

## PROPOSED BYLAW CHANGES – ANNOTATED

*The proposed changes to our current bylaws are indicated below by underlines for additions and strikethroughs for deletions. Any language that is plain text (neither underlined nor struck) is unchanged from the current bylaws. The rationale for and meaning of these changes are italicized.*

### Quick Key Guide:

**Unit = Us!** A group of members who have organized to join our union, working for the same employer

**Local/Guild = Also Us!** The NewsGuild of New York

**International/TNG-CWA = Us Too!** Our parent union, The NewsGuild-Communications Workers of America

**Executive Committee = All of Us!** The leadership body of our Local

**Organizing Members = Guild members** employed in shops that have been certified or recognized but are not yet governed by a collective bargaining agreement.

### Bylaws of The NewsGuild of New York

(As amended in 2022, effective upon ratification, unless otherwise indicated~~2015~~)

#### Article I - Structure

##### Section 1

The membership of the Local shall have supreme authority in the Local.

##### Section 2

Between General Membership meetings, the Executive Committee shall be the legislative and administrative body. ~~To take effect January 2, 2017.~~

*[The struck language is from a previous bylaw change and is no longer necessary to keep in the document.]*

##### Section 3

The officers shall be President, ~~Secretary-Treasurer~~, Secretary, Local Chairperson, First Vice President, Second Vice President, ~~and Third Vice President~~, six Vice Chairs, and every Unit Chairperson.

*[This identifies all the officers of the Guild. As spelled out in Article VI, officers have unique responsibilities to the Local. Currently, the bylaws have Secretary-Treasurer as a single part-time role and sixteen Vice Chairs that are elected Local-wide. These changes--creating two distinct officer roles and reducing the number of Vice Chairs--*

*creates a better functioning EC that represents the membership. The details of these and other proposed changes to the makeup of the EC are also discussed in Article IV.]*

#### Section 4

The TNG-CWA Constitution, the Constitution of the Communications Workers of America, these Bylaws, and Robert's Rules of Order shall prevail at Local and unit Guild meetings.

*[This is a change for purposes of clarification.]*

### **Article II - Membership**

#### Section 1

Applicants for membership shall submit their applications through their units to the President subject to appeal as provided in the TNG-CWA's Constitution.

#### Section 2

Individuals shall be eligible for membership consistent with the applicable provisions of the TNG-CWA Constitution.

*[We want our bylaws to be more transparent about our obligations to the TNG-CWA Constitution in describing eligibility for membership, Our Local, The NewsGuild of New York, is part of the larger NewsGuild (TNG), which is in turn part of the Communication Workers of America (CWA), making us subject to their governing documents. In the democratic and transparent spirit of our Local, the EC recommends adding the following three paragraphs to clearly communicate expectations of members, our commitment to anti-discrimination and to building a solidaristic movement within our union.]*

Individuals admitted to membership shall support the aims and purposes of the Local and the Guild; to advance the economic interests of members; to guarantee, as far as they are able, equal employment and advancement opportunity in the industry, and constant honesty in news, editorials, advertising, and business practices; to raise the standards of journalism and ethics of the industry; to foster friendly cooperation with all other workers; and to promote industrial unionism in the media industry.

*[This paragraph is a restatement of the mission of our union from the TNG Constitution, and is in keeping with Article XI, Section 17 of the TNG Constitution which states "Locals shall do all in their power to strengthen the labor movement in their respective areas." We believe that expressing these basic values in our bylaws helps to convey a sense of mission that our governing documents currently lack.]*

Individuals admitted to membership shall not discriminate against any fellow member because of their age, sex, race, ethnicity, national origin, religious or political conviction,

marital or parental status, sexual orientation preference, gender identity or expression, physical or mental ability, military service, or anything they write or otherwise create for publication.

*[The CWA's Policy on Mutual Respect is actually more expansive than this language. Adding non-discrimination language to our own bylaws simply emphasizes to members that this is something we take very seriously. UPDATE: "preference" in the above paragraph will be changed to "orientation" as part of the Local-wide election ballot.]*

Individuals admitted to membership shall not actively serve against the interests of the Local, the Guild or CWA, as per Article 2, Section 7 of The TNG-CWA Constitution, nor shall they divulge the confidential business of the Local, the Guild or CWA to non-members, knowingly causing harm to another member, or otherwise act in violation of the Constitution, Bylaws or Rules of the Local, the Guild or the CWA. Nothing within this section or anywhere else in these Bylaws abrogates Local members' rights to speak freely or to participate in the democratic processes of the Local, the Guild, or CWA, including their rights under the Labor Management Reporting and Disclosure Act.

*[The expectations, responsibilities and obligations of membership under the CWA and TNG-CWA constitutions are broad and complex (CWA Constitution links to [Charges Against Members](#), [Policy of Mutual Respect](#); TNG Constitution links to [Individual Bargaining](#), [Article XI, sections 17 & 18](#), [Article XIII, sections 7 & 10](#)) and are therefore generally referred to by the principle of "do-no-harm." Probably the most significant element in this paragraph is the prohibition against divulging the confidential business of the Local to non-members. Even without this proposed language, under the existing bylaw language members may claim doing so violates the CWA and/or TNG constitutions. We believe that transparently prohibiting it in our own bylaws is a better course than falling back on documents members may not be aware of.*

*At the same time, we wanted strong language that makes clear this clause may not be used to diminish your right to free speech, including dissent within our union, or your rights to participate in our democratic processes.*

*The remedy for any infraction, whether described above or not, is to bring charges against the offending member or officer before an internal union trial panel. These procedures, including for appeals, are [spelled out in full here](#).]*

### Section 3

Reinstatement fees and conditions shall be set by the Executive Committee.

### Section 4

Good standing in the Local shall continue to include those members who have satisfied the requirements of Article XIII of the TNG-CWA Constitution as well as Organizing Members as defined in Article XIV of the TNG-CWA Constitution. Organizing Members shall continue to have all rights and privileges with respect to governance, elections, and activities of the Local.

*[This section memorializes what has long been the practice in our Local: that members who unionized with our Local (either through voluntary recognition or via election) but who do not yet have a ratified first contract are eligible to vote in Local elections. A change to the TNG constitution made last year requires us to memorialize election eligibility. Additionally, since this was called into question after ballots went out in the last two elections, and the [Local Election Committee ruled on the issue](#), it's important to spell this out so that there is no confusion. The references to the TNG-CWA Constitution are necessary for the sake of accuracy.]*

### **Article III - Units**

#### Section 1

All changes in Article III to take effect September 1, 2022 ALL CHANGES IN ARTICLE III TO TAKE EFFECT\_ JANUARY 2, 2017.

The Unit Council is the elected administrative body of the Local for the unit. The Unit Council is responsible for carrying out the basic policies of the Local, as well as organizing members of the unit around workplace issues including bargaining, contract enforcement and organizing.

*[Our current bylaws lack a clear description of the role of unit councils or unit officers. The changes in this Article, Sections 1 - 6, are based on feedback from Unit Councils about their work. Having a baseline for what Unit Councils should be, and in many cases already are doing, ensures that we are able to organize members and exercise the power of our units.]*

#### Section 2

Unit Councils shall be composed of three Officers, along with Council Members who represent departments, desks, areas of work, shifts, and other distinct organizational structures of work.

*[This Section 2 defines Unit Council as being composed of officers and members, memorializing best practices for representation in the UC. This will allow for greater flexibility in expanding/adjusting Unit Councils in response to changing demographics or unit work.]*

#### Section 3

Unit Councils shall have the following Officers: Unit Chairperson, Vice Chairperson, and Secretary.

Unit Officer elections shall be conducted by mail ballot in ~~these~~ units within the United States. Balloting in those units outside the United States shall be conducted in their shops. Before the third Saturday in October every third year, beginning in 1998, in accordance with rules set by the Local Election Committee, each unit shall elect a Chairperson, a ~~First~~ Vice Chairperson, ~~and~~ a Secretary, and a number of Council Members pursuant to Section 8 of this Article. ~~The unit may also elect any additional Vice Chairpersons whom it deems necessary.~~

*[The language change reflects that there are three officers, and therefore no need for a "first" Vice Chair since there is only one. Instead of additional Vice Chairs, we are proposing additional Council Members in Section 8 of this article.]*

All Unit Officers shall be certified to the Local President by the Local Election Committee upon completion of the counting of the ballots, and they shall assume office on November 1.

#### ~~Section 2~~

~~Unit officers and any other members designated by the unit shall form a Unit Council for administrative purposes.~~

All Unit Officers shall be required to take the Local's Oath of Office.

*[In order for anyone other than the Unit Chair to serve on the EC, as spelled out in this Article under sections 5 and 6, all Unit Officers need to take the oath.]*

#### Section 4

The Unit Chairperson is the principal leadership position of the unit in the workplace, responsible for facilitating the functions of the Unit Council as set forth in Section 1 of this Article. Unit Chairpersons shall facilitate Unit Council and unit membership meetings in accordance with the procedures agreed upon by the Unit Council. Unit Chairpersons often interact with management in their capacity as a Unit Officer.

#### ~~Section 3~~

The Unit Chairperson, under the direction of the Local President, shall execute the fiscal provisions of the Constitutions of The NewsGuild-CWA and the Communications Workers of America and of these Bylaws.

The Unit Chairperson shall serve on the Local's Executive Committee as provided in Article IV.

*[See Annotation in Section 1]*

#### Section 5

The Unit Vice Chairperson shall assist the Unit Chairperson in the facilitation of the functions of the Unit Council. The Unit Vice Chairperson shall serve as a member of the Executive Committee in the Unit Chairperson's absence.

*[See Annotation in Section 1. In addition, this section provides for representation on the EC when the Unit Chair is unable to attend.]*

#### Section 6

The Unit Secretary takes minutes at Unit Council and unit membership meetings and retains copies of unit communications (e.g., shop papers).

#### Section 4

The Unit Secretary, after each meeting of the Unit Council and membership, shall file a copy of the minutes with the Local Secretary ~~President~~.

The Unit Secretary shall serve as a member of the Executive Committee in the absence of both the Unit Chairperson and Vice Chairperson.

*[See Annotation in Section 1. In addition, this section provides for representation on the EC when the Unit Chair and Vice Chair is unable to attend.]*

#### ~~Section 5~~ Section 7

Vacancies in a unit office listed in Section ~~34~~ above must be filled promptly if they occur more than ninety days before a regular unit election. Nominations shall accordingly be made promptly pursuant to rules and procedures set by the Local Election Committee. The unit membership shall be informed of the nominations by notices on the Local website, bulletin board notices and/or shop paper. Additional nominations may be made in writing to the Local Election Committee on a schedule to be set by the Local Election Committee. If there is a contest for any Unit Council position, the unit shall, within forty-five days after the Unit Council meeting, hold an election. If there is no contest for a position, the candidate shall be declared elected. ~~Vacancies in other unit offices may, at the discretion of the Council, be filled in a like manner.~~

*[Democratic procedures for filling Unit Council vacancies are spelled out in Sections 9 - 12 of this article.]*

#### Section 8

Council Members are members-at-large of the Unit Council and shall be responsible for carrying out the core functions of the Unit Council along with the Officers. Council

Members may also act in the capacity of stewards. Council Members are not Officers of the Local, Guild, or CWA.

*[The Department of Labor requires the election of union officers, specifically, to be held by secret ballot, and has so far not allowed electronic voting. Elections conducted by mail, whether via a third party such as the American Arbitration Association or by Guild staff following established procedures, can be very costly. This can serve to discourage contested elections. This is especially so in the case of a large Unit Council, where there may be more than one vacancy a year. Stating that Council Members are not officers allows units to hold electronic or in-person votes in the event of vacancies. This language also allows contested elections for those seats to be held at lower cost by email, electronic ballot or member meeting and promotes greater flexibility in expanding/adjusting Unit Council representation in response to changing demographics or unit work.]*

Effective upon the date of ratification, for the 2022 unit elections: The number of Council Members shall be equal to the number of additional Vice Chairpersons on existing Unit Councils as of August 10, 2022.

Effective November 1, 2025: The number of Council Members for a given unit shall be determined by the existing Unit Officers 90 days before nominations, taking into account latest available Local census data, the structure and the needs of the unit. The determination of the Unit Officers shall be in accordance with Section 9 of this Article and subject to approval or modification by the Local Election Committee.

The number of Council Members for all Unit Councils that are newly established following the ratification of these Bylaws shall be in accordance with Section 9 of this Article, taking into account latest available Local census data and the structure and the needs of the unit, and subject to approval or modification by the Local Election Committee.

*[Our bylaws do not contain a clear process or guidance for determining how many members serve on the Unit Council. This Section outlines how the changes in Section 9, which establish parameters for the size of a unit council, will be phased in. These changes would not take effect until the next round of Unit elections in 2025.]*

#### Section 9

For units of up to 100 members, there shall be at least one Council Member for every ten members of the unit. For units in excess of 100 members, there shall be at least one Council Member for every ten members up to 100, and an additional Council Member for every fifty members of the unit over 100 members.



*[This language sets a minimum floor for council membership, adds guidance for Unit Officers to set the number of Council Members ahead of an election. Our Unit Councils vary widely, giving rise to concern that some do not have enough members to serve the needs of the unit or represent all members. The ratio of one Council Member for every 10 members up to 100, and one additional Council Member for every 50 members over 100, establishes a baseline. Starting with the next election, Unit Officers will be tasked with establishing the number of Members ahead of each election based on the size of their unit, its structure and needs. This change encourages Unit leadership to choose a number of Council Member seats that would represent every part of the shop.]*

A Council Member who does not fulfill the core functions of the Unit Council for more than six months will be deemed to have vacated their seat, as determined by a majority of Unit Officers, effective fourteen days following notice to the Council Member of the Officers' intent to deem the office vacated. Any dispute as to whether a Council Member has vacated their seat shall be settled by the Executive Committee of the Local.

*[We currently have no mechanism spelled out in our bylaws for when a Unit Council member is not performing their duties or when they have effectively vacated their seat. This language would allow Unit Officers to give Council Members who have been inactive for more than six months notice that their seat will be deemed vacant. It provides that the Executive Committee will settle any dispute that arises.*

*There have been concerns about people becoming part of the Unit Council, but not attending meetings or otherwise fulfilling their duties, with no easy way to replace them with someone who would be more active. It is our understanding that in many instances, Unit Officers already informally approach Unit Council Members who are ghosting their duties.*

*By memorializing a process, and referring to the "core duties" spelled out in Section 1, we want to encourage Unit Councils to be lively and active bodies that are engaged with their unit's members. The hope is that any non-performing Council Member will be willing to either step aside or become more active when asked by Unit Officers, and that Unit Officers would use this mechanism in good faith.]*

#### Section 10

Council Members shall be elected in accordance with rules set by the Local Election Committee. To the extent permissible, such elections of Council Members shall be conducted via in-person unit membership meetings or by utilizing electronic means (e.g., online voting, e-mail voting).



*[Under Article V, Section 4 the Local Election Committee currently sets the rules for all Local and unit elections.]*

#### Section 11

Vacancies in Council Member positions must be filled promptly if they occur more than ninety days before a regular unit election. Nominations shall accordingly be made promptly pursuant to rules and procedures set by the Local Election Committee.

*[Under Article V, Section 4 the Local Election Committee currently sets the rules for all Local and unit elections.]*

#### ~~Section 6~~ Section 12

Unit election disputes shall be decided by the Local Election Committee, subject to the right of appeal to the Local Executive Committee and to the membership.

#### ~~Section 7~~ Section 13

Unit membership meetings shall be held at least twice a year. A quorum shall be no fewer than five members or ten percent of the unit membership in good standing, whichever is greater. Any member of the Local may attend meetings of any unit, but only unit members shall have voice, vote, and other rights at their own unit meetings.

#### ~~Section 8~~ Section 14

Additional unit membership meetings shall be held on petition of ten percent of the unit membership in good standing, or on not less than five days' notice, barring exigent circumstances, when called by a majority of the Unit Officers or the Unit Chair. ~~and unit referendums shall be held on petition of ten percent of the unit membership in good standing.~~

*[Article VII, Section 2 sets the standard of five days' notice for membership meetings.]*

#### ~~Section 9~~ Section 15

Associate members ~~and freelance members~~ may form units of not fewer than five persons and send observers to the Executive Committee upon invitation of the Local Chair or President.

*[This is a change for purposes of clarification. Our Local includes freelancers through associate membership; there is no separate category of "freelance members."]*

## **Article IV - Executive Committee**

### Section 1

The Executive Committee shall consist of the President, ~~Secretary-Treasurer,~~ Secretary, Local Chairperson, First Vice President, Second Vice President, Third Vice President, all Unit Chairpersons, and ~~46~~ six Vice Chairs ~~additional members~~.

*[Changing the Secretary-Treasurer into two separate positions--Treasurer and Secretary--allows the EC to designate the Treasurer role as a full-time paid position. We are a big local—roughly twice as big as we were in 2015 when the bylaws were last amended—and managing our finances is a full-time job. The role is currently filled by Anthony Napoli who, as a Guild staffer, is able to spend more time than a volunteer Treasurer in the role. Prior to 2015, the Treasurer position was a full-time paid position, responsible for office equipment contracts, leases and tech support services, and for “contract enforcement,” which entails deciding which grievances to take to arbitration and maintaining dues collection. We recommend spelling this out directly in the bylaws in order to balance the workload between the President and the Treasurer.*

*Likewise, maintaining the records of the Executive Committee and communicating its work to members is an important job and one we have struggled to carry out via a rotating system of notetakers. We think it would be better to have a designated Secretary as an elected officer who would be responsible for getting the job done every month.*

*The current number of Vice Chair positions is a remnant from days when the EC was much smaller because there were fewer shops and fewer Unit Chairs, and not every unit was represented on the EC. Now that we are growing by leaps and bounds, the size of our EC is also expanding rapidly. The Committee considered the number of Vice Chairs that would contribute to a functioning EC that represents the membership. Decreasing the number of Vice Chairs allows what are essentially “members at large,” who do not carry the leadership duties of Unit Chairs, to continue to augment the work of other officers and Unit Chairs, while making the overall number of members on the EC more manageable.]*

## Section 2

The Executive Committee shall meet every month, but meetings need not be held in July or August. Special meetings may be called by the Local Chairperson or, through notice to the President, by any three Executive Committee members. A quorum shall consist of 25 percent of the members who represent 25 percent of the units.

## Section 3

The Executive Committee shall set basic policies, and shall fix salaries of the paid officers and staff members.

#### Section 4

All expenditures must be authorized by the Executive Committee's Committee on Finance and Administration, which shall be a standing committee. The Executive Committee shall arrange for adequate bonding of employees who handle funds and of officers who sign checks. To be valid, checks must be signed by the President and one other designated officer.

#### Section 5

The Committee on Finance and Administration shall consist of the President, ~~Secretary-Treasurer~~, Secretary, Local Chairperson, First Vice President, Second Vice President, Third Vice President, and any members of the Local holding office on the NewsGuild-CWA Executive Council. The Committee on Finance and Administration shall review the agenda for the General Membership and Executive Committee meetings, and may make recommendations to the Executive Committee.

#### Section 6

The Executive Committee may call a strike subject to the provisions of the Constitutions of the Communications Workers of America and TNG-CWA.

### **Article V - Local Elections**

#### Section 1

The officers and other members of the Executive Committee shall be elected every third year. The election shall be by secret ballot. The term of office shall be three years. For all Local offices, unit offices, Unit Council Members and positions as delegate, election shall be by plurality except for the election of Local President, Vice Presidents, Secretary, and Treasurer, which must be elected by a majority of votes cast. The terms of office for Unit Officers and Unit Council Members Chairpersons shall be three years as set forth in Article III.

*[This change is to keep us in compliance with Article XV, Section 4(e) of the CWA Constitution which provides that a plurality vote is appropriate "other than [for] an election of Local President, Vice President, Secretary [and] Treasurer." Those local officers must be elected by majority vote.]*

#### Section 2

For all Local offices, unit offices, Unit Council Members and positions as delegate, only members of the Local in good standing shall be eligible to nominate, second, vote, or hold office.

*[Conforming change to Article III, sections 2 and 8.]*

### Section 3

Officers and other members of the Executive Committee shall take office on January 2 and shall be installed at the January Membership meeting. Unit Chairpersons shall serve on the Executive Committee for a period coextensive with their term of office.

### Section 4

The Executive Committee shall elect a Local Election Committee, which shall consist of at least five members in good standing. If the number of members of the Local Election Committee falls below five, the Executive Committee shall elect a replacement member at its next meeting. The Local Election Committee shall supervise the nomination and election of all officers and members of the Executive Committee, delegates to the CWA convention and the TNG-CWA Sector Conference, as well as the nomination and election of all Unit Officers and Council Members. The Local Election Committee shall have the authority and responsibility to see that nominations and the elections are conducted in accordance with federal law, the NewsGuild-CWA and CWA Constitutions, these Bylaws, and the rules adopted by the Local Election Committee. The Local Election Committee shall have the authority and responsibility to see that each member is provided with a reasonable opportunity to nominate and vote for the candidate or candidates of his or her choice. The Local Election Committee shall have the authority and responsibility to establish a schedule for voting and counting ballots. The Local Election Committee shall retain the services of a recognized, neutral organization, with expertise in conducting union elections, to assist it in conducting all elections of officers and members of the Executive Committee, delegates to the CWA convention and TNG-CWA Sector Conference, as well as Unit Officers. Notwithstanding the foregoing, the Local Election Committee may conduct elections of Unit Officers without retaining the services of a recognized, neutral organization, with expertise in conducting union elections, where the unit consists of fewer than 100 members, unless one of the candidates in a contested election requests within one week of the close of the nomination period that the Local retain a neutral organization.

*[This change would allow secret ballot elections in shops of fewer than 100 members to be conducted without a third-party administrator. The services of third-party administrators can be expensive, and secret ballot elections can be carried out with the same level of neutrality, oversight, and secrecy by Guild staff, as has been done in the past. We wanted to create a default of not using costly facilitators where the parties agree, while retaining the ability for candidates to request using a third-party administrator.]*

### Section 5

The Local Election Committee shall also conduct any referenda submitted to the membership, and shall adopt rules for any such referenda. The Local Election

Committee ~~may shall~~ retain the services of a recognized, neutral organization, with expertise in conducting union elections, to assist it in conducting the referenda.

#### Section 6

A member shall not be permitted to serve on the Local Election Committee if she or he is a candidate for any office of the Local or a unit or the CWA convention or the TNG-CWA Sector Conference.

#### Section 7

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

#### Section 8

The Local Election Committee shall adopt rules for the nomination and election of Unit Officers and for the nomination and election of Unit Council Members.

#### Section 9

On or before August 15 of the year before the elected officers and other members of the Executive Committee take office, the Local Election Committee shall adopt rules for the nomination and election of Local officers and the other members of the Executive Committee. The Local Election Committee shall be responsible for carrying out the election, counting the ballots, certifying the results of the election, and ruling on post-election protests. The election of the Unit Chairpersons shall be subject to the rules for the nomination and election of Unit Officers. The election of Unit Council Members shall be subject to the rules for the nomination and election of Unit Council Members.

#### Section 10

Nominations for the election of officers and other members of the Executive Committee shall take place at a meeting or meetings for the sole purpose of nominations to be held on or before October 10 of the year before the elected officers and other members of the Executive Committee take office. The nomination meeting or meetings and process shall afford members in good standing a reasonable opportunity to nominate candidates. Additional nominations may be made in writing to the Local Election Committee on a schedule to be set by the Local Election Committee. The Local Election Committee shall notify all candidates of their nomination and shall receive from them, on or before October 25, written notice of their willingness to serve.

#### Section 11

All Local elections shall be conducted by mail ballot, except that the Local Election Committee may conduct an election using electronic balloting upon approval of electronic balloting by the Department of Labor. Notwithstanding the foregoing, the Local Election Committee may conduct elections of Unit Council Members as provided by Article III.

#### Section 12

Delegates and alternate delegates to the CWA convention and/or TNG-CWA Sector Conference shall be elected by the membership voting by secret ballot conducted not less than thirty days in advance of the applicable convention. The number of such delegates shall be determined by the Executive Committee.

#### Section 13

~~In case of a vacancy in the office of President on or before December 31, 2016, the Secretary-Treasurer shall immediately assume the position of President. In the case of a vacancy in the office of President on or after January 2, 2017, the vacancy shall be filled by an election to be held within ninety (90) days. Vacancies in the office of President, Treasurer, Secretary, Secretary-Treasurer and in other Local offices shall be filled by an election to be held within ninety days. Other than as specified in this section, The Local Executive Committee shall appoint a member to temporarily fill any vacancy until the office is filled by an election. The Local Election Committee shall adopt rules and a schedule to conduct the elections held pursuant to this section, and, in all respects, shall conduct those elections in the same manner as required for regular elections, and in compliance with this Article V and all applicable federal law.~~

*[Clarification of language and not a substantive change as there's no need to have a separate sentence for vacancies in the office of President since all of the offices are subject to be filled in an election to be held in 90 days.]*

### **Article VI - Duties of Officers**

(Effective January 2, 2023, the title of Secretary-Treasurer was changed to Treasurer and the position of Secretary was established as an additional Local officer. Effective January 1, 1984, the title of President in effect as of December 31, 1983, was changed to Local Chairperson. The title of Executive Vice Chairperson was changed to President.)

*[This note is useful for historical purposes in tracking the change in officer roles over time.]*

#### Section 1

The Executive Committee shall have general supervision over all Local officers.

## Section 2

The Local Chairperson shall preside at General Membership and Executive Committee meetings, supervise the work of other officers, and sign all membership cards.

## Section 3

The President shall act in the place of the Local Chairperson when the Local Chairperson is absent. The Vice Presidents, in their numerical order, shall act in place of the Local Chairperson when both the Local Chairperson and the President are absent. The Local Chairperson shall act as Chairperson of the Committee on Finance and Administration, and the ~~Secretary~~-Treasurer shall submit a quarterly budget to the Executive Committee.

One or more of the Vice Presidents or Vice Chairs shall be designated by the President to act as Executive Committee Mobilizer(s) to foster engagement, encourage attendance, onboard new Executive Committee members, and facilitate quorum.

-  
One or more of the Vice Presidents or Vice Chairs shall be designated by the President to act as Committee Coordinator(s) to keep a current list of the committees convened by the Executive Committee or required by Bylaws or Constitution, and descriptions of their work and membership, facilitate opportunities for rank-and-file members to join said committees and encourage updates on their work at Executive Committee meetings.

*[Creates an expectation that one or more elected officers would serve as EC Mobilizers to “foster engagement, encourage attendance, onboard new Executive Committee members, and facilitate quorum.” The committee envisions the Mobilizer(s) carrying out these duties by one-on-one outreach to Unit Chairs and Vice Chairs to make sure they are aware of important business and to address attendance issues, and carrying out an onboarding process that we are developing.]*

*In the event a committee chair steps back, as is sometimes necessary, committees risk losing momentum. We also do not have a central location that describes and advertises to members these opportunities to get involved in Guild work. We want one or more Committee Coordinators to keep track of our committees and facilitate opportunities for rank-and-file members to join.]*

## Section 4

The President shall be the executive officer of the Local, having over-all responsibility. The President shall be directly responsible for collective bargaining and organizing as directed from time to time by the Executive Committee, and shall report regularly to the membership on the progress of collective bargaining and membership gains.



The President shall hire and discharge Local Representatives and all other Local personnel, subject to the approval of the Executive Committee.

~~The President shall be directly responsible for contract enforcement and the maintenance of Guild units as directed from time to time by the Executive Committee. This modification is to take effect on the earlier of January 2, 2017, or the date of a vacancy in the office of Secretary-Treasurer.~~

#### Section 5

~~The Secretary-Treasurer shall be custodian of all funds, shall be responsible for all financial records, and shall be custodian of all records of the Local Guild. The Secretary-Treasurer shall give regular financial reports to the membership and shall be an ex-officio member of the Committee on Finance and Administration.~~

~~The Secretary-Treasurer shall receive no salary from the Local. Instead, the Secretary-Treasurer shall receive a stipend from the Local in an amount to be set by the Executive Committee, but not to exceed \$500 per month. This modification is to take effect on the earlier of January 2, 2017 or the date of a vacancy in the office of Secretary-Treasurer.~~

The Treasurer shall be directly responsible for contract enforcement and the maintenance of Guild units as directed from time to time by the Executive Committee.

*[See Annotation in Article 1, Section 3]*

#### Section 6

The Secretary shall be the custodian of all records and communications of the Executive Committee. The Secretary shall be responsible for communicating meeting schedules, recording and maintaining minutes and votes, attendance records, and other operative communications, as needed, of the Executive Committee.

*[See Annotation in Article 1, Section 3]*

### **Article VII - General Membership Meetings**

#### Section 1

~~The annual General Membership meetings shall be held at least four times a year, in January. At least one other meeting shall be held during the year, upon a date set by the Executive Committee.~~

*[The TNG Constitution, Article XI, Section 4 requires four general membership meetings a year, except where the local has both an EC and a Representative Assembly. Our Local used to have a Representative Assembly, before the bylaw changes in 2015. This change ensures we are in compliance.]*

## Section 2

The President shall notify the membership by mail or email at least five days before any meeting, except that in an emergency the Executive Committee may call a special meeting on two days' notice.

## Section 3

General Membership meetings may also be called by the Executive Committee or upon written petition of not fewer than 150 members in good standing. At least three units must be represented by not fewer than fifteen signatures each.

## Section 4

The President shall include in the meeting notice any motion made via petition of not fewer than 150 members in good standing, calling for review or reversal of a decision of the Executive Committee. At least three units must be represented by not fewer than fifteen signatures each. No such appeal may be acted upon unless notice has been given by the President.

## Section 5

A quorum at General Membership meetings shall consist of not less than five percent of the members in good standing, representing not less than one-half of the units, except that at regular meetings those present shall constitute a quorum for any business not involving a vote.

## **Article VIII - Collective Bargaining**

### Section 1

Negotiators in collective bargaining shall be selected by the President.

### Section 2

Any agreement, to be valid, must be approved by the unit or units involved and must be ratified by the Executive Committee as well as by the TNG-CWA Sector Executive Council.

## **Article IX - Dues and Assessments**

### Section 1

The schedule of dues shall be set by the Executive Committee, subject to a general membership referendum. Initiation fees shall be set by the Executive Committee.

## Section 2

When the Local Emergency Fund falls below \$500,000, monthly dues shall be increased by 1% of a member's basic weekly salary (shift differential included). This additional 1% shall be deposited in the Local Emergency Fund.

## Section 3

Local assessments may be levied by the Executive Committee.

## Section 4

All money collected on behalf of the Local, except any collected for the TNG-CWA or any branch of the TNG-CWA, shall belong to the Local.

## Section 5

The Executive Committee may adopt rules to enforce payment of delinquent dues and assessments. Such rules may provide that they shall apply to units whose members are working under collective bargaining agreements containing "Guild shop," "preferential shop," or "maintenance of membership" provisions, and in such other units as by majority vote elect to be governed by such rules. Such rules may establish a system of fines and penalties graduated according to the amount or frequency of the delinquency, but shall not provide for penalties in excess of two and one-half times the total amount of such delinquent dues and assessments. The establishment of such penalties shall not impair the power granted by TNG-CWA Constitution for the discipline of delinquent members, but shall be in addition thereto.

## **Article X - Referendum**

### Section 1

Any question may be submitted to a referendum of the membership by a majority vote at a General Membership meeting or a meeting of the Executive Committee. A referendum shall be mandatory if called for in a petition signed by not less than ten percent of the membership in good standing. Except for a referendum to amend these Bylaws, or where otherwise required by law, voting may be conducted in person at a General Membership meeting, remotely at a digital General Membership meeting, by mail ballot and/or by email or other digital means, in accordance with rules set by the Local Election Committee. Voting on a referendum to amend these Bylaws shall be conducted by mail ballot in accordance with the rules set by the Local Election Committee. Voting shall be conducted by mail ballot in those units within the United States. Balloting in those units outside the United States shall be conducted in their shops.

*[This change allows for a non-bylaw referendum to be conducted without requiring a mail ballot.]*

## Section 2

Provisions for the holding of a referendum shall be made promptly by the Executive Committee.

## **Article XI - Amendments**

### Section 1

These Bylaws may be amended only by a majority ~~plurality~~ vote in a referendum of the membership, to be held as provided in Article X. Proposed amendments shall be mailed to the membership, or otherwise made available, not less than ten days before the referendum date.

*[TNG has advised our Local that it is best practice to amend bylaws by a majority vote, as per the CWA Constitution. The other change in this section, regarding how proposed amendments are shared with the membership, allows for flexibility including, for example, sharing via email and therefore potentially reducing the postage costs of mail ballots.]*

## **Article XII - Interpretation**

### Section 1

These Bylaws shall be interpreted by the Executive Committee subject to appeal to the membership.