

# BY-LAWS



*1949 N.E. 27th Avenue  
Gainesville, Florida*

*352-377-3105*

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*Debi Mishoe*

*Secretary/Treasurer*

Revised:  
February 1986  
April 1987  
June 1992  
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June 2000  
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# BY-LAWS

## ARTICLE I

### NAME

This Local shall be known as Local 3105, 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 3105 shall be to represent and serve the workers within it's 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. Executive Board
3. The Stewards
4. Committees

## ARTICLE V

### MEMBERSHIP

#### SECTION 1 - Eligibility

Any person eligible to membership in the Communications Workers of America, as defined in Article V, Section 1 of it's 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 upon the approval of the membership at a regular general membership meeting after signing a duly authorized card.

#### 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 V, Section 3 of the Union Constitution.

**ARTICLE VI  
LOCAL DUES, FINES AND ASSESSMENTS**

**SECTION 1 - Local Membership Dues**

Each member of the Local shall pay membership dues as certified by the National CWA Convention.

**SECTION 2 - Local Special Assessments**

The membership of the Local may levy a special assessment in the same manner as provided for changing Local Dues. However, any special assessments levied shall be in compliance with Article VI, Section 3 of the Union Constitution.

**ARTICLE VII  
GOVERNING AUTHORITY**

**SECTION 1 -** The affairs of this Local shall be governed by its membership in accordance with the Constitution and policies of the Union in the following manner:

- a. Through action taken in membership meetings or by referendum of the membership.
- b. By action and decisions of the Local Officers between membership meetings.
  1. The action and decisions of the Officers between membership meetings may be over-ruled by the membership in a membership meeting or by referendum.

**ARTICLE VIII  
LOCAL MEETINGS**

Regular general membership meeting of this Local shall be held on the first Thursday of each month. Changes to scheduled monthly meetings will be voted on by the general membership and notification of change will be posted on bulletin boards. If a majority of Officers are to be absent or if the first Thursday is a specified Holiday, the membership meeting can be rescheduled. Special meetings may be called by a majority vote of the Local Officers, or by petition signed by 20 members. Upon the receipt of an authorized petition, the Local Officers will call a special meeting to be held within 14 days.

**ARTICLE IX  
LOCAL DELEGATES TO INTERNATIONAL CONVENTION  
AND  
DISTRICT AND STATE MEETINGS**

The President is to be delegate to all conventions and meetings and chairman thereof. All delegates will be elected by the membership by secret ballot at the regular general membership meeting. The delegates shall be elected by plurality. In the event the Local elects more than one

delegate to the Union Convention/Meeting, the Convention/Meeting votes assigned to each delegate will follow the provisions of the Union Constitution as stated in Article 8.

- A. The membership may make recommendations to the delegates as to how the votes are cast.
- B. It shall be the duty of the Secretary of the Local to certify the Local delegates to the Union Convention/meeting to the Secretary/Treasurer of the Union within the time limits specified in the Union Constitution.

## ARTICLE X LOCAL COMMITTEES

- A. The Local shall have the following committees but not limited to the following:
  1. Budget Committee
  2. Building/Rental Committee
  3. Community Service
  4. Election Committee
  5. Entertainment Committee
  6. Legislative Committee
  7. Newsletter Committee
  8. Organizing/ Mobilization Committee
  9. Safety / Health Committee
  10. By-Laws
  11. Equity
- B. Members of all committees shall be appointed by a majority vote of the Local Officers, subject to right of the local Membership to over-rule such.
- C. Nothing in the preceding or following parts of this section shall restrict a member or officer of the Local from appointment to more than one committee.
- D. Vacancies on committees shall be filled in the same manner as the original appointments.
- E. A member of any Local Committee may be removed by a majority vote of the Local officers, subject to the right of the Local to over-rule the action of the Local officers. A committee member may also be removed by action of the Local in a membership meeting.
- F. Duties of Committees:
  1. Budget Committee:
    - a. Will prepare and submit a budget to the membership for approval no later than the start of the new fiscal year of each year.
    - b. Will monitor expenses on a quarterly basis or as needed.
    - c. Shall establish, review and make recommendations affecting officer salaries every six months or as needed.
  2. Building/Rental Committee: Will oversee routine maintenance, including building and grounds.
    - a. Administer all short-term rentals.
    - b. Building and grounds contracts shall be reviewed annually.
    - c. Major expenses of an unexpected nature must be brought before the Executive Board prior to membership approval.
  3. Community Service Committee:
    - a. Shall assist Union members and their families in time of need.
    - b. Arrange for timely distribution of Bibles.

1. The membership shall determine eligibility.
- c. Actively participate in community service projects and fund raising drives.
- d. Participate in local disaster relief and civil defense operations.
- e. Keep members informed of local agencies available for their needs.
4. Election Committee:
  - a. Shall conduct all nominations and election and referenda of the Local
  - b. Will meet the first week of August in official election years
5. Entertainment Committee:
  - a. Shall work under the direction of the membership.
6. Legislative Committee:
  - a. Shall assist in developing and pursuing the program of the Union and Local in the Legislative field.
  - b. Shall be responsible for the Local's program to register each qualified voter.
7. Newsletter Committee:
  - a. Will print, publish and distribute to members an official publication.
  - b. Said publication shall be sent to all members and shall contain matters pertaining to Union functions, policies, activities, as well as matter of Labor and public interest.
  - c. The membership will determine the type of delivery i.e. bulk mail, first class, hand delivery
8. Organizing Committee:
  - a. Shall assist the Local officers and stewards in organizing and educating all members within the Local's jurisdiction.
9. Safety/Health Committee:
  - a. Shall educate, supervise and control health and safety issues for our members.
  - a. Shall work with the stewards, members and Officers to accomplish this.
10. By-Laws:
  - a. Shall review local by-laws as needed or directed by the members.
11. Equity: Shall review basic civil rights issues for the membership
- G. All Committees will be required to submit to the Secretary/Treasurer a copy of the minutes and a record of attendance.
  1. A positive report will be required.
  2. Such records will be submitted within 10 calendar days of the meeting.

## ARTICLE XI ORDER OF BUSINESS

- A. The order of business at a Local meeting shall be as follows:
  1. Call to order
  2. Roll Call.
  3. Reading and action on minutes and treasurers reports of previous meeting.
  4. New members
  5. Report of officers.
  6. Report of committees.

7. General Business
  8. Old business
  9. New Business
  10. Good and Welfare
  11. Adjournment
- B. The order of business may be suspended by two-thirds vote of the members present.

## ARTICLE XII DUTIES OF LOCAL OFFICERS AND STEWARDS

All Officers and Steward will take their responsibilities seriously.

- A. The Officers of the Local shall be at least:
1. The Local President
  2. The Local Vice President
  3. The Local Secretary/Treasurer
  4. The Vice Presidents at Large
- B. Duties of the Local President:
1. Shall work under the direction of the Local membership.
  2. Shall preside at meetings of the Local and at meetings of the Local Executive Board and shall be responsible for the conduct of the Local including:
    - a. The prosecution of 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 Treasure and to counter-sign checks drawn on the treasury of the Local.
  3. To be bonded.
- C. Duties of the Local Vice-President:
1. Shall work under the direction of the Local President and shall perform such duties as assigned by the Local Executive Board.
  2. In the absence of the President, he shall perform the duties of the President.
  3. Counter-sign checks in the absence of the President or Secretary/Treasurer.
  4. Be bonded.
- D. Duties of the Local Secretary/Treasurer:
1. Maintain a record of the Local membership and shall keep minutes of all Local meetings and meetings of the Local officers.
  2. Furnish both the District Director and Secretary/Treasurer of the Union with two copies of any changes in the Local By-Laws within 10 days after such changes are made.
  3. Be responsible for furnishing the Secretary/Treasurer of the Union with all proper forms assigned by Local officers which are required by State and Federal Laws immediately upon their execution.
  4. Counter-sign checks drawn on the Local treasury.
  5. Perform such other duties as the Local membership/Executive Board may assign.
  6. Shall be the custodian of all assets of the Local and shall make a report at each regular monthly membership meeting.
  7. Be responsible for the payment of all bills.

8. Will retain any and all documentation affecting the legal and financial obligations of Local 3105 in a fireproof container for 7 years. Minutes of meetings are to be kept permanently.
9. In the absence of the President and Vice President, he shall perform the duties of the President and Vice President.
10. Be bonded

E. Duties of Vice-Presidents at large:

1. Shall consist of and work under the direction of the Local President:
  - a. Lake City
  - b. West Area

F. Stewards of the Local and their Duties:

1. This Local shall have as many stewards as may be appointed by the Local President.
2. The Stewards of the Local shall work under the direction of the Local Executive Board and shall perform such duties and responsibilities as may be assigned by the Executive Board.

## ARTICLE XIII CONDUCT OF MEETINGS AND QUORUM

- A. Membership meetings 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 Local meetings shall be the members present. A majority of the officers or a majority of the members of a committee shall constitute a quorum for their meetings.

## ARTICLE XIV NOMINATION AND ELECTION OF LOCAL OFFICERS

SECTION 1 - Nominations:

- A. Local officers shall be nominated at the regular or special meeting in the month of October every three years.
- B. Nominations of Local Officers shall be made by an Election Committee selected by the Local prior to the October meeting nominations.
- C. The Election Committee shall make its report to a membership meeting and its report may be amended by nominations from the floor.

SECTION 2 - Elections

- A. Elections of Local officers shall be by secret ballot.
- B. Ballots shall be sent to all members by US Mail or by any legal method approved by the election committee.
- C. There shall be no write-in candidates on the *ballot*.

SECTION 3 - Election Committee:



- A. The nomination and election of Local officers shall be conducted under the supervision of the Election Committee.
- B. The Election committee shall also conduct any referenda submitted to the membership. This committee shall not dispose of any ballots until ordered to do so by the Local.
- C. A member shall not be permitted to serve on the Election Committee if a candidate for any office of the Local.

**SECTION 4 - General Provisions:**

- A. The nominee in any election receiving the majority of the votes cast shall be declared elected. If no one 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.
  - 1. If the nominations for the Local Officers are unopposed, and there are no nominations from the floor, the membership will immediately vote in the nominees.
- B. Only members of the local in good standing shall be eligible to vote or hold office.
- C. No elected officer of the Local shall be qualified to take office unless and until he has executed all compliance forms necessary to permit the Local and the Union to exercise its full rights under State and Federal laws.
- D. President, Vice-President, Secretary/Treasurer and the Vice-Presidents at Large shall be elected officers.
- E. The nomination of the Local officers shall be as follows:
  - 1. The Local President
  - 2. The Local Vice-President
  - 3. The Secretary/Treasurer
  - 4. The Vice-Presidents at Large
- F. The newly elected Officers shall take office at the first regular general membership meeting in November, unless a runoff election is required.

**SECTION 5 - Vacancies:**

- A. A vacancy in the office of President shall be filled by the Vice-President.
- B. Vacancies in other offices shall be filled either by appointment of the Executive Board of the Local, subject to approval of the appointment by the Local membership within 60 days or by election in the same manner as that required for regular elections or as provided in the CWA Constitution, Article XV Section 3d.

## ARTICLE XV STRIKES

The calling, conduct, and termination of strikes shall at all times be carried on in compliance with the rules prescribed by the Communications Workers of America and its Constitution in Article XVIII. In the event of a legally called strike this Local shall:

- 1. Form a strike committee to advise members of their responsibilities
- 2. Require all members to perform at least 10 hours of strike related duties per week to be eligible for member relief/defense funds.

## ARTICLE XVI

## CHARGES, TRIALS AND APPEALS

### SECTION 1 - Charges:

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

### SECTION 2 - Trials

Any accused person shall be tried under the provision 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, Section 4 of the Union Constitution.

### SECTION 4 - Local Trial Court:

- A. A trial court of this Local shall be composed of 3 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 the Local may be recalled in conformity with the provisions of Article XX, Section 2 and Article XXII, Section 9 of the Union Constitution.

## ARTICLE XVIII

### AMENDMENTS TO LOCAL BY-LAWS

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

- A. By a majority vote of the members present in a Local meeting providing the proposed amendment has been introduced at a previous membership meeting or has been advertised to the membership by the use of Bulletin Boards or US Mail, first class postage at least 7 days in advance of the meeting.
- B. By a referendum of the membership.

## 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. Proposition submitted to referendum shall be determined by a majority vote of those voting on the question.

## ARTICLE XX

### FISCAL YEAR, AUDIT and Expenditures

- A. The fiscal year of this Local shall be from October 1 to and including September 30 of the succeeding year.
- B. The financial records of this Local shall be audited by an *independent accountant*. The results of such audit shall be available for the inspection of any member of the Local.

1. An audit of all financial records will be conducted on an annual basis.
- C. A Certified Public Accountant will be retained to handle all Labor Department and IRS Informational Returns.
- D. Upon approval of the yearly budget, the membership gives the Officers approval to spend the money necessary to conduct the business of the Local. Monthly expenditures will be presented in a financial report at membership meetings for review by the members.

## ARTICLE XXI OATH OF OFFICE

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

“I (give name) hereby accept the office of (name of office) of Local 3105, Communications Workers of America, with full knowledge of the responsibilities 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 the policies of the Union.

I further promise to give my successor in office all books and records in my possession. I shall at all times endeavor to serve my Local and the Union to the best of my abilities, so help me God.”

## ARTICLE XXII UNION RESPONSIBILITIES

- A. Those members attending out of town meetings will be required to attend all meetings unless excused by the Chairperson of the delegation. They must return expense and salary money if they do not attend the function to which they were delegated. With review rights by the Officers of this Local.

## ARTICLE XXIII PAYMENT OF TRAVEL EXPENSES, LOST WAGES AND SALARY

### SECTION 1 - Travel Expenses

#### A. Payment of Meals:

1. Amounts will be actual expense incurred, or per diem as set by the Executive Board
2. Per Diem can be requested in advance.
3. Payment will be made when a voucher with receipts and appropriate documentation of actual expense is submitted to the Secretary/Treasurer.

### SECTION 2 - Wages

#### A. Payment of lost wages:

1. Payment of lost wages will be made within 10 days when a voucher

with the appropriate documentation is submitted to the Secretary/Treasurer.

SECTION 3 – Payment of mileage:

- A. Mileage for CWA Schools and CWA Meetings (including but not limited to: District Meetings, Conventions, Presidents Meetings and State Meetings), will be paid at the rate of ~~31 cents per mile~~ ***determined by the current IRS rates for mileage.***
- B. Mileage for all other Local business needs will be determined by the Executive Board on a per occasion basis

SECTION 4 – Retired members elected to serve on Executive Board:

- A. Salary will be paid once monthly in arrears.
- B. Vacations must be taken January to December. Time not taken will not be carried to the next year. Local will not be responsible for time not taken.
- C. No advances of pay for salary or vacation time will be granted.
- D. Sick days will not be paid:
  - 1. In the event of serious illness, not more than 2 weeks will be paid in a calendar year.
  - 2. In the event of a minor illness, the Executive Board will determine if time may be rescheduled.

Section 5 - Presidents Salary

- A. Will be paid a salary as recommended by the E-Board and approved by the membership.

## ARTICLE XXIV ADOPTION

These By-Laws shall be adopted upon approval of a majority of the members voting upon their adoption in the membership meeting called for that purpose.

## Glossary of terms:

Plurality	an excess of votes cast for an opposing candidate
Majority	50% of votes cast plus 1 vote
Local	a unit of the Union
Bonded	the office, responsibility of the Local, obtained thru International, 3-year period, deducted from dues.
Union.	<ol style="list-style-type: none"><li>1. The Convention;</li><li>2. The Executive Board;</li><li>3. District;</li><li>4. Chartered Locals.</li></ol>
Quorum	number required to hold meetings
Counter-sign	two signatures required by this Local
50% rule	<ol style="list-style-type: none"><li>1. Active participant of general membership meetings,</li><li>2. Active participant in Stewards meeting.</li><li>3. Active participant in Committee Meetings</li></ol>
Chairperson	The Local President

## Standing Rules:

1. Motion passed on January 5, 1995: that stated "No local agreements to be made without consent of members of the work group affected. Polling can be done by phone". (Tim Strausser)
2. August 6, 1998: Patti Peres made a motion to send an officer or steward to attend the funeral of a member or family member to include payment of lost wages and mileage. This is to include retired members. The discussion was to limit the mileage to 100 miles roundtrip at 31 cents per mile. This is for immediate family members only.
3. October 1, 1998: Patti Peres made a motion to wave all fines for past members.
4. October 1, 1998: Bill Califf made a motion to not loan chairs and tables out to anyone, even members, they are to stay in the hall.
5. November 5, 1998: Bill Califf made a motion to keep the 800 service available in all areas.
6. May 6, 1999: Patti Peres made a motion to give the E-board the leeway to spend up to \$250 per month without getting membership approval. Jamie Booth second the motion. Discussion - Rick Eddie refrained from voting, Susan Crews ask for a clarification that the E-board will still need to get membership approval but it can be after the fact. The motion passed,
7. August 5, 1999: Debi Mishoe asked for a motion to get one SAMS membership card for \$35 to be paid by the local. Lula Hull made the motion, Jamie Booth second. There was some discussion from the floor, motion passed.
8. October 5, 2000: Jamie Booth made motion that the E-Board make decisions of spending COPE funds without going before the general membership. Second by Lula Hull. Discussion: Rick Eddie asked if there was a committee to review the requests, the answer was no. After a lengthy discussion the motion passed.
9. September 6, 2001: Debi Mishoe made a motion for the Budget committee: The budget committee recommends the following standing motion: Do to the private nature of a member's financial situation, motions from the floor for financial assistance will no longer be accepted. Any member needing financial assistance will be referred to the trained CWA United Way representatives for review. This committee will confidently evaluate the needs of the member requesting assistance, and authorize any funds for distribution on an as needed. Rick Eddie second. Discussion: there was a lengthy discussion with some concerns about how this may possibly make delays in getting assistance to members. Darryl Cannady called to question, motion passed.
10. November 1, 2001: -Margie Stevens made a motion to donate \$1.00 per member to the Pediatric AIDS Foundation. Second by Betty Smith. Discussion:

- there was some discussion as to why the Local had stopped participating. There was a standing motion made in April 1999 to not participate. Motion passed
11. December 6, 2001: -Susan asked for a motion for the Local to get a Credit Card for the use of the hall for purchased that require credit cards. Patti Peres made a motion to get a credit card not to exceed \$1500 and that the bill is to be paid in full in each month, card will not be used for social functions. Second by Darryl Cannady, Discussion: none, motion passed.
  12. Margie Stevens made a motion to have a kitty drawing for \$25 for members present that the current meeting. Second by Rick Eddie, motion passed.
  13. June 2004-Motion to no longer rent the hall until further notice as made by Linda Gregory, motion passed.
  14. August 2005 - Richard made a motion to increase mileage form 10 cents per mile to 31 cents for all CWA functions for all members, second by Steve Hall, motion passed.
  15. March 2006--Patti Peres made a standing motion to not anticipate how many members to send to meetings, paying for the registration without first approval from the membership. Second by Don Frazer, motion passed,
  16. May 2006 --Richard Bearmann discussed paying Debi an hourly wage for the extra work she does that is more than the 10 hours weekly she works. She would be authorized to work up to 10 hours each week, more than that would require the Presidents approval. Second by Tammy King, motion passed,
  17. Richard Bearmann discussed paying Debi an hourly wage for the extra work she does that is more than the 10 hours weekly she works. She would be authorized to work up to 10 hours each week, more than that would require the Presidents approval. Second by Tammy King, motion passed,
  18. November 2007 - Rick asked for a motion for the local to pay for separate rooms for travel on Union business, motion made by Steve Hall as stated, second by Patti Peres, motion passed

# NOTES: