

COMMUNICATIONS WORKERS OF AMERICA,  
 LOCAL 9588  
 BY-LAWS  
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**COMMUNICATIONS WORKERS OF AMERICA,  
LOCAL 9588  
BY-LAWS**

**ARTICLE I            *NAME***

This Local shall be known as Local 9588 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          *OBJECTIVES***

The objectives of Local 9588 shall be to represent and serve the members 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 Executive Officers
- (3) The Executive Board
- (4) Chief Stewards
- (5) Stewards
- (6) Committees

**ARTICLE V           *MEMBERSHIP***

**Section 1 - Eligibility**

Any person eligible for membership in the Communications Workers of America, as defined in Article V of its Constitution, shall be eligible for membership in this Local if performing work within the Local's assigned jurisdiction.

**Section 2 - Application**

Membership in the Local shall be obtained after payment of the Local initiation fee of \$2 and upon the approval of any membership committee authorized to accept or reject membership in behalf of the Local, subject to the right of the Local to overrule the decision of the Membership Committee.

**ARTICLE VI**

***LOCAL DUES, FINES AND ASSESSMENTS***

**Section 1 - Local Membership Dues**

- (A) The dues of Local 9588 shall be two and one-quarter (2-1/4) hours of any employee's hourly wage per month.

**Section 2 - Local Special Assessments**

- (A) The membership of this Local may levy a special assessment only in the same manner as provided for changing Local dues. However, any special assessment levied shall be in compliance with Article VI of the CWA 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 and by referendum of the membership.

- (B) Through actions and decisions of the Local Executive Board between membership meetings.
- (C) Through actions and decisions of the Local Executive Officers between membership meetings and meetings of the Local Executive Board.
- (D) The actions and decisions of the Local Executive Officers and/or Local Executive Board between Local meetings may be overruled by the membership in the Local meeting or by referendum.

**ARTICLE VIII LOCAL MEETINGS**

The Area Vice President of the respective areas may call meetings at their discretion for specific workgroups, stewards or chief stewards at times they determine and at a place they designate.

Upon receipt of a proper petition the Local Executive Officers shall call a special meeting to be held within ten days.

**ARTICLE IX LOCAL DELEGATES TO THE UNION CONVENTION**

- (A) The Local Officers shall be automatic delegates to all conventions.
- (B) In the event the need for additional delegates arises as required by the CWA Constitution, Article 9, Section 4, the election shall be conducted by the Election Committee by membership referendum:
  - 1. By a plurality of the membership voting by secret ballot conducted not more than 120 days, nor less than 30 days in advance of the Convention.
  - 2. The nominee receiving the most votes will become the first delegate.

3. The nominee receiving the next highest number of votes will become the second delegate, etc., until all the delegates positions have been filled.

(C) It shall be the duty of the Secretary-Treasurer of the Local to certify the Local delegates to the Convention to the Secretary-Treasurer of the Union within the time limits specified in Article VIII of the CWA Constitution.

## **ARTICLE X**

### ***LOCAL COMMITTEES***

(A) The Local shall maintain all committees designated by the Constitution.

(B) Members of all committees shall be appointed by the Local President, subject to the right of the Local to overrule such appointments.

(C) Vacancies on committees shall be filled in the same manner as the original appointments.

(D) A member of any Local committee may be removed by a majority vote of the Local Executive Officers, subject to the right of the Local to overrule the actions of the Local Executive Officers. A committee member may also be removed by action of the Local in a membership meeting.

(E) Duties of the Committees:

1. Membership Committee - 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.

2. Legislative Committee - Shall assist in developing and pursuing the program to register each qualified voter.

3. Organizing Committee - Shall assist the Local Executive Officers and Stewards in organizing within the Local's jurisdiction.
4. Election Committee - Shall conduct all nominations, elections, and referendums of this Local.
5. Education Committee - Shall assist in developing the Local's educational program and with the Local's Executive Officers, be responsible for effectuation of the Union's educational program.
6. Community Service Committee - Shall assist Union members and their families in times of need, and shall establish and coordinate community activities of the Local.
7. Equity Committee - It is the responsibility of the Equity Committee to resolve any problems that arise concerning the members of Local 9588, involving issues outside of the Labor Agreements as negotiated.
8. By-Laws Committee - It is the duties of the By-Law Committee to meet and review any proposed By-Law changes on a semi-annual basis.
9. Budget Committee - It is the duties of the Budget Committee to prepare and present an annual budget by the last membership meeting of the Local's fiscal year which ends on September 30th, and in any Local election year it will be the option of the new incoming Local President to submit an amended budget to the Budget Committee, which will be

presented to the membership in January.

10. Safety Committee - It is the duties of the Safety Committee to maintain an effective safety program at the Local, Council and National levels.
11. Scholarship and Youth - This committee shall be responsible for youth sponsorship of the Local and nominations of the scholarship rules and drawings.

**ARTICLE XI            *ORDER OF BUSINESS***

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

1. Call to Order
2. Pledge of Allegiance
3. Roll Call of Officers
4. Introduction of Visitors
5. Reports of Officers
6. Reports of Committees
7. Reading and Action on minutes of previous meetings
8. Unfinished business
9. New business
10. Reading of Communications
11. Good and Welfare
12. Adjournment

The order of business may be suspended by a two-thirds vote of the members present.

**ARTICLE XII            *DUTIES OF EXECUTIVE OFFICERS, EXECUTIVE BOARD MEMBERS, CHIEF STEWARDS AND STEWARDS***

- (A) The Officers of the Local shall be the Executive Officers #1-3 listed below and the Area Vice President listed below:
1. The President
  2. Executive Vice President
  3. Secretary-Treasurer

#### 4. Area Vice-Presidents



- a) Pomona
- b) Ontario/Sacramento
- c) Tri Valley
- d) Coachella Valley
- e) Substitute Teachers

**(B)** The Executive Board shall consist of the eight Officers listed in Article XII, Section A.

**(C)** Duties of the Local President:

1. Preside at membership meetings of the Local and the Local Executive Board and shall be responsible for the conduct of including:
  - a) The prosecution of the grievances and appealing them to higher levels of the Union, if not satisfactorily settled.
  - b) The supervision of all committees of the Local.
  - c) The approval of all bills to be paid by the Local Secretary-Treasurer, and the countersigning of checks drawn on the treasury of the Local.
2. The Local President shall have such additional duties as assigned by the Local, the Local Executive Board, or required by the Constitution or policies of the Union.
3. Additional Officers as required for Union leaves of absence may be assigned by the Local President for their term of office subject to approval of the Executive Board and membership.
4. The President will be full-time for term of office.

**(D)** Duties of the Executive Vice President:

1. Shall work under the direction of the Local President and shall perform such duties as assigned by the Local President and Local Executive Board and the Local.

**(E)** Duties of the Area Vice Presidents:

1. Shall work under direction of the Executive Officers.
2. Maintain an effectively trained Steward organization.
3. Conduct regular Bi-Monthly Chief Stewards meetings.

**(F)** Duties of the Local Secretary-Treasurer:

1. Shall maintain a record of the Local membership and shall keep minutes of all Local membership meetings and meetings of the Local Executive Board.
2. Furnish the District Vice President two copies of any changes in the Local By-Laws within ten days after such changes are made and approved by the membership.
3. Be responsible for furnishing the Secretary-Treasurer of the Union with all the proper forms signed by the Local Officers which are required by State and Federal laws immediately upon their execution.
4. Be custodian of all assets of the Local and shall make a report at each membership meeting.
5. Cause the payment of all bills approved by the Local President.

6. Perform such other duties as may be assigned by the Local President, the Local Executive Board, or the Local.
7. The Local Secretary-Treasurer and any other person who handles Local funds or other property shall be bonded in accordance with the CWA Constitution and any State or Federal law.

**(G)** Duties of the Local Executive Board:

1. Shall work under the direction of the Local President and shall perform such duties as assigned by the Local President.
2. The Executive Board shall be responsible for making decisions and taking action in behalf of the Local membership between Local meetings on all matters concerning the good and welfare of the members.
3. A majority of the Executive Board shall constitute a quorum.
4. The Executive Board shall meet prior to the next regular members meeting and with the Local Officers shall be responsible for the development of the regular membership meeting agenda.
5. Duties of the Local Executive Board Executive Board shall cause an annual budget to be prepared and presented by the last membership meeting of the Local's fiscal year which ends on September 30th, and in any Local election year it will be the option of the new incoming Local President to submit an amended budget to the E-Board which will be presented to the

membership in January.

6. The Executive Board shall be responsible for the operation of strike action procedures as outlined in the Union Constitution and Strike Manual.
7. Actions and decisions of the Executive Board shall be subject to approval by membership.

**(H)** Duties of the Chief Stewards and Stewards of the Local

1. This Local shall have as many Chief Stewards as may be appointed by the Area Vice Presidents, subject to the approval of the Local President. They shall perform such duties and responsibilities as may be assigned by the Area Vice President.
2. Stewards shall be appointed by the Chief Stewards subject to the approval of the Area Vice Presidents.
3. The Stewards of the Local shall work under the direction of the Chief Stewards.
4. The Local shall have one Steward for every work group, even though there may be less than 15 eligible employees in the group. Where there are more than 15 eligible employees in the work group there shall be a minimum of one steward for each 15 employees or major fraction thereof.
5. The Steward's primary duty shall be
  - a) Organize all nonmembers in their work group.

- b) See that the contract is observed by management and the members.
- c) Report all grievances immediately to their Chief Stewards and assist in processing them.
- d) See that all the membership is informed at all times about the Union policies, programs, bargaining, political activities, legislation and other important Union activities, and constantly work for participation by the membership.
- e) Assist the Officers of the Local in administering the affairs of the Local in a positive manner.

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

**(A)** Regular 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 Union Constitution.

On questions where the Local By-Laws the Local rules or the Union Constitution do not clearly apply, Roberts Rules of Order shall govern.

**(B)** The number constituting a quorum for the regular membership meeting shall consist of 25 members.

**(C)** A majority of the members of the Local Executive Board or a majority of the members of a committee shall constitute a quorum for those bodies.

**(D)** At least ten days notice of each

membership meeting must be posted on all bulletin boards.

(E) A vote by mail to the membership to have any additional full-time Officers.

**ARTICLE XIV            NOMINATION AND ELECTION OF LOCAL OFFICERS**

**Section 1 - Terms of office**

Terms of office for all elected shall be three (3) years, per the CWA Constitution and LMRDA, starting December 1, 1972.

**Section 2 - Nominations**

- (A) Local Officers shall be nominated by mail, or at a regular membership meeting when nominations are officially open, by any member in good standing of CWA, Local 9588.
- (B) A member shall be eligible to run for only one office in any given election.

**Section 3 - Local Elections**

- (A) Election of Local Officers shall be by secret ballot of the membership in the month of October of each election year.
- (B) The ballots shall specify that the votes cast for the Officers of the Local will also be a vote cast for the Officers to be delegates to any general or special convention held during this term of office.
- (C) There shall be no write-ins allowed.

#### **Section 4 - Local Election Committee**

- (A)** The nomination and election of Local Officers shall be conducted under the supervision of the election committee. The 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 nominate and vote for the candidate of their choice.
- (B)** All elections of Officers shall be by mail ballot. Area Officers being voted on only by the area represented.
- (C)** At least 15 days notice of each election must be posted on all bulletin boards or mailed to each member at his last known address.
- (D)** The ballots and all other records of each election shall be preserved by the Local Election Committee or the Local Secretary-Treasurer for one year.
- (E)** The Election Committee shall also conduct a referendum submitted to the membership.
- (F)** A member shall not be permitted to serve on the Election Committee when a candidate for any office of the Local, or a delegate to the CWA Convention.
- (G)** Absentee ballots for any election of the Local may be obtained by written request to any member of the Election Committee for any member who is ill, on vacation, or temporarily assigned to work outside the jurisdiction of the Local or did not receive a ballot through the mail.

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

**Section 5 - General Provisions**

- (A) The nominee for President, Vice Presidents and Secretary-Treasurer in any election receiving the majority of the valid votes cast shall be declared elected. If no nominee has a majority on the first ballot, the vote shall be taken again and the two nominees having the greatest number of votes on the first ballot, shall be nominees on the second ballot. Nominee for Convention Delegates and Alternates, shall be by plurality.
- (B) Only members of the Local in good standing shall be eligible to vote or hold office.
- (C) Area Vice Presidents must work in their geographic area.
- (D) No elected Officer of the Local shall be qualified to take office unless and until he or she meets the qualifications and requirements set forth in these By-Laws, the CWA Constitution, or any State or Federal Law.
- (E) The order of nomination and election of Local Officers shall be as follows:
  - 1. President
  - 2. Executive Vice President
  - 3. Secretary-Treasurer
  - 4. Area Vice Presidents



## **Section 6 - Vacancies**

- (A)** A vacancy in the office of Local President shall be filled by the Executive Vice President.
- (B)** A vacancy will be declared in the office of Area Vice President if the office holder relocates permanent work location out of their geographic area.
- (C)** Vacancies in any other elected position with one year less remaining is termed a temporary position and will be filled by appointment of a majority vote of the Executive Board. More than one year remaining in any elected office shall be filled by appointment of the Executive Board, subject to the approval of the Local membership at the next regular meeting. If the appointee is disapproved by a majority vote, a special election, by secret ballot of the membership voting in accordance with Federal and Union rules.

## **ARTICLE XV        *STRIKES***

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

## **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 member, including Officers of the Local, shall be tried under the provisions of Article XXI 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 XXI of the Union Constitution.

**Section 4 - Local Trial Court**

- (A) A trial court of this Local shall be composed of five (5) persons who are members of this Local and not parties to the proceedings.
- (B) Members of the trial court shall be selected by the members in a membership meeting of the Local.

**ARTICLE XVII      *RECALL OF LOCAL OFFICERS***

An elected Officer of this Local may be recalled in conformity with the provisions of Article XX and Article XXII, of the CWA Constitution.

**ARTICLE XVIII     *AMENDMENT TO LOCAL BY-LAWS***

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

- (A) By fifty (50) signatures of the membership submitted in writing to the Executive Board, which will advertise to the membership by use of bulletin boards or U.S. Mail, postage paid, at least fifteen (15) days in advance of the Local membership meeting.
- (B) By referendum of the Membership.
- (C) By addendum.
- (D) By Local By-Law Committee.
- (E) A, C and D with approval of the Local membership.
- (F) In the event of convention action, or changes in the CWA Constitution, changes any of the provisions of these By-Laws, the provision(s) so affected shall be changed automatically to comply with requirements of such change.

**ARTICLE XIX        *REFERENDUM OF THE LOCAL***

- (A) The Local election committee shall submit any question to a referendum of the membership, when directed to do so by action of a regular or special membership meeting.
- (B) Propositions submitted to a referendum shall

be determined by a majority vote of those voting on the question.

**ARTICLE XX            *FISCAL YEAR AND AUDIT***

**(A)** The fiscal year of this Local shall be from October 1st to and including September 30th of the succeeding year.

**(B)** The financial records of this Local shall be audited by a Public Accountant (or by a committee selected by the Local) at the end of each fiscal year. The results of such audit shall be available for the inspection of any member of this Local.

**ARTICLE XXI           *DEATH BENEFIT***

All members in good standing in Local 9588 for twelve (12) consecutive months shall be insured for five-hundred dollars (\$500.00) in the event of their death. Further, that any member voluntarily canceling their membership in Local 9588 shall not be eligible for death benefits until they have rejoined Local 9588 as a member in good standing continuously for sixty (60) months prior to their death. No member who is eligible for the retirement gift as provided in Article XXII shall also be eligible for death benefits as provided herein.

Each member shall specify in writing the name and address of their beneficiary. If no beneficiary is specified, the death benefits shall be paid to the estate of the member. All claims for death benefits must be filed in writing with the Union within one year from the date of death and shall be accompanied by a certified copy of a Death Certificate. Claims not filed within one year from the date of death shall be deemed waived. In the event a beneficiary is a minor, the death benefits shall be paid to

the legal guardian for said minor. If no legal guardian is appointed within one year from the date of death the beneficiary shall forfeit the death benefits. For the purpose of this section, a member who has not paid a fine or back dues levied upon them by the Union shall not be a member in good standing at the time of their death and shall not be insured for the death benefit. No person shall have vested rights in this death benefit prior to the death of such eligible person.

**ARTICLE XXII      *RETIREMENT GIFT***

(A) A member in good standing who qualifies to retire from their employment because of age, length of employment or disability shall be entitled to a retirement gift of one-hundred dollars (\$100.00) or the equivalent of a CWA's men's or ladies watch. All claims for such retirement gifts must be filed in writing with the Union within 180 days of the date of retirement. Retirees must take their retirement benefit at the time of retirement or they shall forfeit. In order to be eligible for the retirement gift a member must have held membership in CWA Local 9588 for the last continuous sixty (60) months prior to the date of retirement.

(B) By-Laws Committee Position. We will reaffirm our position on the Death Benefit and Retirement gift that the employees who are not members in good standing of this Local at the time of their retirement or death, are not eligible for the Death Benefit or Retirement Gift.

(C) For the purpose of this section a member who has not paid a fine or back dues levied upon them by the Union shall not be a member in good standing at the time of their

retirement.

**ARTICLE XXIII OATH OF OFFICE**

A person elected to an 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 office) of Local 9588, Communications Workers of America, with full knowledge of the responsibilities of such office. I promise to faithfully discharge my duties according to the By-Laws and the rules of the Local and the Constitution and policies of the 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 abilities, so help me God.

**ARTICLE XXIV      *ADOPTION***

These By-Laws shall be adopted upon the approval of a majority of the members voting upon their adoption in the regular membership meeting called for that purpose. These By-Laws adopted by the membership of Local 9588, Communications Workers of America as of April 20, 1972.

**AMENDMENTS**

**DATE AMENDED**

**ARTICLE (S) AMENDED**

SEPTEMBER 26, 1973	
JANUARY 24, 1974	
JULY 25, 1974	
JANUARY 23, 1975	
APRIL 24, 1975	
OCTOBER 23, 1975	
JULY 22, 1976	
JANUARY 27, 1977	
JANUARY 26, 1978	
JULY 27, 1978	
SEPTEMBER 27, 1979	XIV, SEC 6, SUB-SEC C VI, SEC 1, SUB-SEC A & B XIV, SEC 4, SUB-SEC B
NOVEMBER 29, 1979	XVIII, SEC 1, PAR 1
JANUARY 24, 1980	XIV, SEC 4, PAR B
MAY 27, 1982	IV X, SEC E XII, SEC C, E & H PAR 5 XIV, SEC 4, PAR G & H
JANUARY 27, 1983	XVIII X, SEC E, SUB-SEC 11(A) XIV, SEC 4, PAR H
MAY 25, 1988	XVIII, SEC E I III IV VI, SEC 1, PAR A X, SEC E, PAR 9 & 11 XII, SEC A, B & C PAR 11 SEC G, PAR 5 XIV, SEC 5, PAR C & E XXI XXII XXIII XXIV
SEPTEMBER 25, 1991	V, SEC 2



XVIII, ADD SEC F  
XXI, PAR 1  
XXII, SEC A & B

NOVEMBER 19, 1997

XX1, SEC A

MAY 22, 2002	VIII IX, DELETE C, RENAME D TO C XIV, SEC 2 XX11, SEC A
JANUARY 28, 2004	XII, SEC A(5) XII, SEC B
MARCH 20, 2004	VIII, PAR 1 IX, SEC A IX, SEC B IX, SEC B, DELETE SEC 4, 5 IX, SEC C, DELETE IX, RENAME (D) TO (C) XIV, SEC 2 XX11, SEC A
SEPTEMBER 23, 2009	XX1 XX11, SEC A XX11, SEC B XX11, SEC C (ADD)
MAY 23, 2012	XII, SEC A XIV, SEC 2
MAY 28, 2014	XII, SEC A, SUB-SEC 3 (DELETE) XII, SEC A, RENAME SUB-SEC 4 TO 3 XII, SEC A, RENAME SUB-SEC 5 TO 4 XII, SEC B XII, SEC D  XIV, SEC 1 XIV, SEC 3, PAR (C) (ADD) XIV, SEC 4, PAR (A) XIV, SEC 5, PAR (E) SUB-SEC (3) (DELETE) XIV, SEC 5, RENAME PAR 4 TO 3 XIV, SEC 5, RENAME PAR 5 TO 4 XIV, SEC 6, PAR (A)

**COMMUNICATIONS WORKERS**

**OF**

**AMERICA LOCAL 9588**

**BY-LAWS**

**Revised 2014**