

# UNITED CAMPUS WORKERS

## Communications Workers of America Local 3865

### BYLAWS

#### Article I. NAME.

This union shall be known as United Campus Workers - Communications Workers of America, Local 3865 (UCW-CWA).

#### Article II. OBJECT.

It shall be the object of this union to advance and defend the interests of the workers and promote solidarity, democracy, and social and economic justice in the workplace and the community.

#### Article III. AFFILIATION.

The union shall be affiliated with the Communications Workers of America (AFL-CIO) per the affiliation agreement signed November 13, 2002.

#### Article IV. JURISDICTION.

The jurisdiction of the union shall be workers employed on any Tennessee higher education campus or facility or in any branch of public service in the state.

#### Article V. STRUCTURE.

The structure of the union shall consist of the following:

- 1) The Membership.
- 2) The Executive Board.
- 3) The Local Officers.
- 4) Chapters.
- 5) Area Committees and Stewards.
- 6) Work Committees.
- 7) Policy & Campaign Committee.

#### Article VI. GOVERNING AUTHORITY.

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

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

#### Article VII. MEMBERSHIP.

##### Section 1. Eligibility.

- (a) All workers within the union's jurisdiction are eligible for membership, regardless of employer, craft, skill, age, race, gender, sexual orientation, religious or political beliefs or affiliation, disability, or immigration status. Employees who have the direct power to hire, fire, or discipline another work shall not be elected as a steward of workers they supervise; however, employees who have this power shall be able to elect a steward to represent them in the union among other employees who share these same powers. Disputes between union members that are supervisors/managers and regular employees shall be mediated by a union member from another section of campus.
- (b) Partners and spouses of members and workers who have retired from public service employment may join as regular members with minimum dues set at the part-time rate.

##### Section 2. Admission to Membership.

Membership in the union shall be obtained upon the approval of a Membership Committee authorized to accept or reject membership on behalf of the union, subject to the right of the membership to overrule the decision of the Membership Committee, and upon payment of an initiation fee of two dollars (\$2.00). The union's portion of the initiation fee may be waived by the Executive Board and CWA's portion of the initiation fee may be waived by the CWA Executive Board.

##### Section 3. Retirement and Resignation.

- (a) Members in good standing who retire or otherwise leave public service employment may have their membership continue with minimum dues set at the part-time rate.
- (b) A member may resign in writing to her/his Chapter Vice-President or member of the organizing staff.

##### Section 4. Membership Meetings.

- (a) Membership meetings shall be held at least once per year. The membership shall have the power to determine the actual frequency

and/or number of membership meetings to be held each year.

- (b) All decisions made in membership meetings shall be by majority vote of the members present.
- (c) The time and place of membership meetings shall be set by the Executive Board.
- (d) Special membership meetings may be called by the Executive Board, or by petition of ten percent (10%) of the members.

#### **Section 5. Membership data**

- (a) Membership data shall include but is not limited to information collected on membership forms, through grievance processes, and interest lists.
- (b) Collected membership data shall become property of the local.
- (c) Membership data will not be disclosed to any outside organization for any reason except as required by administrative processes.
- (d) The local's Executive Board and staff shall take reasonable care to maintain the confidentiality of membership data.

#### **Section 6. Rights of Membership.**

- (a) The membership shall have full power over all matters, including the election of Local Officers, setting the amount of Local monthly dues, and otherwise amending these Bylaws.
- (b) The membership may at any time require from any union member or body a full and detailed statement of account of any action or business done in the name of the union.
- (c) No member(s), Local Officer(s), or staff may enter into any agreement in the name of the union without approval of the Executive Board and/or the membership.

### **Article VIII. AREA COMMITTEES.**

Any five (5) or more members who work in the same department, shop, building, or geographic area shall have the right to form an area committee consisting of all the members in that department, shop, or locality. Area committees may be formed, disbanded, or otherwise reorganized by majority vote of the affected members, subject to approval by the membership and provided that no member belongs to more than one (1) area committee. An area committee shall have autonomy over strictly local matters provided that its actions do not contradict these Bylaws or any policy set by the membership.

### **Article IX. SHOP STEWARDS.**

#### **Section 1. Definition and Responsibilities.**

- (a) Stewards shall serve as the primary contact persons and organizers for their areas.
- (b) Stewards shall hold area meetings to inform workers of union activities and ensure that the opinions, ideas, and concerns of the workers are brought before membership and Executive Board meetings.
- (c) Stewards shall assist with fighting grievances, collecting dues, building unity on the job, and recruiting and welcoming new members in their areas.

**Section 2. Eligibility.** Any non-supervisory member in good standing shall be eligible to be a Steward.

#### **Section 3. Election.**

- (a) An area committee shall have the right to elect a Steward or Stewards from its number by majority secret ballot vote.
- (b) In the absence of area committees or of Stewards in areas where there are members, the Executive Board shall have the power to define areas and appoint Stewards. Areas shall be defined and Stewards appointed such that each member of the union falls within the jurisdiction of at least one (1) Steward.

#### **Section 4. Resignation and Vacancies.**

- (a) A Steward may resign in writing to the Local Secretary or by verbal announcement at any meeting of the union.
- (b) In the event of a vacancy for any reason, it shall be the responsibility of the affected area committee to elect a new Steward and notify the Local Secretary of such an election and its result.
- (c) In the absence of an area committee, the Executive Board shall have the power to appoint a new Steward.

### **Article X. LOCAL OFFICERS.**

#### **Section 1. Definition.**

The Officers of the union shall be Local President, Local Vice President, Local Treasurer, and Local Secretary.

#### **Section 2. Responsibilities.**

- (a) The Local President shall serve as the primary contact person for the union, shall enforce these Bylaws, shall report all actions of the

Executive Board and Local Officers to the membership, and shall preside at all meetings of the union or arrange otherwise.

- (b) The Local Vice President shall assist the Local President, help coordinate activities throughout the Local, and perform the duties of the Local President in her/his absence.
- (c) The Local Treasurer shall be responsible for the maintenance of all bank accounts and for the account of all receipts and expenditures to the membership and Executive Board in the form of monthly and annual financial reports and shall cause the proper filing of all reports or filings required by federal, state or local law.
- (d) The Local Secretary shall be responsible for the recording and distribution of the minutes of membership and Executive Board meetings, for the maintenance of member and mailing lists and files, for furnishing the CWA District Vice-President and the International Secretary-Treasurer with copies of any changes to these Bylaws within ten (10) days after such changes are adopted, and for certifying the Local delegates to the CWA Convention to the International Secretary-Treasurer within the time limits specified in Article VIII of the CWA Constitution.

### **Section 3. Eligibility.**

Any member in good standing shall be eligible for election as an Officer, however no member may serve in more than one (1) office. Chapter Vice-Presidents must be members of the Chapter they represent.

## **Article XI. NOMINATION AND ELECTION OF LOCAL OFFICERS.**

### **Section 1. Nomination.**

- (a) Nominations shall be made from the floor at any meeting of the union held during the month of September of an election year. It is the responsibility of the nominating member(s) to ensure beforehand that each nominee has agreed to stand for the position for which she/he is being nominated.
- (b) All members must be notified of the offices to be filled and the proper method of submitting nominations at least fifteen (15) days prior to the first union meeting scheduled during September of an election year.

### **Section 2. Election.**

- (a) The election of Local Officers shall be held during the month of October of an election year by either secret ballot vote of the

membership or by mail referendum as decided by the Local Election Committee and upon approval of the Executive Board.

- (b) Notice of elections (and referendum ballots when applicable) shall be mailed to each member's last known home address not less than fifteen (15) days prior to the date and time set for the return of the ballots.

### **Section 3. Local Election Committee.**

- (a) The nomination and election of Local Officers shall be conducted under the supervision of the Local Election Committee. This committee shall have the authority and responsibility to see that nominations and elections are conducted in accordance with federal law, the CWA Constitution and these Bylaws, with reasonable opportunity for each member to nominate and vote for the candidate of her/his choice.
- (b) The Local Election Committee shall also conduct any referenda submitted to the membership.
- (c) A member shall not be permitted to serve on the Local Election Committee if she/he is a candidate for any office of the union or delegate to the CWA Convention.
- (d) All questions concerning the conduct and challenges of elections shall be determined by the Local Election Committee, subject to the right of appeal to the governing body and membership of the union in accordance with Article XV of the CWA Constitution.

### **Section 4. General Provisions.**

- (a) Only members of the union in good standing shall be eligible to vote for Local Officers.
- (b) The nominee in any election for Local Officer 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 (2) nominees having the greatest number of votes shall be nominees on the second ballot.
- (c) The nominees in any other election receiving the greatest number of votes cast shall be declared elected. If no one nominee has a plurality on the first ballot, the vote shall be taken again and the nominees not receiving a plurality shall the nominees on the second ballot.
- (d) The term of office shall be for three (3) years.
- (e) The term of office of outgoing Officers shall expire thirty (30) days after certification of the election results, by which time they shall have

- delivered all books, records, monies and property to the newly elected Officers.
- (f) The membership and/or Executive Board shall have the power to define additional responsibilities for Officers as needed.
- (g) Officers shall serve in an administrative capacity only, with all the rights and responsibilities of membership, but no special authority over non-administrative matters.
- (h) The Policy & Campaign Committee Chair shall be elected by the duly elected members of the Policy & Campaign Committee.
- (i) Regional Board Representatives shall be elected by those members of their regions.

**Section 5. Resignation and Vacancies.**

- (a) An Officer may resign in writing to the Local President or by verbal announcement at a Executive Board meeting or membership meeting.
- (b) In the event of a vacancy in the office of the Local President, the Executive Board shall select a new Local President from among the Chapter Vice-Presidents by secret ballot vote. Beginning with the 2011 general elections, the Executive Vice-President will assume the office of Local President.
- (c) In the event of a vacancy in other offices, the Executive Board shall elect interim Officers by secret ballot vote and a special election shall be held within sixty (60) days.

**Article XII. EXECUTIVE BOARD.**

**Section 1. Definition.**

- (a) The Executive Board shall be a body of members that coordinates work, ensures that all decisions of the membership are carried out in a timely and effective manner, and otherwise carries out the administration of the union between membership meetings.
- (b) The Executive Board shall act as the decision-making body of the union between membership meetings as long as its decisions follow the policies set by the membership and do not contradict these Bylaws.

**Section 2. Composition and Responsibilities.**

- (a) The Executive Board shall be composed of the Local Officers and elected Board members. Elected Board members shall number in such an amount as to ensure that the total number of Board members be no less than seven (7) persons.

- (b) The procedures for nominating and electing members to the Executive Board shall be the same as apply to Local Officers. The term of office shall be the same as the term of office for Local Officers.
- (c) In the event of a vacancy for any reason, the membership shall have the power to elect a new Board member by majority vote at any membership meeting to serve the remainder of the term.
- (d) The membership shall strive to elect members to the Executive Board that reflect the diversity of the membership in all respects. Towards this end, the membership shall have the power to specify the number of Board members and from which work areas, geographic locations, and/or job classifications individual Board members may be elected. At no time may any two (2) Board members be employed in the same department or shop.

**Section 3. Executive Board Meetings.**

- (a) The time and location of Executive Board meetings shall be set by the Local President.
- (b) Special Executive Board meetings may be called by a majority of its members.
- (c) Executive Board meetings shall be open to all members of the union.
- (d) All decisions of the Executive Board shall be by majority vote of its members.
- (e) Executive Board members may make motions and vote by electronic mail or telephone, provided all Executive Board members have equivalent access to whatever means is employed and reasonable opportunity to vote on all motions.
- (f) The Local Secretary shall ensure that all actions and decisions of the Executive Board and the votes of each member are reported to the membership in a timely manner.

**Article XIII. WORK COMMITTEES.**

**Section 1. Definition.**

The union shall have the following regular work committees:

- 1) Education Committee
- 2) Election Committee
- 3) Organizing Committee
- 4) Legislative-Political Committee
- 5) Membership Committee
- 6) Publications Committee
- 7) Community Outreach Committee
- 8) Committee on Equity

- 9) Other work committees as determined by the Executive Board or the membership.

### **Section 2. Membership.**

Membership in work committees shall be voluntary. However, any member of any union work committee may be removed by majority vote of the Executive Board, subject to the right of the membership to overrule the action of the Executive Board.

### **Section 3. Duties.**

- (a) The Education Committee shall assist in developing the union's education program and, with the Local Officers, be responsible for effectuating the CWA and UCW-CWA education programs.
- (b) The Election Committee shall conduct all nominations and elections and referenda of the union.
- (c) The Organizing Committee shall assist the Local Officers, Stewards and members in organizing all non-union workers within the union's jurisdiction, as well as unorganized workers in external units.
- (d) The Legislative-Political Committee shall assist in developing and pursuing the program of the union and CWA in the legislative-political field and shall be responsible for the union's program to register each qualified voter.
- (e) The Membership Committee shall accept or reject membership applications in accordance with the Bylaws and rules of the union and Article V of the CWA Constitution and policies of the CWA.
- (f) The Publications Committee shall produce and arrange distribution of union newsletters and other materials.
- (g) The Community Outreach Committee shall assist in developing all community service programs and maintain and develop communications with the union's community allies.
- (h) The Committee on Equity shall study and report to the union on the ways and means of eliminating discrimination on the basis of gender, race, sexual orientation, or any other basis.

### **Section 4. General Provisions.**

All work committees shall be responsible to the membership at all times and shall elect one of its members as a chairperson to report committee activities and recommendations to the membership and the Executive Board.

## **Article XIV. POLICY & CAMPAIGN COMMITTEE.**

The Policy & Campaign Committee would meet twice a year—once the day after the Convention, and once more at the date of its choosing—to make decisions about the overall statewide program and campaigns of the Local. A majority of the members of the Policy & Campaign Committee shall be the quorum. It would elect its chair from its members.

The Committee would be composed of the following representatives:

- Chapter Vice Presidents.
- Area Committee Chairs.
- Caucus Chairs.
- Two Regional Delegates from each region, which are based on the three Grand Divisions in the state constitution (East, Middle, West, see [http://en.wikipedia.org/wiki/Grand\\_Divisions\\_of\\_Tennessee](http://en.wikipedia.org/wiki/Grand_Divisions_of_Tennessee)). The Regional Delegates shall be elected by the member campuses in that region.
- Each Chapter receives an additional delegate for every 150 members in good standing. (e.g.: If the Memphis chapter has 200 members they would have two delegates: their Chapter VP and one additional delegate.) The terms of these delegates would be the same length as other elected offices.
- Members of the Executive Board.
- Members in good standing who want to participate (i.e., all meetings are open).

Votes pass by majority, only elected representatives vote. Anyone can be recognized to speak.

## **Article XV. DUES AND GOOD STANDING.**

### **Section 1. Monthly Dues.**

- (a) Members shall pay monthly dues in an amount recommended by the Executive Board and ratified by the membership.
- (b) Members who are employed part time (less than 75% time) or who are retired shall pay a lower rate than members who are employed full time.
- (c) Members who are temporarily unemployed due to injury, illness, downsizing, privatization, or a suspension or termination that is being appealed shall pay monthly dues equivalent to the per-capita amount paid by UCW-CWA to CWA International.

**Section 2. Good Standing.**

- (a) A member in good standing is one whose dues are not more than sixty (60) days in arrears.
- (b) Members in default without good cause for ninety (90) days, after notice in writing by the Local Secretary, shall be automatically dropped from membership. Good cause shall be defined by the Executive Board.
- (c) During organizing drives, the membership and/or Executive Board shall have the power to waive the requirement of good standing for a period of up to one (1) year.

**Article XVI. CONDUCT OF MEETINGS AND LOCAL BUSINESS.**

**Section 1. Conduct of Business.**

Membership meetings and any other business of this union shall be conducted under these Bylaws and rules of the union and in conformity with the CWA Constitution. On questions where the union rules or the CWA Constitution do not apply, Robert’s Rules of Order shall govern.

**Section 2. Due Notice.**

Due notice of at least seven (7) days must be given prior to any union meeting.

**Section 3. Quorums.**

- (a) The number constituting a quorum for all membership meetings shall be those present.
- (b) A majority of the members of an area or work committee shall be the quorum for those bodies.

**Article XVII. LOCAL DELEGATES TO THE CWA CONVENTION AND OTHER MEETINGS.**

Local delegates and alternate delegates to a CWA Convention or Sectoral or District meeting shall be elected by the members in good standing. A call for delegate nominations will be issued to the membership no less than fifteen (15) days prior to the vote. In the event the membership elects more than one (1) delegate, the Board shall determine the convention votes assigned to each delegate in accordance with Article VIII of the CWA Constitution.

**Article XVIII. CHARGES, TRIALS AND APPEALS.**

**Section 1. Charges.**

Members of the union may be fined, suspended and/or expelled, in the manner provided in these Bylaws, for any of the acts enumerated in Article XIX of the CWA Constitution.

**Section 2. Trials.**

Any accused member, including Officers, of the union shall be tried under the provisions of Article XX of the CWA Constitution.

**Section 3. Appeals.**

A member or Officer of the union, upon being found guilty by a Local Trial Court, may appeal as provided in Article XX of the CWA Constitution.

**Section 4. Local Trial Court.**

A Trial Court of the union shall be composed of three (3) persons, who are members of the union and not parties to the proceedings, and who shall be selected by the Executive Board.

**Article XIX. RECALL OF LOCAL OFFICERS, STEWARDS, AND EXECUTIVE BOARD MEMBERS.**

**Section 1. Recall of Local Officers.**

Any elected Officer of the union may be recalled in accordance with the provisions of Articles XXI, Section 2, and XXII, Section 8, of the Union Constitution. A recall petition may be preferred by twenty percent (20%) of the membership.

**Section 2. Recall of Stewards.**

A Steward shall be immediately relieved of duties upon majority vote of the members of that Steward’s area committee or, in the absence of an area committee, upon majority vote of the Executive Board.

**Section 3. Recall of Executive Board Members.**

Executive Board members may be recalled by the same process described in Section 1 of this Article.

**Article XX. REFERENDUM.**

A union-wide referendum on any organizational question may be initiated by the Local Election Committee when directed to do so by the Executive Board or membership, or by petition of ten percent (10%) of the members. Questions submitted to referendum shall be decided by majority vote of those voting on the question.

**Article XXI. FINANCES.**

**Section 1. Fiscal Year.**

The fiscal year of the union shall be from October 1<sup>st</sup> of each year to and including September 30<sup>th</sup> of the succeeding year.

**Section 2. Bank Accounts.**

All bank accounts shall be in the name of the union and shall bear the signatures of the Local President, Local Treasurer, and up to two others designated by the Executive Board.

**Section 3. Allocation of Funds.**

The Executive Board and Local Officers shall be responsible for allocating funds according to budgets ratified by the membership. The membership, Executive Board, or any area committee may request a full account of all receipts and expenditures from any member or body of members.

**Section 4. Finance and Audit Committee**

The Executive Board shall appoint a Finance & Audit Committee.

- (a) The Executive Board will determine the composition and size of the committee; however, the committee must have a minimum of three local members who are not officers or Executive Board members. All committee members who are Officers or Executive Board members will be considered ex officio members. The composition of the committee must be at least 51% local members who are not Officers or Executive Board members.
- (b) Committee members may serve until they resign or are no longer local members in good standing. Only a vote of the membership may remove a committee member.
- (c) The responsibilities of the committee are to propose an annual local budget, monitor expenses and income and make financial and budgetary recommendations to the Executive Board, and to perform or oversee an audit of the local's finances at the end of the fiscal year.

**Article XXII. AMENDMENTS.**

After adoption, these Bylaws may be amended by either referendum of the membership or by majority vote of the members present in a membership meeting, provided the proposed amendment has been introduced at a previous membership meeting or has been advertised by use of a union newsletter or by U.S. mail, postage prepaid, at least seven (7) days in advance of the date voting takes place.

**Article XXIII. CHAPTERS.**

Chapters of the union shall be based upon locale or State Department. Chapters shall be chartered by the Local Executive Board or by a majority vote at a membership meeting. A Caucus will be recognized as a Chapter once they have reached a minimum of 100 members. They can then decide whether their Caucus Chair will become their Chapter VP, or whether they will elect a new representative. Chapters will maintain an Organizing Committee in order to continue to grow their membership.

**Article XXIV. CAUCUSES.**

An Area Committee (see Article VIII), will be recognized as a Caucus once they have reached a minimum of thirty members. At this point they will elect a Caucus Chair. Caucuses will maintain an Organizing Committee in order to continue to grow their membership.

***These Bylaws Adopted December 17, 2002.***

*Executive Board addition amended November 18, 2003.*

*Article VII, Section 1.(a) amended May 25, 2004.*

*Article V, X, and article XII, Section 2(a) amended January 18, 2006.*

*Article XXII added January 18, 2006.*

*Article XX, Section 2, amended March 9, 2007*

*Article XX, Section 4, added March 9, 2007*

*Article XVI, amended February 20, 2008*

*Article XIV, Section 1, amended February 20, 2008*

*Article VII, Section 3b, Section 4a, Section 5d, and 6c; Article X, Sections 1 and 2; Article XI, Sections 4 and 5; Article XII, Section 2; Article XVI; Article XVIII, Section 3; and Article XXII amended October 2, 2010.*

*Article V, Section 7; Article X, Sections 1 and 2; Article XI, Section 4; new Article XIV added and subsequent Articles renumbered; Article XXIII; Article XIV added; amended September 27, 2014*

*Article X, Sections 1 and 2 amended August 24, 2016.*