

## Organizing Local By-Laws

TU – CWA Local O.C. 06457, AFL-CIO

### **Article I – Name**

The Local shall be known as “TU” or “CWA Local 06457.”

### **Article II – Jurisdiction**

TU shall be a union of employees of T-Mobile throughout the United States, with such jurisdiction as assigned by the Communications Workers of America (“the Union”) and appearing on the face of the Local Charter.

### **Article III – Objects**

The objects of TU shall be to secure a voice for T-Mobile workers, protect their rights, and provide for the participation of T-Mobile workers in making T-Mobile a better company for employees, customers, and shareholders.

### **Article IV – Organizational Structure**

The structure of the Local shall consist of the following:

- 1) Membership
- 2) Steering Committee
- 3) Executive Committee (or, in the interim, Chair)
- 4) Organizing 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 the Local, if performing work within the Local’s jurisdiction or if employed on a part-time or full-time basis by the Union or Local.

#### Section 2 – 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 of the Union Constitution.

### **Article VI – Local Dues and Assessments**

#### Section 1 – Dues

The dues of this Local shall be those established by the Local in accordance with the policies and actions of the CWA Executive Board and the CWA Convention. In accordance with CWA policy, no dues are charged unless and until a member of the Local who may be subject to a collective bargaining agreement is in fact covered by a collective bargaining agreement. Prior to such coverage, members of the Local

may contribute voluntary dues but will not be required to contribute same. Such dues payments will determine the Local's delegate strength at the Union Convention.

#### Section 2 – Initiation Fees

Any initiation fee shall be that established by the Local in accordance with the Union Constitution.

### **Article VII – Governing Authority**

#### Section 1 – Membership

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

- A) Through action taken in membership meetings or by referendum of the membership,
- B) Through actions and decisions of the Steering Committee between membership meetings, and
- C) Through actions and decisions of the Executive Committee between meetings of the Steering Committee.

The actions and decisions of the Executive Committee or Steering Committee may be overruled by the membership in a Local meeting or by referendum.

#### Section 2 – Steering Committee

The Steering Committee shall consist of the President, Vice President, Secretary-Treasurer, and Local members who are elected representatives: one from each work location with an eligible Organizing Committee, one at-large representing all retail work locations without an eligible Organizing Committee, and one at-large representing all call center work locations without an eligible Organizing Committee.

By majority vote of the Steering Committee, the Steering Committee shall appoint representatives to serve on any partnership council, chaired by CWA and ver.di, composed of representatives of TU and other CWA local unions and ver.di bodies representing T-Mobile employees, for the purpose of sharing information, advising, and coordinating activities in support of workers' rights at T-Mobile and Deutsche Telekom.

#### Section 3 – Executive Committee

The Executive Committee shall consist of the President, Vice President, and Secretary-Treasurer. Until such Committee is populated, the Chair, appointed by the Union Executive Board, shall fulfill these roles.

#### Section 4 – Organizing Committees

Eligible Organizing Committees, for purposes of these bylaws, shall consist of at least three (3) members at a work location who volunteer to lead appropriate organizing efforts at such work location and have conducted such efforts for at least three (3) months.

#### Section 5 – Other Committees

- A) The Local shall have the following regular committees:

- a. Election Committee (to conduct all nominations and elections and referenda of the Local, except where otherwise specified herein)
  - b. Membership Committee (to accept or reject membership applications in accordance with the Bylaws and rules of the Local and Article V of the Union Constitution and policies of the Union)
- B) The Steering Committee may establish such other committees as it deems fit to carry out the business of the Local.
- C) Members of committees under this section shall be appointed by a majority vote of the Steering Committee, with vacancies filled in the same manner as the original appointments. Such members may be removed by majority vote of the Steering Committee.

### **Article VIII – Local Meetings**

Regular meetings of the Local shall be held at a time and place and manner as determined by the Steering Committee. Special meetings may be called by a majority vote of the Executive Committee, or by a petition signed by 10% of the members. Upon receipt of a proper petition, the Executive Committee shall call a special meeting to be held within fifteen days. The manner of the meeting shall be set in such a way to maximize attendance and ensure orderly participation, including via telephonic or electronic means.

### **Article IX – Order of Business**

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 of previous meeting
- 4) Report of officers
- 5) Report of committees
- 6) Unfinished business
- 7) New business
- 8) Adjournment

The order of business may be suspended by two-thirds (2/3) vote of the members present.

### **Article X - Local Delegates to the Convention**

The President of the Local shall be the duly authorized delegate to the CWA Convention and shall be the chair of the Local's delegation.

Other delegates and alternate delegates to the Union Convention shall be elected by the membership voting by secret ballot conducted not less than ninety (90) days prior to the Convention.

The Local shall determine the Convention votes assigned to each delegate in accordance with Article VIII of the Union Constitution.

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

## **Article XI – Duties**

### **Section 1 – Duties of Executive Committee**

- A) The Local President shall:
  - a. Be responsible for the conduct of all Local business;
  - b. Preside at Local membership, Steering Committee, and Executive Committee meetings;
  - c. Prosecute grievances and appeal them to higher levels of the Union when not satisfactorily settled;
  - d. Supervise all Local Committees;
  - e. Perform whatever additional duties as may be assigned by the Local or required by the policies or Constitution of the Union.
- B) The Local Vice President shall:
  - a. Assist the President in the carrying out of duties;
  - b. Perform whatever additional duties may be assigned by the Local, the Steering Committee, or the Local President.
- C) The Local Secretary-Treasurer shall:
  - a. Oversee the maintenance of a record of the Local membership;
  - b. Record and maintain the minutes of all meetings of the Local, the Steering Committee or the Executive Committee;
  - c. Furnish the Union (via the Secretary-Treasurer or appropriate Vice President) with copies of any changes in these Bylaws within ten days after such changes are made;
  - d. Oversee the custody of all assets of the Local;
  - e. Report to each membership meeting on the financial status of the Local;
  - f. Cause to be bonded, any person who handles Local funds or other property in accordance with the Union Constitution or any State or Federal Law;
  - g. Cause the payment of all bills; and
  - h. Perform such other duties as may be assigned by the Local, the Steering Committee, or the Executive Committee.
- D) Until these offices are filled, the Chair shall fulfill the duties of Local President, Local Vice President, and Local Secretary-Treasurer, in accordance with Union policy regarding Organizing Committees.

### **Section 2 – Duties of Local Stewards**

The elected Steering Committee member shall serve as the Chief Local Steward for his or her eligible work location. Additional Stewards may be elected by members at a work location or appointed by a majority vote of the Steering Committee. The Stewards shall perform such duties as set by the Steering Committee. The Additional Stewards may serve as alternates and/or observers to the Steering Committee for their work location.

### **Section 3 – Duties of Steering Committee**

The Steering Committee shall:

- a) Be responsible for making decisions and taking action on behalf of the Local membership between meetings on all matters concerning the good and welfare of the members;
- b) Meet prior to each Local meeting and be responsible for the development of the next Local meeting agenda; and
- c) Cause an annual budget to be prepared and presented to the membership.

## **Article XII – Conduct of Meetings and Quorum**

### Section 1 – Procedure

Meetings shall be conducted under these Bylaws and in conformity with the Union Constitution. Where such rules do not clearly provide guidance, Robert’s Rules of Order shall govern. Meetings may be conducted in-person, electronically, or telephonically, or through any combination thereof.

### Section 2 – Quorum

The number constituting a quorum for Local meetings shall be those present. A majority of the Executive Committee, Steering Committee, or other Local Committees shall constitute a quorum for those bodies.

## **Article XIII – Nomination and Election of Local Executive Committee and Members of the Steering Committee**

### Section 1 – Nominations

- A) Local Executive Committee and members of the Steering Committee shall be nominated in the month of September of each election year.
- B) Nominations and candidacy requirements for Local Executive Committee and Steering Committee members shall be in accordance with Bylaws and Rules of the Local and the Constitution and policies of the Union.

### Section 2 – Elections

- A) Election of the Local Executive Committee members shall be by secret ballot of the membership in the month of October of each election year. The initial election of such officers need not occur in October, but the initial term shall be adjusted to ensure no longer than a three-year term with the next election occurring in an October.
- B) Election of the Steering Committee members shall be by secret ballot of the membership in their eligible work locations. The initial election of Steering Committee members shall occur as soon as practicable after a work location becomes eligible, and the initial term shall be adjusted to ensure no longer than a three-year term with the next election occurring in an October. If a work location becomes ineligible during the term of its Steering Committee member, the Steering Committee member will serve out his or her term, but a new election for a work location-specific Steering Committee seat shall not occur until the work location becomes eligible for its own Steering Committee membership again. Instead, members from such work location shall be eligible to vote and run for the appropriate at-large seat.

- C) Election of Local Executive Committee and Steering Committee members shall be in accordance with Bylaws and Rules of the Local and the Constitution and policies of the Union.

### Section 3 – Local Election Committee

- A) The nomination and election of Local Executive Committee and Steering Committee members and delegates to the Union Convention shall be conducted under the supervision of the Election Committee. This committee shall have the authority and responsibility to see that nominations and elections are conducted in accordance with the Union Constitution, and these Bylaws with reasonable opportunity for each member to nominate and vote for the candidate of their choice.
- B) The Election Committee shall also conduct referenda submitted to the membership.
- C) A member shall not be permitted to serve on the Election Committee if he or she is a candidate for any office of the Local or delegate to the Union Convention.
- D) All questions concerning the conduct and challenges of elections shall be determined by the Election Committee, subject to the right of appeal to the Steering Committee or membership of the Local.

### Section 4 – General Provisions

- A) The term of office shall be for three years.
- B) Only members in good standing shall be eligible to vote or hold office.
- C) Candidates receiving the majority of votes cast shall be declared elected. If no one nominee receives a majority on the first ballot, a run-off election shall be conducted and the two nominees receiving the greatest number of votes on the first ballot shall be the nominees on the second ballot. If no one nominee receives a majority on the first ballot and there is a tie for second place, a run-off election shall be conducted and the person receiving the greatest number of votes on the first ballot and the two persons who tied for second place shall be the nominees on the second ballot..
- D) For purposes of the initial election, Steering Committee members will take office immediately after the election results are known. Thereafter, Steering Committee members and other officers will take office on December 1 of each election year.

### **Article XV – Charges, Trials and Appeals**

Members and officers of the Local may be disciplined for any of the acts inumerated in Article XIX of the Union Constitution. Trials and appeals shall be conducted under the provisions of Article XXI of the Union Constitution. A trial court of this Local shall be composed of three persons, who are members of the Local and not parties to the proceedings, and who shall be selected by the Steering Committee using a random selection method.

### **Article XVI – Recall of Local Officers**

Any elected officer of this Local may be recalled in accordance with the provisions of Articles XXI and XXII of the Union Constitution.

### **Article XVII – Amendments to Local Bylaws**

After adoption, these Bylaws may be amended by either of the following methods:

- A) Majority vote of the members present in a Local meeting, if the proposed amendment has been introduced at a previous membership meeting or has been advertised to the membership via electronic or U.S. postal means, at least seven days prior to the meeting; or
- B) Referendum of the membership.

#### **Article XVIII – Local Referendum**

- A) The Local Election Committee shall submit any questions to a referendum of the membership when directed to do so by action of the Steering Committee or a regular or special membership meeting.
- B) Questions submitted to referendum shall be determined by a majority vote of those voting on the question.

#### **Article XIX – Fiscal Year and Audit**

- A) The fiscal year of the Local shall be from July 1<sup>st</sup> of each year to and including June 30<sup>th</sup> of the succeeding year.
- B) The financial records of this Local shall be audited by a Certified Public Accountant or by a committee established by the Local at the end of each fiscal year. The results of such audit shall be made available for the inspection of any member of the Local.

#### **Article XX – Oath of Office**

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

“I [name] hereby accept the office of [name of office] of TU, Local XXXX, 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 Bylaws and rules of the Local and the Constitution and 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 ability.”

#### **Article XXI – Interim Procedures**

The following interim procedures shall apply to this Local upon its chartering by the Union Executive Board, in accordance with Union policies regarding Organizing Committees:

- A) TU shall be treated as an “Organizing Local.”
- B) The Union Executive Board shall appoint a Chair of TU.
- C) The Chair shall be a member or staff of the Union.
- D) The Chair shall coordinate with organizing committees at work locations to conduct elections for the Steering Committee within 90 days of the issuance of the charter. In lieu of an election committee, the initial election shall be conducted by the Chair or her delegee.

- E) The Chair shall work with and provide guidance to the Steering Committee in the conduct of the affairs of TU and in preparing TU for officer elections.
- F) The Chair shall fulfill the duties of Local President, Local Vice President, and Local Secretary-Treasurer until those offices are filled through elections.
- G) The Chair shall report to the Union Executive Board on a quarterly basis on the progress of TU with respect to TU's objects and with respect to a timeline for TU's officer elections. The Chair shall work to ensure such officer elections occur as soon as practicable.
- H) Upon approval of the Union Executive Board, TU officer elections shall proceed and the Chair will transfer his or her officer duties to the duly elected officers upon their assumption of office, under his or her guidance.
- I) The Chair or his or her designees shall provide training and guidance to the elected officers, Steering Committee, and other committees of TU and report to the Union Executive Board on a quarterly basis regarding the progress of TU, until such time as the Union Executive Board votes to end these interim procedures.

#### **Article XXII – Adoption**

These bylaws shall be effective on an interim basis upon issuance of the Local Charter by the Union Executive Board and shall be considered adopted upon the approval of a majority of the members voting upon their adoption in the membership meeting called for that purpose.