

LOCAL 1400 BY-LAWS
C.W.A. – AFL-CIO

ARTICLE I - NAME

This Local shall be known as Local 1400, Communications Workers of America.

ARTICLE II - JURISDICTION

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

ARTICLE III - OBJECTS

The objects of Local 1400 shall be to represent and serve the workers within its jurisdiction in accordance with the By-Laws and rules of the Local and the Constitution and policies of the Union.

ARTICLE IV - LOCAL STRUCTURE

The structure of the Local shall consist of the following:

1. The Membership
2. The Officers
3. The Executive Board
4. The Committees
5. The Stewards

ARTICLE V - MEMBERSHIP

The Executive Board shall consist of the four Local Officers and the Vice-Presidents. One Vice-President shall be elected from each of the following Districts:

- District 1 – Northeastern Massachusetts & Metropolitan Boston
- District 2 – Northeastern Massachusetts & Metropolitan Boston
- District 3 – Southeastern Massachusetts
- District 4 – Western Massachusetts
- District 5 – Maine
- District 6 – Vermont
- District 7 – New Hampshire

The Local President with Executive Board approval, subject to the right of local membership to overrule such appointments, shall reserve the right to create or eliminate districts and they shall be filled in the same manner as that required for regular elections within sixty (60) days of Executive Board approval.

SECTION 1 – ELIGIBILITY

Any person eligible for Membership in the Communication Workers of America, as defined in Article V, Section 1 of its' Constitution, shall be eligible for Membership in this Local if performing work within the Local's assigned jurisdiction, or if employed on a part-time basis by the Union.

SECTION 2 – APPLICATION

Membership in the Local shall be obtained after payment of the Local initiation fee of \$5.00 and upon approval of any Membership committee authorized to accept or reject Membership on behalf of the Local, subject to the right of the Local to over-rule the decision of the Membership committee.

SECTION 3 – TRANSFER

The transfer of Membership from this Local to the jurisdiction of another Local shall be made in accordance with Article V, Section 3 of the Union Constitution.

SECTION 4 – RESIGNATIONS

Any person wishing to resign from Membership in this Local shall submit the request in writing to the Executive Board prior to the regularly scheduled meeting, normally held once a month. All resignations shall be subject to the approval of the Membership committee.

Any member who accepts a temporary position into Management for more than (30) days will be determined to have resigned from membership. Any reinstatement approved by the Membership Committee shall pay a reinstatement fee in the amount approved by the National CWA Executive Board.

ARTICLE VI – LOCAL DUES AND ASSESSMENTS

SECTION 1 – LOCAL DUES

Each Member of the Local shall pay dues in the amount established by the Local Membership. Membership dues may only be changed by a majority of those voting on the question by secret ballot referendum, or by a majority secret ballot vote in a Membership meeting where a quorum is present, if the question has been advertised on bulletin boards at least seven (7) days in advance of the meeting. All members shall pay each week, an amount equal to 1.6% of their basic weekly wages as union dues.

SECTION 2 – LOCAL SPECIAL ASSESSMENTS

The Membership of this Local may levy a special assessment in the same manner as provided by changing Local dues. However, any special assessment levied shall be in compliance with Article VI, Section 3 of the Union Constitution.

ARTICLE VII – GOVERNING AUTHORITY

The affairs of this Local shall be governed by its' Membership in accordance with the Constitution and policies of the Union in the following manner:

- a. through action taken in Membership meetings or by referendum of the Membership.
- b. by actions and decisions of the Local Officers and Executive Board between meetings.
- c. the actions and decisions of the Officers of the Local and the Executive Board may be over-ruled by the Membership in a Membership meeting or by referendum.

ARTICLE VIII – LOCAL MEETINGS

SECTION 1 – MEMBERSHIP MEETINGS

There will be two (2) Membership meetings held each year during the months of April and October. Such meetings shall be held in a location within the Jurisdiction of the Local. Meetings may be rotated to different locations.

Special Membership meetings may be called by a majority vote of the Local Executive Board or by petition of 25% of the Members, stating the purpose for such a meeting. Upon receipt of a proper petition, stating the purpose for such a meeting, the Local Officers shall call a special meeting to be held within ten (10) days. The special meeting may be called by a majority vote of a Membership meeting.

SECTION 2 – DISTRICT MEETINGS

District meetings shall be held in each district as needed.

SECTION 3 – LOCATION MEETINGS

Meetings may be called in each location as needed between district meetings.

SECTION 4 – EXECUTIVE BOARD MEETINGS

The Executive Board shall meet at least once every month and transact all business of the Local when the Membership is not in session, faithfully execute the orders of the Membership, adopt measures in the interest of the Local, and recommend such action to the Local as it deems necessary. It shall receive and make recommendations in regard to reports by Stewards and committees. Such meetings may be called upon reasonable notice by the Local President or by a majority of the members of the Executive Board stating the purpose for such a meeting.

SECTION 5 – STEWARDS MEETINGS

The Stewards shall meet whenever the Local President or majority of the Executive Board deems it necessary to carry out the proper functions of the Local.

ARTICLE IX – LOCAL DELEGATES TO INTERNATIONAL CONVENTION

- A. Delegates and alternates to the Union Convention shall be elected not more than 120 days, nor less than 30 days in advance of the Union Convention.
- B. In the event the Local elects more than one delegate to the Union Convention, the Local shall determine the Convention votes assigned to each delegate following the provision of the Union Constitution.
- C. It shall be the duty of the Secretary of the Local to certify the Local delegates to the Union Convention to the Secretary-Treasurer of the International Union within the time limits specified by the Union Constitution.
- D. The election of a person to the office of Local President, Local Executive Vice-President, Local Secretary and Local Treasurer shall constitute election of the same person as a delegate to CWA Conventions during the term of office for which the election was conducted. In the event there is more than one delegate, the Local President shall serve as Chairman of the delegation.

ARTICLE X – LOCAL COMMITTEES

A. The Local shall have the following regular committees:

1. Election Committee
2. Organizing Committee
3. Legislative/Politics Committee
4. Membership Committee
5. Grievance Committee
6. Equity
7. Community Services
8. Bargaining Committee

And any other committees deemed necessary by the Local.

B. Members of all committees with the exception of the Bargaining Committee shall be appointed by the Local President with a majority vote of the Executive Board, subject to the right of the Local Membership to over-rule such appointments.

C. The Bargaining Committee shall consist of the Local President, Local Executive Vice-President, the Local Secretary, the Local Treasurer and the Vice-Presidents for each Company they represent whose elections shall certify them as Members. Should additional Bargaining Committee Members be required, they will be elected by the Members in the affected Bargaining Unit.

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

E. A Member of a Local Committee may be removed by a majority vote of the Local Executive Board, subject to the right of the Local to over-rule the action of the Executive Board. A Committee Member may also be removed by the action of the Local in a Membership Meeting.

F. All Committees shall abide by the rules and regulations set up for these Committees.

G. Duties of Committees:

- a. ELECTION COMMITTEE: The Election Committee shall conduct all nominations, elections and referenda of this Local.
- b. ORGANIZING COMMITTEE: The Organizing Committee shall assist the Local Officers and Stewards in organizing all Members within the Local's jurisdiction and perform outside organizing as determined by the Local Executive Board.
- c. LEGISLATIVE COMMITTEE: The Legislative Committee shall assist in developing and pursuing the program of the Union and the Local in the Legislative field. It shall be responsible for the Local's program to register each qualified voter.
- d. MEMBERSHIP COMMITTEE: The Membership Committee or Committees shall accept or reject Membership applications in accordance with the By-Laws and rules of this Local and the Constitution and policies of the Union.
- e. GRIEVANCE COMMITTEE: The Grievance Committee shall maintain all grievance records and assist the President, the Local Officers, Executive Board or Stewards in processing grievances.
- f. COMMITTEE ON EQUITY: The Committee on Equity shall study and report to the Local on the ways and means of eliminating discrimination on the basis of sex, race or any other basis.
- g. COMMUNITY SERVICES COMMITTEE: The Community Services Committee shall assist in developing all Community Service programs.
- h. BARGAINING COMMITTEE: The Bargaining Committee shall consist of the Local President, the Local Executive Vice-President, the Local Secretary, the Local Treasurer and the Vice-Presidents as defined in Article X – LOCAL COMMITTEES, section C.

ARTICLE XI – ORDER OF BUSINESS

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

1. Call to order
2. Financial report
3. Reading and action on minutes of previous meetings
4. Report of Officers
5. Report of the District Vice-Presidents
6. Report of Committees
7. Unfinished business
8. New business
9. Adjournment

ARTICLE XII – DUTIES OF LOCAL OFFICERS, VICE-PRESIDENTS CHIEF STEWARDS AND STEWARDS

- A. The Officers of the Local shall be:
 1. The Local President
 2. The Local Executive Vice-President
 3. The Local Secretary
 4. The Local Treasurer
- B. Duties of the Local President
 1. The Local President shall preside at meetings of the Local and at meetings of the Local Executive Board and shall be responsible for the conduct of the Local including:
 - a. Prosecute grievances and appeal them to higher levels of the C.W.A when not satisfactorily settled. The Local President may designate such other alternate(s) to prosecute said grievances as he or she deems necessary.
 - b. The supervision of all committees of the Local.
 - c. The approval of all bills to be paid by the Local Treasurer and to countersign checks drawn on the treasury of the Local.
- C. Duties of the Local Executive Vice-President
 1. The Local Executive Vice- President shall work under the direction of the Local President and shall perform such duties as assigned by the Local President, the Local Executive Board and the Local. The Executive Vice-President shall take over duties of the Local President if the Local President is absent.
- D. Duties of the Local Secretary
 1. The Local Secretary shall maintain a record of the Local Membership and shall keep minutes of all Local meetings.
 2. Perform duties as may be assigned by the Local President, the Local Executive Board and the Local.
- E. Duties of the Local Treasurer
 1. Make a financial report to each Membership meeting.
 2. Cause payment of all bills approved by the Local President.
 3. Perform duties as may be assigned by the Local President, the Local Executive Board and the Local.
- F. Duties of the Vice-Presidents
 1. The Vice-Presidents shall oversee the grievance process in their respective districts.
 2. Perform other duties as may be assigned by the Local President, the Local Executive Board and the Local.
- G. Stewards of the Local and their duties
 1. Chief Stewards
 - a. Once elections are completed for Local Officers and District Vice-Presidents, a Chief Steward shall be elected in each location by the Members of that location.
 - b. The duties of the Chief Steward shall include overseeing the grievance process and the Stewards in their respective locations.

- c. The term of office shall be for three (3) years.
- 2. Stewards
 - a. This Local shall have as many Stewards as may be appointed by the Local President with the approval of the Executive Board.
 - 3. Duties
 - a. The Chief Stewards and Stewards of the Local shall work under the direction of the Local President. They shall perform such duties and responsibilities as may be assigned by the Local President, the Executive Board, the Stewards' body or the Local.
- H. Payments
- 1. Local Officers, Vice-Presidents, Stewards and any Member taken off the job for union business shall be paid for lost time base wages and appropriate expenses. Payment for lost wages shall be based on highest rate of base wage of the Company that employs the Member. If 50% or more of the Members income from the Company that employs said Member is from bonus or gratuities, the hourly rate calculation for lost time will be the average of the previous year's income. The maximum lost time hours from any Company shall not exceed forty (40) hours weekly. In addition, differentials shall be paid to compensate for both lost opportunities for overtime, differentials, savings and security plans and for additional work and responsibilities as follows:
 - a. The Local President shall be paid a 20% differential each week
 - b. The Local Executive Vice-President, Local Secretary and Local Treasurer shall be paid a 15% differential each week.
 - c. Vice-Presidents shall be paid a 5% differential each week
 - 2. Officer and Vice-President differentials may be suspended or reinstated with the recommendation from the Local President with the approval of the Local Executive Board subject to the right of the local membership to overrule such decision.
 - 3. Any full time elected Officer that is retired shall receive only two (2) weeks paid vacation per year.
 - 4. Union Representatives that are required by the Company to go on a leave of absence shall be reimbursed for any payments for Benefits the Company will not pay.

ARTICLE XIII – CONDUCT OF MEETINGS AND QUORUM

- A. Membership meetings of the Local shall be conducted under the By-Laws and rules of the Local and in conformity with the Union Constitution. On questions where the Local's By-Laws, the Local rules or the Union Constitution do not clearly apply, Robert's Rules of Order shall govern. A quorum for Membership meetings shall be at least 5% of the Local's Membership, from each bargaining unit that Local 1400 represents.

ARTICLE XIV – NOMINATION AND ELECTION OF OFFICERS

SECTION 1

- A. Nomination for election to any Local Elective Office, with the exception of Chief Steward, but including Convention Delegates, shall be made at a Membership meeting or by self obtained petition from the Election Committee, from September 1st through the 3rd Thursday in September, every three (3) years. Petitions must be returned to the Election Committee no later than 4pm on the 3rd Thursday of September of that election year. All Nominees must be members in good standing for the prior (12) consecutive months to be eligible for any elected office.
 - 1. Local Officers – Petition must be signed by at least 10% of the Members of this Local in good standing.
 - 2. Vice-Presidents – Petition must be signed by 10% of the Members of the affected District in good standing. Candidates for the position of Vice-President in any affected District must also be a Member in good standing in that affected District.

3. Candidates for the position of Chief Steward will submit their names within seven (7) days of the posted vacancy to the Local Election Committee.

- B. The District Vice Presidents geographical areas will be established by the Local President with Executive Board approval, subject to overrule by the membership, not less than ninety (90) days prior to the nomination period.
- C. In determining the ballot position of the nominees, the Election Committee shall conduct a drawing of the nominees' names after the close of nominations.
- D. Write-in candidates will be disallowed for not conforming with the nomination procedures.
- E. The election Chief Steward will be done by secret ballot at the location where the vacancy exists.
- F. The Chief Steward nominee receiving a plurality vote shall be declared elected. In the case of a tie, a runoff election will be conducted and the nominees who tied for such position on the 1st ballot will be the nominees on the 2nd ballot.

SECTION 2 – LOCAL ELECTIONS

Election of Local Officers and Vice-Presidents shall be by secret ballot of the Membership during the month of November, administered by the American Arbitration Association. The term of office shall be three (3) years as described in Article 15, Section 3 of the Union Constitution. The term of office will begin on the 1st of January following the election.

SECTION 3 – LOCAL ELECTION COMMITTEE

- A. The nomination and election of Local Officers, Vice-Presidents and Chief Stewards shall be conducted under the supervision of the Election Committee. This committee shall have the authority and responsibility to see that nominations and elections are conducted in accordance with the Union Constitution, and these By-Laws with reasonable opportunity for each Member to vote.
- 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 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 governing board or Membership of the Local.

SECTION 5 – VACANCIES

- A. A vacancy in the office of Local President shall be filled by the Local Executive Vice-President.
- B. Vacancies in other offices shall be filled by appointment of the Local President, with the approval from the Executive Board, subject to approval of the appointment by the Local membership within sixty (60) days or by election in the same manner as that required for regular elections and within sixty (60) days.
- C. Any elected Union Official who accepts a transfer or promotion by the Company which is outside of the area assigned by the Local shall forfeit his or her elected position with the Local.

ARTICLE XV – STRIKES

SECTION 1

The calling, conduct, and termination of strikes shall be at all times carried on in compliance with the rules prescribed by the Communication Workers of America and its' Constitution. However, a strike called by and affecting only this Local may be terminated either upon:

1. Approval of the majority vote of the Local Executive Board.
2. By a majority of the Members present at a Membership meeting.
3. Upon direction of the Executive Board of the International Union.

ARTICLE XVI – CHARGES, TRIALS, AND APPEALS

SECTION 1 - CHARGES

Members of this Local may be fined, suspended or expelled for any of the acts enumerated in Article XIX of the Union Constitution.

SECTION 2 - TRIALS

Any accused person shall be tried under the provisions of Article XX, Section 3 of the Union Constitution.

SECTION 3 – APPEALS

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

SECTION 4 – LOCAL TRIAL COURT

A trial court of the Local shall be composed of at least three (3) but not more than seven (7) persons

who are Members of this Local and not parties to the proceedings, and who shall be elected by the governing body of the Local, in addition to Article XX, Section 3 of the Union Constitution.

ARTICLE XVII – RECALL OF LOCAL OFFICERS

An elected Official of this Local may be recalled in conformity with the provisions of Articles XXI, Section 2 and XXII, Section 8, of the Union Constitution.

ARTICLE XVIII – AMENDMENTS TO LOCAL BY-LAWS

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

- A. By a majority vote of the Members present in a Membership meeting if the proposed amendment has been introduced at a previous Membership meeting, or has been advertised to the Membership by use of bulletin boards or U.S. mail, postage prepaid at least seven (7) days in advance of the meeting.
- B. By referendum of the Membership.

ARTICLE XIX – REFERENDUM OF THE LOCAL

- A. The Local Election Committee shall submit any questions to a referendum of the Membership, when directed to do so by action of a regular meeting or a special Membership meeting.
- B. Propositions submitted to referendum shall be determined by majority of those voting on the question.

ARTICLE XX – FISCAL YEAR AND AUDIT

- A. The officers shall prepare an annual budget for approval by the Executive Board each year by the December Executive Board meeting.
- B. The fiscal year of this Local shall be from October 1, to September 30, of the succeeding year.
- C. The financial records of this Local shall be audited by a Certified Public Accountant at the end of each fiscal year. The results of such audit shall be published in the month of November.

ARTICLE XXI – OATH OF OFFICE

A person elected to office of the Local after meeting all other qualifications shall be duly installed upon taking the following oath:

“I (give name) hereby accept the office of (give name of office) of Local 1400 Communications Workers of America, with the full knowledge of the responsibilities of such office. I promise to faithfully discharge my duties according to the By-Laws and rules of the Local and the Constitution and policies of the Union. I further promise to give my successor in office all books and records in my possession. I shall at all times endeavor to serve my Local and the Union to the best of my abilities, so help me God.”

ARTICLE XXII – BONDING

All Local officers shall be bonded in accordance with the Constitution, By-Laws, State and/or Federal laws.

ARTICLE XXIII – FINANCIAL REPORT

A financial report shall be given at each monthly meeting by the Treasurer.

ARTICLE – XXIV – ADOPTION

These By-Laws shall be adopted upon approval of a majority of the Members voting upon their adoption in a Membership meeting called for that purpose or a referendum vote by the Members of the Local.

These By-Laws adopted October, 1980
Revised By-Laws adopted November, 1986
Revised By-Laws adopted September, 1995
Revised By-Laws adopted September, 1997
Revised By-Laws adopted August, 1999
Revised By-Laws adopted October, 2001
Revised By-Laws adopted September, 2004
Revised By-Laws adopted November, 2009
Revised By-Laws adopted August, 2012