



LOCAL 1298

By-Laws

Amended by
Referendum Vote
October, 10, 2019

**ARTICLE 1
NAME**

This Local shall be known as Local 1298, Communications Workers of America, AFL-CIO, hereinafter referred to as the Local.

**ARTICLE II
JURISDICTION**

The jurisdiction of the Local shall be assigned by the Communications Workers of America, hereinafter referred to by the initials C.W.A. and appearing on the face of the Local Charter issued by the C.W.A. Executive Board.

**ARTICLE III
OBJECTIVES**

The objectives of the Local shall be to represent and serve the workers within its jurisdiction in accordance with the By-Laws and policies of the Local and the Constitution and policies of the C.W.A.

**ARTICLE IV
LOCAL STRUCTURE**

The structure of the Local shall consist of the following:

1. Membership
2. Local Executive Board
3. Business Agents
4. Chief Stewards & Job Stewards

**ARTICLE V
MEMBERSHIP**

SECTION 1- ELIGIBILITY

A. All persons eligible for membership in the C.W.A., as defined in Article V of the C.W.A. Constitution, shall be eligible for membership in the Local, provided such persons fall within the jurisdiction of the Local as defined in Article II of these By-Laws, or if employed on a part-time or full time basis by the C.W.A. or the Local.

SECTION 2- APPLICATIONS

A. Applications for membership in the Local shall be processed in accordance with Article V, Section 2, of the C.W.A. Constitution.

SECTION 3- INITIATION FEE

The initiation fee for new members shall be five dollars (\$5.00).

SECTION 4- TRANSFERS

The transfer of 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 V, Section 3, of the C.W.A. Constitution.

SECTION 5- LOCAL 1298 RETIRED MEMBERS CLUB

Members of the Local who are or may be retired by reasons of age or disability and do not elect to remain active members shall assume the status of associate members and shall become members of the Local 1298 Retired Members Club with such rights and prerogatives as may be granted by the Membership or the Local Executive Board. Such members shall be issued proper credentials and, provided they give the Secretary-Treasurer Advance notice, may attend any regular or special membership meeting of the Local. Upon receipt of such notice the Secretary-Treasurer will reserve a space to seat such members and appoint an Escort Committee to see to their needs entering, during, and leaving the meeting. The Local 1298 Retired Members Club may have a spokesperson address the membership when it is considered appropriate by the Local Executive Board.

ARTICLE VI LOCAL DUES AND ASSESSMENTS

SECTION 1- LOCAL DUES

All members shall pay an amount equal to 1.8% of their basic weekly wages as union dues each pay period.

SECTION 2- LOCAL SPECIAL ASSESSMENTS

The membership of the Local may levy a special assessment in the same manner as provided for changing local dues. However, any special assessment levied shall be in accordance with Article VI, Section 3, of the C.W.A. Constitution.

ARTICLE VII GOVERNING AUTHORITY

SECTION 1- MEMBERSHIP

The affairs of this Local shall be governed by its membership and in accordance with the Constitution and policies of the C.W.A. in the following manner:

A. Through action taken in membership meetings or by referendum of the membership; or,

B. Through actions and decisions of the Local Executive Board between membership meetings.

SECTION 2- LOCAL EXECUTIVE BOARD

- A. The Local Executive Board shall consist of six (6) Local Officers: President, Secretary-Treasurer, 4 Department Vice Presidents: (Commercial and Marketing, Headquarters, Plant 1 and Plant 2).
- B. The President, and Secretary -Treasurer shall be elected by the membership by a majority vote by the membership as a whole. The Vice Presidents for Commercial & Marketing and Headquarters shall be elected by a plurality vote of the membership from within their respective departments. The Vice Presidents for Plant shall be elected by a plurality vote of the membership from within their respective department and geographical areas.

ARTICLE VIII MEETINGS

SECTION 1 - LOCAL MEETINGS

A. Regular membership meetings shall be held quarterly at the call of the Local Executive Board. Due notice by US mail, or email if provided, shall be given at least fifteen (15) days prior to a regular membership meeting.

SECTION 2- SPECIAL MEETINGS

A. Special meetings may be called by a majority vote of the Local Executive Board or by a petition signed by ten% (10) percent of the members in good standing. Upon the receipt of a proper petition, the Local Executive Board shall call a special meeting to be held within twenty (20) days. Due notice by US mail, or email if provided, shall be given at least fifteen (15) days prior to a special meeting.

ARTICLE IX LOCAL DELEGATES TO THE INTERNATIONAL CONVENTION

A. The President, Secretary-Treasurer, and the four (4) Department Vice-Presidents shall be delegates to the C.W.A. Convention. The President shall be the Chairperson of the delegation.

B. It shall be the duty of the Secretary-Treasurer of the Local to certify the Local delegates to the C.W.A. Convention to the Secretary-Treasurer of the C.W.A. within the time limits specified in Article VIII of the C.W.A. Constitution.

ARTICLE X LOCAL COMMITTEES

A. The Local shall establish such committees as may be necessary to effectuate the policies of the Local and the C.W.A.

B. Members of all committees shall be appointed by the President, subject to the approval of the Local Executive Board.

C. Vacancies on Committees shall be filled in the same manner as the original appointments.

**ARTICLE XI
LOCAL EXECUTIVE BOARD, BUSINESS AGENTS, CHIEF STEWARDS, JOB
STEWARDS,
AND THEIR DUTIES**

SECTION 1- LOCAL EXECUTIVE BOARD

A. The Local Executive Board Officers shall be:

President, Secretary-Treasurer, four (4) Department Vice-Presidents (Commercial and Marketing, Headquarters, Plant 1 and Plant 2)

B. The duties of the Local Executive Board shall be as follows:

1. The President shall:

a. Be responsible for the conduct of all Local Business and, in keeping with that responsibility, he or she shall have the power to employ and fix compensation of such employees as may be necessary for the efficient operation of the Local, subject to being overruled by referendum vote of the membership.

b. Preside at Local Membership and the Local Executive Board.

c. Prosecute grievances and appeal them to higher levels of the C.W.A. if they are not settled satisfactorily.

d. Serve as ex-officio member and supervise all Local Committees.

e. Approve all bills to be paid, and countersign all checks drawn on the Local treasury.

f. Perform whatever additional duties as may be assigned by the Local Executive Board, the Local Membership or required by the Constitution of the C.W.A.

g. Be Spokesperson for the Local.

h. Shall hold no other elective office in the Local other than delegate to the C.W.A. convention.

2. The Four (4) Vice-Presidents shall:

- a. Work under the direction of the President.
- b. Perform whatever duties as may be assigned by the Local Membership, the Local Executive Board, or President.
- c. Hold no other elective office in the Local other than delegate to the C.W.A. Convention.

3. The Secretary- Treasurer shall:

- a. Be custodian of all assets of the Local.
- b. Report to each membership meeting and Local Executive Board meeting on the financial status of the Local.
- c. Be bonded, as must any other person who handles Local Funds or other property, in accordance with the C.W.A. Constitution or any State or Federal Law.
- d. Cause the payment of all bills approved by the President and/or the Local Executive Board.
- e. Work under the direction of the President.
- f. Cause the financial records of the Local to be audited by a Certified Public Accountant at the end of each fiscal year.
- g. Hold no other elective office other than delegate to the C.W.A. convention.
- h. Prepare an annual budget in consultation with the Finance Committee.
- j. Maintain a record of the membership.
- k. Record and maintain the minutes of all meetings of the Local Membership, and the Local Executive Board.
- l. Furnish the District Office and the Secretary-Treasurer of the C.W.A. with copies of any changes in the By-Laws within ten (10) days after such changes are made.
- m. Perform such other duties as may be assigned by the Local Membership, the Local Executive Board, or the President.

C. General Duties of the Local Executive Board

1. The Local Executive Board is responsible for making decisions and acting in behalf of the Local between membership meetings on all matters concerning the good and welfare of the members.
2. The Local Executive Board shall interpret these By-Laws, subject to being overruled by referendum vote of the membership.
3. The Local Executive Board is responsible for the authorization of such officers, as they deem necessary to countersign checks drawn on the funds of the Local by the Secretary-Treasurer.
4. The Local Executive Board shall approve an annual budget to be prepared and published to the membership.
5. A majority vote of the Local Executive Board may institute a referendum if a lack of a quorum at a membership meeting has caused failure to conduct local business.
6. The Local Executive Board shall meet not less than once each month. Upon receipt of a written request signed by the members of the Local Executive Board, the President shall call a special meeting of the Local Executive Board within seven (7) days.

SECTION 2- BUSINESS AGENTS

A. Business Agents shall be appointed by the Department Vice-President, from the members they represent, subject to the majority vote of the Local Executive Board on an annual basis.

B. Any Business Agent may be removed by the majority vote of the Local Executive Board for just cause.

C. The duties of the Business Agent shall be as follows:

1. Work under the direction of the Department Vice-President.
2. Perform such other duties as may be assigned by the Local Membership, the Local Executive Board, or the President.

SECTION 3- CHIEF STEWARDS

A. The Chief Steward shall be elected by and from the Job Stewards in each geographic location designated by the Local Executive Board.

B. Any Chief Steward may be removed by a majority vote of the Local Executive Board, or Local Membership at the next general membership meeting.

C. The Duties of the Chief Steward shall be as follows:

1. Work under the direction of and perform whatever duties as may be assigned by the President, the Local Executive Board, or the Business Agents.
2. Hold no other elective office in the Local.
3. The Chief Stewards shall meet regularly at a meeting called by the President.

SECTION 4 - JOB STEWARDS

A. The Local shall have as many Job Stewards as may be determined necessary by the Local Executive Board. They shall be elected by the membership they represent, or appointed by the Local Executive Board.

B. Any Job Steward may be removed by a majority vote of the Local Executive Board, or Local Membership at the next general membership meeting.

C. The duties of the Job Steward shall be as follows:

1. Work under the direction of and perform whatever duties as may be assigned by the President, the Local Executive Board, the Business Agent or the Chief Steward.
2. There shall be four (4) Job Steward meetings each year; two (2) will be attended by the entire Job Steward body at the call of the Local Executive Board; the remaining two (2) shall be called by the Vice-President of the geographic area or department area the Job Steward serves in.

ARTICLE XII ORDER OF BUSINESS

SECTION 1- MEETING AGENDA

The order of business at a Local Meeting shall be as follows:

1. Call to order.
2. Roll Call.
3. Reading and action on minutes of previous meetings.
4. Report of Local Executive Board Officers
5. Unfinished Business.
6. New Business.
 - a. Present any proposed amendments to the By-Laws for discussion.

7. Good and Welfare.

8. Adjournment.

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

**ARTICLE XIII
CONDUCT OF MEETINGS
OTHER LOCAL BUSINESS AND QUORUM**

SECTION 1- GENERAL

Membership meetings and other business of this Local shall be conducted under these By-Laws and rules of the Local and in conformity with the C.W.A. Constitution. On questions where the Local By-Laws, the Local rules or the C.W.A. Constitution do not clearly apply, Robert's *Rules of Order* shall govern.

SECTION 2- QUORUM

A. The number constituting a quorum for Local Meetings shall be five percent (5%) of the membership in good standing. In the absence of a quorum, any items presented under "New Business" shall be placed on the agenda and included on the notice for the next regularly scheduled Local Meeting; however, this does not preclude the Local Executive Board from taking action on any item(s) discussed at the Local Meeting.

B. For the purposes of conducting a Local Executive Board Meeting, a majority of the Local Executive Board must be physically present to constitute a quorum.

**ARTICLE XIV
NOMINATIONS AND ELECTIONS OF LOCAL EXECUTIVE BOARD, CHIEF
STEWARDS AND JOB STEWARDS**

SECTION 1— ELIGIBILITY

Any person is eligible to hold office if he or she has been a member in good standing for a period of two (2) calendar years.

Definition of a "Member in Good Standing" includes any person who has been accepted as a member who neither has voluntarily withdrawn from membership, nor has been expelled or suspended from membership as per the C.W.A. Constitution. Other persons excluded from holding office are covered by section 504 A of the Labor-Management Reporting and Disclosure Act of 1959.

SECTION 2- NOMINATIONS

A. The Local Executive Board shall be nominated in the month of September, October, November, or December of each election year, in accordance with the CWA Constitution, Article XV, Section 3. Thirty (30) days notice shall be given for the purpose of nominating The Local Executive Board.

B. Candidates for the office of President, Secretary-Treasurer shall be nominated by petitions signed by five percent (5%) of the eligible members.

C. Candidates for the office of Vice-President: Commercial and Marketing, Headquarters, shall be nominated by five percent (5%) of the eligible members in their respective department.

D. Candidates for the office of Vice President: Plant 1 and Plant 2 shall be nominated by five percent (5%) of the eligible plant department members in the geographic area established by the President not less than 90 days prior to the election.

E. Candidates for the offices of Vice-President, Commercial and Marketing, Headquarters, Plant 1 and Plant 2 shall be members of the department in which they are seeking nomination. Additionally, candidates for the offices of Vice-President Plant 1 and Vice-President Plant 2 shall be members in the geographic area in which they are seeking nomination.

F. The method of nomination shall be decided by the Local Election Committee in accordance with the provisions of these By-Laws.

SECTION 3- ELECTIONS

A. Not less than fifteen (15) days prior to an election of The Local Executive Board a notice thereof shall be mailed to each member at his last known home address.

B. Election Schedule

1. Election of The Local Executive Board shall be by secret ballot of the membership in the month of September, October, November, or December of each election year, in accordance with the provisions of Article VII, Section 2 of these by-laws.

2. Job Stewards shall be elected by plurality vote during the months of September and October of each election year.

3. Chief Stewards shall be elected by plurality vote during the months of November and December by the newly elected Job Stewards.

C. Ballots shall state that the candidates elected President, Secretary-Treasurer and the four (4) Vice-Presidents shall also be delegates to the C.W.A. Convention held during their term of office.

D. Nominees can only appear on the ballot for one office.

E. Nominees shall state that they shall serve if elected.

F. Only members of the Local in good standing shall be eligible to vote.

G. Only members of the Local in good standing shall be eligible to hold elective office.

SECTION 4- TERM OF OFFICE

A. The term of office of all Local Executive Board and Officers shall be three (3) years.

SECTION 5- LOCAL ELECTION COMMITTEES

A. The nomination and election of the Local Executive Board shall be conducted under the supervision of the Election Committee by ballot, voting machine or otherwise- but in no event by proxy. This committee shall have the authority and responsibility to see that nominations and elections are conducted in accordance with the C.W.A. Constitution and these By-Laws, with reasonable opportunity for each member to nominate and vote for the candidate of his or her 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 or she currently holds any other elected or appointed position, or is a candidate for any office of the Local.

D. All questions concerning the conduct and challenges of elections shall be determined by the Election Committee, subject to the right of appeal to the Local Executive Board and membership of the Local.

SECTION 6- GENERAL PROVISIONS

A. Plurality Vote

The nominee, in any election, receiving the largest number of votes shall be declared elected. When two (2) or more candidates receive the same number of votes for one office and that number is greater than that received by any other candidate for the same office, the tie shall be broken by holding a special election with only the names of those candidates who were tied for that office on the new ballot.

B. Majority Vote

The nominee, in any election, receiving majority (50%+1) of votes cast shall be declared elected. In the case of elections requiring a majority vote, if no one nominee receives a majority on the first ballot, a run-off election shall be conducted and the two nominees receiving the greatest number of votes on the first ballot shall be the nominees on the second ballot. If no nominee receives a majority on the first ballot and there is a tie for second place, a run-off election shall be conducted and the person receiving the greatest number of votes on the first ballot and the two persons who tied for second place shall be the nominees on the second ballot.

C. The Local Executive Board shall take the oath of office prior to assuming office. The term of office shall commence effective January 1 of the year following their election. Those elected in a special election shall assume office upon taking the oath of office.

D. Chief Steward's term of office will commence January 1 of the year following their election.

E. Job Stewards term of office will commence November 1 in the year of their election.

F. Whenever there is an unopposed candidate duly nominated for any office or elected position in the Local including the position of Convention Delegate, such a candidate shall be considered elected without the necessity of an election. Write-in votes are prohibited.

SECTION 7- VACANCIES

- A. In the case of vacancy in the office of the Local President, the Local Executive Board shall designate one of the Local Vice Presidents to immediately assume all the responsibilities of the Local President. A special election in the same manner as that required for regular elections shall be held within sixty (60) days of the vacancy.
- B. Vacancies in other Local Executive Board positions prior to the end of the term shall be filled by appointment by the Local Executive Board subject to approval of the membership within 60 days of the appointment.
- C. Vacancies in Chief Stewards and Job Steward Offices prior to the end of the term shall be filled by appointment by the Local Executive Board.

ARTICLE XV STRIKES

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

Termination of a strike shall be made at a regular or special meeting, or by mail referendum, by a majority of the members voting.

ARTICLE XVI CHARGES, TRIALS, AND APPEALS

SECTION 1- CHARGES

Members of the Local may be fined, suspended, or expelled in the manner provided in these By-Laws for any of the acts enumerated in Article XIX of the C.W.A. Constitution.

SECTION 2- TRIALS

Any accused member, including Officers of the Local, shall be tried under the provisions of Article XX of the C.W.A. Constitution.

SECTION 3- APPEALS

Any member or Officer of the Local, upon being found guilty by a Local trial court, may appeal as provided in Article XX of the C.W.A. Constitution.

SECTION 4- LOCAL TRIAL COURT

A trial court of the Local shall be composed of five (5) persons randomly selected, who are members in good standing and not parties to the proceeding, and they shall be selected by the Local Executive Board using a random selection process.

ARTICLE XVII RECALL OF LOCAL OFFICERS

RECALL OF LOCAL EXECUTIVE BOARD OR, CHIEF STEWARDS OR JOB STEWARDS

Any elected Officers of the Local may be recalled in accordance with the provisions of Article XXI and XXII of the C.W.A. Constitution.

ARTICLE XVIII AMENDMENTS TO LOCAL BY-LAWS

After adoption, these By-Laws may be amended by referendum of the membership.

SECTION 2 - PROPOSING BY-LAW AMENDMENTS

1. All proposals to amend the By-Laws shall be submitted in writing to the Secretary/Treasurer of the Local at least 45 days prior to a quarterly membership meeting. The submission shall contain the original By-Law language, the proposed changes, the reasoning for the changes and the proponent's name and contact information.
2. Upon receipt of the proposal the Secretary/Treasurer shall notify the Local Executive Board and the By-Laws Committee.
3. The By-Laws Committee shall review the proposal, identify possible conflicts with other language and documents, identify additional changes made necessary by the proposal, review with the proponent and edit the proposal for clarity.
4. The By-Laws Committee shall forward their findings to the Local Executive Board who will direct the Secretary/Treasurer to place the proposal on the agenda for discussion at the next regular membership meeting.
5. The proposal, approved with a quorum or approved by the Executive Board will be sent out for the membership's vote by secret ballot annually in the months of September, October, November, or December and may be included with other balloting.

ARTICLE XIX AFFILIATION

- A. This Local may affiliate with City and State Central Labor Bodies of the AFL-CIO with the approval of the Local Executive Board
- B. Delegates to the Central Labor Bodies of which this Local is affiliated shall be selected by the President subject to the approval of the Local Executive Board.

ARTICLE XX REFERENDUM OF THE LOCAL

The Local Election Committee shall submit any question to a referendum of the membership when directed to do so by the Local Executive Board, or by the action of a regular or special membership meeting.

ARTICLE XXI FISCAL YEAR AND AUDIT

- A. The fiscal year of this Local shall be from October 1st of each year to and including the following September 30th.

B. The financial records of the Local shall be audited, prepared, and signed by a Certified Public Accountant at the end of the fiscal year. The results of such audit shall be posted on the Local 1298 website and shall be made available to each member of the local upon request.

**ARTICLE XXII
COMPENSATION FOR UNION BUSINESS**

A. The Local Executive Board shall periodically determine the compensation and reimbursement and applicable insurance (if any) to be paid to Local Executive Board Officers, Business Agents, Chief Stewards, Job Stewards, and any other members required to perform services on behalf of the Union or in connection with the duties and obligations under these By-Laws and the C.W.A. Constitution. Expenditures actually incurred by such persons shall be reimbursed by the Local upon being vouchered and approved.

B. However, in no event shall any Union official receive compensation or benefits less than those he would have been entitled to had he been working for the employer.

**ARTICLE XXIII
OATH OF OFFICE**

Each elected Local Executive Board Officer, after meeting all other qualifications, shall be duly installed upon taking the following oath:

I (name) hereby accept the office of (name of office) of Local 1298, Communications Workers of America, AFL-CIO, with full knowledge of the responsibilities and duties of such office.

I promise to discharge faithfully 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 C.W.A. to the best of my ability, so help me God."

**ARTICLE XXIV
OFFICIAL JOURNAL**

Local 1298 shall publish an official publication. The expense of publishing and maintaining an official publication shall be paid from the General Fund.

**ARTICLE XXV
ADOPTION OF BY-LAWS**

These By-Laws shall be adopted and become effective upon the approval of a majority of the members voting for their adoption.

COMMUNICATIONS WORKERS OF AMERICA, AFL-CIO LOCAL 1298