

# **New York Administrative Employees Local 1180**

**Communications Workers of America  
AFL-CIO**

## ***BYLAWS***



## **ARTICLE I - NAME**

The name of this organization is Local 1180, Communications Workers of America, AFL-CIO.

## **ARTICLE II -DEFINITIONS**

As used hereinafter, the following terms mean:

- A. LOCAL - The Municipal Management Society, Local 1180
- B. UNION - The Communications Workers of America, AFL-CIO
- C. BYLAWS - The rules and regulations governing the Municipal Management Society, Local 1180
- D. CONSTITUTION - The Constitution of the Communications Workers of America, AFL-CIO
- E. CONVENTION - The annual Convention of the Communications Workers of America, AFL-CIO

## **ARTICLE III - JURISDICTION**

Jurisdiction of the Local shall be the jurisdiction assigned by the Union to the Local as it appears on the face of the Local Charter granted to the Local by the Union.

## **ARTICLE IV - OBJECTIVES**

The objectives of the Local are to represent and to serve its members in accordance with the Bylaws and the rules of the Local, and provisions of the Constitution and the policies of the Union, in attaining its aims, goals and purposes, which are to further, to better and to advance the careers, the financial status, the interests, and the general welfare of the Local's members, attain and maintain a fair rate of wages and proper working conditions for its members in both private industry and public employment, and to promote efficiency in the Municipal Government of the City of New York. To accomplish these aims, the Local shall elect officers and an Executive Board and shall establish whatever committees are required to lead it in:

- A. Obtaining from all employers in which the Local has members, agreements for salary and other benefits and for improved working conditions and situations.'
- B. Promoting, and adhering to, the principles of the Civil Service merit system for public employees:
  - 1. Comparable pay for comparable work.
  - 2. Administrative work to be performed only by administrative-titled employees.
  - 3. Advocating the advancement of qualified administrative personnel to administrative and management positions in the public service.
- C. Carrying on a continuing public information program which will keep city public officials, civic groups and the general public fully apprised of the professional administrative standards maintained, the high executive and managerial skills demanded and the extreme importance of functions performed by members of the Local in carrying out municipal government affairs.
- D. Dedicating the Local as a whole in developing and improving the public service of the City of New York by any or all of the following means:
  - 1. Making available to governmental agencies or units the extensive experience, background and professional skills of its members for solving problems of an administrative, management, or organizational nature.
  - 2. Offering suggestions and recommendations based on the results of surveys, studies and investigations.

3. Providing a forum, for all persons engaged in public administration and management, for an interchange of ideas and opinions, to discuss mutual problems and to form a basis for uniting diverse and related problems into a common goal.

#### **ARTICLE V - STRUCTURE**

The structure of the Local is as follows:

- A. The Membership
- B. The Executive Board
- C. Officers
- D. Committees

#### **ARTICLE VI - GOVERNING AUTHORITY**

The affairs of the Local shall be governed by the membership in accordance with the Bylaws of the Local and in accordance with the Constitution and the policies of the Union, in the following manner:

- A. Through action taken at membership meetings.
- B. Through actions and decisions .of the Executive Board between membership meetings.
- C. Through actions and decisions of the Local's Officers between meetings of the Executive Board.
- D. The actions or decisions of the Executive Board and of the Officers of the Local between membership meetings may be overruled' by the membership through a referendum of the membership on a specific action or decision. A petition submitted to the Executive Board stating the action or decision to be overruled with the signatures of at least five percent (5%) of the membership recorded as the Local's voting strength at the most recent CWA Convention shall initiate the referendum process.

#### **ARTICLE VII- THE EXECUTIVE BOARD**

The Executive Board of the Local shall consist of the officers of the Local and nine (9) elected members, as follows:

- A. The President, to serve as Chairman.
  1. The First Vice-President.
  2. The Second Vice-President.
  3. The Secretary-Treasurer.
  4. The Recording Secretary.
  5. Nine (9) Members-at-Large.
- B. The Executive Board of the Local shall have the power, authority, responsibility and duty to:
  1. Conduct all affairs of the Local between general membership meetings.
  2. Establish any and all additional standing Committees and Special Committees as may be required, provided that no more than half (1/2) the members of any committee are members of the Executive Board.
  3. Designate a Second Vice-President, Secretary Treasurer, and Recording Secretary, and members-at-large of the Executive Board, when a vacancy occurs in any of these offices, for the unexpired portion of the term for which the original incumbent was elected, and to be confirmed at a general membership meeting within sixty (6Q) days.

4. At any work location where a Steward has not been elected by the members in that location, the Executive Board may appoint a Steward.
  5. Select a Trial Court to conduct hearings of charges brought against members.
  6. Suspend members, if it is deemed necessary to do so, against whom charges have been filed, pending final decision on an appeal. However, such suspension must be by at least a two-thirds (2/3) vote.
  7. Determine what constitutes "good cause" in connection with expelling a member for non-payment of dues.
  8. Present a slate of candidates to attend the Annual International Convention as delegates and/or alternates, subject to General Membership vote pursuant to Article XIV.
  9. Reallocate unexpended surplus of assessments for other purposes.
  10. Determine the annual expense budget including remunerations to officers, executive board members, committee chairmen, committee members, convention representatives and salaries to employees, in conformance with the provisions of these Bylaws and subject to notification to the general membership.
  11. Decide what office space is to be rented as headquarters for the Local, the office staff to be employed and salaries to be paid for such, office employee(s) and to incur other reasonable expenses for the conduct of the affairs of the Local.
  12. Decide the dates and meeting place for general membership meetings.
  13. Take all courses of action, in furtherance of the provisions of Article IV, not inconsistent with the Bylaws and rules of the Local and of the constitution and policies of the Union
- C. The term of office of each elected member-at-large shall be for a three (3) year period beginning on January 1st.

## **ARTICLE VIII - OFFICERS OF THE LOCAL**

### **A. OFFICERS AND DUTIES**

#### **1. PRESIDENT**

- a. Carries out the policies and programs of the Local and discharges such other duties as may be required by the policies or the Constitution of the Union.
- b. Represents, and acts in behalf of, the Local, in its activities.
- c. Presides at all meetings of the Officers, of the Executive Board and of the general membership.
- d. Prosecutes grievances and appeals them to higher levels of the Union when not satisfactorily settled.
- e. Supervises all standing and special committees;
- f. Approves all bills to be paid and countersigns all checks drawn on the Treasury of the Local.
- g. Upon satisfactory proof by the Secretary-Treasurer, approves withdrawals from the Local's accounts.
- h. Serves as Chairman of the Executive Board of the Local.
- i. Serves as Delegate to the Convention.
- j. Designates members to serve as Sergeant(s)-at-Arms at meetings of the Local.

#### **2. FIRST VICE-PRESIDENT**

- a. Assists the President in fulfilling his responsibilities by handling assignments made by the latter.
- b. Assumes all the responsibilities, duties and powers of the President in the event a vacancy occurs in that office, or if the incumbent is incapacitated or unable to discharge his duties and responsibilities.

- c. In the absence of the President, and upon satisfactory proof by the Secretary-Treasurer, approves withdrawals from the Local's accounts.
  - d. Serves as member of the Executive Board of the Local.
3. SECOND VICE-PRESIDENT
- a. Assists the President in fulfilling his responsibilities by handling assignments made by the latter.
  - b. Serves as First Vice-President in the event a vacancy occurs in that office, or if the incumbent is incapacitated or is unable to discharge his obligations, and serves as President if vacancies occur in both the Presidency and the First Vice-Presidency, or if both the incumbents of these Offices are incapacitated or are unable to discharge their responsibilities.
  - c. Serves as a member of the Executive Board of the Local.
4. SECRETARY-TREASURER
- a. Receives and deposits all funds of, and acts as custodian of all assets of the Local.
  - b. Receives dues from members employed in agencies not on the check-off basis and from members who are on leave of absence.
  - c. Receives from the Chairman of the Membership Committee approved applications, dues check-off cards and initiation fees for new members, and forwards the dues check-off cards to the agencies in which the applicants are employed.
  - d. Disburses authorized payments for valid obligations of the Local.
  - e. Makes withdrawals from the Local's accounts, upon approval by either the President or the First Vice-President, as provided in Section A, Paragraph 1, sub-paragraph g, and in Paragraph 2, sub-paragraph c of this Article.
  - f. Maintains necessary financial records.
  - g. Makes reports at regular membership meetings, of the financial conditions and financial activities since the previous meeting, and of the standing of the membership.
  - h. Serves as a member of the Executive Board of the Local.
  - i. Signs and issues membership cards to new members and renews cards to old members.
  - j. Notifies delinquent members concerning nonpayment of dues.
  - k. Is responsible for the membership roll.
  - l. Issues withdrawal cards as provided for in Article XII, Section D, Paragraph 1 of these Bylaws~ to members who terminate their membership.
  - m. Performs such duties as may be assigned by the President.
5. RECORDING SECRETARY
- a. Records the minutes of all general and special meetings of the Local and of meetings of the Executive Board of the Local.
  - b. Receives charges preferred against an Officer, or against a member of the Local, in accordance with Article XXII, Section A, and Article XXIII, Section B, and forwards such charges to the Executive Board of the Local for further action.
  - c. Maintains a record of all motions, of all resolutions, and of all amendments passed or adopted.
  - d. Serves as a member of the Executive Board of the Local.
  - e. Conducts the correspondence of the Local.
  - f. By direction of the Chairman of the Election Committee, notifies the Local's Officers and Members of the Executive Board of their election.

- g. Notifies members of Committees of their designation to serve on such Committees.
- h. Notifies the Officers and Members of the Executive Board of meetings of each respective body.
- i. Acts as custodian of the records of the Local.
- j. Notifies the District Vice-President and the Secretary-Treasurer of the Union of any change in these Bylaws, within ten (10) days after any such changes are made.
- k. Takes such ministerial action as is necessary to amend these Bylaws in accordance with the action taken by the membership.
- l. Performs such duties as may be assigned by' the President.

**B. TERMS OF OFFICE**

- 1. The terms of office of each elected officer shall be for a three (3) year period beginning on January 1, 1973, and every third year thereafter.
- 2. The term of office for a Vice-President who assumes the responsibilities of a higher office because of a vacancy in such higher office, or who assumes such higher office because of the incapacity or inability of the originally elected Officer to perform his responsibilities, shall be for the unexpired portion of the term for which such Officer was elected.
- 3. The terms of office of a Second Vice-President, of a Secretary Treasurer, of a Recording Secretary, and of a Member-At-Large of the Executive Board, who are designated by the Executive Board of the Local to fill a vacancy in these Offices, shall be for the unexpired portion of the term for which the original incumbent was elected.

**ARTICLE IX - STEWARDS**

- A. Stewards shall be elected by the membership in a work location during September of every year, and shall assume office on October 1st of that year. The Executive Board may appoint a Steward to a work location where one has not been elected; however, the appointee must be approved by the membership within sixty (60) days.
- B. In locations where there is more than one (1) Steward, one (1) shall be designated by the President of the Local as the Senior Steward.
- C. Each Steward shall serve in his respective location as the representative of the Local, and cooperate with the various standing and special committees in attaining the goals of the Local.
- D. If it is not practicable, or if it would result in Undue delays for the Grievance Committee to handle such grievances, the Senior Steward, if there is one in any given location, or the Steward, shall process and, if possible, resolve grievances of members in that location.
- E. Stewards may call location meetings at their discretion for the purpose of discussing Local affairs.
- F. All Stewards shall serve at the pleasure of the membership at the work location.
- G. A Steward may not seek a third term of office unless the Steward has attended an appropriate training program. This provision may only be waived with the approval of the Executive Board prior to September 1st, of the year in which the third election will be held.
- H. There shall be a Stewards' Assembly which shall meet no less than four times a year as scheduled by the Executive Board and which shall act in an advisory capacity to the Executive Board.

**ARTICLE X - COMMITTEES**

- A. STANDING COMMITTEES

1. Education Committee - Assists in the development of and with the Local's Officers shares responsibility for effectuating the Local's educational, program.
2. Election Committee - Conducts all elections and installations of the Local in accordance with Article XI and Article XX.
3. Organizing Committee - Assists the Officers and the members in organizing all non-Union employees within the Local's jurisdiction as well as developing organizing programs outside of the present membership.
4. Political Action Committee - Assists in developing and pursuing the program of the Union and of the Local in the political arena and is also responsible for the Local's program to register each qualified voter.
5. Community Service and Welfare Committee - Assists in developing all community service programs. Attends to all matters affecting the general welfare of the membership.
6. Public Relations Committee - Advances the aims and goals of the Local through the use of various media of public relations and publicity.
7. Grievance Committee - Represents the Officers or individual members in presenting grievances or complaints to the appropriate employer representative.
8. Women's Committee - Assists the Officers and members in promoting the status of women in the workplace, the Union, the Local and society.
9. Equity Committee - Assists the Officers and the members in developing programs to promote racial harmony and further the careers of minorities in the workplace, the Union, the Local and society.
10. Committee on Persons with Disabilities - Assists the Officers and members in promoting the status and careers of disabled persons in the workplace, the Union, the Local and society.
11. Any other committees- as may be required to conduct the affairs of the Local shall be established by the Executive Board of the Local.

**B. SPECIAL COMMITTEES**

1. The Executive Board of the Local shall, from time to time, create such special committees as may be required for the conduct of the affairs of the Local.
2. Upon the completion of the program, assignment or task for which a special committee is created, it shall cease to exist as such committee.

**C. ORGANIZATION OF COMMITTEES**

1. The Executive Board designates, by majority vote, the members of all standing committees, naming as many members as it deems necessary for the proper functioning of the respective committees, provided that no more than one-half (1/2) the members of any committee are members of the Executive Board.
2. Each committee shall conduct its own affairs, with respect to time and place of meetings and procedures to be followed, in a manner which in its judgment will best serve the interests of the Local and of the membership.
3. Any member of any committee may be removed by majority vote of the Executive Board, subject to the right of the membership at any general meeting to overrule such action by majority vote of those present. Any member of any committee may also be removed by a majority vote of the membership present at any general meeting.

**ARTICLE XI - ELECTION COMMITTEE**

- A. Except as otherwise provided by these Bylaws, the Election Committee shall be responsible for:

1. Conducting nominations and elections in accordance with the Bylaws and the Constitution, and making all necessary arrangements therefore.
  2. Affording each member ample time to vote for the candidate of his choice.
  3. Conducting any referendum submitted to the membership.
  4. Determining all questions concerning the conduct and challenges of elections, subject to the right of appeal to the Executive Board or to the membership.
  5. Notifying the Secretary-Treasurer and the Recording Secretary of the Local, of the results of all nominations or elections.
- B. No member is permitted to serve on this Committee if he/she is a candidate for an elective office of the Local.
- C. The Election Committee shall also make all arrangements and preparations for the installation of newly elected Officers and Members of the Executive Board of the Local.
- D. The Election Committee shall retain a reputable, impartial and independent firm to conduct the mailing, counting, recording and related activities regarding the election of Officers and members of the Executive Board.
- E. The Election Committee shall promulgate reasonable and necessary rules governing elections which are consistent with the Union Constitution, Local Bylaws and applicable law. As a condition of being permitted a mailing to the membership, which shall be supervised by the Election Committee, a candidate shall sign an acknowledgment that he/she has received a copy of the rules promulgated by the Election Committee. Each candidate shall be bound by those rules.
- F. If a candidate violates any of the election rules, the Election Committee shall have the authority to direct compliance with those rules. It shall also have the authority to file such charges as it deems appropriate against the candidate breaching one or more election rules with the Recording Secretary in the manner described by Article XXIII, Section B. The Recording Secretary shall process the charges and a trial shall be held in accordance with Article XXIII, Section C of these Bylaws. In addition to the penalties provided for by Article XXIII, Section A of these Bylaws, a candidate who commits a serious violation of the election rules may, if elected, be removed from Office as a penalty for such breach. In such case, a new election shall be run for the post from which the offending elected candidate is removed.

## **ARTICLE XII - MEMBERSHIP**

### **A. ELIGIBILITY:**

1. Membership shall be open too all individuals eligible for membership in the Union and within the jurisdiction granted to the Local by the Union to organize public and private sector employees.
2. Persons who are otherwise eligible for membership in the Local, except that they maybe on a leave of absence without pay from their public employment, may continue as active members of the Local provided they notify the Secretary-Treasurer in writing of their intent to remit their dues in advance in quarterly payments to the Secretary Treasurer. For this purpose, the quarterly periods shall commence January 1st, April 1st, July 1st, and October 1st of each year as determined by the Executive Board.
3. Members who retire may continue as honorary life members and not pay dues, provided however, that they notify the Secretary-Treasurer of the Local in advance of their retirement and specify the date on which such retirement takes effect.
4. No person, otherwise eligible for membership in this Local, shall be admitted to membership if he has been fined, suspended, or expelled by a Local in this Union, until he has complied with the terms of such fine, suspension or expulsion. .

### **B. TRANSFERS**

1. The Executive Board of the Union shall establish rules and procedures for the transfer of the membership of a member of the Union, who changes employment, from the jurisdiction of one local to another.

2. The transferred member shall not be required to pay an initiation fee if the transfer is initiated not later than thirty (30) days after the effective date of his change in employment.

**C. APPLICATIONS**

The Secretary-Treasurer shall accept dues checkoff cards or applications for membership from all those qualified to be members.

**D. TERMINATION:**

1. Membership may be terminated by submitting a withdrawal form or letter to the Payroll Division of the location where one is employed, if such location is on the checkoff basis, in addition to submitting a letter of resignation to the Secretary-Treasurer of the Local.
2. Members who are serving in locations not on the checkoff basis, members who are retired and members about to retire who do not wish to continue their active or honorary membership, as the case may be, shall send a letter of resignation to the Secretary-Treasurer of the Local.
3. Membership may be terminated as a result of a member's expulsion in accordance with the provisions of Article XXIII.

**ARTICLE XIII - DUES**

1. Each active member of the Local shall have membership dues deducted as approved by the general membership, if he is serving at a location on the dues checkoff basis. Members must remit their dues in advance quarterly, preferably to the Steward for their location, or directly to the Secretary-Treasurer of the Local. For this purpose, the quarterly periods shall commence January 1st, April 1st, July 1st, and October 1st of each year.
2. Members who are on leave of absence without pay, and consequently cannot have dues deducted from their regular pay checks, must remit their dues for the missing period(s) directly to the Secretary-Treasurer as provided for in Article XII, Section A, Paragraph 2.
3. Retired members who elect to continue as active members must remit their dues directly to the Secretary-Treasurer as provided for in Article XII, Section A, Paragraph 2.
4. A change in the amount of dues payable by each member shall be decided by a majority vote of membership present, by secret ballot, at a general membership meeting in accordance with provisions of Article XXV.

**SPECIAL FUND**

An amount not to exceed ten (10) cents per active member per month shall be set aside, from the dues paid by the membership, in a special fund which shall be used only for purposes of political education.

**ARTICLE XIV - DELEGATES TO THE CONVENTION OF THE CWA**

- A. Candidates for a position on the Local Executive Board, including Officers of the Local, shall also thereby be candidates for delegate to all Conventions of the Union held during the three year period of their term of office. No one may be a delegate to the Conventions who is not elected to a position on the Local Executive Board, which shall include the positions of Officers of the Local.

**ARTICLE XV - MEETINGS**

- A. Regular meetings of the Local shall be held monthly except during the months of June, July, August, and December, on a date and at a location to be selected based on the availability of an appropriate meeting hall.
- B. At any regular meeting, the membership may decide to suspend the regular meeting scheduled for the month following.

- C. Special meetings may be called by a majority vote of the Local's Executive Board acting on their own initiative or in response to a petition signed by not less than fifty (50) members, in which event such special meeting shall be held within ten (10) days after receipt of the petition by the Secretary-Treasurer of the Local.

#### **ARTICLE XVI - CONDUCT OF MEETINGS AND QUORUM**

- A. General membership meetings and any other business of the Local shall be conducted under these Bylaws and rules of the Local and in conformance with the Union Constitution. In matters where the Local's Bylaws or rules of the Union constitution do not clearly apply, Robert's Rules of Order shall govern.
- B. Five percent (5%) of the membership recorded as the Local's voting strength at the most recent CWA Convention at any general membership meetings shall constitute a quorum.
- C. A majority of the Officers, of the members of the Executive Board, and of the members of any committee shall constitute a quorum for these respective bodies. ..
- D. At any meeting, the President of the Local may designate such Sergeant-At-Arms as he may deem necessary for the orderly conduct of such meeting.
- E. All expenditures in excess of One Thousand Five Hundred Dollars (\$1,500) initiated and approved at a general membership meeting must be submitted to the membership by mail ballot for approval.

#### **ARTICLE XVII - ORDER OF BUSINESS**

- A. The order of business at all general membership meetings of the Local shall be as follows.
  - 1. Meeting called to order.
  - 2. Roll call of Officers.
  - 3. Reading of, and action on, the minutes of the previous meeting.
  - 4. Communications.
  - 5. Reports of Officers and of Committees.
  - 6. Unfinished business.
  - 7. New business.
  - 8. Nomination, election, or installation of Officers.
  - 9. Special address and entertainment.
  - 10. Adjournment.
- B. The order of business may be suspended by a two-thirds (2/3) vote of the members present.

#### **ARTICLE XVIII - NOMINATIONS AND ELECTION OF OFFICERS AND MEMBERS OF THE EXECUTIVE BOARD.**

- A. Nominations for the Officers and Members of the Executive Board of the Local are conducted beginning in October 1972 and every third year thereafter in the following ways:
  - i. Any member in good standing may nominate himself/herself or another Local member to be a candidate for Local officer or Member-at-Large of the Executive Board by mailing to the Secretary-Treasurer of the Local, a letter of nomination sent by certified mail, return receipt requested.
  - ii. A letter of self nomination shall state the member's desire to be a nominee for a single specified office.

- iii. A letter of nomination of another member shall be accompanied by a written acceptance by the individual nominated, which acceptance shall be witnessed and signed by either a Notary Public or a third member.
  - iv. A member may nominate one individual for each post of Local Officer and no more than nine individuals for the posts of Executive Board Member-at-Large.
  - v. Each letter of nomination must reach the Local on or before September 1st of the year prior to the beginning of the new term of office. Failure of the Postal Service to deliver the letter by September 1st shall not constitute reason for acceptance of a letter of nomination received after the September 1st deadline for the receipt of the nomination letter. Self-nominees and nominators of other members should take this provision into account in determining when to mail their nominations to the Secretary-Treasurer.
  - vi. The Secretary-Treasurer may confirm the desire of any member not self-nominated to run for office in such manner as he or she deems appropriate.
  - vii. No member may be a candidate for more than one post.
  - viii. If a member is notified by the Chairperson of the Election Committee that he or she has been inadvertently nominated for more than one post, the candidate shall immediately state his or her choice of post for which he or she wishes to run to the Chairman of the Election Committee in writing or be disqualified from running in the election. The Candidate's written selection of the post for which he or she wishes to run must be received on or before September 14.
  - ix. Candidates must make the address and telephone numbers where they can be reached during the first two weeks of September of an election year known to the Chairman of the Election Committee so they can respond immediately to communications from the Election Committee.
  - x. Nominees and nominators are obligated to fully acquaint themselves with the provisions of these Bylaws and the rules of the Election Committee and to comply with them as well as all proper directions of those running elections in the Local.
- B. The local shall notify the membership in July of an election year of the provisions of this Article XVIII, by publishing it in the Local's Periodical. The Local shall also notify the membership of the tentative nomination and election schedule at the same time, the offices to be filled by election, the date and time for submitting nominations, and the place for submitting nominations.

#### **ARTICLE XIX - GENERAL INSTRUCTIONS**

- A. Only members of the Local in good standing are eligible to vote.
- B. Only members of the Local who are members of the bargaining units represented by Local 1180 are eligible to hold office or membership on the Executive Board, or to be designated as Chairmen of standing committees, or to serve as a Delegate to the CWA Convention, District Conferences, or representative to any labor council or group.
- C. The nominee, in any election, for an officer position of the Local receiving a majority of the votes cast, shall be declared elected.
- D. The nominee in an election for Member-at-Large of the Executive Board and delegate to the Union Convention receiving a plurality vote shall be declared elected. If there is a tie for the last available seat on the first ballot, there shall be a second ballot among those tied for that position.
- E. No member may be nominated or run for more than one elected position in the Local. This limitation applies to all positions on the Executive Board, including officers of the Local.

#### **ARTICLE XX - INSTALLATION AND OATH**

- A. The installation of the Officers and the members of the Executive Board of the Local shall be held at the general meeting next following the meeting at which elections were held.

- B. All Officers and Members of the Executive Board shall be duly installed upon taking the following oath:
  - "I hereby accept the Office of Local 1180 Communications Workers of America, with full knowledge of the responsibilities and duties of such Office.
  - "I promise to faithfully discharge my duties according to the .Bylaws and rules of the Local and the Constitution and policies of the Union.
- C. "I further promise to give my successor in office all books and records in my possession. I shall at all times endeavor to serve my Local and the Union to the best of my ability, so help me God."
- D. All arrangements or preparations for installations shall be made by the Election Committee.

**ARTICLE XXI - FISCAL YEAR AND AUDIT**

- A. The fiscal year of the Local is from October 1st of each year to and including September 30th of the succeeding year;
- B. The financial records of the Local shall be audited by a Certified Public Accountant, at the end of each fiscal year. The results of such audit shall be read by the Secretary-Treasurer at the general meeting next following such audit and, in addition, shall be made available for the inspection of any member of the Local in good standing.
- C. All local officials shall be bonded in at least such amount as may be required by law. ..

**ARTICLE XXII - RECALL OF OFFICERS OF THE LOCAL**

- A. Officers of the Local may be recalled by petition.
  - 1. To be preferred by at least twenty percent (20%) of the membership of the Local.
  - 2. To be in writing and signed by the accusing members.
  - 3. To contain a description of the offense(s) and the approximate date or dates thereof.
  - 4. To be filed with the Recording Secretary of the Local except that a petition filed against the Recording Secretary is filed with the President of the Local.
- B. Action on a petition for recall shall be taken at the general meeting next following the date that such petition was received by the Recording Secretary or by the President of the Local, as the case may be. However, members must receive notification at least seven (7) days in advance of the meeting, that such action is to be considered. In the event that time does not allow for such notification, the recall petition is to be considered at the next following general meeting.
- C. In order for a recall petition to be carried, it must receive a two-thirds (2/3) affirmative vote, by secret ballot, of the members present.
- D. An officer recalled, in accordance with the provisions of this Article forfeits his office immediately and must turn over any records, property or assets of the Local in his possession to the Secretary-Treasurer of the Local as soon as possible.

**ARTICLE XXIII - CHARGES, TRIALS AND APPEALS**

**A. OFFENSES**

Offenses for which Officers, Members of the Executive Board, and members of the Local may be fined, suspended, or expelled, are as follows:

- 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 Local or to the Union. .

3. Willfully violating the rules or By-Laws and/or the Constitution.
4. Disobeying or willfully failing to comply with any lawful decision or order of the Local or of the Union.
5. Working Without proper Union authorization, during the period of a properly approved strike.
6. Instigating, or knowingly participating in, an unauthorized strike or slow down.
7. Willfully violating the adopted standards as to wages, hours, or working conditions.
8. Misappropriating money or property of the Local or of the Union.
9. Taking court action against the Local or the Union without first exhausting all remedies provided in the Constitution for appeal.
10. For such other offenses, equally serious, which tend to bring the Local or Union into disrepute.

#### B. CHARGES

Charges against members are filed with the Recording Secretary.

1. In writing, signed and sworn to by the accuser.
2. Within sixty (60) days of the time the accuser becomes aware of the alleged offense.
3. Must contain an allegation of the facts constituting the offense with which the accused is charged and the approximate date or dates the offense is alleged to have occurred.
4. Except, that in the event the accused is the Recording Secretary, charges are filed with the President of the Local.

#### C. TRIALS

1. The Executive Board selects:
  - a. Trial Court composed of not less than three (3) nor more than seven (7) members of the Local, not parties to the proceedings, to conduct a trial or hearing relative to charges preferred against a member. The Trial Court is bound to render a decision and to impose a penalty, if the accused is found guilty, without bias or prejudice, based on all the evidence presented.
  - b. A prosecutor, who is a member of the Local, to assist the accuser in the trial and in the presentation of evidence.
2. The trial or hearing shall be held no later than fourteen (14) days after receipt of the charges by the Recording Secretary, or by the President, as the case may be. Due notice must be sent by the Recording Secretary to the accused no later than seven (7) days before the hearing is to be held and must contain:
  - a. The nature of the charges against the accused.
  - b. Time and place of the hearing.
3. The accused has the right to select a member of the Local as counsel, the right to produce witnesses and to present documentary evidence, the right to be heard on his own behalf and the opportunity to cross examine witnesses.
4. All witnesses shall testify under oath.
5. 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.
6. A faithful and accurate record of the proceedings shall be made.
7. The Executive Board of the Local may suspend the accused pending the final decision on an appeal.

#### D. APPEALS

A member, or an Officer of the Local, upon being found guilty by a Trial Court, as described in Section C of this Article, may appeal the decision of such Trial Court:

1. By referring the matter to a membership meeting of the Local, within thirty (30) days after notification of his being found guilty by the Trial Court. The membership has the right to:
  - a. Affirm or reverse the decision of the Trial Court.
  - b. Reduce the penalty or fine imposed.
2. By appealing the final decision of the Local to the Executive Board of the Union within thirty (30) days after such final decision of the Local. Such appeal shall be directed, in writing, to the Secretary-Treasurer of the Union. After obtaining the record of the case from the Local and reviewing it, the Executive Board of the Union may:
  - a. Affirm or reverse the decision.
  - b. Reduce the penalty.
  - c. Return the case to the Local for a new trial.
3. By appealing the decision of the Executive Board of the Union to the next Convention by giving a notice of appeal, in writing, within thirty (30) days after the decision, to the Secretary-Treasurer of the Union. If, in an appeal made to it, the Executive Board of the Union has failed to render a decision within thirty (30) days preceding the Convention, the accused may appeal directly to the Convention, which may:
  - a. Affirm or reverse the decision.
  - b. Reduce the penalty.
4. A member or an officer of the Local, upon being found guilty by a court selected by the Executive Board of the Union, has the right to appeal to the Executive Board of the Union and to the Convention as provided in Paragraphs 2 and 3 of this Section.
5. The thirty (30) days time limit provided in this Section for filing of appeals from decisions of trial courts may be extended in 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.
6. Decisions on appeal are determined by majority vote.

#### **ARTICLE XXIV - STRIKES**

The calling, conduct and termination of strikes affecting the Local shall at all times be carried on in compliance with the rules prescribed by the Union and in accordance with Article XVIII of its Constitution.

#### **ARTICLE XXV - AMENDMENTS TO THE BYLAWS**

- A. These Bylaws may be amended by the introduction of a proposed amendment at a General Meeting. A vote on the proposed amendment shall be taken by mail ballot which shall be sent to the Membership with proposed text.
- B. The Executive Board by a two-thirds (2/3) affirmative vote shall submit proposed revisions of these Bylaws for a referendum vote of the membership.

#### **ARTICLE XXVI - EFFECTIVE DATES**

##### **A. BYLAWS**

1. Upon adoption by the membership at the regular general meeting held in March 1966, these Bylaws became effective immediately and superseded any or all Bylaws, Constitutions of the Local, Rules and Regulations previously governing the organization and the activities of the Local, except as provided for in Sections Band C of this Article.

2. Notwithstanding any provisions of these Bylaws to the contrary, the terms of the Officers and the Members of the Board of Directors, as constituted under the previous Constitution of the Local, shall not be terminated until the installation of Officers and Members of the Executive Board elected in accordance with the provisions of these Bylaws, and further, the Officers and Members of the Board of Directors serving under the previous Constitution of the Local shall be vested with all the powers and responsibilities of the Officers and Executive Board provided for in these Bylaws until such time as their terms of office expire.

**B. DUES**

The amount of dues to be paid by the members shall be as specified in Article XIII, Section A.

**C. PER CAPITA DUES**

The payment of per Capita Dues to the Union shall be in an amount as established at the national conventions.

**ARTICLE XXVII -REFERENDA AND VOTING OF THE MEMBERSHIP**

- A. Notwithstanding any other provisions of these Bylaws to the contrary, any Collective Bargaining Agreement negotiated by a Local Bargaining Committee shall be ratified by a mail referendum of those members affected by that agreement.
- B. Notwithstanding any other provisions of these Bylaws to the contrary, the election of Officers of the Local, members of the Local Executive Board, and the Local's Delegates to the National Convention of the Union shall be by mail ballot to the Membership.