

CWA Constitution As Amended July 2007

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.

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 associates or dues paying members of the Union who are or may be retired by reasons of age or disability shall be eligible to join in a CWA Retired Members' Chapter with such rights and prerogatives as granted herein or may be granted by the Convention or Executive Board. Retired members may attend the Convention, will be issued appropriate credentials, and be seated in space reserved for such members.

(b) Application for membership shall be made to the appropriate Retiree Chapter. If the applicant was a member of the Union in good standing at the time of his or her retirement he or she shall be admitted to membership in the appropriate 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. Chapter jurisdiction shall be assigned and described at the time Charters are issued.

(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.

(h) Chapters chartered after January 1, 1989 shall become affiliated with the Retired Members' Council. Chapters chartered before January 1, 1989 shall have the option of becoming affiliated with the Retired Members' Council.

Section 6—Retired Members' Council

(a) The Retired Members' Council shall be a unit of the Union and shall consist of representatives of Retired Members' Chapters which affiliate with the Retired Members' Council.

(b) The Council shall adopt bylaws and rules consistent with federal and provincial laws, the Constitution and policies of CWA.

(c) A Council Executive Board shall be elected which will consist of one representative from each of the CWA Districts and one at-large member who shall be elected from the Printing, Publishing and Media Workers Sector, NABET-CWA and any other groups that CWA may merge with including TNG-CWA. The District representatives on the Council Executive Board shall be elected by secret ballot among the members in good standing of the Retired Members' Chapters within each CWA District which have affiliated with the Council. The at-large representative shall be elected by secret ballot among the members in good standing of the Retired Members Chapters who are retired from the Printing, Publishing and Media Workers Sector, NABET-CWA or any other groups that CWA may merge with including TNG-CWA. Terms of office shall be consistent with those of Local 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.

(d) The officers of the Retired Members' Council shall be a Chairperson, Vice Chairperson and Secretary-Treasurer or Secretary and Treasurer. Such officers shall be elected from the Council Executive Board by the Retired Members' Council in accordance with Council bylaws. Beginning in 2002, the term of the office for Council officers shall be three years or until their successors have been duly elected and qualified.

(e) 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, Executive Vice President and Secretary-Treasurer.

(f) Each Chapter affiliated with the Council shall pay a per capita of 10 cents per member per month to the Council beginning January 1, 1989. Commencing January 1, 1991, the per capita shall be 15 cents per month. Thereafter, the Council shall determine any increase in per capita in accordance with the Council bylaws.

(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 representatives 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.

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 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. 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;
- (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— Annual Conventions

The Union shall meet in Annual Convention 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) Annual Convention

The Secretary-Treasurer of the Union shall notify in writing all Locals of the date and place of the Annual 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 Convention

(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.

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 an Annual 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 Executive 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 Executive Vice President;
- (c) The Secretary-Treasurer;
- (d) The Vice Presidents (District; Communications and Technologies; Telecommunications; Public, Health Care and Education Workers; Printing, Publishing and Media Workers Sector; TNG-CWA Sector; NABET-CWA Sector; IUE-CWA Division, and AFA-CWA Sector).
- (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.

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.

(d) The successors elected to fill the vacancies in the offices of President, of Secretary-Treasurer, and Executive Vice President, at the 1985 Annual Convention only, shall be elected for a term of office extending to the regular elections to be held at the 1989 Annual Convention.

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;

(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;

