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Adoption

COMMUNICATION WORKERS OF AMERICA AFL-CIO LOCAL 1081

PREAMBLE:

The Family Service Workers, Family Service Workers/Bilingual, Field Representative – Citizen Complaints, Investigators, Rent and Housing Coordinators, Social Service Aides, Training Technicians, Training Technician/Bilingual, Account Clerks, Clerk, Clerk Transcriber, Clerk Typist, Clerk Typist/Bilingual, Data Control Clerk, Data Entry Machine Operator, Data Processing Technician, Messenger, Office Appliance Operator, Principal Personnel Clerk Typist, Senior Account Clerk, Senior Clerk Typist/Bilingual, Senior Data Control Clerk, Senior data Entry Machine Operator, Senior Personnel Clerk, Senior Photostat Operator, Stock Clerk, and Storekeeper as proposed by the Essex County Division of Welfare, in recognition of the right of each worker to join his/her fellow worker in an organization to promote their welfare, ensure their security; promote economic betterment; elevate their status by a united effort that which is impossible by an individual effort; by this instrument established in the CWA Local 1081.

ARTICLE I – NAME:

This Local shall be known as Local 1081 Communication Workers of America, AFL-CIO.

ARTICLE II – JURISDICTION:

Jurisdiction of the Local shall be jurisdiction assigned by the Union and appearing on the fact of the Local Charter.

ARTICLE III- OBJECTIVES:

To obtain for its members a responsible voice in all matters relating to working conditions.

To promote, enlarge, standardize and protect the rights, privileges, benefits, security and mutual interest of its members.

To propose and advance legislation beneficial to its members.

To develop and maintain high standards of cooperation between its members, elected officials and the general public.

To further the financial interest of its members through the establishment of a fair salary structure.

To improve working conditions so as to promote a high standard of quality in the field of said work at the Essex County Division of Welfare.

To establish a satisfactory procedure for the processing, disposition, and arbitration of its members.

ARTICLE IV- LOCAL STRUCTURE:

The structure of the Local shall consist of the following:

1. Membership
2. Executive Board
3. Officers
4. Committees

ARTICLE V- MEMBERSHIP:

Section 1- Eligibility

Eligibility of membership in Local 1081 CWA-AL-CIO shall be open to the following persons:

A, Any permanent or temporary active workers of approved job titles. As per preamble.

B. Any permanent worker of the Division of Welfare on pension or authorized leave, who, immediately prior thereto, was employed as a worker of approved job title, as per preamble.

Section 2- Application

Membership of the Local may be obtained by any worker upon approval of the Membership Committee: subject to the right of the Local to overrule the decision of the Membership Committee.

Section 3- Transfers

The transfer of the membership from this Local to the jurisdiction of another local and from another local to the jurisdiction of this local shall be made in accordance with

Article VI- LOCAL DUES & ASSESSMENTS

Section 1- Local Dues

Each member of the Local shall pay in an amount established by the local membership, but shall not be less than the amount established by the CWA Convention.

Membership dues may be changed only by a majority of those voting on the question by secret ballot referendum, or by a majority secret ballot vote in a meeting where quorum is present, if the question has been on bulletin boards at least seven (7) days in advance of the meeting or by notice mailed postage prepaid to each member at least seven (7) days in advance of the meeting.

Section 2- Local Special Assessments

The membership of this local may levy a special assessment only in the same manner as provided for changing local dues. However, any special assessments levied shall be in compliance with Article VI of the Union Constitution.

ARTICLE VII- GOVERNING AUTHORITY

Section 1- Membership

The affairs of this local shall be governed by its membership in accordance with the Constitution and policies of the union and in the following manner:

- a. Through action taken in membership meetings or by referendum of memberships.
- b. Through actions and decision of the executive Board between membership meetings.
- c. Through actions and decisions of the Local Officers between meetings of the Executive Board.

Section 2- Executive Board

The Executive Board shall assist the officers and the membership in carrying out their decisions concerning all business of the local.

The Executive Board shall consist of the following:

All duly elected officers of Local 1081 CWA AFL-CIO and two (2), where applicable, elected representatives of each field office of the Division of Welfare.

The decisions of the Executive Board may be overruled by the membership in a local meeting or by referendum.

ARTICLE VIII- LOCAL MEETINGS

Regular meeting of this Local shall be held the fourth Thursday of each month, UNLESS CANCELLED BY MAJORTIY VOTE OF THE Executive Board. Special meetings may be called by a majority vote of the executive Board, or by petition signed by not less than twenty percent (20%) of the total membership of the local. Upon receipt of proper petition, the local officers shall call a special meeting to be held within ten (10) days. Due notice of all regular and special meetings shall be given to the membership of the local with reasonable opportunity to reach the membership at least forty-eight (48) hours in advance of the meetings.

ARTICLE IX- LOCAL'S DELEGATES TO THE BIENNIAL INTERNATIONAL CONVENTION

- a. The Local President will attend the annual convention as chairperson of the delegation. Additional delegates and alternate delegates to the convention will be elected by the membership by the secret ballot conducted no fewer than thirty (30) days in advance of the Union convention.
- b. Delegates will consist of (1) professional member, (1) clerical member and the president, unless a member is appointed in his absence.
- c. The local shall determine the convention votes assigned to each delegate in accordance with Article VIII of the Union constitution.
- d. It shall be the duty of the Corresponding Secretary of the Local to certify the Local delegates to the Union convention and to the Secretary-Treasurer of the union within the time limits specified in Article VIII of the Union constitution.

ARTICLE X- LOCAL COMMITTEES

- a. The local shall have the following committees:
 1. Election Committee
 2. Organizing Committee
 3. Membership Committee
 4. By-Law Committee
 5. Legislative Committee
 6. Entertainment Committee
 7. *Bargaining Committee. The committee should be comprised of fourteen (14) person, seven (7) from the professional contract, four (4) from the clerical contract membership and two (2) from the guard membership, to respectively negotiate the professional, clerical and guard contracts. The President of the local shall automatically be a member of this committee. The remaining thirteen (13) members shall be elected at a special meeting which shall occur between 180 and 210 days prior to the expiration of the contract. Nominations shall be taken from the floor and the election shall occur at the same meeting. Only those members in good standing attending the meeting shall be eligible to vote. Professional, Clerical and Guard members shall vote independently for their respective bargaining committee members. The members of the bargaining committee shall begin to serve immediately upon being elected and shall negotiate the immediate successor contract only. Vacancies on the committee may be filled by presidential appointment.*
- b. Members of all committees shall be appointed by the president and confirmed by the Executive Board subject to the right of the local membership to overrule such appointments. *Bargaining Committee members shall consist of any members in good standing that is voted to the Committee during a membership meeting.*
- c. Vacancies on committees shall be filled in the same manner as the original Appointments (refer to section G)

- d. A member of any local committee may be removed by majority vote of the local Executive board, subject to the right of the local membership to overrule the action of the local executive board. A committee member may also be removed by action of the local in a membership meeting.

- e. **DUTIES OF COMMITTEES:**

It is responsibility of all duly appointed committee members to attend all meetings of their respectful committees. Failure to attend (2) consecutive meetings may be the cause for removal and replacement for that committee member by the executive Board after due process.

1. **Election Committee-** The election committee shall conduct all nominations and elections and referendums of this local
2. **Organizing Committee-** The organizing committee shall assist the local officers and members in organizing all non-union employees within the local's jurisdiction.
3. **Membership Committee-** The membership committee shall accept or reject membership applications in accordance with the by-laws and rules of this local and Article V of CWA Constitution and policies of the union.
4. **By-Law Committee-** The By-Law Committee prepares a draft of the constitution and the by-laws of this local and any revisions and amendments thereof and presents it to the membership of the local to be voted upon.
5. **Legislative Committee-** The Legislative Committee shall assist in developing and pursuing the program of the Union and the local in the legislative field.
6. **Entertainment Committee-** The entertainment Committee shall arrange for all social gathering and entertainment of the membership and it shall propose financial arrangements by which entertainment shall be paid for. The committee shall see to it that these financial arrangements shall be at all times within the reach of the membership.

F. In all committees, the field offices of the division of Welfare shall be equally represented as possible.

ARTICLE XI – ORDER OF BUSINESS

ARTICLE XII- LOCAL OFFICERS AND THEIR DUTIES

ARTICLE XIII- CONDUCT OF MEETINGS, ORDER OF LOCAL BUSINESS & QUORUM

Section 1 – Local Officers

- a. The officers of the Local shall be:
 1. President
 2. Executive Vice President
 3. 1st. Vice President
 4. 2nd. Vice President
 5. **Clerical Vice President (Until the 2005 officer's election, at which time this title shall be eliminated)**
 6. Secretary-Treasurer
 7. Financial Secretary
 8. Recording Secretary
 9. Corresponding Secretary
 10. Sergeant-at-Arms
 11. Parliamentarian
 12. Stewards
- b. The duties of Local Officers shall be as follows:
 1. The Local President:
 - a. The President, as the principal Executive Officer of the Local, shall have full authority to execute the policies of the Local as established under these By-Laws,
 - b. Preside at membership, Executive Board and Officers' meetings of this Local.
 - c. The President shall be an Ex-Officio member of Committees.
 - d. Cause the payment of proper bills and expenses of the Local, when evidenced by satisfactory statements or vouchers, after the Executive Boards' approval.
 - e. Perform whatever additional duties may be assigned by the Local or required by the policies or Constitution of the Union.
 2. The Local Executive Vice President shall:
 - a. Act under the direction of the Local President and shall perform such duties as may be assigned by the President of the Executive Board.
 - b. The Executive Vice President shall hold no other office in the Union.
 1. The Vice Presidents shall:

- a. Act under the direction of the President or the Executive Board.
- 1. The Local Secretary – Treasurer Shall:
 - a. Be custodian of all assets of the Local.
 - b. Provide the membership with a written quarterly report of Local receipts and disbursements.
 - c. Must be bonded, as any other person who serves in the position, Custodian of the Locals' finances.
 - d. Cause the payment of all bills approved by the Executive Board.
 - e. Perform such other duties as may be assigned by the membership, the Executive Board, or the President.
- 1. The Local Financial Secretary Shall:
 - a. Maintain all records relating to receipts and disbursements.
 - b. Keep proper records of dues and initiation fees paid.
 - c. Perform such other duties as may be assigned by the Local, the Executive Board, or the Local President.
- 1. The Local Recording Secretary Shall:
 - a. Record and maintain the minutes of all meetings of the Local, the Local Executive Board, and the Local Officers.
 - b. Perform such other duties as may be assigned by the Local, the Executive Board of the Local President
- 1. The Local Corresponding Secretary Shall:
 - a. Maintain a record of the Local membership.
 - b. Assume responsibility of corresponding for the Local.
 - c. Mail notices and other correspondence to the membership.
 - d. Furnish the Vice Presidents and Secretary-Treasurer of the Union with copies of any changes in these By-Laws, upon request after such changes are made.
 - e. Certify the Local delegates to the Union Convention.
 - f. Perform such other duties as may be assigned by the Local, the Local Executive Board, or the Local President.
- 1. The Local Sergeant-at Arms Shall:
 - a. Provide for and maintain order at meetings.
 - b. Permit attendance at meeting of authorized persons only.
 - c. Perform such other duties as may be assigned by the Local, the Local Executive Board, or the Local President.
- 1. The Local Parliamentarian Shall:
 - Give his/her expert opinion concerning parliamentary procedures. His opinion shall be based on the By-Laws of this Local, the Union constitution and, when in doubt or question, Robert's Rules of Order.

2. The Local Stewards Shall:

- a. **Consist of two Shop Stewards per office on average. Members permanently assigned to an office, as well as members out stationed at an office are eligible to run for the Shop Steward position.** Take notice of all grievances brought to his/her attention by members of the Local and see to it that by proper procedure all grievances are disposed of within the shortest possible period of time.
Perform the Membership, the Chief Steward, Executive Board, or the Local President may assign. The Chief Steward will serve as Chairperson of Steward Committee.

ARTICLE XIII-CONDUCT OF MEETINGS, ORDER OF LOCAL BUSINESS AND QUORM:

- a. Membership meetings and any other BUSINESS of this Local shall be conducted under these By-Laws and rules of the Local and in conforming to the Union Constitution. On the questions where the Local By-Laws, the Local rules or the Union Constitution do not clearly apply, Robert's Rules of Order shall govern.
- b. The number constituting a quorum for Local membership meetings: Shall be thirty-five (35) members of the Local including the officers present.
- c. On established meeting dates, those present constitute a quorum for any committee meeting.

ARTICLE XIV-NOMINATION AND ELECTION OF LOCAL OFFICERS AND MEMBERS OF EXECUTIVE BOARD:

Section 1- Nominations

- a. Months of September, October or November as stipulated in Article XV, Section 3 of the Union Constitution.
- b. Nominations maybe made:
 1. By petition.
The term or the Local Officers shall be three (3) years or until their successors have been duly elected and qualified.
- c. Notice of nominations including the offices to be filled and time and place of such nomination shall be mailed postage pre-paid to each member in good standing not later than fifteen (15) days in advance of the nomination.
- d. The nomination of a person for the office of President shall also constitute the nomination of the same person as a delegate to CWA Convention held during the term of office for which the election is being conducted.
- e. **If nominations are made by petitions, then no other method shall be used.**

Section 2- Elections

- a. Election of Local Officers shall be by secret ballot of the Membership.
This election shall be held no later than the December 31st of the election

year. (Note: As per Article XV- Elections, Section 3A of the National CWA Constitution)

- b. The election of the Local Stewards shall be no later than the 4th Thursday in November.
- c. All elections of this Local shall be conducted by using established polling places and ballot boxes.
- d. The same requirements must be met in the connection with notice of elections as in the case of Local Officers.
- e. **The President shall name the Election Committee no later than the fourth Thursday of June preceding the election, which may be held between September and December of that year. (Note: As per Article XV- Elections. Section 3A of the National CWA Constitution)**

Section 3- Local election Committee

- a. The nomination and election of Local Officers, members of the Executive Board, and delegates to the CWA Convention shall be conducted under the supervision of the Election Committee. This Committee shall have the authority and responsibility to see that nominations and elections are conducted in accordance with the Union Constitution, and these By-Laws, with reasonable opportunity for each member to nominate and vote for the candidate of their choice.
- b. The Election Committee shall also conduct any referenda submitted to the membership.
- c. A member shall not be permitted to serve on the Election Committee if he is a candidate of any office of the local or delegate to the CWA Convention. All questions concerning the conduct and challenges of elections shall be determined by the Election Committee subject to the right of the appeal to the membership of the Local.

Section 4 – General Provisions

- a. the notice of the election shall be mailed postage prepaid to each member in good standing at least fifteen(15)days prior to the election.
- b. the notice and the ballot must contain the following language: “A vote cast for a candidate for the office of a president, shall also constitute a vote for such a candidate to serve as a delegate to CWA conventions held during the term of office for which the election is being conducted, in the event such candidate is elected into office.”
- c. Only members present at the nominations and election shall be nominated and elected unless they notify the membership in advance in writing that if nominated and elected to any office they intend to serve in their term.
- d. Only member of the local in good standing shall be eligible to vote or hold office.
- e. The nominee in any election receiving the majority of the votes cast shall be declared elected. If no one nominee has a majority on the first ballot, the vote shall be taken again and the two nominees having the greatest number of votes on the first ballot shall be the nominee on the second ballot.

- f. The transitional period for all officers will be effective upon election. This period will extend to the 2nd day of January.
- g. The officer shall take office in January.

Agency fee members of the bargaining unit must become a full union member at least thirty (30) days prior to an election in order to vote in that election. Newly-hired employees hired fewer than thirty days before an election may sign a membership card and be allowed to vote up to, and including, Election Day. Agency fees, and newly –hired members of the bargaining unit who sign a membership card in the manner immediately previously described may not withdraw from the union until the first window allowed under our contract with the county.

Section 5 - vacancies

If any elected officer is on sick leave for a long period of time, sixty (60) days or more, His office shall be considered vacant. If any elected officer takes a leave of absence from the division of welfare, his office shall be filled in the office of local president shall be filled in the same manner as that required for regular elections and within sixty (60) days as required by article XV of the union constitution.

- a. presidential vacancy
 - 1. In the event of a vacancy in the office of president, the executive vice president will assume the duties of the president until a special election is held. The special election is held within sixty (60) days of vacancy.

Nominations may be made:

- a. By petition
 - 3. Notice of nominations shall be mailed postage prepaid to each member in good standing at least fifteen (15) days in advance of the nomination. The special election shall be conducted by using established polling places and ballot boxes.
 - 4. Notice of the special election shall be mailed postage prepaid to each member in good standing at least fifteen (15) days prior to the election.
- B. Vacancies **including the office of Shop Steward shall be filled by appointment by the President or appointed by a majority of a quorum of the Executive Board. The appointee shall remain in office until the next scheduled election.**

ARTICLE XB – STRIKES:

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

ARTICLE XVI – CHARGES, TRIALS AND APPEALS:

Section 1 – Charges

Members of this Local may be fined, suspended or expelled in the manner provided in the By-Laws for any of the acts enumerated in Article XX of the Union Constitution.

Section 2 – Trials

Any accused member, including officers of this Local shall be tried under provisions of Article XX Section 1 of the Union Constitution.

Section 3 – Appeals

A member or officer of this Local upon being found guilty by a Local trial court, may appeal as provided in Article XX Section 4 of the Union Constitution.

Section 4 – Local Trial Court

A trial court of this Local shall be composed of seven persons, who are members of the Local and not parties to the proceedings, and who shall be selected by the Executive Board of the Local.

ARTICLE XVII – AMENDMENTS TO LOCAL BY- LAWS:

Any elected officer of the Local may be recalled in accordance with the provisions of Article XXII of the Union Constitution.

ARTICLE XVIII- AMENDMENTS TO LOCAL BY-LAWS:

After adoption, these By-Laws may be amended by either of the following methods:

- a. Majority vote of the members present in a Local meeting. If the proposed amendment has been introduced at a previous membership meeting or has been advertised to the membership by use of Bulletin Boards or U.S. Mail postage prepaid at least seven (7) days in advance of the meeting:: or
- b. Referendum of the membership.

ARTICLE XIX- REFERENDUM OF THE LOCAL:

- a. The Local Executive Committee shall submit any question to a referendum of the membership when directed to do so by action of a regular or special membership meeting.
- b. Questions submitted to referendum shall be determined by a majority vote of those voting on the question.

ARTICLE XX- FISCAL YEAR AND AUDIT:

- a. The fiscal year of this Local shall be from October 1st, of each year to and including September 30th of the succeeding year.
- b. The financial records of this Local shall be audited by a competent person at the end of each fiscal year. The results of such audit shall be distributed to the membership of the Local.

ARTICLE XX1- OATH OF OFFICE:

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

I, _____ hereby accept the office of _____ of Local 1081 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 By-Laws and rules of the Local and the Constitution and policies of the Union.

I further promise to give my successor in office all books and records in my possession. I shall at all times endeavor to serve my Local and the Union to the best of my ability, so help me God.”

ARTICLE XXII- ADOPTION:

These By-Laws shall be adopted upon the approval of a majority of the members voting upon their adoption in the membership meeting called for that purpose.

These By-Laws Adopted:

Revised By-Laws Adopted: