or more of the members paying dues for the previous month, for the transaction of any special business. Special membership meetings called on petition of the members may be held no more often than once every sixty (60) days to consider the same matter. Notice of special membership meetings shall be given by the President at least twenty-four (24) hours prior to the meeting, in a manner which shall reasonably assure that all members will receive the notice. The notice shall set forth specifically the purpose of the meeting and no other business shall be transacted.

### **Section C.**

Except as provided otherwise herein, a quorum of fifteen (15) members must be present at regular and special meetings for the transaction of business. A membership meeting called for nomination or election of officers shall not be subject to any quorum requirements. (10/25)

### **Section D.**

Roberts' Rules of Order shall govern all parliamentary procedures of the Local.

## **ARTICLE IX**

### **DELEGATES...INTERNATIONAL CONVENTION**

#### **Section A.**

Delegates to CWA National Conventions and IUE-CWA Divisional Conference Meetings shall be determined as follows: (11/01)

- (1) The number of additional delegates, not to exceed the number allowable, based on per capita paid to the International Union, shall be determined by recommendation of the President, subject to the approval of the Executive Board and the membership. Once the number of additional delegates is determined, by the membership, the selection will be in order of the delegate receiving the most votes, etc...(02-04)
- (2) In addition to electing delegates, two (2) alternate delegates will be determined by the next highest vote count. In the event the delegates cannot attend, the alternates will replace them in order of votes received. (02-04)
- (3) Nominations shall be held at the regular membership meeting in January of 2002 and every three (3) years thereafter. The election shall be conducted at the next regularly scheduled membership meeting. Delegates will serve until their successors have been duly elected. Subject to the provisions of the International Union and Local Union Constitutions. (02-04)
- (4) The President shall at least three (3) months prior to said election notify the International Union News and cause to be placed in the International Union NEWS to be mailed fifteen (15) days prior to the election, an election notice setting forth the position to be filled and the date, time and place of the election. In the alternate, the President shall cause to be mailed at least fifteen (15) days prior to the election an individual election notice to each members' home at the address shown on Local Union records. This notice

shall set forth the positions to be filled and the date, time and place of the election. (02-04)

In the event the President determines to use the International Union NEWS for said fifteen (15) days notice, the President shall, three (3) months prior to the election, update the Local mailing list of members and forward same to the International Union NEWS. (02-04)

- (5) It shall be the responsibility of each member to advise the Local of the current mailing address of said member.

## **AFL-CIO BODIES**

### **Section B.**

State AFL-CIO Conventions: Delegates to the State AFL-CIO Convention shall be determined as follows:

- (1) Nominations shall be held at a regular Membership Meeting three (3) months prior to each said State AFL-CIO Convention and the election shall be conducted at the following regular Membership Meeting. (02-04)

## **MAHONING/TRUMBULL AFL-CIO LABOR COUNCIL**

### **Section C.**

Delegates to the Trumbull/ Mahoning AFL-CIO Labor Council shall be determined as follows:

- (1) The President and Chairperson of the Shop Committee shall be automatic delegates.
- (2) The President, subject to the approval of the membership, shall determine the number of additional delegates which shall not exceed the maximum permitted by the Constitution of the Trumbull/ Mahoning AFL-CIO Labor Council.
- (3) Three (3) of the additional delegates shall be appointed by the President, subject to the approval of the Executive Board.
- (4) The remaining delegates shall be nominated in January of the odd numbered years and elected at the following regular Membership Meeting. (02-04)

### **Section D.**

To be eligible to be nominated for, elected to, or be a delegate to any body provided for under this Article, a delegate must be a member in good standing. (02-04)

### **Section E.**

At least one (1) delegate to any of the aforementioned bodies shall give a report to the membership at the regular Membership Meeting following the conference or convention. (02-04)

## **Section F.**

The President may appoint observers to attend all functions under this Article not to exceed two (2). (02-04)

## **Section G.** (04/98)

Except as provided otherwise in this Constitution, the following shall apply to the nomination and election of delegates. The President shall give reasonable notice of the nomination and election of delegates. No other notice need be given. Nominees must be present at the nomination meeting to be eligible to be nominated and must accept or decline nomination at that time. Any member working in the plant or excused on Union Business may, in person, submit their nomination and acceptance of such nomination, to the President, in writing, within three business days prior to the start of said membership meeting. Nominees will have two business days after said meeting to verify the acceptance of their nomination. This will pertain only to: Delegates to the CWA Convention, IUE-CWA Divisional Conference, State AFL-CIO Conventions, and Trumbull/ Mahoning AFL-CIO Labor Council. The names of all nominees accepting nomination must appear on the ballot. The Election Committee or volunteer members shall conduct the secret ballot election. The President shall make the election arrangements. (02-04)

## **Section H**

Candidates shall have the right to file objections to a delegate election as provided in the International and Local Constitutions. (02-04)

## **Section I.**

Candidates may request a recount to be conducted at the time the count is announced. (02-04)

# **ARTICLE X**

## **NOMINATION AND ELECTION OF OFFICERS**

### **NOMINATION**

## **Section A.**

- (1) At the regular Membership Meeting held in August of the election year, the President shall announce to the membership that nominations for officers shall be held at the next regular membership meeting. Further notice may be given by direction of the Election Committee.
- (2) Nomination for office shall be made from the floor at the regular Membership Meeting in September of the election year. No member may accept or decline nomination at this meeting.
- (3) The order of nominations shall be: President, Vice President, Financial Secretary, Treasurer, Chairperson of the Shop Committee, Recording Secretary, Floor Guard, Executive Board Members at Large and Trustees.

- (4) Only members in good standing, as determined by criteria adopted by the International Union, shall be eligible for nomination for office. 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 his voluntary authorization provided for in a collective bargaining agreement shall be declared ineligible to be a candidate for office by reason of delay or default in the payment of dues so withheld.
- (5) No nominee shall accept nomination for more than one (1) of the offices set forth in this Article-Section A- (3)
- (6) Prior to the end of the first business day following the nomination membership meeting, the Recording Secretary shall supply a list of nominees to the Chairperson of the Election Committee. The Chairperson of the Election Committee shall post said list of all nominees at the Union Hall, prior to the end of the same day. Within three business days after the date of the posting of nominees, the nominee must declare in person, or by Registered Mail, post marked within this time period to the Chairperson of the Election Committee at the Union Hall, declaring which office they are accepting nomination. (04/98)

All nominees failing to respond to the posting of nominations, within the three (3) working days after posing will be deemed to have declined the nomination. (1992)
- (7) Zone, District, Committeepersons, Alternates and active retirees who are members in good standing are eligible to be nominated for and elected to the following offices: Financial Secretary, Treasurer, Recording Secretary, Floor Guard, Executive Board at Large and Trustee. (11/01)
- (8) Nominees may have their name removed from the ballot, provided the ballots have not been printed.
- (9) Effective 2006 and there after nominations will be held in September and the General Election of Officers will be held in November. (2-04)

### **ABSENTEE BALLOTS**

#### **Section B.**

- (1) The Election Committee will make provisions for members who will be absent from work on the scheduled date of the election, to vote via an absentee ballot. The absentee vote will be considered as a challenged ballot.
- (2) The absentee ballot must be picked up, from the election committee by the member, at the Local 717 Union hall. The Election Committee shall announce the date and time, within one week of the election, the absentee ballots can be obtained.
- (3) The individual will be given two (2) envelopes:
  - (a) The first will be a blank envelope to contain the ballot.
  - (b) The second envelope must be timed stamped and show the individuals department, name and shift, for verification of eligibility.

- (4) The absentee ballot must be stamped with the Union Hall embossed seal. The member will then seal the ballot in the plain envelope. The plain envelope will then be placed in the second envelope and then placed in a locked ballot box. The locked ballot box will be sealed and secured in an office designated by the President until the day of the election and opened at the appropriate time.
- (5) Absentee ballots will be only be available for the General Election and the May Election for Zone, District, and Alternate Committee Persons.

## **ELECTION**

### **Section C.**

- (1) The date (in November), hours and place of the General Election and run off election shall be determined by the Election Committee in the month of September in sufficient time for notice of this information to appear in the International Union NEWS, in accordance with procedures outlined under Section C- (2) below, if such notice is to be used. If other forms of mailing notices are to be employed, the Election Committee shall determine during the month of September the date, hours and place of such election and runoff election in time for the mailing of such notices to the Local's membership. The date within fourteen (14) calendar days of the original elections, hours and place of runoff elections and notice thereof shall be determined by the Election Committee. (02-04)
- (2) The Election Committee shall notify the membership of the office at stake and the date, hours and place of election and runoff election. Such notice shall be mailed to each member in good standing at his last known home address not less than fifteen (15) calendar days prior to the election. In the alternative, the Election Committee may make arrangements to have a notice setting forth the date, hours, and place of election and the offices at stake inserted in an issue of the International Union NEWS to be published and mailed not less than fifteen (15) calendar days prior to the election. In that event, it shall be the duty of the President during the month of August to forward to the International Union NEWS the most recent home address of each Local member. It is the obligation of each member to inform the President promptly of his home address and any changes therein. (02-04)
- (3) Within at least five (5) working days prior to the election, the Election Committee shall notify the membership of the names of all candidates and the offices to which they have been nominated, and the date, hours and place of the election. This notice shall be by leaflet distributed or posting in the plant: or by other means as determined by the Election Committee and by the Local News organ. (1990)
- (4) The Election Committee shall conduct and supervise the election which shall be by secret ballot, (which can include the use of voting machines), keep the polls open at the hours designated, determine in accordance with the Constitution the eligibility of persons voting, distribute ballots, count ballots immediately after the closing of the polls, tabulate the number of persons who voted and make any other election arrangements required. The Local may also retain the services of a reputable firm to assist in the conduct or tabulation of the election. All members in good standing, shall be eligible to vote in any

election, unless specified otherwise in this Constitution. No member whose dues have been withheld by his Employer for payment to the Local to his voluntary authorization provided for in a collective bargaining, shall be declared ineligible to vote by reason of delay or default in the payment of dues so withheld.

The names of the nominees shall appear on the ballot in alphabetical order of their last name. Any candidate wishing to use a nickname on the ballot shall print their name on the acceptance form as they wish it to appear on the ballot as shown on the Local's mailing list.

## **OBSERVERS**

### **Section D.**

Any candidate may have observers, no more than (1) observer at each of the polls and at the counting of ballots. All observers, designated by a candidate, must be in good standing. A listing of all observers and alternate observers must be submitted within forty-eight (48) hours prior to the start of the election, but in any event not less than 1 hour prior to the close of the election polls. The Local Union shall not pay the expenses for any observer. (02-04)

Any ballot marked to reveal the identity of the voter; or which does not reflect the intent of the voter, shall be void. Write-in candidates shall be declared void. (6/95)

The Chairperson-Secretary of the Election Committee shall post the tentative certification of the election within seventy-two (72) hours after the election. (2-04)

The Election Chairperson shall preserve for one (1) year after the election the ballots and all other records pertaining to the General Election. (6/95)

## **MAJORITY OF VOTES**

### **Section E.**

- (1) A majority of votes cast shall be required to elect the following Union Positions: President, Vice President, Shop Chairperson, Financial Secretary, Treasurer, Recording Secretary and Skilled Trades Chairpersons.

A majority shall be defined as the first number higher than half of all valid ballots cast for that office. In the event that no single candidate wins in the initial election by majority, the Election Committee shall conduct a run-off election between the top two vote getters. (02-04)

A Plurality (highest number) of votes shall be sufficient to elect all other positions in the Local.

- (2) In the event no candidate for office or other position in the Local can be declared elected because of a tie vote, the Election Committee shall conduct a run-off election between the tied candidates.



## **TERM OF OFFICE**

### **Section F.**

- (1) Those officers elected in 2004 shall hold office for two (2) years and two months. The next election shall be conducted in 2006 and those officers shall hold office for two (2) years. The next election shall be conducted in 2008 and every three (3) years there- after. (02-04)
- (2) The President shall hold a Membership Meeting in the month of December of the election year, at which time the newly elected Officers will be installed and normal business be conducted.
- (3) Officers shall take office the first work day following the installation meeting in December of the election year. (02-04)
- (4) Should any incumbent resign after the said Officer election is conducted and before the newly elected Officers takes office, the newly elected Officer shall be sworn in and shall assume that position immediately.

### **Section G.** (04/98)

### **VACANCIES**

- (1) Vacancies in office shall be filled by nomination at the next regular monthly membership meeting after the vacancy occurs and the election shall be held at the second regular membership meeting after the vacancy occurs. Any vacancy occurring within 6 months prior to the general election will be filled by recommendation of the President, subject to executive board and membership approval, for the remainder of the term. No nomination or election shall be held. No Officer may hold more than one (1) office. (02-04)
- (2) The following procedures shall be followed in the nomination and election to fill vacancies.
  - (a) The President shall give reasonable notice of nominations to fill vacancies. Nominees must be present at the membership meeting and must accept or decline at the meeting. The names of all eligible nominees who accept nomination shall appear on the ballot. The President shall make all election arrangements and shall give notice of the election. The Election Committee or member volunteers, if necessary, shall conduct the election by ballot.
  - (b) If only one (1) candidate is nominated no election shall be conducted.
  - (c) If no nominations are received, the President subject to Executive Board and membership approval shall fill the vacancy by permanent appointment until the next general election. (02-04)
- (3) The President subject to Executive Board and membership approval, shall appoint an acting Officer to serve for up to 60 days until the vacancy is filled. (02-04)

## **CHALLENGES/APPEALS** (09/01)

### **Section H.**

All questions concerning the conduct and challenge of elections shall be determined by the election committee subject to the right of appeal to the Executive Board and membership of the Local. The election committee shall tally the ballots in all elections and notify the membership of its tentative certification of the results. Absent a challenge to the election, the tentative certification shall be come final ten days thereafter. (09/01)

- (1) Any challenge to the conduct of an election must be filed in writing with the election committee within ten (10) days of the tentative certification of the results. The election committee shall rule on any such challenges and shall within twenty (20) days of the tentative certification of the results make a final determination or certification. Such determination or certification shall be subject to the right of appeal to the Executive Board and to the membership of the Local. Any appellant must exhaust the remedies available within this section. If the appellant has attempted to exhaust such remedies without obtaining a final decision within sixty (60) days of the tentative certification of the results, the appellant shall have the right to file an appeal in writing with the appropriate geographical Vice President. Such an appeal shall be filed within 70 days of the tentative certification of the results. (09/01)
- (2) Appeals to an election committee's final determination shall be filed with the President or Recording Secretary within five (5) business days after the official announcement of the committee's decision. The appeals shall be heard by the Executive Board, whose decision shall thereafter be subject to appeal to the next regular membership meeting. Appeals from the decision of the Executive Board to the membership shall be filed in writing with the President or Recording Secretary within five (5) days after notification of the Executive Board's decision, which shall be by certified mail with a return receipt requested. Absent appeal as provided herein to the membership, the Executive Board's decision shall be final. Thereafter, appeals may be made in accordance with the provisions of the International Union's Constitution. (02-04)
- (3) While a challenge to an election is pending, the officers certified by the election committee in its final determination shall be the elected officers of the Local. Those officers shall remain in office unless the election committee's determination is reversed by the Executive Board of the Union or a new determination is made pursuant to the results of a properly ordered rerun election. (09/01)

## **RECOUNTS**

### **Section I.**

A losing candidate for office may seek a recount under the following conditions:

- (1) Within ten (10) days after the official posting of the election results, notify the President or Recording Secretary and winning candidate in writing of the request for a recount.

- (2) If the margin between the winning and losing candidate is one-percent (1%) or less of the valid votes cast for the office involved, the Election Committee shall conduct a recount at the Local's expense, if any.
- (3) If the margin between the winning and a losing candidate is more than one-percent (1%) of the valid votes cast for the office involved, the following procedure shall be followed: The Election Committee shall conduct the recount. If this recount changes the results of the election; or loses by one-percent (1%) or less, (at the valid votes cast for the office involved) the Local shall absorb the cost of the recount. Otherwise the candidate requesting the recount shall pay to the Local the recount cost.

## **INSTALLATION**

### **Section J.**

- (1) Installation of Officers shall be conducted pursuant to the Constitution of the International Union.
- (2) All Officers and acting Officers shall remain in office until their successors are installed unless otherwise provided herein.

## **ELIGIBILITY TO VOTE**

### **Section K.**

Eligibility of persons, including those on layoff, on leave of absence, on strike, those retired or discharged or suspended, to vote in Local elections shall be determined in accordance with provisions and interpretations of the International Union's Constitution.

## **ARTICLE XI**

### **NOMINATION AND ELECTION OF NON OFFICERS**

#### **Section A. Zone, District and Alternate Committeeperson** (04/98)

- (1) Zone, District and Alternate Committeeperson shall serve until an election is held in their district. Nominations must be made in writing at the April Membership Meeting between opening and close of the meeting; or on the following work day between 8:00 am and 5:00 pm at the President's office. The President shall verify the signatures. The candidate and the nominator must be employed in the Zone or District for which the nomination is made. (3/96) The candidate being nominated has the sole responsibility to guarantee they are nominated for the correct Zone or District for which he or she is nominated for.
- (2) A member may accept nomination for only one (1) position.
- (3) Nomination may be accepted during nomination days, but no later than two (2) working days immediately following nomination day starting at 8:00 am until 5:00 pm. Nominees must accept the nomination in person, or in writing, or they will be declared ineligible.

(3/96). Nominees may have their name removed from the ballot, provided the ballots have not been printed.

- (4) The President's office shall insure that a list of all eligible candidates will be posted, within five (5) business days of nomination. (By district and/or zone.)
- (5) A member who is involuntarily moved from the zone or district in which he member was nominated shall have the right to be a candidate in the zone or district in which he/she was working on the day of nomination.
- (6) The President's office will insure that a notice of the date of election is posted at least forty-eight (48) hours in advance of the election.

(7) The President's office will determine the times and location of the elections to suit the plant's population, shift patterns or crew hours, when held in the plant. No plant locations, crew or shift regardless of population, will have less than two (2) hours to vote.

All rotating shifts, continuous run, and vertical represented shifts will have their election held under the direction and discretion of the President of the Local Union.

When traveling Ballot boxes are deemed necessary by the Election committee, It will be held under the direction and discretion of the President of the Local Union.

When elections are held at the Union Hall they will have a minimum of six (6) hours voting. Hours will be at the discretion of the President of the Local Union.

All elections to be completed by June 1.

- (8) The provisions of Article X, Section C-(4) shall apply, except for the preservation of election material.
- (9) There will be no re-districting or re-zoning during the months of April, May and June.
- (10) When ballots are to be counted in the plant, either the candidate or one (1) observer will be allowed to be present for the counting of their ballots. The candidate must notify the Election Committee one (1) hour prior to the close of the election polls who the observer will be for the candidates' election. Observers shall be permitted in the polling area 10 minutes before close of the election for instructions. (6/95)

There will be a 10 minute grace period before ballots are counted to allow candidates or observers to be present. (6/95)

Any candidate or observer disrupting the election process will be asked to leave. Failing to do that, the ballot box will be locked and transported to the Union Hall for a total count. (6/95)

When ballots are to be counted at the Union Hall the candidate plus one observer may be present when their ballots are being counted. Ballots will be counted in order of plants. (6/95)

- (11) In the event nominations have been submitted for election for Zone, District and Alternate Committeeperson, or any combination thereof in a particular Zone, the election will be held on the same day.
- (12) To be eligible to be nominated for Zone, District or Alternate Committeeperson, a member must have attended fifty (50) percent of the regular membership meetings held in the twelve (12) months immediately preceding the month in which nominations are held.
- (13) Members on official Union business or approved sick leave of absence, as defined by agreement with Employer, or working in the plants during the regular membership meeting hours, must submit a written excuse within fifteen (15) calendar days to the President to be considered as having attended such membership meeting.  
  
Members recalled to active duty will be considered as having attended the membership meetings.
- (14) In the event no nominees for Zone, District or Alternate Committeeperson positions are eligible because of non-attendance at regular membership meetings, any member in good standing of that Zone and/or District may be a candidate.
- (15) Any Zone, District or Alternate Committeeperson elected to fill a vacancy the month prior to or the month in which nominations are being held, shall not be subject to the nomination procedure until the following year.
- (16) When a vacancy, newly created or deleted Zone or District occurs, the Chairperson of the Shop Committee shall fill such vacancy by temporary appointment and an election held within two (2) weeks from the date the President is notified; unless there is just cause to hold it at a later date, within a maximum of four (4) calendar weeks.
- (17) When a vacancy occurs, the election shall be held no later than seven (7) working days following nominations.
- (18) Zone, District and Alternate Committeepersons objecting to an election must submit in writing their objections within five (5) days from the election for such position by bona fide candidate. The President shall rule on such objections, subject to appeal within three (3) working days to the Executive Board.
- (19) Any candidate can appoint an observer to watch ballot boxes while being stored overnight at the candidate's expense.

#### **Section B. Skilled Trades Chairperson**

Except as provided herein, the Skilled Trades Chairperson shall be nominated and elected, at the same time, and all provisions of Article X shall be applicable, except the Skilled Trades Chairperson shall not be an Officer.

The Skilled Trades Chairperson must be a good standing member holding an IUE-CWA Journeyman Card, who is employed in the Maintenance I, Tool Room or Experimental Lab. (09/01)

Except as provided herein, the same eligibility position of Skilled Trades Chairperson shall apply as applies to Officers.

## **ARTICLE XII**

### **Section A. DUES**

- (1) The dues of the Local shall be increased pursuant to the provisions of the Agreement for the Merger between the IUE and the CWA effective October 1, 2000. (09/01)
- (2) Any member receiving wages (as that term is interpreted by the International Union) in any given month shall pay full monthly dues. Wages shall be interpreted to include, but not limited to Vacation Pay, Paid Absence Allowance and Supplemental Unemployment Benefits.
- (3) The Local may negotiate/implement a weekly dues deduction.

### **Section B. INITIATION AND REINSTATEMENT FEES (01/08)**

- (1) Initiation fees for all members shall be fifty (\$50) dollars, of which forty-nine (\$49) dollars shall go in the general fund and one (\$1.00) to the International Union.
- (2) Delinquent dues shall be required from all members who lose their good standing. Effective January 1, 2008, the reinstatement fee shall be \$150.00 a sum equal to the amount of the uncollected Union Dues for the period the member was absent from the Union.(not to exceed \$150.00 total liability), plus any other financial obligation owed the Union at the time good standing was lost. Any member leaving the bargaining unit(s) represented by the Local and/or International Union to take a non-bargaining unit job with the Employer shall pay the reinstatement fee upon return to the bargaining unit.

### **Section C.**

- (1) A withdrawal card shall be issued to a member in good standing who leaves employment under the jurisdiction of the International Union. Upon resuming employment under the jurisdiction of the Local, a person holding such a card shall be admitted to membership in this Local upon deposit of the withdrawal card within thirty (30) calendar days and payment of the current months dues.
- (2) Any member who fails to pay dues shall continue in good standing only for the dues period which dues were required and paid. Loss of good standing shall not be construed as a withdrawal from membership.

## **ARTICLE XIII**

### **DUTIES AND PRIVILEGES OF MEMBERSHIP**

#### **Section A.**

The obligation of a new member shall be conducted by any member of the International Union in accordance with the International Union's Constitution. All members shall be deemed to have pledged themselves to the obligation of membership upon payment of membership dues.

#### **Section B.**

Membership in this Local shall not be denied to any eligible worker because of race, religion, color, sex, citizenship, national origin, age, or political opinion.

#### **Section C.**

Every member may freely exercise his/her rights provided, however, that he/she shall not engage in, encourage, advocate or promote conduct interfering with, or in derogation of:

- (1) The Local's objectives, purposes and status or any other obligation imposed upon him/her by the provisions of the Local or International Union Constitution,  
  
or
- (2) The Local's legal, contractual and organizational obligations; and provided further, that he/she shall not violate the rules of order and procedure, or obligation set forth herein, or in the Constitution of the International Union or otherwise adopted by the membership of the Local.

#### **Section D.**

All collective bargaining agreements both National and Local, Memoranda of Understanding, and any changes or amendments thereto, and any element of such changes causing any reduction in wages or benefits, and/or altering the regular eight hour work day, or the regular forty hour work week, must be ratified prior to implementation by a majority of the members in good standing who vote. (2/96)

- (1) Forty-eight (48)-hour notice of intent to vote on such question shall be given in a manner reasonably assuring that all members receive notice.
- (2) Voting on such question shall be done in a manner reasonably assuring that all members wishing to vote have an opportunity to do so. (02-04)

#### **Section E.** (04/98)

Any Changes to Local Agreements or Local Memoranda of Understanding which result in changes to, or additions to, existing skilled trades classifications shall be presented to the skilled trades members of the Local for their preliminary vote. The vote will be conducted off company property. The President shall report the results of the preliminary vote, by postings on the Union bulletin boards and by leaflet to the entire membership of the Local, prior to conducting the ratification vote of the entire membership on said proposed changes. (02-04)

### **ARTICLE XIV**

## **CHARGES, TRIALS AND DISCIPLINE**

### **Section A.**

Any member, representative, or officer of this Local shall be subject to discipline, may be fined, suspended, disqualified from running for office, expelled and or removed from office, after charges and a hearing thereon, in accordance with the following provisions for any of the following offenses:

- (1) Making false material statements or withholding material information when applying for membership;
- (2) Willfully refusing to pay dues or assessments properly established or fines properly imposed or other valid financial obligations to the Union or Local;
- (3) Willfully violating the Constitution of the Union, Local Bylaws or Rules;
- (4) Disobeying or willfully failing to comply with any lawful decision or order of the Union or Local;
- (5) Working without proper Union authorization, during the period of a properly approved strike in or for an establishment which is being struck by the Union or Local;
- (6) Instigating or knowingly participating in an unauthorized strike or slowdown;
- (7) Willfully violating the adopted standards as to wages, hours or working conditions;
- (8) Misappropriating money or property of the Union or Local;
- (9) Engaging in any conduct or committing any act forbidden by or in conflict with any of the International Union or AFL-CIO Codes of "Ethical Practices".
- (10) Violating any provision of the Constitution of the International Union, the Constitution of the Local or the oath of office or membership;
- (11) Refusing to carry out the decision of the Local's Executive Board or membership or decision of the Executive Board of the International Union or the Convention or Region;
- (12) For such other offenses, equally serious, which end to bring the Union or Local thereof into disrepute.

### **Section B.**

The term "discipline" when used in this Article shall include, but not be limited to, a fine, removal from office, disqualification to run for office, or suspension or expulsion from membership. No discipline shall be imposed except as provided in this Constitution.

### **Section C.**

Charges against a member or Officer of the Local shall be in writing and signed and sworn to by the accuser, and shall contain sufficient information to inform the accused of the acts and



offenses with which he is charged. Where a violation of a Constitutional provision is alleged, the specific section shall be cited along with the specific act or failure to act which is claimed to be the alleged violation. Charges of offenses described in Article XIV Section A, shall be filed with the Recording Officer of the Local of which the accused is a member. The charges shall be filed with the Recording Secretary who shall promptly send to the International Secretary Treasurer a copy of the charges. In the event the accused is such recording officer, the charges shall be filed with the President of the Local. Should both the recording officer and the Local President be involved as a charging party or as a party charged, the charges shall be filed with the Secretary-Treasurer of the International Union. Copies of all charges filed locally shall be promptly sent to the International Secretary-Treasurer. In the event that the accused is such International Secretary- Treasurer, the charges shall be filed with the President of the International Union.

**Section D.** The Recording Secretary shall:

- (1) Promptly transmit to the accused a copy of the charges, together with a copy of the Local's Constitution.
- (2) Send written notice of the date, time and place for the hearing thereon, by certified mail with return receipt requested. Such notice shall give the accused no less than five (5) days notice in which to prepare a defense and appearance for trial.

**Section E.**

The charges shall be heard by the Local's Trial Board by no less than three (3), or more than seven (7), persons randomly chosen by the Executive Board from among it's members whom are not party to the proceedings. It shall be the function of the Trial Board to report its' findings and recommendations to the Executive Board. The Trial Board shall, in all cases, make the decision subject to the rights of appeal as set forth herein.

- (1) An unbiased court, composed of not less than three (3) or more than seven (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 and only if the accused be found guilty, without bias or prejudice, based on all of the evidence presented. In the case of trials based on offenses specified in Article XIV, Section A.
- (2) A prosecutor, who is a member of the Local, but not an accuser, will be appointed by the governing body of the Local to assist the accuser in the trial and presentation of evidence. If after (20) days, the governing body is unable to appoint a prosecutor, a request for applications will be extended to the membership at the next regularly scheduled membership meeting. If after investigation, the prosecutor is of the opinion that there is not probable cause to believe that a violation punishable under this Article has been committed; the prosecutor shall report the findings in writing to the governing body of the Local with a recommendation that the charge not be prosecuted. Copies of the findings and recommendations shall be delivered to the accuser and accused. The recommendations shall become final unless appealed by the accuser within thirty (30)

days after receipt, at which time the executive Board will hear the appeal if the accuser alleges that the prosecutor's recommendation is in violation of the Constitution.

- (3) If the prosecutor determines that probable cause does exist, the trial shall be held within (90) days, with due notice to the accused.
- (4) The accused shall have the right to select a member of the Local as counsel, the right to produce witnesses and present documentary evidence and to be heard on the accuser's own behalf. The accused shall have the opportunity to cross-examine witnesses;
- (5) All witnesses shall testify under oath.
- (6) 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 requirements of such notice shall be satisfied by personal service of certified mail receipt;
- (7) A faithful and accurate record of the proceedings shall be made;
- (8) The Local may suspend the accused pending the final decision on an appeal.

#### **Section F.**

The accused shall have the right to appear at the trial, present evidence and argument, produce and cross-examine witnesses and be represented by a member of the Local in good standing. The accused shall also have the right to confront his/her accuser and they may compel the production of Union records pertinent to the case. The accused shall be presumed innocent unless proven guilty and shall have the right to refuse to testify against himself/herself, provided, however, that such refusal shall not include his/her refusal to produce at the trial any papers, books or financial records which are either the property of the Local or pertinent to the case. Neither the accused nor the accuser shall sit on the Trial Board or the Executive Board when considering the charges, and said Trial Board shall determine whether to conduct an open or closed hearing. A verbatim record of the hearing is not required and the party making such a request shall have the responsibility of paying the cost thereof, including a copy to the trial body and to the opposing party. Wherever the trial body approves the request for a verbatim record, the reporter shall attach an affidavit to each copy stating that is a true and accurate transcription of the testimony and evidence taken at the trial.

#### **Section G.**

The decision of the Local's trial body shall set forth the following separate items: (a) statement of the charges;(b) summary of the evidence in support and in opposition of the charges; (c) findings of fact; (d) conclusions as to wrongdoing or innocence; and (e) assessment of a penalty, if any.

#### **Section H.**

A member or Officer of a Local upon being found guilty by a Local court may appeal as provided in this section:

- (1) Have the right to refer the matter to the next membership meeting of the Local, within thirty (30) days after being found guilty by a court, which may affirm or reverse the decision or reduce the penalty; provided that where a Local membership meeting is held by sections, units or areas, the appeal shall be to the governing body of the Local;
- (2) Have the right to appeal from the final decision of the Local to the Executive Board of the International Union within (30) thirty days after such decision of the local;
- (3) The appeal to the Executive Board of the International union shall be directed in writing to the Secretary-treasurer, who shall obtain the record of the case. The Executive Board shall review the case and affirm or reverse the decision, reduce the penalty, or return the case for a new trial;
- (4) The thirty (30) day time limit provided in this section for filing of appeals from decisions of trial courts may be extended at the discretion of the body to which the appeal is being taken for an additional period not to exceed thirty (30) days, upon showing of justification by the party making the appeal.

### **Section I.**

Charges shall be considered withdrawn upon written notice of the accuser to the Recording Secretary of intent to withdraw. The Recording Secretary shall notify all interested parties.

## **ARTICLE XV**

### **RECALL PETITION AGAINST LOCAL OFFICERS (11/01)**

#### **Section A - A petition for recall of an Officer of a Local:**

- (1) May be preferred by twenty percent (20%) of the membership of a Local;
- (2) Shall be in writing and signed by the accusing members;
- (3) Shall contain the description of the offense or offenses as specified in International and Local Constitution (02/04)
- (4) Shall be submitted within sixty (60) days from the time the accusing members became aware of the alleged offense or offenses;
- (5) Shall be filed with the recording officer of the Local, provided, however, that a petition directed against the recording officer shall be filed with the President of the Local. Should both the recording officer and the President of the Local be involved as either accuser or accused the petition shall be filed with the Local election committee;
- (6) Should the officer or the election committee receiving the petition determine that the offense or offenses described are too vague or frivolous to warrant submission to a referendum, a report and recommendation to that effect shall be presented in writing to the governing body of the Local. Copies of the report and recommendation shall be served on all petitioners and the accused. Unless reversed by the governing body or appealed by one or more of the petitioners within thirty (30) days after receipt, the

recommendation shall become final. If appealed, the procedures of the Local Union Constitution shall apply. (02/04)

**Section B** - ***Suspension Pending Determination***

An Officer of the Union, Member of the Executive Board, or Local Officer against whom a petition for recall has been filed for alleged “misappropriating money or property of the Union or Local” may be suspended by a majority vote of the Executive Board pending the determination of the recall proceedings, and the Union shall cause a substitute to be appointed to serve in the person’s stead during the person’s suspension.

**Section C** - ***Recall Proceedings***

The proceedings on a petition for recall shall be in accordance with the following provisions: The Election Committee shall conduct the recall referendum within thirty (30) days, in accordance with the provision of the Local Union Constitution. (02/04)

**Section D**

Local Officers shall be recalled by an affirmative vote of two-thirds (2/3) of the members voting on the question in a referendum which shall be conducted in accordance with provision of the Local Union Constitution.

**Section E**

All recall votes of the membership must meet the procedural requirements which apply to the election of officers.

**ARTICLE XVI**

**BONDING**

The President, Vice President, Financial Secretary and Treasurer shall give bonding covering at least one-half (1/2) of the liquid assets of the Local as shown by its previous annual audit, but in no event less than \$500.00. Such bond must also satisfy the requirements of applicable federal law. The International Union will arrange for placement of bond on request by the Local, but the bond premium shall be paid by the Local. In addition, all other officers, stewards, representatives and employees of the Local shall give such bond as may be required by applicable federal law.

**ARTICLE XVII**

**FUNDS AND PROPERTY**

**Section A.**

The books and records of this Local shall be audited at least annually by a qualified accountant and a copy of such audit shall be sent to the IUE-CWA Division and the CWA Secretary Treasurer as soon as available. (09/01)

#### **Section B.**

Officers and members of this 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.

#### **Section C.**

The funds of this Local are to be held in trust for the benefit of the membership and shall not be loaned, invested, or otherwise dealt with in a manner which inures to the personal profit or benefit of any Officer or employee of the International Union or its' Locals. This Local shall not invest in, or make loans to, any business enterprise, provided, however, that publicly traded securities of widely held corporations may be purchased, so long as no individual holding is substantial enough to affect or influence the course of any employer's decision.

#### **Section D.**

On order of the International Union, the Local Officers shall submit all books and records to a designated Union representative for audit. (02-04)

#### **Section E.**

Except as provided in this Constitution, upon recommendation of the Executive Board, the membership shall adopt uniform rules and regulations for the payment of Local representatives attending conferences, conventions, or attending to other Local Union business.

#### **Section F.**

Except as provided herein this Constitution, upon recommendation of the Executive Board, the membership shall determine all financial arrangements necessary to insure that the business of the Local functions in an orderly way.

#### **Section G.**

The President, or his/her designated representative, shall negotiate collective bargaining agreements with the Local's employees collective bargaining agent or individually. No such negotiated collective bargaining agreement or any part thereof shall become effective until approved by the membership.

#### **Section H.**

The President shall determine how lost time will be paid including, but not limited to the rate of pay and the hours to be allowed.

### **ARTICLE XVIII**

### **CONFLICTS OF INTEREST**

### **Section A.**

No officer or employee of this Local may have:

- (1) A personal financial interest which conflicts substantially with the performance of his/her duties; or
- (2) A substantial interest in any business enterprise with which the International Union or one of the subordinate bodies bargains collectively, or which is in competition with such enterprise; or
- (3) A substantial interest in an enterprise a substantial part of which consists of buying from, selling to, or otherwise dealing with an Employer with whom the International Union or one of its' subordinate bodies bargains collectively.

### **Section B.**

No Officer or employee of this Local may accept rewards or payments of any kind from an Employer with which the International Union or one of its' subordinate bodies bargains collectively, other than regular pay or benefits for work performed as an employee of such an Employer.

## **ARTICLE XIX**

### **STRIKES**

#### **Section A.**

It shall be the duty of the Local President, or any other official acting in that capacity, to send to the President of the IUE-CWA Division and International Union a copy of any notices sent to the Employer and federal and state mediation agencies to terminate or modify a collective bargaining agreement. Such notices shall be sent by registered mail. Whenever a strike is contemplated, it shall be the duty of the Local President, or any other Officer acting in that capacity, to notify the President of the IUE-CWA Division and the International Union of the impending strike in sufficient time to afford the Divisional and the International President or their designated representatives an opportunity to adjust the dispute. No strike shall be called without the prior authorization of the International President or his/her designated representative. (09/01)

#### **Section B.**

No strike may be called without the approval by a majority of the members present and voting by secret ballot at any membership meeting. At least a twenty-four (24) hour notice of such meeting shall be given in a manner reasonably insuring that members receive notice of said meeting. Provided, however, that if the IUE-CWA Division or International Union determines to strike to obtain a national collective bargaining agreement, or to terminate a strike called for such purpose the Local shall be bound by such action.

#### **Section C.**

Immediately after the calling of a strike, it shall be the duty of the Local President to see that all information pertaining to the strike is submitted to the International Secretary-Treasurer so that the Local may receive the appropriate benefits. (02-04)

#### **Section D.**

A member may be fined for crossing a picket line established pursuant to an authorized strike of the Local. The amount of such fines shall be in an amount not to exceed \$500.00 per week or wages received by working, whichever is higher. Said fine shall be levied after charges have been brought, hearing held, and a finding of guilty made. Charges shall be processed pursuant to the provisions of this Constitution. Interest at the rate of six (6%) percent-per annum shall be added for non payment of moneys owed under this section.

#### **Section E.**

Strike benefits shall be paid on the following basis: Any member who, during a strike, signs for and is willing to engage in picket, kitchen, or related strike activity, or on Local Union business, will be compensated without regard to marital status, number of dependents, or other such criteria.

### **ARTICLE XX**

#### **HEALTH WELFARE AND PENSION PROGRAMS**

Negotiations and administration of health, welfare and pension programs of this Local shall be subject to the provisions of the International Union Constitution.

### **ARTICLE XXI**

#### **DEFINITIONS**

(1) Defining vacancies:

All resignations in any office or other positions shall be in writing and may not be withdrawn once submitted. All newly created positions shall be considered vacant until filled pursuant to this Constitution.

In all cases, where an individual is removed from their position in this Local, that position shall be declared vacant. (02-04)

(2) Where the male gender is used throughout this Constitution, it is also intended to include the female gender.

### **ARTICLE XXII**

#### **INTERNATIONAL CONSTITUTION**

In the event of a conflict between the Local Constitution and the International Constitution, as it may here after be amended, the International Constitution shall prevail.

### **ARTICLE XXIII**

## **AMENDMENTS**

### **Section A.**

Proposed Constitutional changes must be presented at two (2) separate membership meetings with the exception of Article XII, Section A (1) any part of this Constitution can be amended by an affirmative vote of two-thirds (2/3) of the members in good standing present and voting at any regular or special membership meeting, provided that the proposed amendment has been posted on the bulletin board or members have been notified by leaflet at least seventy-two (72) hours prior to such meeting, provided that such amendments do not conflict with the Constitution of the International Union. A copy of all amendments shall be submitted to the IUE-CWA Division and Executive Board of the International Union. A copy of all amendments shall be submitted (30) days after adoption, for the boards review. This Local shall not adopt by-laws. (09/01)

### **Section B. Amendments from the membership**

- (1) Proposed amendments shall be in writing to the President in the following form:

We, the undersigned, wish to have the following Article(s) and Section (s) of the Constitution amended to read as follows:

<b>Article-Section</b>	<b>Amendment</b>
<b>Date / Dept. / Shift-crew / Print Name / S. S. # / Signature</b>	
<hr/>	
<hr/>	

- (2) The aforementioned form must be signed by at least fifty (50) members in good standing. At least fifty-percent (50%) of the members signing the proposed amendment form must attend said first (1st) membership meeting.
- (a) Members scheduled to work the day of the meeting, who have signed said petition, must notify the President's office to be excused from said meeting on forms provided by the President's office, no later than Thursday preceding said meeting for verification purposes.
- (3) The President shall verify the said signatures and have the first reading of the proposed amendment, at the first regular membership meeting, following the receipt of said petitions.
- (4) After the first reading, if the conditions set forth in Items (1), (2), and (3) above have been met, the President shall refer the proposed amendments to the Constitution Committee. The Constitution Committee shall make a recommendation to the Executive Board and the membership. The Executive Board shall make a recommendation to the membership. These recommendations to the membership shall be presented at the next regularly scheduled monthly membership meeting, following the first reading.
- (5) The President shall notify the membership of the proposed amendment by posting on the bulletin boards or by leaflet at least seventy-two (72) hours prior to the voting on said amendment.



- (6) At the second membership meeting the said proposed amendment shall be voted upon as presented, without amendment from the floor.

**Section C. Amendments from the Constitution Committee**

- (1) The Constitution Committee may on their own, propose constitutional amendments to the Executive Board and Membership. The Constitutional Committee shall determine the manner of presentation of its' recommended change(s) at the first of two meetings when said proposed amendment is to be considered. At the second (2nd) meeting when said amendment shall be voted upon, amendments to the proposal of the Constitution Committee shall be permitted. (6/95 Entire Art.)

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