

## **CWA Constitution**

We, the Communications Workers of America, believing that as an integral part of society we are entitled to an equitable share in the products of our labor and realizing that our welfare can best be protected and advanced through the united effort of all workers, do, through this onstitution, under God, seek to form a more perfect means of securing for ourselves, and labor generally, full employment of the inherent rights and dignities which our institutions were ordained to preserve.

### **Article I—Name**

This organization, hereinafter referred to as the Union, shall be known as the Communications Workers of America and shall be identified by the initials CWA.

### **Article II—Jurisdiction**

The Union shall have jurisdiction of all communications work and of the persons engaged therein. The Union shall also include those workers who wish to become part of the Union regardless of their field of endeavor. There shall be no geographical limitation on the jurisdiction of the Union.

### **Article III—Objects**

The objects of the Union shall be:

(a) To unite the workers within its jurisdiction in a single cohesive labor union for the purpose of collective effort;

- (b) To improve the conditions of the workers with respect to wages, hours, working conditions and other conditions of employment;
- (c) To disseminate information among the workers respecting economic, social, political and other matters affecting their lives and welfare;
- (d) To advance the interests of the workers by advocating the enactment of laws beneficial to them and the defeat or repeal of laws detrimental to them;
- (e) To do all things which may be necessary or proper to secure for the workers the enjoyment of their natural rights.

#### Article IV—Organizational Structure

The structure of the organization shall consist of the following, all hereinafter described:

1. The Convention;
2. The Executive Board;
3. District;
4. Chartered Locals;
5. The Canadian Region

#### Article V—Membership

##### Section 1—Eligibility

- (a) All persons engaged in the communications field and other fields of endeavor, both public and private sectors, excepting those

excluded by law, shall be eligible for membership in the Union.

(b) All persons who are officers of labor organizations representing workers within the jurisdiction of the Union shall be eligible for membership in the Union.

(c) Members of the Union who are on leaves of absence from their employment or who are employed on a full-time or part-time basis by the Union or a Local or who are or may be retired for any reason may continue to be active members.

(d) No person, otherwise eligible for membership, shall be denied membership in the Union because of sex, race, color, creed or nationality.

(e) No person, otherwise eligible for membership in the Union, shall be admitted to membership if the person has been fined, suspended or expelled by a Local in this Union, until the person has complied with the terms of such fine, suspension or expulsion.

## Section 2—Applications

(a) Membership in the Union shall be obtained and maintained through membership in a chartered Local of the Union.

(b) Each application for membership shall be accompanied by the initiation fee established by the Local which shall not be less than two dollars (\$2.00) nor more than five dollars (\$5.00), without approval of the Executive Board.

(c) The Union's portion of an initiation fee shall be one dollar (\$1.00). Each Local shall pay the Union its portion of initiation fees in such manner as required by the Convention or the Executive Board.

(d) The Executive Board may waive the Union's portion of the

initiation fee. A Local may waive its portion of the initiation fee with approval of the Executive Board.

(e) In the event an application for membership is denied, the initiation fee shall be refunded to the applicant.

(f) Each Local shall establish a membership committee or membership committees which shall act upon applications for membership. Membership committees shall accept or reject such applications subject to the right of the Local to overrule the committee.

(g) A Local shall not establish qualifications for membership which contravene qualifications set forth in this Constitution.

### Section 3—Transfers

(a) The Executive Board 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.

(b) 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 the change in employment.

(c) The member shall be granted such transfer of membership if the member is in good standing.

(d) All Locals shall be supplied with certificate of transfer forms by the Union.

(e) Members of a Local who are or may be retired for any reason, or who are, or who may be on leaves of absence, may elect to continue to be active members or to assume the status of associate members. In the event any such person elects to become an associate member, the person shall lose voting privileges but shall

not be required to pay dues.

#### Section 4—Termination

(a) Membership in the Union shall be terminated when any member shall accept a position which would render the person ineligible for membership, except that a member who temporarily assumes such a position may retain membership for a period not to exceed thirty (30) days, provided during such period such member shall not hold any office within the Union.

(b) Membership may be terminated by expulsion as provided in this Constitution.

(c) A withdrawal card shall be issued by the Local upon application of a member in good standing leaving the jurisdiction of the Union. Should the holder of a withdrawal card later return to the jurisdiction of the Union, that person shall not be required to pay an initiation fee if such card is presented to the Secretary of the Local having jurisdiction of the member within thirty (30) days of that person returning to the Union's jurisdiction. Failure to present the card within the time limit specified herein shall void the rights and privileges granted by such withdrawal card.

(d) Membership in the Union shall be terminated following receipt of a member's written request sent to the Local of the Union in which the membership is maintained.

#### Section 5—Retired Members' Chapter

(a) All CWA Council Lifetime members shall be eligible to join in a CWA Retired Members' Chapter.

(b) Application for membership in a Chapter shall be made to the Retiree Chapter.

- (c) Each member of a Chapter shall pay the membership dues established by the Chapter.
- (d) Chapters shall be units of the Union and shall be chartered by the CWA Executive Board.
- (e) Chapters shall be identified by number.
- (f) Application for Charter shall be in writing upon forms provided by the Secretary-Treasurer of the Union and shall be signed by at least five (5) persons eligible for membership in the Chapter.
- (g) Chapters shall adopt bylaws which are consistent with this Constitution and the programs of the Union.

#### Section 6—Retired Members’ Council

- (a) All dues paying members of the Union in good standing who are or may be retired by reason of age or disability shall be eligible to become CWA Retired Members’ Council Lifetime members.
- (b) The Retired Members’ Council shall be a unit of the Union and shall consist of lifetime members.
- (c) The Council shall adopt bylaws and rules consistent with federal and provincial laws, the Constitution and policies of CWA.
- (d) A Council Executive Board shall be elected which will consist of one representative from each of the CWA Districts and three Sector/Division members who shall be elected from the Media Sector (consisting of the Printing, Publishing and Media Workers Sector, NABET-CWA and TNG-CWA), the IUE-CWA Division and the AFA-CWA Sector. The District representatives on the Council Executive Board shall be elected by secret ballot among the Council Lifetime members within the appropriate CWA District. The Sector and Division representatives shall be elected

by secret ballot among the Council Lifetime members who retired from the Media Sector (consisting of the Printing, Publishing and Media Workers Sector, NABET-CWA, and TNG-CWA), the IUE-CWA Division, and the AFA-CWA Sector. Within the Council, Districts 2 and 13 shall not be combined until the end of the 2012 term. Terms of office shall be consistent with those of International officers. The elections shall be conducted in accordance with Council bylaws, federal and provincial laws and this Constitution. Any challenge to the Council Executive Board elections or Council officers' elections shall be resolved in accordance with the Council bylaws.

(e) The officers of the Retired Members' Council shall be an Executive President, Executive Vice President and Secretary-Treasurer or Secretary and Treasurer. Such officers shall be elected from the Council Executive Board in accordance with Council bylaws. The term of the office for Council officers shall be four years or until their successors have been duly elected and qualified.

(f) The Council Executive Board members shall also serve as delegates to all CWA Conventions during their term of office and shall each carry one (1) vote. As delegates to the CWA Convention, Council Executive Board members shall have the right to vote in elections of the CWA President and Secretary-Treasurer.

(g) The Council shall concern itself with organizing the unorganized, and the social, economic, educational, legislative, and political developments and concerns of its members and the CWA. Consistent with CWA policies and this Constitution, the Council shall engage in organizing, political, legislative, educational, civic, social, economic, and community activities to advance and enhance the interests of its membership and the CWA.

Article VI—Dues, Fines and Assessments

## Section 1—Membership Dues

(a) Each member of the Union shall pay the membership dues established by the member's Local. Membership dues shall be collected in the manner as determined by the Convention or the Executive Board.

(b) Locals shall establish membership dues.

(c) The Convention may establish minimum membership dues.

## Section 2—Per Capita Dues to Union

(a) The Convention shall establish per capita dues to the Union. Locals shall be required to pay the per capita dues to the Union within the time and in the manner set forth by the Convention or the Executive Board.

## Section 3—Local Special Assessments

(a) Locals may levy a special assessment in cases of emergency or when income from dues and initiation fees is inadequate to finance necessary expense of the Local.

(b) Before a Local may levy a special assessment it shall:

(1) Give the reason for the assessment to the members subject thereto;

(2) Obtain approval by majority vote by secret ballot of the members in good standing voting at a general or special membership meeting, after reasonable notice of the intention to vote upon such question, or by majority vote of the members in good standing voting in a membership referendum conducted by secret ballot.

## Section 4—Union Special Assessments

(a) A special assessment may be levied by the Convention. A special assessment may be initiated by the Executive Board, and submitted to referendum in accordance with Article XXII.

(b) The sums collected by assessments under this Section shall be used only for the purposes of the assessments, except that any unexpended surplus of such assessment shall be allocated to the contingency fund of the Union and may be reallocated by the Convention.

(c) A complete record of all monies collected by assessments under this Section shall be kept by the Secretary-Treasurer of the Union, and shall be available for inspection by duly authorized representative(s) of any Local.

## Section 5—Non-Payment of Dues

A member in default, without good cause, in the payment of any installment of dues for sixty (60) days from the date such amount becomes due, shall be automatically suspended from the rights of membership and, if the default continues without good cause for an additional thirty (30) days, after notice in writing by the Local Secretary, shall be automatically expelled from the Union. “Good Cause” shall be that which the governing body of the Local determines to be good cause.

## Section 6 – The Canadian Region

This Article applies to members of the CWA-SCA Canadian Region, which consists of all CWA Locals within the boundaries of Canada. However, in keeping with the financial autonomy of the Canadian Region, per capita dues paid by Canadian members will remain in Canada and will be administered by CWA-SCA Canada to fund Canadian programs and operations. The Canadian Region

shall submit to the International Union its proportionate share of the common costs of the CWA-SCA Sector. CWA-SCA Canada and its Locals will continue to participate in the Members' Relief Fund and the CWA Defense Fund and be governed by the rules applicable to those funds. CWA-SCA Canada will also be eligible to participate in appropriate Strategic Industry Funds and will also be governed by the rules applicable to those funds.

## Article VII—Governing Authority

### Section 1

The affairs of the Union shall be governed by its membership in the following manner:

- (a) By the Convention as the highest governing authority of the Union, subject to the right of referendum of the membership;
- (b) By the Executive Board exercising the authority of the Convention between Biennial Conventions, in accordance with the Constitution and the mandates of the Convention, subject to the right of appeal to the Convention, the referendum and the recall. As provided more fully in Article IX, Section 7, commencing immediately after the 2011 CWA Convention, all appeals pending in non-Convention years may be heard and resolved by delegates to a Local President's meeting to be called by CWA Secretary-Treasurer. Except as provided in Article XIII, Section 6, the decisions of the Executive Board must be complied with before the right to appeal can be exercised and such decisions shall remain in effect until reversed or modified;
- (c) By the President as the principal executive officer of the Union, who shall have the authority to carry out the policies of the Union in accordance with the Constitution and the mandates of the Convention and the Executive Board, subject to the right of appeal

to the Convention, the referendum and the recall. As provided more fully in Article IX, Section 7, commencing immediately after the 2011 CWA Convention, all appeals pending in non-Convention years may be heard and resolved by delegates to a Local President's meeting to be called by CWA Secretary-Treasurer;

(d) By the Locals of the Union conducting their affairs in accordance with this Constitution and Local Bylaws and Rules which they may adopt so long as they do not contravene any provision of this Constitution.

## Article VIII—Conventions

### Section 1— Biennial Conventions

Beginning in 2011, the Union shall meet in Biennial Conventions at a place selected by the Executive Board or the Secretary-Treasurer when authorized by the Executive Board to do so.

### Section 2— Special Conventions

(a) Special Conventions may be called by the Executive Board and shall be called upon the request of twenty percent (20%) of the Locals representing twenty percent (20%) of the membership of the Union.

(b) The date and place of Special Conventions shall be specified on the calls thereof.

(c) Action of a Special Convention shall be confined to the matters for which it was called.

### Section 3—Convention Call

(a) Biennial Convention

The Secretary-Treasurer of the Union shall notify in writing all Locals of the date and place of the Biennial Convention not later than ninety (90) days in advance of the opening date of the Convention.

(b) Special Conventions

The Secretary-Treasurer of the Union, within twenty (20) days following the receipt by the Secretary-Treasurer of a sufficient request or direction for a Special Convention, shall issue a call for a Special Convention to be held not later than thirty (30) days after the date of the call.

Section 4—Composition of Conventions

(a) Subject to the provisions of Section 12 of this Article, the Convention shall be comprised of the incumbent officers and Executive Board members of the Union and of delegates elected by the Locals in accordance with their respective Bylaws or Rules. Each Local shall be entitled to:

- (1) One delegate if the Local has less than two hundred (200) members in good standing;
- (2) Two delegates if the Local has two hundred (200) or more but less than four hundred (400) members in good standing;
- (3) Three delegates if the Local has four hundred (400) but less than six hundred (600) members in good standing;
- (4) One additional delegate for each four hundred (400) members or major fraction thereof above six hundred (600) members.

(b) Locals shall elect their delegates in accordance with paragraph (a) on the basis of the average number of members on which dues were paid or collected by the International for the twelve (12)

months ending the fifth month preceding that in which the Convention begins its session. Locals chartered less than twelve (12) months preceding the fifth month shall each be averaged according to the number of months chartered. Locals chartered after the fifth month preceding the Convention shall be allowed to elect delegates in accordance with this Section on the number of members in the Local at the time it was chartered; provided, however, that duplicate representation because of shift in membership from one Local to another shall not be allowed.

(c) Each Local may elect an alternate delegate for each delegate elected who shall attend the Convention in the event the delegate is unable to attend.

(d) Each Local shall determine the number of its delegates. A Local delegation, however, shall not exceed the maximum number as provided in paragraph (a) of this Section. Each Local shall assign the number of votes to which it is entitled equally among its delegates, except as provided in Section 5. The number of votes which may be left over after such equal division shall be assigned to the Chair of the delegation of the Local.

(e) No Local will be entitled to representation at the Convention and its delegates shall not be seated if the Local is considered to be more than ninety (90) days delinquent in any per capita payments to the International Union at the time of the Convention, except those locals that have established and remained current on a formal payment arrangement with the International Union.

Locals shall be notified of such delinquency not less than ninety (90) days prior to the first day of Convention.

#### Section 5—Method of Voting

(a) A Local delegate shall have one vote in the Convention,

District Meeting, a meeting of a bargaining unit, a national unit or sector, except on a roll call vote.

(b) A roll call vote of the Convention, a District Meeting, a meeting of a bargaining unit or a sector may be had upon the request of twenty percent (20%) of the delegates.

(c) Voting by roll call shall be by per capita vote with each delegate casting the number of votes assigned to the delegate by the delegate's Local and approved by the Credentials Committee and the Convention. A Local may designate one or more of its delegation to attend a District Meeting, a meeting of a bargaining unit, a national unit meeting, or a sector meeting in accordance with its Local bylaws and the voting strength shall be equally divided among the delegates so designated. On roll call votes, a delegate shall cast one vote for each member in good standing as assigned to the delegate by the delegate's Local and approved by the Credentials Committee and the Convention.

#### Section 6—Certification of Delegates

Each Local shall certify to the Secretary-Treasurer of the Union, not less than five (5) days prior to the opening of a Biennial or Special Convention, on credential forms provided by the Union, the names, addresses and voting strength of its delegates and alternates, if any, and the name of the Chair of its delegation.

#### Section 7—Powers of Convention

The Convention shall have the power to:

- (a) Pass upon the credentials and seating of delegates;
- (b) Establish the policies to be followed by the Union;
- (c) Interpret and amend this Constitution;

- (d) Establish the number of Locals and Districts, and determine their jurisdiction and boundaries;
- (e) Cause the issuance and revocation of Local Charters subject to the provisions of Article XIII, Section 5;
- (f) Determine the number of Vice Presidents and/or At-Large Executive Board Members;
- (g) Cause the selection of delegates to AFL-CIO and CLC Conventions;
- (h) Do all things necessary for the proper disposition of any matter which may come before it for consideration.

#### Section 8—Order of Business

The Order of Business at a Convention shall be as follows:

1. Call to Order;
2. Report on Credentials;
3. Reading of Convention Rules;
4. Reports of Officers and Executive Board of the Union;
5. Report of Committees;
6. Unfinished Business;
7. Nomination and Election of Officers;
8. Installation of Officers;
9. New Business;

## 10. Adjournment.

The order of business may be suspended by a two-thirds (2/3) vote of the delegates present.

### Section 9—Committees of Convention

The Executive Board shall have the authority to appoint those committees which are not required by this Constitution or the Convention to be elected; and which may be necessary to promote and achieve the objectives of the Convention and the Union.

### Section 10—Expenses of Convention

The Union shall pay the normal and usual expenses incident to the meetings of the Convention together with the expenses of the Executive Board and of those other members or agents whose attendance at the Convention may be required by the Executive Board. The Locals shall pay the expenses of their respective delegates.

### Section 11—Attendance, Individual Members

Any member of the Union in good standing may attend the general meetings of the Convention as an observer.

### Section 12—Officers at Conventions

Officers of the Union and Executive Board members shall not be selected as delegates to the Convention. They shall have the privilege of speaking on the Convention floor but shall not have the right to vote.

### Section 13—Convention Rules and Procedures

The Convention shall be governed by the CWA Constitution,

Rules adopted by the 10th Annual Convention, and amendments to the Rules which may be adopted by future conventions. In situations where neither the CWA Constitution nor Rules adopted by the Convention are applicable, the Convention shall be governed by Robert's Rules of Order.

## Article IX—Executive Board

### Section 1

The Executive Board of the Union shall consist of the following:

(a) The President;

(b) The Secretary-Treasurer;

(c) The Vice Presidents (District; Telecom and Technology; Public, Health Care and Education Workers; TNG-CWA Sector; NABET-CWA Sector; IUE-CWA Division, and AFA-CWA Sector).

(d) The Printing, Publishing and Media Workers Executive Officer;

(e) Four At-Large Diversity Executive Board Members. The four At-Large Diversity Executive Board members shall represent four separate geographical areas within CWA as follows:

(1) At Large Diversity Executive Board Seat (Northeast Region): Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Newfoundland, Nova Scotia, Prince Edwards Island, New Brunswick, Ontario, Quebec, London, Frankfurt.

(2) At Large Diversity Executive Board Seat (Southeast Region): Alabama, Delaware, District of Columbia, Florida, Georgia,

Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Pennsylvania, Puerto Rico, South Carolina, Tennessee, Virginia, West Virginia.

(3) At-Large Diversity Executive Board Seat (Central Region):  
Arkansas, Illinois, Indiana, Kansas, Michigan, Missouri, Ohio, Oklahoma, Texas, Wisconsin.

(4) At-Large Diversity Executive Board Seat (Western Region):  
Alaska, Arizona, California, Colorado, Hawaii, Idaho, Iowa, Nevada, Minnesota, Montana, Nebraska, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, Wyoming, Alberta, British Columbia, Manitoba, Northwest Territories, Nunavut, Saskatchewan, Yukon Territory, Hong Kong, Narita Tokyo.

(f) The Director of CWA-SCA Canada.

## Section 2

(a) Except in the case of the President, if a vacancy should occur among the members of the Executive Board, the Executive Board shall designate a successor, having the same constitutional qualifications as the member whose place the person takes and that person shall serve until the next regular Convention, at which time a successor shall be elected for the balance of the unexpired term, if any.

(b) If the office of President becomes vacant, the Executive Board shall designate a successor from among the Executive Board, who shall serve until the next regular Convention at which a successor shall be elected for the balance of the unexpired term, if any.

(c) The President shall vote in Executive Board Meetings only in the event of a tie vote.

### Section 3

The Executive Board shall meet not less than two (2) times a year. In the event the President shall refuse to call a meeting of the Executive Board when requested to do so by one-third (1/3) of its members, the Secretary-Treasurer of the Union shall call such a meeting.

### Section 4

The Executive Board shall have the authority to:

- (a) Issue Local Charters;
- (b) Remove any officer of a Local only on clear proof of fraud or dishonesty after sworn charges have been made and after a fair trial and opportunity for appeal as provided in this Constitution;
- (c) Terminate the service of full-time representatives other than elected representatives of the Union. Such persons dismissed shall have the right to be heard by the Executive Board and a final appeal to the Convention. As provided more fully in Article IX, Section 7, commencing immediately after the 2011 CWA Convention, all appeals pending in non-Convention years may be heard and resolved by delegates to a Local President's Meeting.
- (d) Have an independent audit made of the books of the Secretary-Treasurer of the Union not less than once each year and to publish to the membership the results of such audit;
- (e) Cause an inspection to be made of the financial records of any Local and order an independent audit of the books of any Local when convinced that such audit is necessary and proper to protect the membership of the particular Local and the interest of the Union and to publish to the members affected the results of such audit; the cost of such audit to be borne by the Union;

(f) Establish and maintain organizing, publicity, educational and research departments and to establish and maintain such other departments as the Convention may authorize to promote the purposes of the Union. In no such case shall less than ten percent (10%) of the overall annual budget of the National Union be dedicated to organizing, effective July 1, 1997.

(g) Approve the employment of personnel not elected which may be necessary to carry out the objectives and to effectuate the policies of the Union and to fix the compensation of such personnel within the limitations of the budget approved by the Convention;

(h) Approve strikes called by a Local or Locals and render financial and other assistance in connection therewith as hereinafter more fully set forth;

(i) Call for strikes in the manner specified in this Constitution;

(j) Call a meeting of any Local or its governing board, in which meeting the Executive Board or its representatives may participate, when the Local has been requested to call such a meeting and has refused or failed to do so. The Executive Board may take this action only under one or more of the following conditions:

(1) When so directed by the Convention;

(2) When the Executive Board has received written charges that the Officers of a Local are withholding from their members information necessary for the effectuation of current policy or the achieving of important objectives of the Union;

(3) When a Local is pursuing a course of action which, if continued, would warrant its expulsion or the appointment of a temporary administrator as provided in Article XIII.

(k) The Executive Board shall interpret this Constitution, except as it may have been interpreted by the Convention, subject to referendum;

(l) The Executive Board may order the repeal of any Bylaw or Rule of a Local inconsistent with this Constitution. The affected Local may appeal to the Convention. However, the order of the Executive Board shall be effective pending such appeal. As provided more fully in Article IX, Section 7, commencing immediately after the 2011 CWA Convention, all appeals pending in non-Convention years may be heard and resolved by delegates to a Local President's Meeting.

## Section 5

The Executive Board shall have authority to establish and dissolve organizing committees upon such terms and conditions as may be deemed for the best interest of the Union. Such organizing committees may be granted all of the rights and privileges of Locals under this Constitution. No organizing committee shall be granted jurisdiction which conflicts with that of any chartered Local of the Union.

## Section 6

The Executive Board shall have authority to provide for the affiliation of any labor organization with such rights and privileges and under such terms and conditions as may be acceptable to the Executive Board, subject to the right of appeal to the Convention. The rights, privileges, terms and conditions of affiliation shall not be required to be uniform for such affiliated labor organizations. As provided more fully in Article IX, Section 7, commencing immediately after the 2011 CWA Convention, all appeals pending in non-Convention years may be heard and resolved by delegates to a Local President's Meeting.

## Section 7—Appeal Procedure

(a) The Executive Board of the Union shall establish reasonable appeal procedures within the structure of the Union to review complaints of members which allege violation of the Constitution, Local Bylaws or the rights and privileges of members.

(b) Commencing immediately after the 2011 CWA Convention, any appeals arising in a non-Convention year may be heard and resolved by delegates to a Local President's Meeting. The CWA Secretary-Treasurer shall provide 90 days' advance notice to Local Presidents. Appeals arising during a Convention year will continue to be heard and resolved by the Convention in accordance with the provisions of the CWA Constitution, the CWA Internal Appeals Procedures and past practice.

(c) The meeting of Local Presidents to be held in non-Convention years to hear and resolve any pending appeals shall be attended by the President of each CWA Local in good standing and/or their designee. The President and/or his designee shall carry the same per capita voting strength as was certified for the Local at the prior year's Convention, calculated in accordance with the provisions of Article VIII.

(d) Each Local delegate to the President's Meeting shall have one vote. A roll call vote of the President's Meeting may be had upon request of twenty percent (20%) of the delegates. Voting by roll call shall be per capita vote with each delegate casting the number of votes approved for the Local by the preceding Convention.

(e) At the option of the appellant, final resolution of any appeal involving matters of internal CWA governance may be deferred until the next CWA Biennial Convention. Any appellant wishing to exercise such option shall notify the CWA Secretary-Treasurer of such intent in writing, no later than thirty (30) days before the non-

Convention year Local President's Meeting.

## Article X—Executive Committee

There shall be an Executive Committee of the Union consisting of the President and the Secretary-Treasurer who shall have such administrative powers, duties and authorities as may be assigned by the Convention or the Executive Board.

## Article XI—Districts and The Canadian Region

### Section 1

The Districts established under this Constitution shall be administrative units of the Union.

### Section 2

(a) Delegates representing the Locals within each District shall meet at least once every four years in conjunction with the Union Convention for the purpose of electing a Vice President.

(b) Representatives of Locals within each District shall meet at least once in each calendar year at the call of the Vice President.

(c) In addition, the Vice President shall call meetings of representatives of the Locals in particular states or other appropriate geographical areas within the District not less than once in each calendar year.

### Section 3

District, State and Area meetings shall be conducted by the respective Vice Presidents or their authorized representatives. Attendance of Locals at such meetings shall be required.

#### Section 4

Representation at District meetings held in conjunction with Conventions shall be determined in accordance with the credentials approved by the Convention. Voting strength of representatives to other District, State and Area meetings shall be determined in accordance with the credentials approved by the most recent Convention.

#### Section 5

No Local shall have representation in more than one District. A Local whose jurisdiction crosses District lines shall be assigned to the District in which it maintains its Local headquarters.

#### Section 6

Expenses incidental to District, State and Area meetings shall be borne by the Union. Expenses of Local delegates to District, State or Area meetings shall be borne by the Locals.

#### Section 7

District, State and Area meetings shall review total Union programs established by the Convention or Executive Board, discuss matters of common interest and concern, and shall have the authority to initiate and approve programs and policies not in conflict with the programs and policies established by higher policy making levels within the Union, for implementation only within that District, State or Area. Dues and assessments, however, may be established and levied only by the Convention and Locals as provided in Article VI of this Constitution.

#### Section 8 — The Canadian Region

CWA-SCA Canada shall operate as an autonomous entity within

the TNG-CWA Sector and the CWA, through a Canadian Region, with regard to governance, policy and operational decisions affecting Canadian members. The Canadian Region will be financially self-sufficient and all expenses incurred by the operations of the Region will be borne by the Region. CWA-SCA Canada members will have all rights of membership in the Union and will be eligible for appointment to any Union Committees. CWA-SCA Canada will provide an annual audit report to the CWA Secretary-Treasurer. All financial records and other records pertaining to the Locals of CWA-SCA Canada will be maintained and administered by the Canadian Region. The Canadian Region shall abide by all provisions of the CWA Constitution.

## Article XII—Duties of Officers and other Executive Board Members

### Section 1—The President

(a) The President, as the principal executive officer of the Union, shall have full authority to execute the policies of the Union as established under this Constitution. Should the President find that the policy of the Union has not been clearly formulated, the President shall poll the members of the Executive Board and the affirmative opinion of a majority of the Board shall have the force and effect of a decision reached in a meeting of the Executive Board and the results of the poll shall be entered in the minutes of the next meeting of the Board.

(b) The President shall preside over the Convention and meetings of the Executive Board and Executive Committee of the Union.

(c) The President shall call regular and special meetings of the Executive Board as required by the Constitution.

(d) The President shall be the official spokesperson for the Union

in all its external relations and may authorize counsel or other agents of the Union to speak for the Union in the President's place and stead.

(e) The President shall recommend to the Executive Board the employment of such personnel as may be required in the President's opinion to effectuate the programs of the Union.

(f) The President shall hold no other office in the Union and shall not be engaged in any other employment. The President shall receive the annual salary established for the office by the Convention, payable in twelve (12) equal monthly installments.

## Section 2—The Secretary-Treasurer

The Secretary-Treasurer shall act under the direction of the President and the Executive Board and shall:

(a) Attend all meetings of the Convention, the Executive Board and the Executive Committee and shall cause a faithful record to be made of the proceedings;

(b) Keep all contracts, books, records, monies, securities and all other property of the Union not otherwise given by this Constitution to someone else;

(c) Have the custody of the Union Seal and cause it to be impressed upon such documents as the Executive Board of the Union shall direct;

(d) Supervise the maintenance of such membership lists as may be required by the International and shall cause the collection of per capita dues, initiation fees, assessments and all other monies due to the Union;

(e) Cause the President of a Local to be notified whenever such

Local becomes delinquent for a period of thirty (30) days in the payment of any financial obligation to the Union;

(f) Cause the funds belonging to the Union to be deposited in a bank or banks approved by the Executive Board of the Union;

(g) Cause the payment of proper bills and expenses of the Union, when evidenced by satisfactory statements or vouchers, by checks countersigned by the President or by such other persons who may be thereunto authorized by the Executive Board of the Union;

(h) Invest the funds of the Union as instructed by the Convention or by the Executive Board in the absence of such instructions by the Convention;

(i) Prepare, publish and distribute to the Executive Board a quarterly financial statement which shall list the total assets, liabilities, receipts and disbursements of the Union;

(j) Make loans to locals when authorized by the Executive Board of the Union and when secured by promissory note or other evidence of obligation therefore drawn and signed by the Officers of the borrowing Local;

(k) Cooperate with the auditor in the annual audit of the Secretary-Treasurer's books and such other audits as may be directed by the Executive Board;

(l) Give bond in an amount to be determined by the Executive Board for the faithful performance of the trust in the Secretary-Treasurer reposed, the cost thereof to be borne by the Union;

(m) Turn over all funds, books, records and all other documents and property of the Union in the Secretary-Treasurer's custody to the Secretary-Treasurer's successor in office;

(n) Perform all duties imposed upon the Secretary-Treasurer by this Constitution and such other duties as shall from time-to-time be assigned to the Secretary-Treasurer by the Convention, the President or the Executive Board;

(o) The Secretary-Treasurer shall hold no other office in the Union and shall not be engaged in any other employment. The Secretary-Treasurer shall receive the annual salary established by the Convention for the office, payable in twelve (12) equal monthly installments.

Section 3— Vice Presidents—District; Telecom and Technology; Public, Health Care and Education Workers; TNG-CWA; NABET-CWA; IUE-CWA; and AFA-CWA Sectors

The Vice President shall:

(a) Act under the direction of the President and perform such duties as may be assigned by the President or the Executive Board;

(b) Recommend to the President the employment of such personnel as may be required;

(c) Recommend to the President that services of such personnel as may be assigned to the Vice President be terminated for cause;

(d) Supervise full-time and part-time personnel as may be assigned to the Vice President and employ and terminate the employment of clerical forces subject to the limitations of the budget;

(e) Preside at meetings;

(f) Hold no other office in the Union and shall not be engaged in any other employment. The Vice President shall receive the annual salary established for the office of the Vice President by the Convention, payable in twelve (12) equal monthly installments.

## Section 4— Vice Presidents—District, Telecom and Technology

The Vice President shall:

- (a) Appoint members of the bargaining committees in bargaining units to fill vacancies that may occur and that are not otherwise filled; and to appoint bargaining committees for bargaining units who have failed to select bargaining committees under the provisions of this Constitution;
- (b) Supervise the negotiations of contracts and approve or authorize the approval of such contracts in accordance with Executive Board direction;
- (c) Designate when necessary one or more Union representatives to assist in the negotiation of each contract negotiated;
- (d) Designate when necessary one or more Union representatives to process grievances above the Local level.

## Section 5— Telecom and Technology Vice President

For those bargaining units of Telecommunications employees other than AT&T, Verizon, Qwest and their subsidiaries and affiliates. The Telecom & Technology Vice President shall be responsible, under the direction of the Executive Board, for coordinating matters of common concern and interest with respect to contracts, wages, hours of employment and other working conditions within the units.

The Telecom & Technology Vice President shall be responsible for bargaining in those bargaining units which are system-wide or national in scope as determined by the Executive Board.

## Section 6— Public, Health Care and Education Workers Vice President

There shall be elected a Public, Health Care and Education Workers Vice President who shall be responsible under the direction of the Executive Board for coordinating matters of common concern and interest with respect to contracts, wages, hours of employment and other working conditions within the units of public, health care and education workers.

#### Section 7—CWA Printing, Publishing and Media Workers Sector Executive Officer

The President of the Printing, Publishing and Media Workers Sector of CWA (PPMWS) shall also be the CWA Printing, Publishing and Media Workers Sector Executive Officer, who shall be responsible under the direction of the Executive Board for coordinating matters of common concern and interest with respect to contracts, wages, hours of employment and other working conditions with the units of the Printing, Publishing and Media Workers Sector.

The PPMWS Executive Officer shall:

- (a) Act under the direction of the President and perform such administrative and constitutional obligations as may be assigned by the President or the Executive Board;
- (b) Recommend to the President the employment of such personnel as may be required;
- (c) Recommend to the President that services of such personnel as may be assigned to the PPMWS Executive Officer be terminated for cause;
- (d) Supervise full-time and part-time personnel as may be assigned to the PPMWS Executive Officer and employ and terminate the employment of clerical forces subject to the limitations of the budget;

(e) Preside at meetings;

(f) Hold no other office in the Union and shall not be engaged in any other employment. The PPMWS Executive Officer shall receive the annual salary established for the office of the PPMWS Director by the Convention.

#### Section 8—TNG-CWA Sector Vice President

The President of the TNG shall also be the TNG-CWA Sector Vice President who shall be responsible under the direction of the Executive Board for coordinating matters of common concern and interest with respect to contracts, wages and hours of employment and other working conditions with the units of the TNG-CWA Sector.

#### Section 9—NABET-CWA Sector Vice President

The President of the National Association of Broadcast Employees and Technicians, the Broadcasting and Cable Television Workers Sector of the Communications Workers of America, AFL-CIO (NABET-CWA) shall also be the NABET-CWA Sector Vice President who shall be responsible under the direction of the Executive Board for coordinating matters of common concern and interest with respect to contracts, wages, hours of employment and other working conditions with the units of the NABET-CWA Sector.

#### Section 10—IUE-CWA Division Vice President

The President of the IUE-CWA Division of CWA shall also be the IUE-CWA Division Vice President and shall be responsible, under the direction of the Executive Board, for coordinating matters of common concern and interest with respect to contracts, wages, hours of employment and other working conditions within the units of the IUE-CWA Division.

## Section 11—AFA-CWA Sector Vice President

The President of the AFA-CWA Sector of CWA shall also be the AFA-CWA Sector Vice President and shall be responsible under the direction of the Executive Board for coordinating matters of common concern and interest with respect to contracts, wages, hours of employment and other working conditions within the units of the AFA-CWA Sector.

## Section 12?At-Large Diversity Executive Board Members

Beginning thirty (30) days after the conclusion of the 2007 Annual Convention, four At-Large Diversity Executive Board Member seats shall be created. The four At-Large Diversity Executive Board Members shall:

- (a) Act under the direction of the President and perform such duties as may be assigned by the President or the Executive Board;
- (b) Be responsible, under the direction and with the assistance of other members of the Executive Board, for matters of common concern and interest affecting diversity at all levels within the union;
- (c) Attend meetings of the CWA Executive Board, in person or by telephone call, as may be scheduled by the President or the Executive Board;
- (d) Evaluate, in conjunction with other members of the Executive Board as assigned by the President, the membership balance within each geographical region represented by the four At-Large Diversity Executive Board seats; and
- (e) No full-time, permanent employee of the Union shall be eligible to run for or hold office as an At-Large Executive Board Member. At-Large Executive Board Members shall not be

employees of the Union and shall receive no salary or other compensation from the Union for service as an At-Large Executive Board Member. At-Large Executive Board Members shall receive reimbursement for lost-time wages and expenses associated with attending Board meetings and performing other Board responsibilities as assigned by the President.

### Section 13?Director, CWA-SCA Canada

The Director of CWA-SCA Canada shall be responsible for coordinating matters of common concern and interest with respect to contracts, wages, hours of employment and other working conditions within the units of the CWA-SCA Canadian Region. The Director of CWA-SCA Canada shall act under the direction of the President and perform such administrative and constitutional obligations and duties as may be assigned by the President or the Executive Board. The Director of CWA-SCA Canada shall be a voting member of the CWA Executive Board. The Canadian Director shall act at all times in the best interests of the Union in accordance with the CWA Constitution.

### Article XIII—Locals

#### Section 1—Charter

- (a) A Local shall be a unit of the Union and shall be chartered by the Executive Board.
- (b) Locals shall be identified by number.
- (c) Local jurisdiction shall be assigned and described at the time Charters are issued.
- (d) No Local Charter shall be issued which grants jurisdiction in conflict with that of another Local except as herein provided.

## Section 2—Applications

Application for Charter or change of jurisdiction shall be in writing upon forms provided by the Secretary-Treasurer of the Union and shall be signed by at least five individuals who are eligible for membership in the Local.

## Section 3—Jurisdiction Changes

(a) The Convention or the Executive Board by an affirmative vote of three-fourths (3/4) may change the jurisdiction of any Local.

(b) Locals may combine or waive jurisdiction by an affirmative vote of a majority of those voting by referendum in each Local affected.

## Section 4—Jurisdiction Disputes

(a) In jurisdictional disputes between Locals the District Vice President will make every reasonable effort to obtain an agreement among the involved Locals. If no agreement can be reached the matter will be resolved by the following procedure:

1. Upon agreement of the Locals involved, an election shall be conducted in accordance with rules and procedures adopted by the Executive Board and shall be conducted under the supervision of the District Vice President.
2. If the Locals will not agree to an election, the dispute shall be referred to an independent referee appointed by the Executive Board and approved by the Convention. The decision of the referee may be appealed to the CWA Convention within thirty days of receipt of the referee's decision. As provided more fully in Article IX, Section 7, commencing immediately after the 2011 CWA Convention, all appeals pending in non-Convention years may be heard and resolved by delegates to a Local President's Meeting.

Such appeals shall be presented to the Convention or President's Meeting by the Appeals Committee. The only responsibility of the Appeals Committee shall be to convey the decision and opinion to the Convention or President's Meeting without making any recommendation.

(b) Where appropriate, the Secretary-Treasurer shall issue a revised charter reflecting the outcome of any of the above procedures.

#### Section 5—Causes for Revocation or Suspension of Charter

The Charter of a Local may be revoked or suspended by the Executive Board for:

(a) Failure to meet any financial obligation to the Union within sixty (60) days after it is due;

(b) Refusing or neglecting to install a successor to any Officer removed by the Union;

(c) Refusing or neglecting to make returns and reports required by the Union;

(d) Refusing or neglecting to bring a member to trial within thirty (30) days after being directed to do so by the Union;

(e) Resorting to a civil suit or criminal action against the Union or any Officer thereof before exhausting remedies within the Union organization;

(f) Refusing or neglecting to conform to or abide by any directions or decisions of the Convention, Executive Board or referendum vote of the membership;

(g) Refusing or neglecting to conform to this Constitution or the

policies of the Union as set forth by the Convention.

#### Section 6—Procedure for Revocation

The Charter of any Local shall not be revoked until the Local has been given proper notice of the charges against it and an opportunity to be heard in its defense. It may be represented by counsel. The Local shall be given at least ten (10) days to prepare its defense after receiving notice from the Secretary-Treasurer of the Union of any charges. The hearing will be conducted before a member or members of the Executive Board of the Union who shall be required to make a report and recommendations thereon to the Executive Board. A vote of at least two-thirds (2/3) of the Executive Board of the Union shall be required for a finding of suspension or revocation of a Charter or any other penalty that may be imposed. In the event penalties other than suspension or revocation are imposed, such findings shall state that if the Local fails to comply with the finding or to appeal within the allotted time, its Charter will be automatically revoked. The findings shall be published to all Locals.

#### Section 7—Appeal of Revocation

(a) A Local may appeal the findings of the Executive Board to the next Convention by giving written notice to the Secretary-Treasurer of the Union within thirty (30) days after the publication of the findings of the Executive Board of the Union. No findings shall become effective pending the disposition of the appeal. As provided more fully in Article IX, Section 7, commencing immediately after the 2011 CWA Convention, all appeals pending in non-Convention years may be heard and resolved by delegates to a Local President's Meeting.

(b) A two-thirds (2/3) vote of the Convention and/or of the delegates voting on appeals at a Local President's Meeting to be

held in non-Convention years, as provided in Article IX, Section 7, shall be required to sustain the finding of the Executive Board in the event such finding is appealed.

#### Section 8—Temporary Administration

(a) Should there be a final decision revoking the Charter of a Local, the Executive Board of the Union may temporarily take control of its affairs through a temporary administrator, who shall take such action, subject to the direction of the Executive Board of the Union, as may be necessary to guarantee the continuance of the Union and protect its interests.

(b) The Executive Board may appoint a temporary administrator to temporarily conduct the affairs of a Local after receiving a request from the Officers or membership of a Local for such action.

In the event the Local or its Officers shall object to the appointment of a temporary administrator, the President shall give notice in writing to the Local of the reasons which were the basis for the appointment of the temporary administrator; shall appoint a member of the Executive Board to hold a hearing for the purpose of determining the reasons for and the objections of the Local or its Officers to the appointment of a temporary administrator. The Local shall be entitled to reasonable notice of the time and place of the hearing which shall not be less than ten (10) days. The Local or its Officers may be represented by Counsel. At the conclusion of the hearing, the member of the Executive Board holding the hearing shall make a report with recommendations to the Executive Board which shall affirm, reverse or modify the appointment of the temporary administrator. The decision of the Executive Board may be appealed to the next Union Convention. After the 2011 CWA Convention, as provided more fully in Article IX, Section 7, all appeals pending in non-Convention years may be heard and resolved by delegates to a Local President's Meeting.

## Section 9— Authority, Duties and Obligations of Locals

The authority, duties and obligations of chartered Locals, their officers and members, in addition to those otherwise set forth in the Constitution or in their respective Bylaws and rules, shall be:

(a) To represent the workers in their respective jurisdiction relating to Local matters;

(b) To actively implement all Union Programs and carry out the policies established by the District, State or Area meeting at which it is required to be represented;

(c) To abide by the Constitution, the decisions of the Convention, the Executive Board of the Union and the decisions resulting from the referendum procedure;

(d) To adopt Bylaws and Rules not inconsistent with this Constitution and to repeal, amend, or modify such Rules and Bylaws as may be inconsistent therewith, voluntarily, or at the direction of the Executive Board of the Union, subject to the right of appeal to the Convention. As provided more fully in Article IX, Section 7, commencing immediately after the 2011 CWA Convention, all appeals pending in non-Convention years may be heard and resolved by delegates to a Local President's Meeting;

(e) To establish and maintain actively functioning organizing, education, legislative-political, community services, women's, equity, and such other committees as may be necessary to effectuate the policies of the Local, the Union and the District, State or Area;(f) To participate actively in the political and legislative processes on a city, state, provincial and national level, with special regard to legislation affecting the welfare of the members, and do all things reasonable and necessary to accelerate the adoption of laws which may be beneficial and to encourage

defeat or cause the repeal of laws which may be detrimental to the workers;

(g) To respect picket lines of any Local of the Union engaged in a strike authorized and conducted in accordance with this Constitution;

(h) To provide for the bonding of Local Officers and other persons who handle Union funds and property;

(i) To hold Local meetings at such time, place and frequency as the members may decide by vote;

(j) To hold Local elections by secret ballot with provision of reasonable opportunity for all members to vote in accordance with the Bylaws or Rules established by the Local and this Constitution;

(k) To elect by secret ballot delegates and alternate delegates to the Union Convention as provided in this Constitution and to designate the Chair of such delegation;

(l) To establish a quorum and other rules of conduct of Local meetings;

(m) To maintain adequate files and records and have made an annual audit of the financial records of the Local by competent persons; make available Local financial statements to the membership at least annually; furnish to the Union's Secretary-Treasurer in acceptable form, an annual financial statement;

(n) To furnish the Vice President and Secretary-Treasurer of the Union with copies of Bylaws and Rules of the Local and copies of revisions as they may be made;

(o) To require participation of all Local officers and stewards in appropriate training schools and programs;

(p) To establish a program designed to keep rank and file members informed of Union activities;

(q) To process grievances through the step below the top level of the grievance procedure preceding arbitration, where applicable;

(r) To represent the members of the Local at all District, State or Area Meetings, and at quarterly meetings of Local Representatives with their International Staff, at such times and places as may be set by the Vice President, or the Vice President's accredited representative;

(s) To maintain an active internal membership development program;

(t) To maintain an active organizing program and budget monies to support the Local's efforts as well as assisting the Union in reaching a goal of 10% of resources to be spent on growth;

(u) To do all other things necessary for the proper disposition of matters, which may come before the Local for consideration.

#### Section 10—Contract Responsibility

No Local shall be authorized to make contracts or incur liabilities for the Union.

#### Section 11—Assets

All assets of a Local shall be considered a trust fund of the Union to be held and administered by the Local for the members of the Union belonging to the Local so long as the Local remains a chartered Local of the Union. If the Charter of a Local is revoked, its assets will become the property of the Local succeeding to the jurisdiction. If there is no succeeding Local, the assets shall become the property of the Union.

## Section 12—Prohibition Against Incorporation

No Local shall be or become incorporated under the laws of any state, territory or country unless otherwise required by law.

## Article XIV—Councils

### Section 1—State and City Councils

(a) State Councils may be established under the direction of the Vice President(s) in all states where the Union has a significant presence as determined by the Executive Board.

(b) In cities where there is more than one chartered Local, Councils may be established under the direction of the Vice President of the geographical District.

### Section 2

Each Council shall consist of representatives of Locals within the state or areas of the respective Council.

### Section 3

Councils shall operate under rules they may adopt which are approved by the Vice President(s).

### Section 4

Councils shall be financed by participating Locals.

## Article XV—Elections

### Section 1—Union Officers

The President and Secretary-Treasurer of the Union shall be elected separately by secret ballot of the delegates to the Convention following nominations made from the floor of the Convention. Beginning with the election of 2011 t