

LOCAL 16 BYLAWS

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**ARTICLE I
GENERAL**

1.1 NAME

This union shall be known as Local 16 of the National Association of Broadcast Employees and Technicians, and shall hereinafter be referred to as the "Local".

1.2 ORGANIZATION

(a) The Local is organized under and subject to the NABET International constitution, which shall hereinafter be referred to as the "Constitution", and the By-Laws of NABET.

(b) In the event that any part of these local By-Laws shall be or become in conflict with the Constitution, such By-Law, or part thereof, shall be declared unconstitutional and shall automatically be stricken.

(Adopted 9/11/2012)

(c) Wherever in the wording of the By-Laws the masculine gender is used, it shall be understood to include the feminine gender, or vice versa.

1.3 AFFILIATION

The Local may be affiliated with the New York State and New York City central bodies of the AFL-CIO. Representatives of the Local to such bodies shall be appointed by the Local President with the approval of the Local Executive Board.

1.4 EFFECTIVE DATE

These By-Laws, dated September 8, 1993 supersede any and all previous local By-Laws and amendments.

(ARTICLE I CONTINUED ON NEXT PAGE)

1.5 AMENDMENTS

These By-Laws may be amended in whole or in part in the following manner:

(a) A Motion to amend must be made at a meeting of the Local Executive Board and passed by a two-thirds (2/3) vote of those present and voting.

(b) If so passed, the proposed amendment shall be reported in the minutes of the Local Executive Board meeting at which the vote was taken. Notification shall be given, in the minutes, that a final vote on the proposed amendment will be held not earlier than forty five (45) days nor later than seventy five (75) days after the original approval.

(c) This final ratification vote will be taken at the next regular Executive Board meeting or a special Executive Board meeting called for that purpose. A two-thirds (2/3) vote of those present and voting shall be necessary for the ratification of the proposed amendment.

(d) Any amendment to the By-Laws of the Local shall be subject to Local membership ratification if such ratification is required by law. Ratification shall require a majority vote of the ballots cast.

(e) Amendments to the By-Laws become effective upon approval by the International President in accordance with Article 8.8 of the International Constitution.

[END OF ARTICLE I]

ARTICLE II
MEMBERSHIP

2.1 ELIGIBILITY

Eligibility for membership in the Local shall be the same as eligibility for membership in NABET as defined in Article 2.1 of the Constitution.

2.2 ACCEPTANCE

Acceptance into the Local shall be as provided in Articles 2.2 and 2.3 of the Constitution.

2.3 RIGHTS AND DUTIES OF MEMBERS

- (a) Rights and duties of members shall be as outlined in Articles 2.4 and 2.5 of the Constitution in addition to those specified in these By-Laws.
- (b) It shall be the duty of all members to be familiar with the Constitution, the Local By-Laws and any applicable contracts with employers. When an applicant for membership is accepted by the Local, he shall be provided with a copy of each of the above documents.

2.4 CLASSIFICATIONS

There shall be five (f) classes of membership as defined in Article 2.5 of the Constitution:

- (1) ACTIVE:
- (2) INACTIVE:
- (3) HONORARY:
- (4) RETIREMENT:
- (5) ASSOCIATE: (Amendment Attached)

(ARTICLE II CONTINUED)

Associate Membership Local 16 By-Law Language

[To be appended to current Local 16 By-Law “2.4
CLASSIFICATIONS”]

[5] ASSOCIATE

Associate Membership will be granted in NABET-CWA and Local 16 upon receipt of a signed application and approval by the Local 16 Executive Board. An eligible individual shall have never worked under a NABET-CWA collective bargaining agreement. Associate Members shall be required to pay minimum Sector dues subject to Article XII of the NABET-CWA By-Laws and minimum Local 16 Local Dues. Associate Members shall have non-voting member status but shall receive the following benefits:

Sector or Local provided training, participation in Local 16 social events, use of Sector job availability listings, Local 16 emails, use of Local 16 social media sites, etc.

An Associate Member who begins working under a NABET-CWA Collective Bargaining Agreement must apply for active membership.

2.5 MEMBERSHIP APPLICATIONS

Membership application forms, as prescribed by NABET, shall be provided to each applicant by the Local-Secretary or his designee, and shall be returned to the Local office immediately upon completion. The Local Secretary-Treasurer shall present the application, together with any other information he may have concerning the applicant, to the Local Executive Board for approval at the next regular meeting of that body. Upon approval and when dues requirements, initiation fee and all other financial obligations have been met, the Local Secretary-Treasurer shall send the member the appropriate membership card.

2.6 INACTIVE MEMBERSHIP

(a) An Inactive Membership Card shall be issued to any member in good standing who is laid off or otherwise qualified under provisions of Article 2.5(B)1 of the Constitution. Written application, with a payment of \$2.00, must be made within 30 days of meeting the conditions for Inactive Membership to the Local Secretary-Treasurer, except in cases involving military service.

(b) Holders of Inactive membership cards may transfer to Active Membership without payment of another initiation fee by paying the current International and Local dues and any other financial obligations due.

2.7 GOOD STANDING

A member shall be considered in good standing provided he complies with Article 2.4(B) of the Constitution.

2.8 EMPLOYER GROUPS

For the purposes of these By-Laws, an employer group shall be defined as the members employed under the terms of a collective bargaining agreement between NABET and a particular employer.

[END OF ARTICLE II]

ARTICLE III
ADMINISTRATION3.1 LOCAL OFFICERS

[NOTE: SEE ARTICLE VII, OF THESE BY-LAWS, FOR ELECTION DETAILS.]

(a) The officers of the Local shall be: the Local President, the Local Vice-President, the Local Secretary-Treasurer and the Members of the Local Executive Board elected by the various Executive Board Units as defined in Article 4.2 of these By-Laws.

(b) All Local officers must be and have been members in good standing of NABET continuously for the two years immediately prior to the date of nomination, except as provided in Article 4.5 of these By-Laws.

(c) No Local officer shall hold office in any other union in this or any allied industry.

(d) No member shall hold more than one elected office, as defined in Article 8.9 of the International Constitution, within the Local at any one time.

(e) The duties and power of the Local officers shall be as specified in Article VIII of the Constitution in addition to those listed in these By-Laws.

(f) Any Local officer may be removed from office in accordance with Article 8.16 of the Constitution.

3.2 LOCAL PRESIDENT

(a) The Local President shall be the principal executive officer of the Local Union and he shall supervise and control the business and affairs of the Local Union. It shall be his duty within the Local Union to provide for the enforcement of the Constitution and By-Laws of the International Union and the By-Laws of the Local Union. He shall have the power to appoint individuals and Committees for the purpose of assisting him in carrying out his functions and duties. He shall, in general, perform all duties incident to the office of Local President, including the enforcement of all contracts with employers of members of the Local Union.

[ARTICLE III CONTINUED ON NEXT PAGE]

3.2 LOCAL PRESIDENT – (CONT'D)

- (b) The Local Executive Board shall have the power to make the office of Local President a full time, paid position when, in their judgment, such position would be in the best interests of the Local. The duration and salary of this position shall be set by the Local Executive Board.
- (c) The Local President shall receive a fee of three hundred sixty dollars (\$360) per month effective with the term that begins in 2011, this fee shall not be payable when said officer is otherwise paid a salary by the local. This amount shall be paid by the last day of each month by the Local Secretary-Treasurer without further authorization.
- (d) To automatically serve as delegate to the Annual CWA Convention in years when a NABET-CWA Sector conference has not been called.
- (e) President Emeritus – The Local President may appoint, from amongst the former Local Presidents of Local 16, President(s) Emeritus. Such appointments shall be subject to the approval of the Local Executive Board. Any President Emeritus shall be considered an active member in good standing and shall not be required to pay local dues.

3.3 LOCAL VICE PRESIDENT

- (a) The Local Vice President shall be assistant to the Local President and shall act in the place and stead of the Local President in the event of the latter's inability to act, as determined by at least two-thirds (2/3) of the members of the Local Executive Board, and shall succeed immediately to the office of Local President in the event of the resignation, death or disqualification of the Local President.
- (b) The Local Vice President shall receive a fee of two hundred seventy-five dollars (\$275) per month effective with the term that begins 2011, this fee shall not be payable when said officer is otherwise paid a salary by the local. This amount shall be paid by the last day of each month by the Local Secretary-Treasurer without further authorization.
- (c) To automatically serve as delegate to the Annual CWA Convention in years when a NABET-CWA Sector conference has not been called, provided the Local is entitled to at least two delegates as per Article VIII Section 4 of the CWA Constitution.

(ARTICLE III CONTINUED ON NEXT PAGE)

3.4 LOCAL SECRETARY-TREASURER

(a) It shall be the duty of the Local Secretary-Treasurer to:

- (1) conduct the correspondence pertaining to the business of the Local.
- (2) give notice of all Local membership meetings and elections pursuant to these By-Laws.
- (3) keep minutes of all membership meetings and Local Executive Board meetings, copies of which he shall send to NABET and the Regional Vice President.
- (4) keep the official books and records of the Local.
- (5) have charge and custody of and be responsible for all funds and securities of the Local.
- (6) receive and give receipts for, monies due and payable to the Local from any source whatever; and to deposit such monies in the name of the Local with such banks and trust companies as shall be authorized by the Local Executive Board.
- (7) submit a current financial report to the Local Executive Board at each regular meeting. Copies of this report shall be given to members of the Local Executive Board and to any Local member in good standing who makes written request.
- (8) prepare and submit, in conjunction with the Local President, and forward to the U.S. Government Department of Labor, all reports required by law and certain records as required by Section 206 of Public Law 86-257, 86th Congress.

(b) Disbursement of the Local's funds shall be with the approval of the Local President or the Local Executive Board. Disbursement shall be on the signature of the Local Secretary-Treasurer or on the signature of the Local President in the event of the absence or inability to act of the Local Secretary-Treasurer.

[ARTICLE III CONTINUED ON NEXT PAGE]

3.4 LOCAL SECRETARY-TREASURER – CONT'D

(c) The Local President and the Local Secretary-Treasurer shall be bonded. The amount of the bond must equal at least ten percent (10%) of the funds handled by the officer and this includes income from dues, bank accounts, investments, C.D.s, etc. The cost of such bond shall be paid by the Local.

(d) All books of the Local shall be audited semi-annually during July and January. Such audit shall also be made at the end of the Local Secretary-Treasurer's term of office. The July audit shall be an annual audit as of the close of the fiscal year of the local, which shall be July 1st to June 30th. Such annual audit shall be certified by a Certified Public Accountant. A copy of each audit shall be sent to the International Secretary-Treasurer and the Regional Vice President.

(e) The Local Secretary-Treasurer may hire clerical help with the prior approval of the Local President to assist in carrying out the duties listed in 8.11(c & d) of the Constitution.

(f) The Local Secretary-Treasurer shall receive a fee of two hundred seventy-five dollars (\$275) per month, effective with the term that begins in 2012, this fee shall not be payable when said officer is otherwise paid a salary by the local. This amount shall be paid by the last day of the month by the Local Secretary-Treasurer without further authorization.

(g) To automatically serve as delegate to the Annual CWA Convention in years when a NABET-CWA Sector Conference has not been called, provided that the Local is entitled to at least three delegates as per Article VIII Section 4 of the CWA Constitution.

3.5 MEMBERS OF THE LOCAL EXECUTIVE BOARD

The organization of the Local Executive Board and the duties of the Members of that body are contained in Article IV of these By-Laws.

(END OF ARTICLE III)

01/16/13

ARTICLE IV
LOCAL EXECUTIVE BOARD

4.1 COMPOSITION

The Local Executive Board shall be composed of the officers of the Local: the Local President, the Local Vice-President, the Local Secretary-Treasurer and the Members of the Local Executive Board elected by the various Executive Board Units as defined in Article 4.2 below:

4.2 EXECUTIVE BOARD UNITS

(a) The Local membership shall be divided into Executive Board Units, each Unit composed of functional groups of members and each Unit entitled to elect one Member to represent it on the Local Executive Board. The current Units are:

Unit #1- WABC-TV (ALL), Network Radio, Local Radio,
Publicity, Talent/Telephone Coordinators, TV and
Radio Network Desk Assistants

Unit #2 - Technical Directors, Light Direction Engineers, TV
Audio Engineers, Video Control Engineers, Video
Tape, Video Tape Library

Unit #3 - Network TV Studio/Field

Unit #4 - Network ENG (Field, Editors and Maintenance),
Electronic Graphics, Graphic Artists

Unit #5 - TV Master Control (including News Acquisition Center,
Central Switching Control, and Network Control
Center), SMAG, Network Technical Maintenance, DMC
Maintenance, Traffic

(ARTICLE IV CONTINUED ON NEXT PAGE)

4.2 EXECUTIVE BOARD UNITS – (CONT'D)

(b) The Local Executive Board may reassign the representation of any functional group and shall assign the representation for any employer group joining the Local. The Local Vice-President shall represent the members of any employer group not yet assigned representation by the Local Executive Board.

4.3 POWERS OF THE LOCAL EXECUTIVE BOARD

(a) The Local Executive Board shall have the powers specified in Article 8.14 of the Constitution in addition to those powers specified in these By-Laws.

4.4 DUTIES OF THE EXECUTIVE BOARD

(a) In addition to the duties required by Article VIII of the Constitution, each Member of the Local Executive Board, as an individual, shall supervise and administer the affairs of his Executive Board Unit. He shall exercise any authority delegated to him by the Local President, which may include the enforcement of contracts with employers under which members of his unit are working.

4.5 ELIGIBILITY FOR EXECUTIVE BOARD

(a) A candidate for the office of Member of the Local Executive Board must be employed in, **or if not currently employed, retired from**, one of the functional groups comprising the Executive Board Unit he or she desires to represent.

(b) A candidate for the office of Member of the Local Executive Board must be and have been in good standing, in NABET, continuously for the two years immediately prior to the date of nomination. This requirement shall be waived for the representative of a new employer group that has been in NABET less than two (2) years.

(ARTICLE IV CONTINUED ON NEXT PAGE)

4.6 EXECUTIVE BOARD MEETINGS

- (a) The Local Executive Board shall convene in regular session **at least once every 2nd** calendar month, when possible. Additional meetings may be held as required. A quorum, for the conduct of business, shall be fifty-one percent (51%) of the current membership of the Local Executive Board. If no quorum is present, an adjournment shall be taken to a date not fewer than 4 nor more than 14 business days thereafter.
- (b) A special meeting of the Local Executive Board may be called for a specific purpose(s) only, at the discretion of the Local President and/or shall be called upon petition by twenty-five percent (25%) of the Members of the Local Executive Board. The agenda for such meeting shall consist only of topics that relate to the original purpose for calling the special Meeting. The time and place for such Special Meeting shall be determined by the Local President.
- (c) In the event of the absence or refusal to preside of the Local President and/or Local Vice-President, the presiding officer at any meeting of the Local Executive Board shall be any member of that body who will preside until the meeting shall elect its chairman from those members of the Local Executive Board present.
- (d) Minutes shall be taken of all Local Executive Board meetings by the Local Secretary-Treasurer or his designee. A copy of these minutes shall be given or mailed to each member of the Local Executive Board, the International office, the Regional Vice President, each Steward of the Local and any member of the Local who submits a written request for the minutes of a meeting.
- (e) The Local Executive Board may, by majority vote, permit the attendance of guests at its meetings, if such attendance is considered to be in the best interests of the local.
- (f) The Local Executive board may, by majority vote require the attendance of any Local member at its meetings.
- (g) Upon written request by a member and with the prior approval of the Local Executive Board, a member of the Local may be given the right to make a presentation before the Local Executive Board.

(ARTICLE IV CONTINUED ON NEXT PAGE)

4.7 REMOVAL OF EXECUTIVE BOARD MEMBERS

(a) Members of the Local Executive Board, elected officers of the Local may be removed from office under provisions of Article 8.16 of the Constitution.

(b) When a member of the Local Executive Board is absent from a duly called meeting of the Local Executive Board, he shall be required to explain his absence to that body. If a Member of the Local Executive Board is absent from three consecutive meetings of that body without sufficient excuse, as determined by 2/3rds vote of the Local Executive Board, his office shall be declared vacated by the Local President.

(c) An Executive Board Member must remain an Active Member in Good Standing. If a Member of the Local Executive Board does not maintain his Active Membership in Good Standing, as determined by 2/3rds vote of the Local Executive Board, his office shall be declared vacated by the Local President.

4.8 EXECUTIVE BOARD MEMBER ALLOWANCE

Each member of the Local Executive Board shall receive a fee of two hundred fifty dollars (\$250) per month, for Units 1, 3, 5, and 7, effective with the terms that begin in 2009, and for units 2, 4, 6, and 8, effective with the terms that begin in 2011. This amount shall be paid by the last day of the month by the local Secretary-Treasurer without further authorization. This fee shall not apply to the Local President, Local Vice-President or Local Secretary-Treasurer.

(END OF ARTICLE IV)

ARTICLE V
STEWARDS

5.1 STEWARD REPRESENTATION

(a) Each and every member in good standing is entitled to fair and adequate representation by a Steward. The Local Executive Board shall determine what group(s) each Steward shall represent. A list of the Stewards, and the group(s) they represent will be published by the Local Executive Board.

(b) Members on temporary assignment, such as remotes, who find that there is no Steward in the group assigned, shall elect a temporary Steward from their number by majority vote of the members in good standing in the group. The temporary Steward shall represent the group for the duration of the assignment. The Local Office shall be promptly notified of such election.

(c) If, for any reason, there is no Steward or Temporary Steward in any permanent or temporary group, the appropriate Executive Board Member shall appoint one of the members, in good standing, from said group as Temporary Steward. This appointment shall continue for the duration of the assignment or until such time as the Local Office is notified of the election of a Steward from such group.

5.2 POWERS AND DUTIES OF STEWARDS

Each Steward or Temporary Steward shall:

- (1) Act as the representative of the Local for his group and transmit, promptly, all applicable Union information to and from his group;
- (2) Be familiar with, and enforce, the pertinent provisions of the employer contract under which his group is working;
- (3) Investigate all complaints grievances and internal disputes of his group and make every effort to satisfactorily adjust and settle them, in conformation with the contractual grievance machinery when applicable;

[ARTICLE V CONTINUED ON NEXT PAGE]

5.2 POWERS AND DUTIES OF STEWARDS (CONT'D)

- (4) Insure, to the best of his ability, that the members of his group remain in good standing;
- (5) Observe and report all unsafe working conditions or practices to a member of the Safety Committee or a Local Officer;
- (6) Designate one or more Alternate Stewards from his group to act for him according to his instructions;
- (7) Attend, whenever possible, all steward meetings and membership meetings.

5.3 ELIGIBILITY FOR STEWARD

(a) A candidate for the position of Steward must be a member of the functional group he desires to represent and service.

(b) A candidate for Steward must be, and have been, a member in good standing in NABET for one (1) year immediately prior to the date of the election. This requirement shall be waived in the case of a new employer group that has been in NABET less than one (1) year.

5.4 STEWARD ELECTION

(a) It shall be the responsibility of the incumbent Steward to call and conduct the election meeting of his group during the month of March in each year.

(b) A Steward shall be elected by secret ballot and receive a majority vote of the members in good standing voting in his group. A double envelope system should be used, where the name of each man in the group appears on his outer envelope, and the inner envelope contains his secret ballot. A representative committee of at least three men should participate in the counting. Envelopes will be supplied by the union office upon request.

[ARTICLE V CONTINUED ON NEXT PAGE]

5.4 STEWARD ELECTION (CONT'D)

(c) The Incumbent Steward shall retain the ballots for a period of thirty (30) days. If a complaint has been filed during the above period, all information from the election shall be forwarded to the appropriate Executive Board Member. He shall make a determination on the complaint. Such determination may be appealed to the Local Executive Board if such appeal is made within thirty (30) days of the Executive Board Member's determination.

(d) The Incumbent Steward shall remain in office until a successor is elected or appointed.

5.5 STEWARD PREPARATION

(a) Each Steward shall receive a Steward Training Course conducted by the Local.

(b) Each Steward shall receive a special NABET button to wear on the job to identify him to members and employer representatives.

(c) Each Steward shall receive a copy of the following documents: the Constitution, the Local By-Laws, the Local Seniority List and the applicable employer contract. He shall keep these documents readily available on the job.

5.6 STEWARD REMOVAL

(a) A Steward may be removed from his position by a 2/3 vote of the members in good standing of his group, or by a 2/3 vote of the Local Executive Board if such removal is judged to be in the best interests of the Local by that body.

(b) When a Steward resigns or is removed, the provisions of 5.1(c) of these By-Laws shall apply.

[ARTICLE V CONTINUED ON NEXT PAGE]

5.7 STEWARD MEETINGS

(a) Steward meetings, for an Executive Board Unit, may be held at a time and place designated by the Local Executive Board Member for such unit. He shall act as Chairman of the Steward meetings. The Chairman shall give the Stewards concerned at least seven (7) days notice of the forthcoming meeting.

(b) Special Steward meetings may be called by the Chairman or the Local President upon 48 hours notice to the Stewards involved.

5.8 STEWARDS AT LARGE

(a) There shall be four (4) Stewards at Large.

(b) A candidate must be a member of Executive Board Unit #3.

(c) A candidate must have served as Steward for a period of at least one year, in the past.

(d) A candidate must be, and have been, a member in good standing in the Local continuously for the two years immediately prior to the date of nomination.

(e) The election for Steward at Large shall be held by March 1st. It shall be the duty of the Executive Board officer of Unit #3 to call and conduct such election.

(f) The term of office shall be for three (3) years.

(g) In addition to his regular duties, as specified in Article V of these By-Laws, the Local President or Executive Board may authorize and/or make special assignments for the Stewards at Large.

[ARTICLE V CONTINUED ON NEXT PAGE]

5.9 – DELETED

5.10 DAILY HIRE STEWARDS AT LARGE

(a) In addition to the Steward at Large positions referred to in Article 5.8, there shall be two (2) Daily Hire Stewards at Large.

(b) (Reserved)

(c) A candidate must be, and have been, a member in good standing in Local 16 continuously for the two years immediately prior to the date of nomination.

(d) The first election for the two Daily Hire Stewards at Large shall be held by March 1, 1999, with subsequent elections to be held every two years thereafter. It shall be the duty of the Local Secretary-Treasurer or his designee to call and conduct such election. Only Daily Hire members in good standing of Local 16 shall be eligible to vote.

(e) The term of office shall be two years, each term to begin on March 1 of odd-numbered years.

(END OF ARTICLE V)

**ARTICLE VI
INITIATION FEE, DUES AND ASSESSMENTS**

6.1 MEMBERSHIP RATIFICATION

(a) The rates of dues and/or initiation fees shall not be increased and no general or special assessments shall be levied until such action has been ratified by a secret ballot vote of the Local members in good standing.

(b) Such ratification vote may be taken at a Special Membership Meeting called for such purpose, at a General Membership Meeting or by mail referendum. The Local President shall determine which method shall be used.

6.2 INITIATION FEE

(a) The initiation fee shall be set by the Local Executive Board to conform with current practices in the industry. Any increase in the initiation fee shall not take effect until after ratification of such increase by the Local membership as stated in Article 6.1 above.

(b) New members shall pay an initiation fee in the amount of twenty (20) days base salary.

(c) If the initiation fee is paid in a single payment upon admission to membership in the Local, or employment in one of the Executive Board Units of the Local, whichever is earlier, the member will receive a twenty-five percent (25%) discount. The payment must be made by check or money order to the Local Secretary-Treasurer. If not paid in a single payment, the Initiation Fee will be paid in accordance with Article 6.2(d), below. The 25% discount can be applied to the remaining Initiation Fee balance at any time a member wishes to complete payment as long as at least \$500 remains due before application of the discount.

(d) The Local Executive Board may authorize installment payments of the initiation fee if a written request for such payment is received from a member. If payment of the entire amount of the initiation fee is not completed in the time authorized by the Local Executive Board, the monies received shall not be credited towards any future payment of the initiation fee.

ARTICLE VI
INITIATION FEE, DUES AND ASSESSMENTS

6.3 INTERNATIONAL DUES

International dues shall be payable as specified in Article 12.2 of the Constitution.

6.4 LOCAL DUES

(a) Local dues shall be paid to the Local Union in an amount equal to twelve percent (12%) of one week's base salary as of June 30th of each year. The amount shall be due and payable to the Local Union by check-off or by a single payment on or before June 30th of each year.

(b) Local dues for Daily Hire employees for any year shall be determined ad paid as indicated below:

1. Local dues shall be due and payable by March 15th of the following year or within thirty (30) days of written notice from the Union, whichever is earlier.
2. The weekly base salary, for purposes of Local Dues, shall be determined by dividing the total base pay and travel day pay, if any, earned during the year by fifty-two (52).
3. The amount of the Local dues to be paid shall be twelve percent (12%) of the weekly base salary as determined in #2 above. If the amount due is less than twenty-five dollars (\$25.00) a minimum of twenty-five dollars (\$25.00) shall be paid.

6.5 DELINQUENCY, SUSPENSION AND EXPULSION

(a) A member who becomes more than thirty (30) days delinquent under the terms of Articles 6.2, 6.3 and/or 6.4 of these By-Laws and Article 2.4(b) of the Constitution shall be so notified by the Local Secretary-Treasurer by certified or registered mail, or may be hand delivered by an Executive Board Member in the presence of another member of the Local. If such delinquency exceeds three (3) months, the member will automatically become suspended and shall forfeit, during the period of suspension, all rights and privileges in NABET and the Local.

(b) If such delinquency exceeds six (6) months such member shall be automatically expelled from membership in NABET.

(c) The Local Secretary-Treasurer, at the direction of the Local President, will notify the appropriate employer of such delinquency, suspension and/or expulsion.

6.6 REINSTATEMENT AFTER EXPULSION

A former member who has been expelled from NABET shall not be eligible to again become a member unless he applies for membership under the provisions of Article II of the Constitution and Article II of these By-Laws. Such former member, who was expelled from, membership may be re-admitted upon payment of a new initiation fee, any unpaid dues, (including all dues which would have been due and payable during the period of, suspension and/or expulsion), assessments, fines and all other outstanding financial obligations, and acceptance by the Local Executive Board.

[END OF ARTICLE VI]

**ARTICLE VII
ELECTIONS AND MAIL REFERENDUMS****7.1 ELECTIONS COMMITTEE**

All elections for Local Office and all mail referendums shall be by secret mail ballot and shall be conducted by the Credential-Elections Committee. The Chairman of the Committee shall be appointed by the Local President.

7.2 Due Date

The timing and sequence of component parts of a Local election or mail referendum shall be determined by the date upon which the ballots must be mailed to the Local. Such date shall be known as the “Due Date”. All ballots postmarked after the Due Date shall be ineligible and shall be considered votes not cast.

7.3 NOMINATION

(a) An announcement shall be made, **and all members shall be deemed notified, whether by a posting on the Local 16 website, by email, by hard copy mailing or by a posting on the Union bulletin boards in the work areas**, to the effect that nominating petitions are available at the Local Office, no less than two (2) months prior to the Due Date of such election.

(b) All nominating petitions must be on an office nominating form which contains the following affidavit:

“I declare that I accept the nomination and am willing to serve, if elected, in the office of (Local President/CWA Convention Delegate) (Local Vice-President/CWA Convention Delegate) (Local Secretary-Treasurer/CWA Convention Delegate) (Member of the Local Executive Board Unit #) of Local 16, NABET-CWA AFL-CIO. I further declare that I meet the eligibility requirements as set forth in the Local By-Laws and of Section 504 of the Public Law 86-257, 86th Congress.”

Witness:

Signed:

Date:

(c) The candidate shall clearly indicate which office he is standing for by crossing out the inapplicable office on the nominating form and filling in the applicable Executive Board Unit designation if he is standing for Member of the Local Executive Board.

(ARTICLE VII CONTINUED ON NEXT PAGE)

7.3 Nomination – (Cont'd)

(d) A candidate for the office of Local President or Local Vice-President or Local Secretary-Treasurer must obtain the signature of at least **fifty (50)** local members in good standing on his nomination petition.

(e) A candidate for the office of Member of the Local Executive Board must obtain the signature of at least **ten percent (10%)** of the members in good standing currently working in the Executive Board Unit for which he is a candidate.

(f) The nomination petition must be signed by the candidate and witnessed by a Local member in good standing. The properly completed nominating petition must be returned to the Elections Committee at least thirty (30) days prior to the Due Date of a Local Election in order that a candidate be deemed duly nominated for that election.

7.4 Voter Eligibility List

Not less than twenty five (25) days prior to the Due Date of a Local election the Elections Committee shall prepare, from data furnished by the Local Secretary-Treasurer, a list of those Local members eligible to vote in such election. This voter eligibility list shall be available for inspection, at the Union office, by any duly nominated candidate prior to the Due Date of such election. No copy of the voter eligibility list shall be made by, nor furnished to, the candidate.

7.5 Notice of An Election

Not less than twenty (20) days prior to the Due Date of a Local Election the Elections Committee shall announce the forthcoming election via a bulletin.

(ARTICLE VII CONTINUED ON NEXT PAGE)

7.6 BALLOT INFORMATION

(a) All ballot mailings shall include an inner ballot envelope, an outer ballot envelope and a ballot.

(b) Ballots for Local elections shall contain: the elective Local office(s) being voted upon; the number of candidates to be elected; the Due Date; the names of the duly nominated candidates listed in alphabetical order, by last name; and biographical sketches, if any, submitted by the candidates. Biographical sketches are limited to one page, no larger than eight and one-half by eleven (8 1/2 X 11) inches.

(c) Ballots for Local mail referendums shall contain a summary of the proposal(s) to be voted upon, the Due Date and a means to indicate a vote of approval or disapproval on each proposal.

7.7 BALLOT DISTRIBUTION

(a) Not more than twenty five (25) days nor less than twenty (20) days prior to the Due Date of a Local election, the Elections Committee shall send one ballot mailing to each member on the eligibility list for such election at his last known home address. Each eligible member is entitled to one vote per elective Local office being voted upon in such election.

(b) Not less than twenty (20) days prior to the Due Date of a Local mail referendum, the Elections Committee shall send one ballot mailing to each Local member in good standing. Each eligible member shall be entitled to one vote per proposal in a mail referendum.

(c) Should any member require a duplicate ballot in a Local election or mail referendum, he must make a written request to the Elections Committee. If such request is granted, the outer envelope of the duplicate ballot mailing shall be clearly marked "Duplicate" and a record kept by the Elections Committee of those members who have been sent such duplicate ballots.

[ARTICLE VII CONTINUED ON NEXT PAGE]

7.8 BALLOT CHECKING AND COUNTING

(a) All ballots received at the Local Office shall be stamped "received" and placed in a sealed ballot box. The Elections Committee Chairman shall be responsible for such ballot box.

(b) Prior to opening any ballots, the Elections Committee shall check the member identification on the outer envelopes against the voter eligibility list and discard the votes of ineligible members.

(c) In the event that more than one vote is received from an eligible member, only the vote bearing the earliest valid postmark shall be counted and all later votes shall be discarded.

7.9 ELECTION RESULTS

The Elections Committee shall notify, in writing, the Local officers and the candidates of the election results within 24 hours after the completion of the ballot counting. The Elections Committee shall also notify the Local membership of the election results via posted bulletin.

7.10 RUN-OFF ELECTIONS

(a) If a candidate for Local office received a simple majority of the votes cast, on the first ballot, he shall be declared elected. If no candidate has been elected for a particular Local office on the first ballot a run-off election for such office shall be held.

(b) Ballot mailings for such run-off election shall be sent to the last known home address of each member on the eligibility list within ten (10) days after the Due Date of the original election. The run-off ballots shall bear the names of the candidates who polled the two highest number of votes cast on the first ballot for each elective office involved in the run-off election.

(c) The Due Date for such run-off election shall be one month after the Due Date for the original election.

(d) The run-off election shall be decided on a plurality basis.

[ARTICLE VII CONTINUED ON NEXT PAGE]

7.11 WITHDRAWALS

A candidate, for Local office, may withdraw any time prior to the Due Date for petitions by submitting a written request to the Elections Committee.

7.12 CHALLENGES

Any Local member in good standing may challenge the legality of a Local election by making written complaint to the Local Executive Board within ten (10) days after the Due Date of such election. The Local Executive Board shall make an investigation of any such complaint and issue a report, if so warranted in its judgment.

7.13 UNOPPOSED CANDIDATE

In the event that there is only one duly nominated candidate for a Local office, since the U.S. Secretary of Labor has indicated that no enforcement action will be taken under Landrum-Griffin Act because of failure to hold a secret ballot election where candidates for union office are unopposed and other qualifications are met, no secret ballot vote shall be required for such office and the sole duly nominated candidate shall be declared elected as of the scheduled Due Date of the election for such office.

7.14 BALLOT RETENTION

The Elections Committee shall retain the eligibility list, ballots, outer envelopes and the record of discarded votes from a Local election for a period of one year after the Due Date of such election, during which time they may be inspected by any Local member in good standing. If no complaint regarding such election has been received during such year, this material may be destroyed. If a complaint has been filed relative to an election, all such material from that election shall be held until the Local Executive Board shall direct its disposal.

[ARTICLE VII CONTINUED ON NEXT PAGE]

7.15 LOCAL PRESIDENT AND VICE-PRESIDENT

The Due Date for the election for Local President and Vice President shall be March 1, 1993 and every three years thereafter on March 1st. The term of office of the Local President and Vice-President shall be approximately three years, until their successors are elected and sworn in. A candidate may run for only one of these offices in an election.

7.16 LOCAL SECRETARY-TREASURER

The Due Date for the election of the Local Secretary-Treasurer shall be March 1, 1991 and every three years thereafter on March 1st. The term of office of the Local Secretary-Treasurer shall be approximately three years until his successor is elected and sworn in.

7.17 MEMBERS OF THE LOCAL EXECUTIVE BOARD

(a) The Due Date for the election of members of the Local Executive Board shall be: -

- (1) March 1, 1993 for Members representing even-numbered Executive Board Units and every three years thereafter on March 1st; and
- (2) March 1, 1991 for Members representing odd-numbered Executive Board Units and every three years thereafter on March 1st.

(b) The term of office of a member of the Local Executive Board shall be approximately three years, until his successor is elected and sworn in, or:

- (1) Until the Member of the Local Executive Board ceases to be a member of any of the functional groups comprising the Executive Board Unit which he or she represents. In the event that an Executive Board Member is displaced as a result of this provision, the Executive Board shall assign him or her as an additional representative to an Executive Board Unit containing a functional group to which he or she belongs until the next election date for that Unit.

7.18 SPECIAL ELECTIONS

In the event that a vacancy should occur in any Local office, except that of the Local President, a special election shall be held to fill the vacated office for the remainder of the term of office until a successor is elected at the next regular election for such office. If the Local Vice-President succeeds to the office of Local President, a special election for the office of Vice-President shall be held. The Local Elections Committee shall determine the timing of Special Elections and shall conduct such elections.

(ARTICLE VII CONTINUED ON NEXT PAGE)

7.19 INCUMBENT OFFICERS

All newly elected Local officers shall be installed and shall assume the duties and responsibilities of their office at the first regular or special meeting of the Local Executive Board following their election. The Incumbent officers shall remain in office until their successors are elected and sworn in.

7.20 STEWARDS

Election to the position of Steward shall be as stated in Article V of these By-Laws.

7.21 SECTOR CONFERENCE DELEGATES AND ADDITIONAL CWA CONVENTION DELEGATE ELECTIONS

(a) Election of delegates to the Sector Conference shall be held in accordance with Article 4.5 of the Sector By-Laws.

(b) Election of additional delegates to the Annual CWA Convention shall be held if it has been determined by the CWA Secretary-Treasurer that the Local is entitled to more than the 3 delegates designated in Article III of the Local 16 By-Laws, and the Executive Board of Local 16 has determined by majority vote that the Local shall send such additional delegates.

The Local Executive Board shall instruct the Elections Committee as to the timing and manner in which these elections shall be conducted.

7.22 OTHER ELECTIONS OR REFERENDUMS

In other elections or referendums not covered by the provisions of the Constitution or these By-Laws, the Local Executive Board shall instruct the Elections Committee as to the timing and manner in which such elections and/or referendums shall be conducted.

(END OF ARTICLE VII)

ARTICLE VIII
MEMBERSHIP MEETINGS8.1 GENERAL MEMBERSHIP MEETINGS

(a) General membership meetings of the entire Local membership shall be held at least twice in each calendar year, at a time and place determined by the Local President. The Local Executive Board shall prepare the agenda for such meeting, subject to approved additions from the floor. The Local Secretary-Treasurer shall notify the Local membership at least seven (7) days prior to the date of a General Membership Meeting.

(b) The order of business at a General Membership Meeting shall be:-

- (1) the call to order by the chair,
- (2) reading of agenda, additions from the floor and approval of the agenda,
- (3) the approval of the minutes of the previous membership meeting,
- (4) old business,
- (5) new business,
- (6) reports of committees,
- (7) presentations by Local Officers, each not to exceed 10 minutes in length unless extended by the floor,
- (8) good and welfare,
- (9) adjournment.

8.2 SPECIAL MEMBERSHIP MEETINGS

a) Special Membership meetings of the entire Local membership may be held upon the call of the Local President or a majority of the Local Executive Board. The Local President shall call a Special Membership meeting upon receipt of a petition signed by at least twenty five percent (25%) of the local members in good standing which clearly states the reason(s) for calling such a meeting and gives the proposed agenda for such meeting.

[ARTICLE VIII CONTINUED ON NEXT PAGE]

8.2 SPECIAL MEMBERSHIP MEETINGS (CONT'D)

(b) Posted notice of a Special Membership meeting, together with the agenda for such meeting, shall be given to the Local membership, by the Local Secretary-Treasurer, at least forty eight (48) hours prior to the time of such meeting.

(c) No business shall be discussed, or acted upon, at any Special Membership Meeting except that concerning which the Local membership had received notice.

8.3 MEMBERSHIP MEETING PROCEDURE

(a) Ten percent (10%) of the Local members in good standing present at any General or Special Membership Meeting shall constitute a quorum for the conduct of business. Each such member shall be entitled to one vote on each motion.

(b) No written or oral proxy may be exercised at any meeting of the Local Union

(c) A simple majority vote of those Local members in good standing present and voting shall be required on any motion and recorded in the minutes.

(d) At the request of at least five (5) voting members, a show of hands shall be required on any motion and recorded in the minutes.

(e) In the event of the absence or refusal to preside of the Local President and/or Local Vice-President, the presiding officer at any membership meeting shall be any member of the Local Executive Board who will preside until the meeting shall elect its chairman from among the members of the Local Executive Board present.

8.4 ROBERT'S RULES OF ORDER

Robert's Rules of Order (Revised) shall apply at all meetings of the Local except where the Constitution or these By-Laws indicate otherwise.

[ARTICLE VIII CONTINUED ON NEXT PAGE]

8.5 SPECIAL MEETINGS

Special meetings of the members of an employer group, or parts thereof, may be called at the discretion of the Local President. The Local Secretary-Treasurer shall give at least forty eight (48) hours prior notice of such meeting to those members involved.

8.6 ILLEGAL MEETINGS

Any meeting of Local members called and/or conducted not in conformity with these By-Laws shall be considered illegal. Any and/or all actions taken at such meetings, shall not be legal and binding upon the members of the Local and the Local Union.

[END OF ARTICLE VIII]

ARTICLE IX
DISCIPLINE

9.1 VIOLATIONS OF CONSTITUTION AND/OR BYLAWS

Any member who shall violate any provision of the Constitution and/or these By-Laws shall face trial and possible expulsion, suspension, fine penalty or reprimand as provided in Article X of the Constitution and Article IX of these By-Laws.

9.2 SUBMISSION OF CHARGES

All charges, as set forth in 10.3 of the Constitution, shall be submitted in accordance with Article X of the Constitution.

9.3 TRIAL PROCEDURE

The provision of Article X of the Constitution shall be strictly adhered to in all trials.

9.4 STANDING TRIAL BODY

In accordance with Article 10.6(A) of the Constitution a Standing Trial Body is hereby established. The Standing Trial Body shall consist of three (3) members and three (3) alternates. The Standing Trial Body shall be appointed by the Local President. The Local President shall designate one of the members as Chairman of the Standing Trial Body.

9.5 CONFIDENTIAL MATTERS

The affairs and business of NABET and the Local, when so classified, shall remain secret at all times. Any member who informs (1) outside parties; (2) members under suspension or awaiting hearings on charges preferred; or (3) expelled members; of the confidential affairs or business of NABET or the Local shall face trial and be severely penalized if found guilty. The penalty for the first such offense shall not exceed one week's regular salary, the penalty for the second such offense shall not exceed one month's regular salary and the penalty for the third such offense shall be expulsion from NABET and the Local.

[ARTICLE IX CONTINUED ON NEXT PAGE]

9.6 ORDERS OF LOCAL OFFICERS

A Local member who willfully disregards or disobeys an order of the Local Executive Board shall face trial and, if judged guilty, pay a fine not to exceed \$500.00 for such first offense.

9.7 CONTRACT VIOLATIONS

(a) Any Local member who willfully violates any provision of any current or future agreement or contract between NABET and an employer or who, directly or indirectly, willfully aids an employer in the violation of the provisions of such agreement or contract shall face trial and if found guilty shall be subject to expulsion, suspension, fine or reprimand in the manner hereinafter provided by the Local Executive Board.

(b) Posted interpretations (by the Local President or the Local Executive Board) of the provisions of such agreements or contracts shall be deemed to be such provisions in any trial under this section.

9.8 DISPUTES BETWEEN MEMBERS

(a) Whenever any complaint, dispute or disagreement arises between Local members on the job, the matter shall be immediately referred. by the members involved. to their Steward for adjustment. When, in his opinion, such action is indicated or he is unable to settle the dispute, the Steward shall refer the matter to the appropriate Local officer.

(b) If such complaint, dispute or disagreement is willfully brought to the attention of the employer rather than to the Local, the Local member(s) taking such action shall be charged with conduct detrimental to the advancement of the purposes of NABET and bringing discredit upon it, under the provisions of Article X of the Constitution.

9.9 PROBLEMS WITH EMPLOYER

If any complaint, dispute or disagreement or possible contract violation arises between a Local member and an employer, it shall be handled as provided by the appropriate provisions of the applicable agreement or contract between NABET and such employer.