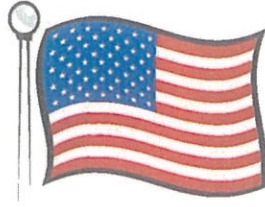


LOCAL 1170



COMMUNICATIONS
WORKERS OF
AMERICA AFL-CIO
BY LAWS

As Amended October 19, 2023

INDEX

ARTICLE I - NAME.....	1
ARTICLE II - JURISDICTION.....	1
ARTICLE III - OBJECTIVES.....	1
ARTICLE IV – LOCAL STRUCTURE.....	1
ARTICLE V - MEMBERSHIP	1
SECTION 1 – ELIGIBILITY	1
SECTION 2 – APPLICATION	1
SECTION 3 – TRANSFERS.....	2
SECTION 4 – TERMINATION.....	2
ARTICLE VI – LOCAL DUES AND ASSESSMENTS	2
SECTION 1 – LOCAL DUES.....	2
SECTION 2 – LOCAL SPECIAL ASSIGNMENTS	2
SECTION 3 – MEMBERS IN DEFAULT	2
ARTICLE VII – GOVERNING AUTHORITY.....	2
SECTION 1 – MEMBERSHIP	2
SECTION 2 – EXECUTIVE BOARD	3
SECTION 3 – LOCAL UNITS	3
ARTICLE VIII – LOCAL MEETINGS.....	3
ARTICLE IX – LOCAL DELEGATES.....	3
ARTICLE X – LOCAL COMMITTEES	4
ARTICLE XI – ORDER OF BUSINESS.....	6
ARTICLE XII – ELECTED LOCAL OFFICERS, UNIT CHAIRPERSON, EXECUTIVE BOARD & STEWARDS DUTIES.....	6
SECTION 1 – LOCAL OFFICERS	6
SECTION 2 – UNIT CHAIRPERSON	9
SECTION 3 – EXECUTIVE BOARD	9
SECTION 4 – STEWARDS.....	11
SECTION 5 – LOCAL UNITS	11
ARTICLE XIII – CONDUCT OF MTGS, LOCAL BUSINESS, AND QUORUM	12
ARTICLE XIV – NOMINATION AND ELECTION OF LOCAL OFFICERS AND MEMBERS OF THE LOCAL EXECUTIVE BOARD	12
SECTION 1 – NOMINATIONS, LOCAL OFFICERS	12
SECTION 2 – CAMPAIGN GUIDELINES	13
SECTION 3 – ELECTIONS.....	14
SECTION 4 – BALLOT & TALLY PROCEDURE.....	15
SECTION 5 – GENERAL PROVISIONS	15
SECTION 6 – LOCAL UNIT CHAIRPERSON.....	16
SECTION 7 – VACANCIES.....	16
ARTICLE XV - STRIKES	16
ARTICLE XVI – CHARGES, TRIALS, AND APPEALS.....	16
SECTION 1 – CHARGES.....	16
SECTION 2 – TRIALS	17
SECTION 3 – APPEALS	17
SECTION 4 – LOCAL TRIAL COURT.....	17
ARTICLE XVII – RECALL OF LOCAL OFFICERS AND UNIT CHAIRPERSON	17
ARTICLE XVIII – COLLECTIVE BARGAINING.....	17
SECTION 1 – LOCAL CONTRACTS AND NEGOTIATIONS	17

SECTION 2 – LOCAL BARGAINING.....	17
ARTICLE XIX – AMENDMENTS TO LOCAL BY-LAWS	18
ARTICLE XX – REFERENDUM OF THE LOCAL	18
ARTICLE XXI – FISCAL YEAR AND AUDIT.....	18
ARTICLE XXII – OATH OF OFFICE.....	19
ARTICLE XXIII – PROXY VOTING.....	19
ARTICLE XXIV – ADOPTION	19

Fellow Member,

This book contains the By Laws for Local 1170 C.W.A. These are the rules under which the Officers, Union Representatives, and the Members must conduct the Affairs of the Local.

Every Member, Every Representative, and Every Officer must follow these Rules.

Any changes in these By Laws require a vote of the Membership.


Our Local Union can only be as strong as our Members. Therefore, you are strongly encouraged to become active in your Union.

Remember, the hurt of one, is the injury of all.

In Unity,

John Pusloskie, President
Local 1170 C.W.A. AFL-CIO

By Law Committee

Kevin Blazey  _____

James Bice  _____

Michelle Damiani  _____

**ARTICLE I
NAME**

This Local shall be known as Local 1170 Communications Workers of America.

**ARTICLE II
JURISDICTION**

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

**ARTICLE III
OBJECTIVES**

The objectives of Local 1170 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 International Union.

**ARTICLE IV
LOCAL STRUCTURE**

The structure of the Local shall consist of the following:

1. Membership
2. Local Officers
3. Executive Board
4. Stewards
5. Local Units
6. Committees

**ARTICLE V
MEMBERSHIP**

Section 1 – Eligibility

Any person eligible for Membership in the Communications Workers of America, as defined in Article 5 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 or full-time basis by the Union.

Section 2 – Application

Membership in the Local shall be obtained after the payment of the Local initiation fee of \$5.00, which can be waived by the Local.

Section 3 – 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 5 of the International Union’s Constitution.

Section 4 – Termination

Membership in this Local shall be terminated in accordance with Article 5 of the International Union’s Constitution.

ARTICLE VI LOCAL DUES AND ASSESSMENTS

Section 1 – Local Dues

Each Member of the Local shall pay Membership Dues, weekly in the amount set by the Membership under the Procedure spelled out below.

Section 2 – Local Special Assessments

The Membership of this Local may levy a special assessment only in the same manner as provided for changing Local dues, however, any special assessments levied shall be in compliance with Article 6 of the International Union’s Constitution.

Section 3 – Members in Default

A Member in default, without good cause, in the payment of any installment of dues or any fine or assessment, may be suspended and expelled from Membership in the Local in accordance with Article 6 of the International Union’s Constitution. The Local Executive Board shall determine “Good Cause”. You also waive your right to grievance and arbitration representation by the Local.

Section 4 – Travel Reimbursement

Officers are responsible for determining travel reimbursement outline prior to event. Determination will be made based off of Federal Guidelines for Per Diem/Mileage/Travel Expenses.

ARTICLE VII GOVERNING AUTHORITY

Section 1 – Membership

The affairs of this Local shall be governed by its Membership in accordance with the International Constitution and Policies of the Union 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 and decisions of the Local Officers between meetings of the Executive Board.
- d. The actions and decisions of the Executive Board and Officers of the Local between Local meetings may be overruled by the Membership in a Local meeting.

Section 2 – Executive Board

The Local Executive Board shall consist of the following:

- a. Two representatives of each Local Unit.
- b. Local Officers.

Section 3 – Local Units

The Local Units of the Local shall consist of the following and those hereinafter established by the Membership.

Unit 1 – Network Tech, Building/Power Tech, Garage Mechanic, Fleet Mechanic, Communications Coordinator 2, Communications Coordinator 3, Communications Clerk

Unit 2 – Desk Tech, Communications Coordinator 1

Unit 3 – Suburban Sales and Service Tech, Cable Splicer, Linemen, Line/Splicer Tech

Unit 4 – Sales & Service Tech Metro East & West

Unit 5 – Affiliates

The Local Membership may activate, deactivate, or alter the formation of any Local Unit to ensure equitable representation on the Executive Board and to include representation of workers in other branches of the Communication field.

ARTICLE VIII LOCAL MEETINGS

Regular meetings of this Local shall be held twice per year. A special meeting may be called by a majority vote of the Executive Board, a majority vote of the Local officers, or by a petition signed by 10% of the members, upon receipt of a Proper Petition the Local Officers shall call a special meeting to be held within 10 days, or as soon as possible.

ARTICLE IX ALTERNATE LOCAL DELEGATES TO UNION CONVENTION

1. The President, Vice President, Secretary, and Treasurer will attend the Union Convention on our behalf.
2. The number of Local Delegates to the Union Convention shall be determined by the Membership consistent with the International Union’s Constitution. The Membership shall also

determine the Convention votes to be assigned to each delegate in accordance with the International Union's Constitution.

3. It shall be the duty of the Secretary to certify the Local delegates to the International Union Convention to the Secretary of the Union within the time limits specified in the International Union's Constitution.

ARTICLE X LOCAL COMMITTEES

A. The Local shall have the following regular Committees:

1. Education Committee
2. Election Committee
3. Organizing Committee
4. Political Action Committee
5. Community Action Committee
6. Finance Committee
7. By-Law Committee
8. Bargaining Committee
9. Administrative / Search Committee
10. Retiree Committee
11. Newsletter Committee
12. Mobilizing Committee
13. Membership Committee

B. Members of all Committees shall be appointed by a majority vote of the Executive Board.

C. The appointment to any Committee shall be subject to the right of the Local Membership to overrule such appointments.

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

E. A member of any Local Committee may be removed by a majority vote of the Local Executive Board, subject to the right of the Local Membership to overrule the action of the Executive Board. A Committee member may be removed by action of the Local Membership at a Membership meeting.

F. Duties of Committees:

1. Education Committee – The Education Committee shall assist in developing the Local's educational program and with the Local Officers be responsible for effectuating the Union's and Local's educational programs.
2. Election Committee – The Election Committee shall conduct all nominations and elections and referendums of the Local, in accordance with the international constitution and the United States Office of Labor Management Standards.

3. Organizing Committee – The Organizing Committee shall attempt to organize the unorganized within the Community and the workplace.
4. Political Action Committee – To participate actively in the Political and Legislative process on a City, State, Provincial, and National level, with special regard to legislation affecting the welfare of the members and do all things reasonable and necessary to accelerate the adoption of the laws which may be detrimental to the workers. It shall also be their responsibility for the Local's program to register each qualified voter.
5. Community Action – The Community Action Committee shall assist in identifying, developing, and overseeing all community service programs, with an ultimate goal of servicing the community while also furthering the Local's image.
6. Finance Committee – The Finance Committee shall perform an audit, create a budget, and present it to the Executive Board annually.
The Budget and the Audit shall then be presented to the Local Membership at a General Membership Meeting for approval.
7. By-Law Committee – The By-Law Committee shall be responsible for considering and reporting to the Membership and the Executive Board any proposed changes to these By-Laws.
8. Bargaining Committee –
 - a. 6 months prior to the expiration date of the negotiated contract the incumbent officers will serve as the bargaining committee and shall serve until a contract is ratified by the membership.
 - b. This Committee shall collect data relating to items appropriate for Collective Bargaining, furnish statistical and other bargaining information to the Local, correlate the bargaining request of the Local Units, make recommendations respective to bargaining items, execute such assignments with regard to bargaining as the Local may direct.
 - c. In the event an officer is unavailable to serve on the bargaining committee, a nomination/election will be held to fill the vacancy.
9. Administrative / Search Committee – Will be charged with keeping all the Local committee's positions filled at all times by identifying potential candidates.
10. Retiree Committee – To further the interests of the Retirees, develop and recommend their own Community/Political Action plan. The Retirees will be afforded two (2) non-voting seats on the Local's Executive Board.
11. Newsletter Committee – The Local shall print, publish, and distribute to its members an official publication, said publication shall be sent to all members and shall contain matters pertaining to Union functions, policies and activities as well as matters of Labor Public Interest generally. The Local shall actively maintain a Website.
12. Mobilizing Committee – The Mobilizing Committee will commit to a strategy that rests on enhancing communication and participation with each member.

13. Membership Committee – The Membership Committee or Committees shall accept or reject Membership applications in accordance with the By-Laws and rules of the Local and Article 5 of the International Constitution and Policies of the Union.

**ARTICLE XI
ORDER OF BUSINESS**

- A. The order of business at a Local meeting shall be as follows:
 1. Call to order
 2. Pledge of Allegiance to the Flag
 3. Roll Call of Officers – including Executive Board Members
 4. Reading and action on minutes of previous meeting
 5. Report of Officers
 6. Report of Committees
 7. Unfinished Business
 8. New Business
 9. Adjournment
- B. The order of business may be suspended by a two-thirds vote of the members present.

**ARTICLE XII
ELECTED LOCAL OFFICERS, UNIT CHAIRPERSON,
EXECUTIVE BOARD AND STEWARDS,
AND THEIR DUTIES**

Section 1 – Local Officers

- a. The Officers of the Local shall be:
 1. Local President
 2. Local Vice President
 3. Local Secretary
 4. Local Treasurer
- b. The duties of the Local Officers shall be as follows:

1 – The Local President shall:

- a. Be responsible for the conduct of all Local business and Affiliate business;
- b. Preside at Local Membership, Local Executive Board, and Local Officer meetings;
- c. Prosecute grievances and appeal them to higher levels of the International Union when not satisfactorily settled;
- d. Supervise all Local Committees;
- e. Approve all bills to be paid, and countersign all checks drawn on the Local treasury;
- f. Call regular or special Membership meetings as required by these By-Laws;
- g. Shall be the official spokesperson for the Local in all of its external relations and upon approval of the Executive Board may authorize counsel or other agents of the Local to speak for the Local in his/her place and stead;
- h. The Local President shall receive a weekly wage and an Expense Account established by the Membership.
- i. Employ personnel who may be necessary to carryout the objects and effectuate the policies of the international union and the local and to set compensation to such personnel within the financial limitations, pending executive board approval of an additional position.

2. Local Vice President shall:

- a. Work under the direction of the Local President;
- b. Perform whatever duties as may be assigned by the Local Executive Board or the Local President;
- c. The Vice President shall receive an annual expense account established for the office by the Membership, payable in twelve (12) equal monthly payments, if any;
- d. The Local Vice President shall be responsible for all Organizing;
- e. The Local Vice President shall publish and distribute to the Local Executive Board and Local Units a monthly report of all Promotions, Demotions, New Hires, Dismissals, and Transfers of the complete Bargaining Unit;
- f. Approve all bills to be paid, and countersign all checks drawn on the Local treasury, in the absence of the President.

3. The Local Secretary shall:

- a. Work under the direction of the Executive Board and the Local President;

- b. Attend all meetings of the Local and the Executive Board and record and maintain a faithful record of the proceedings;
- c. Maintain and keep all contracts, records, books, and all other properties of the Local;
- d. Maintain a current Membership list;
- e. Keep a record of the number of Local Unit meetings each month and attendance at same and report this to the Executive Board monthly;
- f. Preserve the ballots and all other records pertaining to a secret Ballot election for the specified time required by either a State or Federal law;
- g. Turn over all books, records, and all other documents and property of the Local in his/her custody to his/her successor in office;
- h. Receive an annual expense account established by the Membership for the office payable in twelve (12) equal monthly installments, if any.

4. The Local Treasurer shall:

The Local Treasurer shall publish and distribute to the Local Executive Board and Local Units monthly Financial Statements listing the Assets, Liabilities, Receipts, and Disbursements of the Local.

- a. Work under the direction of the Executive Board and the Local President;
- b. Maintain and keep all financial ledgers, monies, and securities of the Local;
- c. Receive and collect per capita dues, initiation fees, assessments, and all other monies due the Local;
- d. Deposit all funds belonging to the Local in a bank or banks approved by the Executive Board;
- e. Be bonded, as must any other person who handles Local funds or other property in accordance with the International Union's Constitution or any State or Federal law;
- f. Cause the payment of all bills approved by the Executive Board or Local President when supported by satisfactory statements or vouchers, all payments to be made by check, countersigned by the Local President or by such other persons who may be authorized by the Executive Board;
- g. Invest the funds of the Local as instructed by the Membership or the Executive Board;

- h. Prepare, publish, and distribute to the Local Executive Board and the Local Units, quarterly financial statements listing the assets, liabilities, receipts, and disbursements of the Local;
- i. Cooperate with the Finance Committee, the Auditor in making an annual audit of his/her books and such other audits as may be directed by the Executive Board;
- j. Turn over all funds, books, records, and all other documents and property of the Local in his/her custody to his/her successor in office;
- k. Receive an annual expense account established by the Membership for the office payable in twelve (12) equal monthly installments, if any.

Section 2 – Unit Chairperson

- a. The Unit Chairperson shall represent his/her Local Unit on the Executive Board, of which they are a member of that unit. If at anytime, the Unit Chairperson, Vice Chairperson/Secretary transfers or leaves the Unit, a new election will be called within 30 days;
- b. He/She shall preside at and conduct the meetings of his/her Local Unit;
- c. The Unit Chairperson shall assist the Local President and Local Executive Board in carrying out the Policies of the Union within their respective Units;
- d. Each Unit shall have a Chairperson and Vice Chairperson/Secretary;
- e. The Unit Chairperson shall have such other duties as are assigned to him/her by the Membership, Executive Board, or Local President;
- f. The Vice Chairperson/Secretary shall assume the duties of the Chairperson in his/her absence;
- g. The Vice Chairperson/Secretary shall keep a true record of all Local Unit meetings and perform such other duties as are assigned to him/her by the Unit Chairperson, Membership, Executive Board, or Local President;
- h. The Unit Chairperson shall notify the Local Secretary of the attendance at their Unit meetings.
- i. Unit Chairperson and Vice Chairperson shall have the authority to add or delete stewards representing their unit, subject to executive board approval.
- j. In the event of a vacancy in the Chairperson or Vice Chairperson, the Executive Board shall have the authority to add and delete stewards.

Section 3 – Executive Board

Any Executive Board Member may be removed for just cause by a majority vote of the Executive Board. This is prompted by a motion and a second, brought by any board member.

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 election.

- a. The Local Executive Board shall meet monthly. Special meetings may be called by the President or by request of one-third of the Executive Board members, upon such request by one-third of the Board Members the Local President shall call a special meeting promptly;
 - b. The Executive Board shall be responsible for an audit to be made of the books of the Treasurer annually and to publish the results of such audit to the Membership.
 - c. The Executive Board shall be responsible for a monthly approval of the Treasurer's Report.
 - d. Call meetings of Local Units, in which the Executive Board or its representatives may participate when the Local Unit has refused or failed to carry out a request to hold a meeting. Such action to be taken under the following circumstances:
 1. When so directed by the Membership;
 2. Where a Unit is pursuing a course of action detrimental to the Union, the Local, or the Membership;
 3. When it becomes evident that information necessary for the effectuation of Policies and objectives of the Union is being withheld from the Members.
 - e. The Executive Board shall interpret these By-Laws for the Local subject to the right of the Membership to overrule such interpretation;
 - f. The Executive Board shall order the repeal of any rules or action of the Local Unit when such rule or action is deemed to be inconsistent with the International Union's Constitution or these By-Laws, the affected Unit may appeal to the Membership, however, the action of the Board shall be complied with by the Unit pending such appeal;
 - g. The Executive Board shall administer the affairs of the Local between Membership meetings, and shall be charged with the responsibility of taking whatever action deemed to be in the best interest of the Membership, subject to the right of the Membership to overrule such action;
 - h. Only the Unit Chairperson, Unit Vice Chairperson/Secretaries of the Units listed in Article 7, Section 3 of these By-Laws shall have the power to vote on the interpretations, repeals, appeals, and administration of all affairs, rules, and/or actions of this Local requiring Executive Board decisions;
 - i. The Executive Board shall have authority to establish and dissolve committees upon such terms and conditions as may be deemed for the best interest of the Union.
3. Each Unit Chairperson and Vice Chairperson/Secretary will have the right to execute one vote each.
 4. The Local President shall vote in Executive Board meetings only in the event of a tie vote.

- a. In the absence of the Local President, the Local Vice President shall vote only in the event of a tie vote.
4. Under normal conditions, (no tie votes and no absenteeism), the voting body of the Executive Board shall consist only of the Unit Chairperson and Vice Chairperson/Secretary.

Section 4 – Stewards

- a. The Stewards shall meet whenever the Local President or the Executive Board deems it necessary to carry out the proper functions of the Local;
- b. The Steward Body shall be composed of all the Stewards of the Local;
- c. The Stewards shall police the Contract, process grievances, organize the Non-Member, distribute any information pertinent to the operation of the Local and shall carry out other assignments and duties as directed by Local President and/or vice president;
- d. A quorum of the Stewards shall consist of ten (10) percent of the Stewards.
- e. Any Steward missing 3 consecutive General Membership Meetings or Unit Meetings without good cause will result in removal of the Steward title, enforced by the Executive Board.

Section 5 – Local Units

- a. Each Unit shall meet at least once a year. Special meetings may be called by the Unit Chairperson and/or Vice Chairperson/Secretary as may be warranted, or by a petition signed by 10% of the members, upon request of a proper petition the Local Officers shall call a special meeting to be held within 10 days;
- b. The Local Unit shall formulate programs, policies to cope with problems peculiar to their individual Units, and make recommendations as to bargaining objectives affecting their Unit.
- c. The expenses usual and incidental to holding Local Unit meetings shall be borne by the Local when advance approval is obtained from the Executive Board prior to holding such meeting;
- d. A quorum for a Local Unit shall be ten (10) percent of the Unit members.
- e. Unit 7, steward body, works under the direction of the president and/or vice president.
- f. Nomination and election of Unit Chairpersons from Unit 8 will be filled by members from the two largest Affiliate groups. If no member from the two largest Affiliates wish to serve, the Local President may appoint a Chairperson and Vice Chairperson from any other Affiliate, subject to Executive Board approval.

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

- A. Membership meetings and any other business of this Local shall be conducted under these By-Laws and rules of the Local and in conformity with the International Union's Constitution. On questions where the Local By-Laws, the Local Rules of the International Union's Constitution do not clearly apply, Robert's Rules of Order shall govern;
- B. The number constituting a quorum for Local Membership meetings shall be five (5) percent of the Membership;
- C. The number constituting a quorum for the Executive Board or Committees shall be a majority of its members;
- D. The number constituting a quorum for Local Unit meetings shall be ten (10) percent of the Unit's members;
- E. Each Member attending a General Membership meeting or Unit meeting must show some Positive Identification of being a member in Good Standing of Local 1170 CWA.

**ARTICLE XIV
NOMINATION AND ELECTION OF
LOCAL OFFICERS AND MEMBERS OF
THE LOCAL EXECUTIVE BOARD**

Section 1 – Nominations, Local Officers

- A. The following Election procedures were developed by the Office of Labor Management Standards (OLMS) to help election officials conduct Union Officer elections by mail in accordance with the requirements of the Labor Management Reporting & Disclosure Act of 1959 as amended.
- B. Local Officials shall be nominated in the months of September, October, November, or December (this is consistent with the International Constitution).
- C. Nomination Procedures
 - 1. Prepare a nomination notice that specifies the date, time, and place for submitting nominations and the offices to be filled (and identifies any offices for which the officer is a delegate by virtue of election to office). A union may use a combined nomination and election notice as long as it is mailed to every member and includes all required information.
 - 2. Mail the nomination notice to all members in enough time to allow a reasonable opportunity for nominating candidates.
 - 3. Keep an accurate record of all nominations made including the names of nominators, members who second nominations and the nominees and position for which they were nominated.
 - 4. Check the eligibility of nominators (and member who second nominations) at the nomination meeting if your union required them to be in good standing. Allow another member the opportunity to make the nomination if the original nominator is not in good standing.

5. Determine the eligibility of all nominees and obtain nomination acceptances or declinations from each nominee. All candidate eligibility requirements must be set forth in writing in the union's constitution and bylaws and must be applied uniformly to all candidates.
6. Notify all eligible candidates of their nomination. Advise any ineligible candidates in writing of a specific reason(s) for their disqualification.
7. Nominations shall be made from the floor; each nominee shall notify the Election Committee in writing within five (5) days following the nominating meeting of their acceptance or rejection of the nomination. The Election Committee shall notify each nominee that he has been nominated for a specific office.
8. A Nominee shall be nominated for only one position -- this means that any person may accept only one nomination at the time of nominations.

Section 2 – Campaign Guidelines

- A. Notify candidates (in writing or by holding a meeting) all election and campaign rules including the right to inspect the union's membership list, the right to have the union distribute campaign literature to members at each candidate's expense, and the right to have observers at the polling place and the tally of ballots. A letter stating who the candidate's observer will be, will be submitted to the Election Committee 5 days after a candidate has accepted their nomination. (OLMS recommends that a candidate not be their own observer).
- B. In mail ballot elections, election officials must allow candidates to have observers present when the ballot envelopes are stuffed, labeled, and mailed during any visits to the post office to pick up and re-mail ballot packages which were returned undelivered. Observers must also be allowed to accompany election officials when the returned ballots are picked up from the post office, transported to the tally location, reviewed for eligibility, and counted. Observers do not have the right to interfere with or disrupt the conduct of the election. Observers may not wear campaign buttons, stickers, or other campaign apparel, distribute literature, or engage in campaign activities inside the polling place, including conversations about candidates or the election campaign. Observers do not have the right to count or handle the ballots in any way but must be allowed to observe the counting closely enough to verify the accuracy of the tally.
- C. Advise candidates and current officers about the prohibition against the use of union and employer funds (including cash, facilities, equipment, supplies, and campaigning on time paid for by the union or employer) to support any person's candidacy in a union officer election. No posters, buttons, or campaigning at work are allowed. Flyers may be placed on CWA Bulletin Boards as long as each candidate has the same opportunity to do so. These flyers cannot be placed during work hours.
- D. Allow candidates to inspect (not copy) once within 30 days before the election, a list of all members subject to a collective bargaining agreement which requires union membership as a condition of employment.
- E. Make arrangements to comply with all reasonable requests by a candidate to distribute campaign literature to members at the candidate's expense. Distribution of all campaign literature must be given to the Election Committee with a stamped envelope, and then the committee members will be responsible for mailing.
- F. Treat all candidates equally; they should all have equal opportunities.
- G. Flyers may be placed only on CWA Bulletin Boards as long as each candidate has the same opportunity to do so. These flyers cannot be placed during work hours.

Section 3 – Elections

- A. Update the union membership address list.
- B. Election of Local Officers shall be by Secret Mail Ballot of the Membership in the months of September, October, November, or December. In the event of one person running for office, unopposed, a show of hands can be taken from the floor at the General Membership meeting.
- C. A Special General Membership meeting shall be held and designated as “Officer Election Meeting”.
- D. Notification of such meeting along with the ballots shall be mailed to every member at his or her last known home address at least 15 days prior to the election as required by Federal Law.
- E. All candidates’ position on the ballot will be alphabetically by surname.
- F. Arrange for ballots to be printed and the printer to provide an official count of ballots. Election committee to maintain custody of and safeguard all ballots and be able to account for all ballots printed.
- G. Account for all ballots used for the mailings, including any spoiled and sample ballots. The number of ballots printed minus the number of ballots issued to members should equal the number of unused ballots.
- H. The Election Committee will enclose a return addressed envelope to return ballots to a designated post office box at a post office. This post office will have been rented for the purpose of collection from the post office. Return envelopes must be postmarked within 15 days of notification. Collection from the post office shall be made only by the Chairperson of the Election Committee and one committee member. If the Chair is absent, the Vice Chair and another Election Committee member will perform the duty.
- I. The ballots shall be opened, counted, and certified by the Election Committee and the results reported to the Membership.
- J. No ballots received after 12:01am 15 days after sent shall be valid.
- K. The Local Officers and the Election Committee shall be responsible that all candidates are afforded equal treatment, in the use of Membership list, distribution of materials or literature or any other facility of the Local Union Office.
- L. A member shall not be permitted to serve on the Election Committee if he/she is a candidate for any office of the Local.
- M. The Election Committee shall have the responsibility to see that nominations and elections are conducted in accordance with the International Union’s Constitution, By-Laws, and the United States office of labor management standards, with reasonable opportunity for each member to nominate and vote for the candidate of their choice.

- N. All questions concerning the conduct and challenges of elections shall be determined by the Election Committee subject to the right of appeal to the Executive Board or the Membership of the Local, and the International Executive Board.

Section 4 – Ballot & Tally Procedure

- A. Open the ballot box in the presence of observers. The Election Committee will unfold ballots and place them in stacks of 50 or 100 to obtain the total number of ballots cast and to ensure accuracy during the actual vote count.
- B. Allow observers to watch the counting closely enough to verify the accuracy of the tally. Observers should not be permitted to handle the ballots and should not write down any information that is on ballots.
- C. Attempt to resolve any challenged ballots at the start of the tally. Keep a record of decisions made and if necessary, explain the reason for each voter eligibility decision to observers.
- D. Count the votes on each ballot and enter the results on tally sheets.
- E. Void entire ballot if it contains information identifying the voter. Void only the particular office involved if voter intent is not clear or if too many candidates have been selected for an office. Void any ballot that is defaced or one that has offensive language on it.
- F. The Election Committee will announce the tally results for each office. Report the number of valid ballots counted, the number of totally void ballots and the number of unresolved challenged ballots.
- G. The Election Committee will pack and seal in boxes all used and unused ballots, tally sheets, voter registers, voter eligibility lists and other election materials upon completion of the tally.
- H. Publish or post the election results promptly.
- I. Maintain all nomination and election records for at least one year as required by Federal Law.

Section 5 – General Provisions

- A. The nominee in any election receiving the majority of the votes cast shall be declared elected. If no one has a majority on the first ballot, the vote will be taken again and the two nominees having the greatest number of votes on the first ballot shall be nominees on the second ballot.
- B. Only members of the Local in good standing shall be eligible to vote or hold office.
- C. The term of office shall be for three (3) years.
- D. The Officers shall take office on January 1st.
- E. Officers certified as being elected by the Election Committee shall be installed and administered the oath of office.

Section 6 – Local Unit Chairperson

- A. The nomination and election of Local Unit Chairperson, Vice Chairperson/Secretary shall be by Secret Ballot vote of the Local Unit members at a Local Unit meeting called for that purpose. For Units that need to hold more than one meeting, ballots will be mailed out to members who attended a meeting for nominations. Ballots will be sent out for Chairperson, and members will cast one vote. The nominee receiving the most votes will become Chairperson. A second mailing will then be sent out for the Vice Chairperson/Secretary, and the members will cast one vote. The nominee receiving the most votes will become Vice Chairperson/Secretary.
- B. Such elections shall be held on even-numbered years for Units having even numbers and on odd numbered years for Units having odd numbers.
- C. Local Units conducting elections shall do so prior to the first of April of each applicable year, the nominee elected shall assume office on the aforesaid date and the term of office shall be for two (2) years.
- D. The nomination and election of the Local Unit Chairperson, Vice Chairperson/Secretary of the Stewards Unit shall be by secret ballot vote of the Stewards body at a Unit meeting called for that purpose.

Section 7 – Vacancies

- A. Vacancy in the office of Local President shall be filled by the Local Vice President. Vacancies in other offices shall be filled in the same manner as that required for regular elections and within 60 days as required by Article 15 of the International Constitution.
- B. If it is determined a second Vice President is needed, before the position is filled, it will be approved by the Membership. If at such time a need for an additional Vice President arises, the current Vice President would become the Executive Vice President. In case of a vacancy in the office of Local President, the Executive Vice President shall assume the responsibility of the office of President.

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 Union and Article 18 of its International Constitution.

ARTICLE XVI CHARGES, TRIALS, AND APPEALS

Section 1 – Charges

Members of this Local may be fined, suspended, or expelled in the manner provided in these By-Laws, or any of the acts enumerated in Article 19 of the International Constitution.

Section 2 – Trials

Any accused member, including officers, of this Local shall be tried under the provisions of Article 21 of the International 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 21, of the International Constitution.

Section 4 – Local Trial Court

- a. Trial Court of this Local shall be composed of 5 persons, who are members of this Local and not parties to the proceedings and who shall be selected by the Executive Board of the Local with approval of the Membership.
- b. Should the Union need to retain legal counsel to enforce any legal action against a member, the member will pay all legal fees, court costs, filing fees, etc. if the legal action sought by the Union is upheld by the court.

ARTICLE XVII RECALL OF LOCAL OFFICERS AND UNIT CHAIRPERSON

Any elected Officer or Unit Chairperson of this Local may be recalled in accordance with the provisions of Article 20 and 22 of the International Constitution.

ARTICLE XVIII COLLECTIVE BARGAINING

Section 1 – Local Contracts and Negotiations

- a. It shall be the objective of the incumbent officers of the Local to conduct all Collective Bargaining within the Local.
- b. Duplicate originals or copies of all Collective Bargaining Agreements shall be filed with the Union and the Local Secretary.

Section 2 – Local Bargaining

- a. Any Local Unit may submit items for Local Bargaining prior to the beginning of bargaining, such items shall be forwarded to the Bargaining Committee. Bargaining Surveys will be mailed to the Membership for their input and forwarded to the Bargaining Committee, 30 days after the formation of the Bargaining Committee.

- b. During Membership meetings or Special Membership meetings called for the purpose of formulating Local demands for a Bargaining program, the Bargaining Committee shall present to the Local Membership the items submitted with recommendations on such items. The Membership will then accept or reject such items for inclusion in the Bargaining program.
- c. The Membership may approve and include additional items for Bargaining.
- d. The Local Bargaining Committee will conduct negotiations with the employer or employers under the supervision of the Union.
- e. The Local Bargaining Committee during any negotiations shall report regularly to the Local Executive Board for advice and guidance.
- f. All Agreements reached by the Bargaining Committee and approved or rejected by the Committee shall be submitted to the Local Membership for ratification. A majority of the votes cast through Secret Ballot by the Membership shall be required to ratify an Agreement.

**ARTICLE XIX
AMENDMENTS TO LOCAL BY-LAWS**

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

- a. Majority vote of the Members present in a Local meeting, if the proposed amendment has been advertised to the Membership, by use of Bulletin Boards or U.S. Mail at least 7 days in advance of the meeting.
- b. Referendum of the Membership.

**ARTICLE XX
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 or Special Membership meeting.
- b. Questions submitted to referendum shall be determined by a majority vote of those voting on the question.

**ARTICLE XXI
FISCAL YEAR AND AUDIT**

- a. The fiscal year of this Local shall be from October 1st of each year to and including September 30th of the succeeding year.
- b. The financial reports of this Local shall be audited by a Certified Public Accountant, or by a Committee selected by the Local, at the end of each fiscal year, the results of such audit shall be made available for the inspection of any member of the Local.

**ARTICLE XXII
OATH OF OFFICE**

Each elected Officer of the Local including Unit Chairperson, after meeting all other qualifications, shall be duly installed upon taking the following oath:

“I (give name) hereby accept the office of (name the office) of Local 1170, Communications Workers of America, with full knowledge of the responsibility and duties 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 International Union.”

“I further promise to give to 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 ability.”

“I further agree, as an elected Officer, I shall not accept any temporary assignments to management while performing duties as a representative of this Local, under penalty of expulsion or resignation from this elected office, so help me God.”

**ARTICLE XXIII
PROXY VOTING**

- a. There shall be no voting by proxy.

**ARTICLE XXIV
ADOPTION**

- a. 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.

These By-Laws Adopted: September 25, 1970
Revised By-Laws Adopted: October 17, 2002
Revised By-Laws Adopted: November 3, 2008
Revised By-Laws Adopted: May 21, 2019
Revised By-Laws Adopted: October 19, 2023

COMMUNICATIONS
WORKERS OF
AMERICA AFL & CIO
LOCAL 1170

4061 W. HENRIETTA RD
ROCHESTER, NEW YORK 14623

OFFICE (585) 647-1170

TAPE (585) 458-7800

John Pusloskie
President

Richard Winter
Vice President

Diane Papas
Secretary

Susan Phillips
Treasurer

PREAMBLE

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