

PREAMBLE

The Pacific Media Workers Guild, Local 39521 of the Communications Workers of America, shall be governed by the CWA Constitution, and the constitution of The NewsGuild-CWA. The Pacific Media Workers Guild is also subject to the provisions of merger or affiliation agreements between Local 39521 and the Hawaii Newspaper Guild, Local 39117, ~~the San Jose Newspaper Guild, Local 38198, the California Federation of Interpreters, the Bay Area Typographical Union,~~ and the following Bylaws, which are supplementary thereto:

ARTICLE I – LOCAL STRUCTURE

Section 1. **The Membership** shall be the supreme authority of the Local. Eligibility for membership shall be governed by the CWA and TNG Constitutions.

Section 2. **The Representative Assembly** shall be the legislative and policy making body of the Local.

Section 3. **The Executive Committee** shall administer affairs of the Local but shall make no decision permanently establishing general policies.

Section 4. **The Units** shall be the basic organizational elements of the Local. Units shall be the membership of a shop or shops as provided by the CWA and TNG Constitutions.

~~Section 5. The California Federation of Interpreters shall constitute a Unit of the Local.~~

Section 56. **Chapels** of the former Bay Area Typographical Union shall constitute a Unit and Sector of the Local.

Section 67. **Retirees** shall constitute a Unit.

ARTICLE II – MEMBERSHIP MEETINGS

Section 1. **The annual membership meeting** shall be held each September. The agenda shall include approval of the Local's budget.

Section 2. **A general membership meeting** shall be held each April.

Section 3. **In election years**, a membership meeting shall be held in November for the nomination of Local officers and delegates.

Section 4. **The date, time and place** of the membership meetings shall be set by the Executive Committee.

Section 5. **A special membership meeting** may be called by the Executive Committee, Representative Assembly or a petition signed by not fewer than 10 percent of the Local's members in good standing, representing not fewer than three Units.

Section 6. **Official notice and agenda** of regular membership meetings shall be communicated not fewer than fifteen days prior to the date of the meeting. Notice and agenda of special membership meetings, or special agenda items, shall be communicated not fewer than 24 hours prior to the time of the meeting.

Notices to members shall be posted on the local website, e-mailed to members' last known e-mail address, and distributed in workplaces.

Section 7. **A quorum** shall be the lesser of five percent of the Local's members in good standing or the quorum of the Representative Assembly.

ARTICLE III – REPRESENTATIVE ASSEMBLY

Section 1. **The Representative Assembly** shall consist of the Executive Committee, the Unit Chair of each Unit and Unit delegates from larger Units

Section 2. **Regular meetings** shall be held not fewer than four times a year.

Section 3. **Special meetings** may be called by the President, Executive Officer or a quorum.

Section 4. **The Representative Assembly** shall make its own rules within the provisions of these bylaws.

Section 5. **Minutes** shall be kept of all Representative Assembly meetings.

Section 6. **A quorum** shall be a majority of the Representative Assembly.

ARTICLE IV – THE EXECUTIVE COMMITTEE

Section 1. **The Executive Committee** shall consist of the Local's officers.

Section 2. **Regular meetings** shall be held not fewer than six times a year and may be combined with meetings of the Representative Assembly.

Section 3. **Special meetings** may be called by the President, Executive Officer or a quorum.

Section 4. **The Executive Committee** shall make its own rules within the provisions of these bylaws.

Section 5. **Minutes** shall be kept of all Executive Committee meetings.

Section 6. **A quorum** shall be a majority of the Executive Committee.

ARTICLE V – LOCAL OFFICERS

Section 1. **The Local officers** shall be the President, First Vice President, two Vice Presidents, the Treasurer, ~~and the Secretary, and the Executive Officer.~~

Section 2. **The President** shall preside at all meetings of the membership, Representative Assembly and Executive Committee and shall supervise the other officers in the exercise of their respective duties.

Section 3. **Vice Presidents** shall have voice and vote at all meetings of the Executive Committee and Representative Assembly. The First Vice President shall perform the duties of the President in the absence of that officer.

Section 4. **The Treasurer** shall be responsible for all financial records, reports and funds of the Local under the direction of the Executive Committee.

Section 5. **The Secretary** shall be responsible for the Local's non-financial records and shall keep accurate minutes of meetings of the Executive Committee, Representative Assembly and membership meetings.

~~Section 6. **The Executive Officer** shall transact the routine business and correspondence of the Local and shall be the custodian of all documents and physical properties of the Local. The Executive Officer may delegate authority to the Local's Administrative Officers.~~

~~Section 7. **The Executive Officer** shall be the Local's only salaried elected officer.~~

Section 68. An Executive ~~Administrative Officers~~ shall be hired by the Executive Committee and supervised by the President or their designee ~~Executive Officer~~. Other Local officers and members of the Local may be appointed as field representatives, administrative officers or other positions at the discretion of the President or their designee on a temporary, lost-time basis.

ARTICLE VI – UNIT STRUCTURE

Section 1. **The membership** of the Unit shall be the authority of the Unit in matters pertaining to the Unit as provided by the Constitution of The Newspaper Guild-CWA.

Section 2. **Unit Councils** shall consist of the Unit Officers and additional members appointed by the Unit Chair.

Section 3. **Council meetings** may be called by the Unit Chair, **President**, Executive Officer or a quorum of the Unit Council.

Section 4. **Actions** taken by Unit Councils shall not be in conflict with Local policy or these bylaws.

Section 5. **The Unit Council** shall make its own rules within the provisions of these bylaws.

Section 6. **A quorum** shall be a majority of the Unit Council.

ARTICLE VII – UNIT MEMBERSHIP MEETINGS

Section 1. **The annual Unit membership meeting** shall be held each year prior to the Local annual membership meeting. The agenda in election years shall include the nominations for Unit officers.

Section 2. **Regular Unit membership meetings** shall be held at least three times per year.

Section 3. **The date, time and place** of Unit membership meetings shall be set by the Unit Council.

Section 4. **Special Unit membership meetings** may be called by the Unit Council or a petition signed by not fewer than ten percent of Unit members in good standing. The President and Executive Officer shall be notified in advance of special Unit membership meetings.

Section 5. **Official notice and agenda** of Unit membership meetings shall be communicated on the Local website not fewer than five days prior to the date of the meeting. Notice and agenda of special Unit membership meetings, or special agenda items, shall be communicated not fewer than 24 hours prior to the time of the meeting. Notices to members shall be posted on the local website, e-mailed to members' last known e-mail address, and distributed in workplaces.

Section 6. **A quorum** shall be five percent of Unit members in good standing.

ARTICLE VIII – UNIT OFFICERS

Section 1. **The Unit Officers** shall be the Chair, Vice Chair and Secretary.

Section 2. **Unit Chairs** shall be Representative Assembly delegates. If the Unit Chair is elected to Local-wide office, the Vice Chair shall be the delegate.

Section 3. **The Unit Chair** shall preside at all meetings of the Unit membership and Unit Council and shall supervise other Unit officers in the exercise of their respective duties.

Section 4. **The Unit Vice Chair** shall perform the duties of the Chair in the absence of that officer including representing the Unit at meetings Representative Assembly.

Section 5. **The Unit Secretary** shall keep accurate membership and council meeting minutes, which shall be filed promptly with the Local Secretary. In the absence of both the Chair and Vice Chair, the Secretary shall act in their place.

ARTICLE IX – PARLIAMENTARY PROVISIONS

Section 1. **Robert's Rules of Order** (newly revised) shall govern procedure not covered by the Constitution and Convention of The Newspaper Guild-CWA or these bylaws.

Section 2. **The presiding officer** at any meeting may vote only to make or break a tie, but may vote on any issue decided by secret ballot.

Section 3. **Motion to rescind or amend previously** adopted motions shall not be acted upon unless contained in the notice of the Local membership or Representative Assembly meeting. Notice may be given by action of a Unit Council, the Executive Committee, Representative Assembly or a petition signed by one percent of the Local's members in good standing.

Section 4. **Absence of a quorum** shall not prohibit action on items published in the meeting agenda.

Section 5. **All meetings** will be open to all members in good standing.

Section 6. **Proceedings** of all meetings shall be confidential. Information for non-members shall be communicated only by an authorized officer or employee.

Section 7. **A journal of Local policies** shall be maintained and made available to members on request.

ARTICLE X – ELECTION PROCEDURES

Section 1. **Elections** shall be held to select Local officers, Unit officers and delegates to the Sector Conference of TNG and the convention of the CWA.

Section 2. **The date of elections** shall be set by the Executive Committee.

Section 3. **An elections committee**, appointed by the President and confirmed by the Executive Committee, shall be responsible for the conduct of all Local and international elections.

Section 4. **Election rules**, governing the conduct of all elections, shall be set by the Representative Assembly.

Section 5. **Candidates** shall not be nominees without their consent.

Section 6. **Election ballots** shall be prepared by the elections committee. Nominees shall be listed by name and Unit. The order in which names are placed on the ballot shall be determined by lot.

Section 7. **Official notice of election** and a sample ballot shall be posted on the Local's website and on all bulletin boards maintained by the Local and mailed to members at their last known address at least 15 days in advance of an election.

Section 8. **Voting** shall be by mail ballot or ballot box, or a combination of both and in any event shall be by secret ballot.

Section 9. **Tabulation of ballots** shall be supervised by the elections committee. Contested positions shall be decided by plurality vote. Election of delegates shall be decided by ranking the nominees in the order of votes received. The highest group, corresponding to the number to be elected, shall be elected. The remainder shall be alternates.

ARTICLE XI – LOCAL ELECTIONS

Section 1. **Officers of the Local** shall be elected to two-year terms in accordance with procedures set forth in Article XI, and shall take office on January 1 following each election.

Section 2. **Officers to be elected** shall be the President, First Vice President, ~~two~~ **three** Vice Presidents, Treasurer, **and the** Secretary ~~and the Executive Officer~~.

Section 3. **Vice Presidents** shall consist of: The First Vice President, ~~a Vice President elected from the CFI and who shall be President of the CFI~~, a Vice President elected from a Hawaii Unit **and**, a Vice President elected from a California Unit ~~other than a CFI Unit~~.

Section 4. **Nominations** shall be opened, in election years, by the Executive Committee at least one month before the November general membership meeting, when the nominations shall be declared closed. Nominations shall be received from the floor of any meeting of the Executive Committee, Representative

Assembly or general membership, or an annual Unit meeting. Notice of a meeting for receiving nominations and nomination forms shall be posted on the Local's website.

Section 5. **Nominations by petition** shall be received until four days after the November membership meeting, exclusive of Saturdays, Sundays and holidays. The names of those nominated by petition shall, in each instance, be endorsed by the signatures of at least six members in good standing.

Section 6. **A general election** shall be held by December 31 in election years.

Section 7. **Vacancies in Local offices** shall be filled by the Executive Committee until an election can be held, provided nominations from the membership occur within six months of the original vacancy.

ARTICLE XII – UNIT ELECTIONS

Section 1. **Officers of the Unit** shall be elected to two year terms and take office on January 1 following each election.

Section 2. **Officers to be elected** shall be: The Unit Chair, Vice Chair and Secretary.

Section 3. **Additional Representative Assembly delegates** shall be elected in Units of 50 or more members. A Unit shall be entitled to 1 delegate for every 50 members or major fraction thereof after the first 50 members.

Section 4. **Nominations** shall be received from the floor of the annual Unit membership meeting.

Section 5. **An election** shall be held in conjunction with the Local general election.

Section 6. **Vacancies in Unit offices** shall be filled by the Executive Committee until an election can be held, provided nominations from the membership occur within six months of the original vacancy.

ARTICLE XIII: CONVENTION DELEGATES

Section 1. **Delegates** to the convention and sector conferences of the CWA shall be elected biennially at a membership meeting. The Representative Assembly shall determine the number of delegates before the opening of nominations. Delegates for each Sector Conference shall be elected from the relevant memberships. The Representative Assembly shall also determine the number of CWA convention delegates to be allocated proportionately among sector conference delegates.

Section 2. **Voting** shall be by secret ballot if the number of those nominated exceeds the number of delegates to be elected.

Section 3. **Alternates** shall serve only in the event of a vacancy and shall be seated in order of votes received.

ARTICLE XIV – LOCAL REFERENDA

Section 1. **Any Local matter** may be referred to a referendum of the membership by the **Executive Committee**, Representative Assembly or by petition signed by not fewer than ten percent of the Local's members in good standing.

ARTICLE XV – FINANCES

Section 1. **The annual budget** formulated by the Executive Committee and ratified by the Representative Assembly shall be submitted to the membership for adoption at the annual membership meeting.

Section 2. **The financial records** of the Local shall be audited annually and at any time the Executive Committee, Representative Assembly or membership desires.

Section 3. **A defense fund** shall be maintained in accordance with the Constitution of The Newspaper Guild-CWA.

Section 4. **Disbursements** from financial accounts shall be valid only when signed by two bonded officers.

Section 5. **Unbudgeted general fund disbursements** in excess of an amount fixed by the Representative Assembly shall not be authorized by the Executive Committee without the prior approval of the Representative Assembly. This prohibition shall not apply to collective bargaining expenses, organizing expenses or strike or lockout expenses of this or other Guild Locals.

Section 6. **Authorization** shall not be required for regular office expenses, salaries or the transmission of international funds to the CWA.

Section 7. **The Treasurer** shall be responsible for the application in the Local of the financial requirements of the CWA Constitution and TNG-CWA and Printing, Publishing and Media Workers Sector (PPMW) constitutions, the National Labor Relations Board, the U.S. Department of Labor and of these bylaws.

ARTICLE XVI – DUES

Section 1. **Dues, assessments and initiation fees** shall be fixed by the Executive Committee within the limits prescribed by the CWA and TNG Constitutions, and shall be approved by the Representative Assembly and membership.

Section 2. **All funds** collected in behalf or in the name of the Local, except those collected for The Newspaper Guild-CWA, shall be the property of the Local.

Section 3. **Current dues schedules** shall be made available to all members.

ARTICLE XVII – COLLECTIVE BARGAINING

Section 1. **The Executive Officer** shall have the responsibility for negotiating and enforcing the collective bargaining agreements of the Local.

Section 2. **Negotiation committees** shall be appointed by the President in consultation with the Executive Officer, sector President or an administrative officer and the Unit Chairs involved. Appointments shall be

subject to the confirmation of the Executive Committee and the Unit Councils involved. With approval of the Executive Committee, a Unit may elect its negotiating committee.

Section 3. **Attendance** at negotiations shall be open to all members in good standing when practicable. During negotiations no member may discuss matters relating to collective bargaining with the employer.

Section 4. **Collective bargaining agreements** shall be approved by TNG-CWA, by the Representative Assembly and the membership of the Unit or Units involved. The Representative Assembly shall provide an expedited procedure for the ratification of collective bargaining agreements between meetings.

ARTICLE XVIII – GRIEVANCE COMMITTEES

Section 1. **A grievance committee** shall be appointed in each Unit by the Unit Chair in consultation with the Executive Officer or an administrative officer. Appointments shall be subject to the confirmation of the Executive Committee and the Unit Council.

Section 2. **Formal grievances** shall not be presented without the approval of the Executive Officer, administrative officer or the Executive Committee.

Section 3. **Settlement** of grievances may be subject to the review of the Executive Committee. A member may appeal a decision regarding his or her grievance to the Executive Committee.

Section 4. **Authority to arbitrate** or take legal action shall rest with the Executive Committee.

ARTICLE XIX – STANDING COMMITTEES

Section 1. **All standing committees** of the Local shall be constituted by the Executive Committee. Local standing committees shall include a Human Rights Committee and a Trial Board.

Section 2. **Appointment** of standing committee members shall be by the President, subject to confirmation by the Executive Committee.

ARTICLE XX – TYPOGRAPHICAL SECTOR PROVISIONS

Section 1. **The Sector President** shall be elected by members of the BATU sector and shall be the Unit Chair.

Section 2. **A Sector Vice President** shall be elected by the sector to assist the sector President and shall be the Unit Vice Chair.

Section 3. **Specific duties** of the sector President shall be assigned by the Executive Officer in consultation with the Executive Committee.

Section 4. **Sector committees** may be appointed by the sector President as necessary to further the interests of the sector membership.

Section 5. **General Laws** incorporated in collective bargaining agreements and duly adopted by the sector are incorporated by reference in these Local bylaws, which shall govern in the event of any conflict.

Section 6. **Organized printing sector Units** (chapters) of 10 members or more shall participate in Local referenda at the work site.

ARTICLE XXI – DISCIPLINE

Section 1. **Discipline** under these bylaws shall be governed by the applicable provisions of CWA and TNG Constitutions.

ARTICLE XXII – EMPLOYEES

Section 1. **Employees** of the Local shall be hired by the Executive Officer subject to confirmation by the Executive Committee. The Executive Officer shall actively recruit minority and female applicants for all clerical and staff positions. There shall be no discrimination on the basis of age, sex, race, creed, color, national origin, marital or parental status, family relationship, sexual or affectional preference, political activities or political belief, irrelevant mental or physical handicaps.

Section 2. **The duties and responsibilities** of employees of the Local, their salaries, benefits, working conditions and the number of employees required shall be fixed by the Executive Committee subject to the approval of the Representative Assembly.

Section 3. **The supervision and discipline** of employees shall be the responsibility of the Executive Officer. The Representative Assembly shall provide for an appeal procedure for matters of discipline and dismissal.

Section 4. **Membership** in the Local shall be open to all employees, subject to the eligibility provisions of the CWA and TNG Constitutions.

Section 5. **Regular employees** of the Local, ~~with the exception of the Executive Officer~~, shall not hold elected Local or Unit office.

ARTICLE XXIII – THE OFFICIAL PUBLICATION

Section 1. **The Local's Web site** shall be considered the official publication of the Local.

Section 2. **The editor** of the official publication shall be appointed by the President, subject to confirmation by the Executive Committee.

ARTICLE XXIV – AMENDMENTS

Section 1. **Amendments** to these bylaws shall be by majority vote in a referendum of the membership.

Section 2. **Proposed amendments** may be submitted to referendum by action of the Representative Assembly, Local membership meeting or a petition signed by not fewer than 10 percent of the Local's members in good standing representing not fewer than three Units.

Section 3. **Notice of amendment** and statements in favor or opposed, if any, shall be posted on the Local's website, e-mailed to the members' last known e-mail address, and distributed in workplaces.

These bylaws shall be interpreted by the Executive Committee subject to appeal to the Representative Assembly and membership of the Local, the Guild Sector Council, TNG-CWA or PPMW sector conference, and, finally, the CWA Convention.