

**REPORT OF THE
CONSTITUTION COMMITTEE
TO THE
73rd CONVENTION**

1 The Constitution Committee met in the city of Washington, D.C., beginning
2 May 17, 2011, for the purpose of reviewing and considering proposed
3 amendments to the CWA Constitution.
4

5 The Constitution provides under Article XVI, Section 2, that the
6 Constitution Committee is “charged with the duty of considering and
7 reporting to the Convention and to the Executive Board on proposals to
8 change this Constitution.” Article XXVIII, Sections 2 & 3, provides that
9 amendments submitted to the Constitution Committee sixty (60) days or
10 more in advance of the Convention will require a majority vote of the
11 Delegates present to be enacted. All other amendments to the Constitution
12 proposed at the Convention shall require a three-fourths (3/4) vote of those
13 voting to effectuate such proposed amendments, but in no event shall the
14 three-fourths (3/4) vote of those voting thereupon be less than a majority
15 vote of the approved delegates at the Convention.
16

17 The Constitution Committee held meetings in Las Vegas, Nevada, beginning
18 July 8, 2011, after the preliminary report was issued on May 20, 2011.
19

20 This report sets forth all proposed amendments that have been received by
21 the Committee to date. A strikeout denotes deletion of language; **boldface**
22 **and underlined** type denotes insertion of new language.
23

- 24
25 **1.** AMEND Article XVI – Committees - Section 1 – Regular Committees
26 Add new sub section (i) Defense Fund Oversight Committee
27

28 Article XVI – Committees
29 Section 1 – Regular Committees (i)
30

31 **(i) Defense Fund Oversight Committee**
32

33 AMEND ARTICLE XVI – Committees – Section 10 - Other Committees –
34 add a new Section 10 and rename the current Sections 10 and 11 and
35 add 12
36

37 Article XVI – Committees
38 Section 10 – ~~Other Committees~~ - **Defense Fund Oversight Committee**

39 **The Defense Fund Oversight Committee (DFOC) shall consist of one**
40 **representative from each CWA District, one representative from the**
41 **Public Workers Sector, one representative from the IUE Division, one**
42 **representative from the Airline Industries and one representative from**
43 **the Media Sectors (TNG-CWA, NABET-CWA and PPMWS). The election of**
44 **the DFOC representatives and their alternates shall be conducted as**
45 **established by the CWA Convention and shall be for four-year terms. The**
46 **Committee shall meet at least twice a year and at the Convention. In**
47 **non-Convention years, the Committee will meet and prepare a report on**
48 **its activities and make recommendations which will be distributed to the**
49 **locals by the President of the Union. In accordance with the Rules**
50 **adopted by the Convention, the Committee is responsible to review**
51 **receipts, disbursements, educational programs, administration and**
52 **investment of the Defense (DF) and Robert Lilja Members' Relief Funds**
53 **(RLMRF), and shall have oversight for the Strategic Industry Fund (SIF).**

54
55 Section 11 – ~~Vacancies On Committees~~ **Other Committees**

56
57 **Section 12 – Vacancies on Committees**

58
59 (Submitted by Arthur Cheliotis, Chair, on behalf of the members of the
60 Defense Fund Oversight Committee)

61
62 The purpose of these amendments is to add the Defense Fund Oversight
63 Committee (DFOC) to the list of CWA Committees in the CWA Constitution
64 and to expand representation on the DFOC to include one elected
65 representative from the Airline Industry and one from the Media sector (TNG-
66 CWA, NABET-CWA and PPMWS).

67
68 The DFOC contends that adding these two representatives to the committee
69 will bring a perspective to their deliberations they don't currently have and
70 the Constitution Committee agrees.

71
72 The DFOC has been meeting and issuing reports to the Convention since
73 1989 and clearly is a regular committee of the Union and should be listed as
74 such in the Constitution.

75
76 **THE COMMITTEE RECOMMENDS ADOPTION OF THIS PROPOSAL.**

80 **2.** AMEND ARTICLE XIX – Charges Against Members
81 Section 2 – Specifications of Offenses – Union – delete the word fined.

82

83 ARTICLE XIX – Charges Against Members
84 Section 2 – Specifications of Offenses - Union

85

86 Members may be ~~fined~~, suspended or expelled by trial courts selected by the
87 Executive Board of the Union in the manner provided in the Constitution for
88 any of the following acts:

89

90 (Submitted by the CWA Executive Committee)

91

92 The purpose of this proposal is to remove fines as a penalty in a finding of
93 dual unionism by a trial court.

94

95 Article XIX, Section 2, of the CWA Constitution makes it a violation of the
96 Constitution to willfully support or assist another union to replace CWA as
97 the bargaining agent or to support another labor organization in a
98 jurisdictional claim in conflict with CWA. Charges of this nature are often
99 referred to as “dual unionism.”

100

101 The National Labor Relations Board has long distinguished between penalties
102 such as suspension/expulsion and fines imposed on members involved in
103 dual unionism. The logic of the Board and courts in this regard is that
104 penalties, such as fines imposed to punish members, are prohibited, but that
105 suspensions/expulsions are defensive to protect the union by removing from
106 its ranks persons who have exhibited intent to undermine and remove the
107 union as the bargaining representative.

108

109 The language in Article XIX, Section 2, as currently written, could be found by
110 the Board to be a “threat” of a monetary fine, even if no fine was imposed, and
111 could subject CWA to charges before the NLRB.

112

113 **THE COMMITTEE RECOMMENDS ADOPTION OF THIS PROPOSAL.**

114

115

116 **3.** AMEND ARTICLE XXI – Recall Petition Against Persons Holding Elective
117 Office in the Union

118 Section 2 – Recall Petition Against Local Officers – sub sections (1) & (6)

119

120

121 ARTICLE XXI – Recall Petition Against Persons Holding Elective
122 Office in the Union

123 Section 2 - Recall Petition Against Local Officers (1)

124 (1) May be preferred by twenty percent (20%) of the membership of a Local;
125 **represented by the Local Officer in question;**

126

127 Section 2 - Recall Petition Against Local Officers (6)

128

129 (6) Should the officer of the election committee receiving the petition
130 determine that the offense or offenses described **do not meet the above**
131 **requirement, or** are too vague or frivolous to warrant submission to a
132 referendum, a report and recommendation to that effect shall be presented in
133 writing to the governing body of the Local. Copies of the report and
134 recommendation shall be served on all petitioners and the accused. Unless
135 reversed by the governing body or appealed by one or more of the petitioners
136 within thirty (30) days after receipt, the recommendation shall become final. If
137 appealed, the procedures of Article IX, Section 7, shall apply.

138

139 (Submitted by Wayne C. Herout, Member and Executive Officer of Local 6171,
140 Krum, Texas)

141

142 The purpose of this amendment is to change the recall petition requirements
143 from twenty percent (20%) of a Local's membership to twenty percent (20%) of
144 the members represented by the Local officer being recalled.

145

146 In addition, the amendment would require a report and recommendation in
147 writing to the Local governing body if a petition does not meet the twenty
148 percent (20%) threshold required by the Constitution.

149

150 These amendments arose after a recall petition was submitted to Local 6171.
151 The Secretary Treasurer, after review, returned the petition to the six (6)
152 members who submitted it with a cover letter, noting the petition did not meet
153 the twenty percent (20%) threshold for recall required by the Constitution.
154 The Committee discussed these amendments with both the maker of the
155 amendment and the Secretary-Treasurer of the Local.

156

157 The maker of this amendment states in his explanation that the same
158 members who elect an officer should be the ones entitled to recall him/her
159 and that a written report and recommendation of the petition outcome should
160 be required to the governing body of the Local.

161

162 After careful review of this proposal, the Constitution Committee does not
163 recommend its adoption for the following reasons:

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166

167 1. Locals have unique structures that are not taken into account by this
168 proposal; for example, in some Locals, officers elected by only a portion of
169 the membership may be assigned additional duties on behalf of the entire
170 membership.

171

172 2. The recall of a Local officer is an extraordinary event and justifies the
173 high threshold requirement of twenty percent (20%) of the entire Local
174 membership.

175

176 3. The proposal to change the reporting of a recall petition is vague and
177 does not specify which of the five (5) requirements listed in Article XXI,
178 Section 2, would be impacted.

179

180 The Committee would also note that the cover letter provided to the members
181 by the Secretary-Treasurer in the Local 6171 incident is a record and a
182 recommendation. A request for a report could be handled at the Local level.

183

184 **THE COMMITTEE DOES NOT RECOMMEND ADOPTION OF THIS**
185 **PROPOSAL.**

186

187

188 **4. PROPOSED CHANGES TO THE CWA CONSTITUTION TO ELIMINATE**
189 **THE POSITION OF EXECUTIVE VICE PRESIDENT.**

190

191 ARTICLE V – Membership

192 Section 6 – Retired Members’ Council (f)

193

194 (f) The Council Executive Board members shall also serve as delegates to all
195 CWA Conventions during their term of office and shall each carry one (1) vote.
196 As delegates to the CWA Convention, Council Executive Board members shall
197 have the right to vote in elections of the CWA President, ~~Executive Vice~~
198 ~~President~~ and Secretary-Treasurer.

199

200 ARTICLE VIII – Conventions

201 Section 7 Powers of Convention (f) – Delete the word Executive

202

203 (f) Determine the number of ~~Executive~~ Vice Presidents and/or At-Large
204 Executive Board Members;

205

206 ARTICLE IX – Executive Board

207 Section 1 (b) – Delete – The Executive Vice President;

208 renumber other sections in numerical order.

209

210 ~~(b) The Executive Vice President~~

211

212 (e) **(b)** The Secretary-Treasurer;
213

214 (d) **(c)** The Vice Presidents (District; Telecom and Technology; Public, Health
215 Care and Education Workers; Printing, Publishing and Media Workers Sector;
216 TNG-CWA Sector; NABET-CWA Sector; IUE-CWA Division, and AFA-CWA
217 Sector).
218

219 (e) **(d)** Four At-Large Diversity Executive Board Members. The four At-Large
220 Diversity Executive Board members shall represent four separate geographical
221 areas within CWA as follows:
222

223 (f) **(e)** The Director of CWA-SCA Canada.
224

225 ARTICLE X – Executive Committee - Delete Executive Vice President from the
226 paragraph.
227

228 There shall be an Executive Committee of the Union consisting of the
229 President, ~~the Executive Vice President~~ and the Secretary-Treasurer who shall
230 have such administrative powers, duties and authorities as may be assigned
231 by the Convention or the Executive Board.
232

233 ARTICLE XII – Officers and Their Duties

234 Section 2 (a) and (b) – The Executive Vice President – Delete Section 2;
235 renumber other sections in numerical order.
236

237 ~~Section 2 – The Executive Vice President~~
238

239 (a) ~~The Executive Vice President shall act under the direction of the President~~
240 ~~and shall perform such duties as may be assigned by the President or the~~
241 ~~Executive Board.~~
242

243 (b) ~~The Executive Vice President shall hold no other office in the Union and~~
244 ~~shall not be engaged in any other employment. The Executive Vice President~~
245 ~~shall receive the annual salary established for the office by the Convention,~~
246 ~~payable in twelve (12) equal monthly installments.~~
247

248 (Section 3) **Section 2** - The Secretary-Treasurer
249

250 (Section 4) **Section 3** - Vice Presidents - District; Telecom and Technology;
251 Public, Health Care and Education Workers and
252 CWA Sectors
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254 (Section 5) **Section 4** - Vice Presidents - District, Telecom and Technology
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256 (Section 6) **Section 5** - Telecom and Technology Vice President

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~~(Section 7)~~ **Section 6** – Public, Health Care and Education Workers
Vice President

~~(Section 8)~~ **Section 7** - CWA Printing, Publishing and Media Workers
Sector Vice President

~~(Section 9)~~ **Section 8** - TNG-CWA Sector Vice President

~~(Section 10)~~ **Section 9** - NABET-CWA Sector Vice President

~~(Section 11)~~ **Section 10** - IUE-CWA Division Vice President

~~(Section 12)~~ **Section 11** - AFA-CWA Sector Vice President

~~(Section 13)~~ **Section 12** - At-Large Diversity Executive Board Members

~~(Section 14)~~ **Section 13** - Director, CWA-SCA Canada

ARTICLE XV – Elections

Section 1 – Union Officers – Delete reference to Executive Vice President

Section 1—Union Officers

The President, ~~Executive Vice President~~ and Secretary-Treasurer of the Union shall be elected separately by secret ballot of the delegates to the Convention following nominations made from the floor of the Convention. Beginning with the election of 2011 the term of office shall be four years or until their successors have been duly elected and qualified., ~~except for the term of office of an Executive Vice President added by the Convention during a non-election year, such term of office shall expire at the same time as the terms of office of the other officers.~~

Section 5 (b) – Order of Nomination and Election of Officers of the Union – Eliminate reference to Executive Vice President; move up the pattern of letters.

~~(b) Executive Vice President;~~

(e) **(b)** Secretary-Treasurer;

~~(d) (c)~~ Vice Presidents;

(e) **(d)** At-Large Diversity Executive Board Members. The nomination for At-Large Diversity Executive Board Member seats shall be conducted separately. A majority vote shall be required for election to each At-Large seat.

303 If no candidate receives a majority vote for an At-Large Diversity seat on the
304 first ballot, a run-off election shall be conducted and the two nominees
305 receiving the greatest number of votes on the first ballot for that individual
306 seat shall be the nominees on the second ballot for that individual seat.
307

308 (Submitted by the CWA Executive Board)

309
310 The purpose of this amendment is to eliminate the position of the Executive
311 Vice President.

312
313 At the 2006 CWA Convention, the delegates adopted Resolution 1 “Ready for
314 the Future: 10 Steps To Strengthen Bargaining Power,” which instructed the
315 Board to make proposals to right-size the Board by 2011. In 2010, Districts 2
316 and 13 and the C&T and Telecom Sectors combined. This action eliminates
317 two Vice Presidents in 2011 and saves the Union a projected \$800,000. The
318 current proposal to eliminate the EVP continues the mandate adopted in
319 Ready for the Future to right-size the Board and results in additional savings.

320
321 The announced retirement of Secretary-Treasurer Jeff Rechenbach provides
322 an opportunity for this cost-saving restructuring. During these times of
323 unprecedented attacks on the labor movement and membership losses, it is
324 critical that we allocate resources in the most effective way possible. If the
325 EVP position is eliminated, we will still have two principal officers and 13 full-
326 time Vice Presidents.

327
328 The Committee strongly recommends adoption of this proposal.

329

330 **THE COMMITTEE RECOMMENDS ADOPTION OF THIS PROPOSAL.**

331

332

333 **5. AMEND ARTICLE V – Membership**

334 Section 5 – Retired Members’ Chapter – Sub Section (b)

335 Delete language

336

337 **ARTICLE V – Membership**

338 Section 5 – Retired Members’ Chapter (b)

339

340 (b) Application for membership in a Chapter shall be made to the Retiree
341 Chapter. ~~If the applicant was a member of the Union in good standing at the~~
342 ~~time of his or her retirement, he or she shall be admitted to membership in~~
343 ~~the appropriate chapter.~~

344

345 AMEND ARTICLE V – Membership
346 Section 6 – Retired Members’ Council – Sub Section (a), (d) & (e)
347 Change language

348
349 ARTICLE V – Membership
350 Section 6 – Retired Members’ Council – Sub Section (a)

351
352 (a) All dues paying members of the Union **in good standing** who are or
353 may be retired by reason of age or disability shall be eligible to become CWA
354 Retired Members’ Council Lifetime members.

355
356 ARTICLE V – Membership
357 Section 6 – Retired Members’ Council (d)

358
359 (d) A Council Executive Board shall be elected which will consist of one
360 representative from each of the CWA Districts and ~~one~~ **three Sector/Division**
361 **members** who shall be elected from the ~~Printing, Publishing and Media~~
362 ~~Workers Sector, NABET-CWA, TNG-CWA, IUE-CWA, AFA-CWA, and any~~
363 ~~other groups that may merge with CWA~~ **Media Sector (consisting of the**
364 **Printing, Publishing and Media Workers Sector, NABET-CWA and TNG-**
365 **CWA), the IUE-CWA Division and the AFA-CWA Sector.** The District
366 representatives on the Council Executive Board shall be elected by secret
367 ballot among the Council Lifetime members within the appropriate CWA
368 District. The Sector **and**
369 **Division** representatives shall be elected by secret ballot among the Council
370 Lifetime members who retired from the ~~Printing, Publishing and Media~~
371 ~~Workers Sector, NABET-CWA, TNG-CWA, IUE-CWA, AFA-CWA, and any other~~
372 ~~groups that may merge with CWA.~~ **Media Sector (consisting of the Printing,**
373 **Publishing and Media Workers Sector, NABET-CWA and TNG-CWA), the**
374 **IUE-CWA Division, and the AFA-CWA Sector. Within the Council,**
375 **Districts 2 and 13 shall not be combined until the end of the 2012 term.**
376 Terms of office shall be consistent with those of ~~Local~~ **International** officers.
377 The elections shall be conducted in accordance with Council bylaws, federal
378 and
379 provincial laws and this Constitution. Any challenge to the Council Executive
380 Board elections or Council officers’ elections shall be resolved in accordance
381 with the Council bylaws.

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387 ARTICLE V – Membership

388 Section 6 – Retired Members’ Council (e)

389

390 (e) The officers of the Retired Members’ Council shall be Executive President,
391 Executive Vice President, and Secretary-Treasurer or Secretary and Treasurer.
392 Such offices shall be elected from the Council Executive Board in accordance
393 with Council bylaws. The term of the office for Council officers shall be ~~three~~
394 **four** years or until their successors have been duly elected and qualified.

395

396 (Submitted by Ray Myers, Executive President, on behalf of the Retired
397 Members’ Council)

398 The purpose of these amendments is to clean up member eligibility language,
399 to add two seats to the Retired Members’ Council Executive Board and to
400 change the term of office for Council members to four years.

401

402 The Committee reviewed these amendments and determined two are
403 housekeeping items.

404

405 The proposed amendment to delete language in Article V, Section 5(b), reflects
406 the structure currently in place.

407

408 The proposed amendment to Article V, Section 6(d), converts the Retired
409 Members’ Council Executive Board Sector member to the IUE-CWA member
410 and adds two additional seats: Media Sector (consisting of the Printing,
411 Publishing and Media Workers Sector, NABET-CWA and TNG-CWA) and the
412 AFA-CWA Sector. The Committee agrees increased participation on the
413 Council Executive Board will strengthen our Retired Members Council.

414

415 The proposed amendment to Article V, Section 6(e), would change the term of
416 office for Council officers to four years is to be consistent with the term of
417 International officers and the Biennial Convention.

418

419 **THE COMMITTEE RECOMMENDS ADOPTION OF THIS PROPOSAL.**

420

421

422 **6.** AMEND ARTICLE IX — Executive Board

423 Section 1 – Sub Sections (d), (e) & (f)

424 Change language in Section 1(d) and (e); renumber (e) and (f), add (g)

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ARTICLE IX — Executive Board
Section 1(d), (e), (f) & (g)

(d) The Vice Presidents (District; Telecom and Technology; Public, Health Care and Education Workers; ~~Printing, Publishing and Media Workers Sector~~; TNG-CWA Sector; NABET-CWA Sector; IUE-CWA Division, and AFA-CWA Sector).

(e) The Printing, Publishing and Media Workers Executive Officer;

~~(e)~~ **(f)** Four At-Large Diversity Executive Board Members. The four At-Large Diversity Executive Board members shall represent four separate geographical areas within CWA as follows:

~~(f)~~ **(g)** The Director of CWA-SCA Canada.

AMEND ARTICLE XII —Officers and Their Duties – Change Title

ARTICLE XII—**Duties of** Officers and ~~Their Duties~~ **other Executive Board Members**

AMEND ARTICLE XII — Officers and Their Duties
Section 4—Vice Presidents — District; Telecom and Technology;
Public Health Care and Education Workers and CWA Sectors
Change Section 4 Title

ARTICLE XII — Officers and Their Duties
Section 4 - Vice Presidents -District; Telecom and Technology; Public, Health Care and Education Workers, **TNG-CWA, NABET-CWA, IUE-CWA and AFA-CWA** and CWA Sectors

AMEND ARTICLE XII — Officers and Their Duties
Section 8 — CWA Printing, Publishing and Media Workers Sector Vice President
Change Section 8 Title and add sub sections (a) thru (f)

ARTICLE XII — Officers and Their Duties

464 Section 8 — CWA Printing, Publishing and Media Workers Sector Vice
465 President **Executive Officer.**
466

467 The President of the Printing, Publishing and Media Workers Sector of CWA
468 **(PPMWS)** shall also be the CWA Printing, Publishing and Media Workers
469 Sector Vice President **Executive Officer** who shall be responsible under the
470 direction of the Executive Board for coordinating matters of common concern
471 and interest with respect to contracts, wages, hours of employment and other
472 working conditions with the units of the Printing, Publishing and Media
473 Workers Sector.

474 **The PPMWS Executive Officer shall:**

475 **(a) Act under the direction of the President and perform such**
476 **administrative and constitutional obligations as may be assigned by**
477 **the President or the Executive Board;**

478

479 **(b) Recommend to the President the employment of such personnel as**
480 **may be required;**

481

482 **(c) Recommend to the President that services of such personnel as may**
483 **be assigned to the PPMWS Executive Officer be terminated for cause;**

484

485 **(d) Supervise full-time and part-time personnel as may be assigned to the**
486 **PPMWS Executive Officer and employ and terminate the employment of**
487 **clerical forces subject to the limitations of the budget;**

488

489 **(e) Preside at meetings;**

490

491 **(f) Hold no other office in the Union and shall not be engaged in any**
492 **other employment. The PPMWS Executive Officer shall receive the**
493 **annual salary established for the office of the PPMWS Director by the**
494 **Convention.**

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497 AMEND ARTICLE XV – Elections

498 Section 2 – Vice Presidents - Change title

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500 ARTICLE XV - Elections

501 Section 2—Vice Presidents **and PPMWS Executive Officer**

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AMEND ARTICLE XV – Elections
Sections 2 - Vice Presidents – Sub Sections (b), (d), and (e)

ARTICLE XV – Elections
Section 2 - Vice Presidents (b), (d), and (e)

(b) The duly elected President of the Printing, Publishing and Media Workers Sector of CWA shall be the CWA Printing, Publishing and Media Workers Sector ~~Vice President~~ **Executive Officer** and shall be elected in accordance with the Sector Bylaws and the CWA Constitution. The duly elected President of the TNG-CWA Sector shall be the TNG-CWA Sector Vice President and shall be elected in accordance with the CWA Constitution and the merger agreement. The duly elected NABET-CWA President shall be the NABET-CWA Sector Vice President and shall be elected by delegates representing NABET-CWA members in accordance with the CWA Constitution and NABET-CWA Sector Bylaws. The duly elected President of the IUE-CWA Division shall be the IUE-CWA Division Vice President and shall be elected in accordance with the IUE-CWA Rules and the CWA Constitution. The duly elected President of the AFA-CWA Sector shall be the AFA-CWA Sector Vice President and shall be elected in accordance with the AFA-CWA Rules and the CWA Constitution.

(d) Beginning in 2011, the term of office of Vice President **and PPMWS Executive Officer** shall be four years or until their successors have been duly elected and qualified.

(e) In the event a vacancy occurs in the Office of Vice President, **PPMWS Executive Officer**, or At-Large Diversity Executive Board Member for any reason, an election shall be held at the next regular Convention for the purpose of electing a Vice President, **PPMWS Executive Officer**, or At-Large Diversity Executive Board Member to fill the unexpired term.

AMEND ARTICLE XV – Elections
Add Section 7

ARTICLE XV – Elections
Section 7 – PPMWS Executive Officer

Elections for the post of PPMWS Executive Officer shall be held in full conformity with the requirements of the Sector Bylaws and the CWA

544 **Constitution. The PPMWS Executive Officer shall be elected to four-year**
545 **terms in the same cycle as the other CWA Executive Board members.**

546

547

548 AMEND ARTICLE XVIII – Strikes

549 Section 2 – Notification,

550 Section 6 – Procedure for Local Strike Vote, Sub Section (e)

551 Section 7 – Local Strike Assistance

552 Section 8 – Termination of Local Strikes Within a District

553 Sub Section (a)

554 Add language

555

556

557 ARTICLE XVIII – Strikes

558

559 Section 2—Notification

560

561 After a strike vote has been taken by a Local or groups of Locals in a District
562 or Region and a strike is imminent, the Vice President, **PPMWS Executive**
563 **Officer**, or the Director of the CWA-SCA Canada shall notify the President of
564 the Union in writing.

565

566 Section 6—Procedure for Local Strike Vote (e)

567

568 (e) Copies of notice of the result of strike vote shall be sent to the Vice
569 President **or Executive Officer** and to the President of the Union.

570

571 Section 7—Local Strike Assistance

572

573 When Locals, not directly involved in the negotiations, the breakdown of which
574 has caused or is about to cause a strike, desire to aid the striking Local or
575 Locals by strike action, they shall first notify the Vice President **or Executive**
576 **Officer** and President of the Union of such desire, and, if they receive approval
577 by the Convention or the Executive Board, they shall proceed according to the
578 provisions of Section 6 of this Article.

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583 Section 8—Termination of Local Strikes within a District (a)

584

585 (a) A Local or Locals engaging in a Local strike may terminate such strike in
586 accordance with Local Bylaws and Rules and approval of the Vice President **or**
587 **Executive Officer**.

588

589 AMEND ARTICLE XXI —Recall Petition Against Persons

590 Holding Elective Office in the Union

591 Section 1—Petition for Recall of Union Officers and

592 Executive Board Members, and Section 1 (3)

593 Add/Delete language

594

595 ARTICLE XXI—Recall Petition Against Persons Holding Elective

596 Office in the Union

597

598 Section 1—Petition for Recall of Union Officers and Executive Board

599 Members

600

601 A petition for recall of an officer of the Union or any member of the Executive
602 Board, including At-Large Diversity Executive Board Members, **the Executive**
603 **Officer of the PPMWS**, and the Director of CWA-SCA Canada:

604

605 Section 1—Petition for Recall of Union Officers and Executive Board

606 Members (3)

607

608 (3) May be preferred against a Vice President of a District by twenty percent
609 (20%) of the Locals representing twenty percent (20%) of the membership
610 within the District, and may be preferred against the Telecom and
611 Technology Vice President; Public, Health Care and Education Workers Vice
612 President; ~~Printing, Publishing and Media Workers Sector Vice President~~; the
613 TNG-CWA Sector Vice President; the NABET-CWA Sector Vice President; the
614 IUE-CWA Division Vice President; the AFA-CWA Sector Vice President; **the**
615 **PPMWS Executive Officer**, and the Director of CWA-SCA Canada by twenty
616 percent (20%) of the Locals representing twenty percent (20%) of the
617 membership of the units the affected Vice President, **the PPMWS Executive**
618 **Officer**, or the Director of CWA-SCA Canada represents;

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623 AMEND ARTICLE XXII —Referendum and Recall
624 Section 7 – Sub Section (c) - Add/delete language

625

626 ARTICLE XXII —Referendum and Recall

627

628 Section 7 (c)

629

630 (c) The Public, Health Care and Education Workers Vice President, the Printing,
631 Publishing and Media Workers Sector ~~Vice President~~, **Executive Officer**, the
632 TNG-CWA Sector Vice President, the NABET-CWA Sector Vice President, and
633 the IUE-CWA Division Vice President may be recalled by delegates at an
634 International Convention, who represent the membership of their respective
635 units, by a two-thirds (2/3) vote of those voting on the question, or by a
636 referendum among the members of the Union in the units the affected Vice
637 President **or PPMWS Executive Officer** represents, if two-thirds (2/3) of the
638 votes cast in such referendum favor recall.

639 (Submitted by the CWA Executive Committee)

640

641 The purpose of this proposal is to restructure the PPMWS Sector and add an
642 elected full-time Printing, Publishing and Media Workers Sector Executive
643 Officer in place of a Vice President.

644

645 When the International Typographical Union merged with CWA in 1987, the
646 ITU represented 67,000 members. Since then, the PPMWS membership has
647 declined precipitously – it now stands at about 7,600 members, 2,000 of
648 whom are retirees.

649

650 The decline in membership has resulted in a dramatic decline in revenue and
651 significant annual deficit spending. PPMWS dues revenue has not covered
652 expenses for many years. CWA has for the past decade subsidized the sector
653 at approximately \$1 million per year. Delegates to the 2006 CWA Convention
654 approved the “Ready for the Future” resolution that provides guidelines about
655 how the union can adjust to changes and thrive going forward. Two of the
656 Ready for the Future recommendations directly address the current issue
657 with the PPMWS: that sectors and districts live within their income and that
658 the CWA Executive Board be right-sized.

659

660 When former PPMWS President and CWA Vice President William Boarman
661 retired earlier this year to accept an appointment as the U.S. Public Printer,
662 CWA leadership requested the Laws and Finance Committee select a
663 representative for the CWA Executive Board. The leadership also began

664 discussions with the Sector about its future structure. The CWA leadership
665 outlined four guiding principles for the discussions:

666

- 667 • PPMWS would retain a seat on the CWA Executive Board
- 668 • PPMWS would retain self-governance
- 669 • PPMWS would become financially sound
- 670 • The PPMWS identity, including recognition of the long history of the ITU
671 in U.S. labor history, would be protected and preserved

672

673 CWA leadership and the Laws and Finance Committee have met several times
674 and had follow-up discussions. In May, when the Constitution Committee
675 issued its preliminary report, there was no agreement among the parties on
676 this proposal. However, since that time, both parties have come to an
677 agreement and now support this Constitutional amendment.

678

679 The proposal to alter the PPMWS structure required amendments to the
680 Sector's merger agreement. Delegates to the PPMWS Sector Conference
681 adopted the necessary amendments to their merger agreement on July 9,
682 2011. The PPMWS and other sectors within CWA have their own unique
683 identities and the Union has always strived to protect those identities and to
684 recognize their historic contributions. This proposal ensures the PPMWS will
685 continue to function as an independent Sector.

686

687 The Constitution Committee commends the PPMWS Laws and Finance
688 Committee and the PPMWS Sector delegates for their dedication to resolve
689 this difficult and sensitive issue. Despite structural changes, we remain one
690 union committed to solidarity among all of our members in the fight for our
691 righteous cause.

692

693 **THE COMMITTEE RECOMMENDS ADOPTION OF THIS PROPOSAL.**

694

695

- 696 **7.** AMEND ARTICLE IX – Executive Board
697 Section 1 – Sub Section (d) and Add (g)
698 Delete/add language

699

700 ARTICLE IX – Executive Board
701 Section 1

702

703 The Executive Board of the Union shall consist of the following:

704

705 (d) The Vice Presidents (District; Telecom and Technology; Public, Health Care
706 and Education Workers; ~~Printing, Publishing and Media Workers Sector~~; TNG-
707 CWA Sector; NABET-CWA Sector; IUE-CWA Division, and AFA-CWA Sector).

708 **(g) The CWA President, Secretary-Treasurer and Executive Board and**
709 **the Printing, Publishing and Media Sector (PPMWS) are negotiating the**
710 **status of a PPMWS representative to serve on the CWA Executive Board**
711 **and to perform such administrative and constitutional obligations and**
712 **duties as may be assigned by the President or the Executive Board.**
713 **Pending the outcome of those negotiations, the existing PPMWS Vice**
714 **President position shall remain vacant. When negotiations have reached**
715 **fruition, the PPMWS Vice President position may be eliminated and/or**
716 **replaced, per agreement of the CWA President, Secretary-Treasurer and**
717 **Executive Board and the Printing, Publishing and Media Workers Sector**
718 **(PPMWS).**
719

720
721 AMEND ARTICLE IX – Executive Board
722 Section 2(a) – Add new language
723

724
725 ARTICLE IX – Executive Board
726 Section 2 (a)
727

728 (a) Except in the case of the President, if a vacancy should occur among the
729 members of the Executive Board, the Executive Board shall designate a
730 successor, having the same constitutional qualifications as the member whose
731 place the person takes and that person shall serve until the next regular
732 Convention, at which time a successor shall be elected for the balance of the
733 unexpired term, if any. **In the case of the Vice President of the Printing,**
734 **Publishing and Media Sector, the position shall remain vacant until such**
735 **time as agreement has been reached between the CWA President,**
736 **Secretary-Treasurer and Executive Board and the PPMWS on the**
737 **appropriate status of a PPMWS representative to serve on the CWA**
738 **Executive Board.**
739

740
741 AMEND ARTICLE XII—Officers and Their Duties – Change title
742

743 Article XII—**Duties of Officers and Their Duties other Executive Board**
744 **Members**
745

746 AMEND ARTICLE XII—Officers and Their Duties

747 Section 8—CWA Printing, Publishing and Media Workers Sector
748 Vice President

749 Delete/add language
750

751 ARTICLE XII - Officers and Their Duties
752

753 Section 8—CWA Printing, Publishing and Media Workers Sector Vice
754 President
755

756 ~~The President of the Printing, Publishing and Media Workers Sector of CWA~~
757 ~~shall also be the CWA Printing, Publishing and Media Workers Sector Vice~~
758 ~~President who shall be responsible under the direction of the Executive Board for~~
759 ~~coordinating matters of common concern and interest with respect to~~
760 ~~contracts, wages, hours of employment and other working conditions with the~~
761 ~~units of the Printing, Publishing and Media Workers Sector. **This position**~~
762 ~~**shall remain vacant pending agreement between the CWA Executive**~~
763 ~~**Board and the PPMWS on the appropriate status of a representative of**~~
764 ~~**the Sector to serve on the Executive Board.**~~
765
766

767 AMEND ARTICLE XV - Elections - Section 2 - Vice Presidents
768 Sub Sections (b), (d) & (e)
769 Delete/add language
770

771 ARTICLE XV - Elections
772

773 Section 2—Vice Presidents (b), (d) & (e)
774

775 (b) ~~The duly elected President of the Printing, Publishing and Media Workers~~
776 ~~Sector of CWA shall be the CWA Printing, Publishing and Media Workers Sector~~
777 ~~Vice President and shall be elected in accordance with the Sector Bylaws and~~
778 ~~the CWA Constitution. The duly elected President of the TNG-CWA Sector~~
779 ~~shall be the TNG-CWA Sector Vice President and shall be elected in~~
780 ~~accordance with the CWA Constitution and the merger agreement. The duly~~
781 ~~elected NABET-CWA President shall be the NABET-CWA Sector Vice President~~

782 and shall be elected by delegates representing NABET-CWA members in
783 accordance with the CWA Constitution and NABET-CWA Sector Bylaws. The
784 duly elected President of the IUE-CWA Division shall be the IUE-CWA Division
785 Vice President and shall be elected in accordance with the IUE-CWA Rules
786 and the CWA Constitution. The duly elected President of the AFA-CWA Sector
787 shall be the AFA-CWA Sector
788 Vice President and shall be elected in accordance with the AFA-CWA Rules
789 and the CWA Constitution. **Once the CWA Executive Board and the PPMWS**
790 **reach agreement on the appropriate status of a representative of the**
791 **PPMWS to serve on the CWA Executive Board, the election of such**
792 **individual will be governed by the CWA Constitution.**
793

794 (d) Beginning in 2011, the term of office of Vice President **or other Executive**
795 **Board member** shall be four years or until their successors have been duly
796 elected and qualified.
797

798 (e) In the event a vacancy occurs **for any reason** in the Office of Vice
799 President, At-Large Diversity Executive Board Member, **or other Executive**
800 **Board member who is not an officer of the Union** ~~for any reason~~, an
801 election shall be held at the next regular Convention for the purpose of
802 electing **such** ~~a Vice President or At-Large Diversity Executive Board Member~~
803 to fill the unexpired term.
804
805

806 AMEND ARTICLE XXI—Recall Petition Against Persons Holding Elective
807 Office in the Union— Section 1—Petition for Recall of Union Officers
808 and Executive Board Members – Sub Section (3)
809 Add/delete language
810

811 ARTICLE XXI —Recall Petition Against Persons Holding Elective
812 Office in the Union

813
814 Section 1—Petition for Recall of Union Officers and Executive Board
815 Members (3)
816

817 A petition for recall of an officer of the Union or any member of the Executive
818 Board, including At-Large Diversity Executive Board Members and the
819 Director of CWA-SCA Canada:

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(3) May be preferred against a Vice President of a District by twenty percent (20%) of the Locals representing twenty percent (20%) of the membership within the District, and may be preferred against the Telecom and Technology Vice President; Public; Health Care and Education Workers Vice President; Printing, Publishing and Media Workers Sector **representative** ~~Vice President~~; the TNG-CWA Sector Vice President; the NABET-CWA Sector Vice President; the IUE-CWA Division Vice President; the AFA-CWA Sector Vice President; and the Director of CWA-SCA Canada by twenty percent (20%) of the Locals representing twenty percent (20%) of the membership of the units the affected Vice President or the Director of CWA-SCA Canada represents;

AMEND ARTICLE XXII—Referendum and Recall
Section 7(c)

ARTICLE XXII—Referendum and Recall
Section 7(c)

(c) The Public, Health Care and Education Workers Vice President, the Printing, Publishing and Media Workers Sector ~~Vice President~~, **representative**, the TNG-CWA Sector Vice President, the NABET-CWA Sector Vice President, and the IUE-CWA Division Vice President may be recalled by delegates at an International Convention, who represent the membership of their respective units, by a two-thirds (2/3) vote of those voting on the question, or by a referendum among the members of the Union in the units the affected Vice President represents, if two-thirds (2/3) of the votes cast in such referendum favor recall.

(Submitted by the CWA Executive Committee)

THIS AMENDMENT HAS BEEN WITHDRAWN BY THE CWA EXECUTIVE COMMITTEE.

Respectfully submitted,

Lupe Mercado, Chair, President, CWA Local 9421

Edward Luster, President, CWA Local 1102

Jane Phillips, Vice President, CWA Local 4900

Mike Bucsko, Executive Officer. TNG-CWA Local 37002

Chandra Nunnery, President, IUE-CWA Local 83718