

By Laws
of
The Buffalo Newspaper Guild - Communications Workers of America Local 31026
(TNG Sector Local 31026)
The NewsGuild, AFL-CIO/CLC

The Buffalo Newspaper Guild-CWA shall be governed by the Constitution of The NewsGuild-CWA, the Constitution of CWA, and policies adopted at Sector Conferences and CWA Conventions, and the following by-laws, which are supplementary thereto.

Article I
Structure

- Section 1 The membership meeting of the Local shall be the supreme authority of the Local.
- Section 2 Between general meetings of the Local, its governing body shall be the Executive Committee, which shall administer its affairs, but shall make no decision permanently establishing the general policies of the Local.
- Section 3 Membership divisions and elected officers shall exercise only those functions and powers specifically granted by The NewsGuild-CWA Constitution, the CWA Constitution and these by-laws.

Article II
Membership Meetings

- Section 1 Regular meetings of the membership shall be held at least quarterly, the specific time and place to be set by the Executive Committee.
- Section 2 The president or the secretary shall give not less than five days' notice by email, posting on the Local's website and on all Buffalo Newspaper Guild –CWA departmental bulletin boards to the membership in advance of every meeting; except that the Executive Committee or the Local president may call a special meeting on 48 hours' notice. No motion to reverse or review previous decisions of the membership or the Executive Committee, or Local policy matters, shall be acted upon unless they shall have been contained in the notice of the meeting and, in such cases, the president or the secretary shall include in the notice of said special meeting any motion from two or more members of an intention to move for such a review or reversal. In any case, the notice of any special meeting shall list the agenda to be considered at the meeting, and no official business other than that listed on such agenda shall be entertained by the chair, except that the acceptance of new members shall always be in order.
- Section 3 A special membership meeting shall be called by the secretary on instructions from the Executive Committee or on a written petition signed by not fewer than 15 percent of the membership in good standing at the time of the filing of the petition.
- Section 4 At any meeting, except those of the Executive Committee, a quorum shall consist of those members in good standing present.

Article III
Executive Committee

- Section 1 The Executive Committee shall consist of the elected officers including the president, the vice presidents, the secretary and the treasurer, chief stewards, the immediate past president plus delegates from each membership division at the rate of one delegate for each 20 members. Any department with fewer than 20 members shall have one additional delegate. The membership divisions, as of October 19 of 2016, are comprised of the following groups:
- The Editorial Department, three delegates to be elected as chief stewards to represent:
 - Dayside staff,
 - Nightside staff
 - Clerks
 - District Managers
 - Inside Circulation
 - Classified Advertising Department
 - Accounting Department
- Section 2 The Executive Committee ~~Board~~ shall meet monthly, except that the Committee may vote to cancel as many as, but no more than, three monthly meetings each fiscal year (October 1 through September 30).
- Section 3 Meetings other than on regularly scheduled dates shall be called by the chair or by the secretary or treasurer upon written request of three (3) members with due notice to all members and all chief stewards.
- Section 4 A quorum of the Executive Committee shall consist of at least three members of the Executive Committee from the membership divisions plus two (2) Local officers. Officers eligible to make a quorum are the president, vice presidents, treasurer, secretary and the past president.
- Section 5 The Executive Committee shall supervise the handling and expenditures of all Local funds as provided in Article XI. To effect the supervision, no fewer than three members of the Executive Committee shall be appointed annually in January to serve as the Local Finance Committee. The appointment shall be made by the Local president, subject to confirmation by the Executive Committee, as provided in Article XI. The Finance Committee must approve all expenditures, receipts and investments of Local funds, and shall report on same quarterly to the Executive Committee. Buffalo Newspaper Guild-CWA checks shall be valid when signed by any two of the following officers, the Local treasurer, the president or one of the two vice presidents.
- Section 6 The Executive Committee shall have general direction of all Local officers.
- Section 7 Membership divisions may elect alternate delegates to the Executive Committee at the rate of one alternate for each delegate. An alternate delegate will serve as a delegate when a regular delegate is unable to attend a meeting.
- Section 8 The Executive Committee shall be responsible for the employment, all terms and conditions of the same, retention and dismissal of employees, subject to confirmation of such actions by the Local membership. The Executive Committee shall perform such responsibilities pursuant to policies adopted by the membership.

Article IV
Duties of Officers

- Section 1 The president shall be the chief executive officer of the Local. S/he shall preside at all membership meetings and at meetings of the Executive Committee and act as an ex-officio member of all standing committees. The president shall supervise all other officers, committee chairpersons and the Local's employee(s) in the exercise of their duties. S/he shall serve as the Local's representative and spokesperson at The Buffalo News and within the Western New York community. S/he and/or his/her designated appointee(s) shall serve as a delegate to any labor councils, local or national, in which The NewsGuild-CWA locals participate.
- Section 2 The vice president for Mobilization and Communication shall be primarily responsible for the coordination of membership education with special emphasis on the administration of all aspects of an enhanced steward and communication network, including overseeing of the Local's official publication, *The Frontier Reporter*, and all digital communications. Any committee whose major responsibility relates in any way to membership mobilization would keep the vice president for mobilization and communication informed of its activities. S/he will provide reports at all regular meetings of the Local.
- Section 3 The vice president for contract administration and enforcement shall perform the duties of the president in the absence of that officer. S/he shall be ~~is~~ primarily responsible for ensuring that the Local's grievance committee is staffed and fully functioning. S/he shall work with the Local's advisors including the Local's staff member(s), the various NewsGuild-CWA and CWA representatives, and legal counsel to research all complaints and disputes relating to the collective bargaining agreement and changes in employer/employee relations. S/he will provide regular reports at the monthly Executive Committee and quarterly Local meetings and to the vice president for Mobilization and Communication for the purpose of regularly printed communications to the membership. Any committee whose work could result in the filing of a grievance would report to this vice president.
- Section-4 The secretary shall be custodian of the Locals' records other than financial, shall conduct routine correspondence of the Local as may be directed by the Executive Committee and the Local; shall keep accurate minutes of membership meetings and meetings of the Executive Committee. The secretary shall keep a separate manual of Local actions and motions which set Local policy. This manual shall include the date on which the policy was established.
- Section-5 The treasurer shall be the custodian of all the funds of the Local, under the direction of the Executive Committee and the Finance Committee (except that no authorization shall be required for routine office expenses, and routine transmission of International funds to The NewsGuild-CWA and/or CWA). S/he shall report on the Local's finances at all regular meetings of the Local and shall present his accounts for audit at any time the Executive Committee or the Local desires. The treasurer shall keep complete and accurate records of the membership, their addresses, and dues standing. S/he shall be responsible for the application in the Local of the financial provisions of The NewsGuild-CWA Constitution, the CWA Constitution and of these by-laws. The treasurer shall be responsible for the issuance of membership cards.
- Section 6 Officers of the Local authorized to sign checks shall be bonded in a sum to be set annually by the Executive Committee.

Article V **Elections**

- Section 1 The officers of the Local shall be elected in December. Balloting shall be by secret referendum vote of the membership.
- Section 2 Nominations of officers shall be received from the floor at the regular membership meeting in the last quarter of the calendar year. The meeting notice must state that nomination of officers is scheduled as an order of business. Not less than fifteen (15) days prior to the election, the secretary shall communicate to the membership a list of qualified nominees, together with notice of the time and place of the election.
- Section 3 In the event there is only one candidate for any one office s/he shall be declared elected without a vote. In the event there are two or more candidates for the same office, the candidate receiving the highest total vote shall be elected.
- Section 4 Officers shall serve three-year terms assuming office in January following the election.
- Section 5 Delegates and alternates to The NewsGuild-CWA Sector Conference and the CWA Convention shall be nominated from the floor at a regular membership meeting at least 90 days prior to the scheduled Sector Conference. The meeting notice must state that the nomination of delegates is scheduled, and the number of delegates and alternates to be elected, as an order of business. The number of delegates and alternates to be elected will be determined in accordance with The NewsGuild-CWA Constitution and the CWA Constitution. Delegates elected to the CWA Convention will serve as delegates to the Sector Conference. Any member in good standing at the nominating meeting shall be eligible for nomination. In the event that the number of candidates exceeds the number of delegates and alternates to be elected, the meeting shall make provision for a special election by referendum vote of the membership. Candidates will be listed on the ballot in alphabetical order by last name. Candidates receiving the highest number of votes in the election shall be declared elected. Delegations shall have their necessary expenses for the Sector Conference and the Convention paid by the Local.
- Section 6 Vacancies in the post of Local officers shall be filled by the Executive Committee and approved by the membership at the next meeting of the Local-
- Section 7 In all cases, nominations for any Local office or for Sector Conference or Convention delegates or any other election that may be held under jurisdiction of the Local will be deemed valid and acceptable only where the person nominated is either present to voice acceptance of the nomination or has submitted to the secretary or the nominator a signed statement acknowledging and accepting the nomination to a specific office or duty.
- Section 8 The president may appoint, subject to confirmation by the Executive Committee, a nominating committee for any election and the single nominating committee may serve for as many officers as are to be filled in an election. Such a nominating committee may consist of as many persons as the president and the Executive Committee deem necessary. A nominating committee shall review the qualifications of any person submitting him/herself to the committee for its endorsement, but no person interested in becoming a candidate shall be required to submit him/herself or his/her qualifications to a nominating committee for review. Subsequent to such reviews, the nominating committee may place in nomination the name or names of any person or persons it considers qualified and willing, pursuant to Section 7 of this Article, to hold a Local office or a seat in a Sector Conference or Convention delegation. A nominating committee shall not be required to nominate anyone for an office and it may nominate more than one person for the same single office if it deems such action would be in the best interest of the Local. Notwithstanding the nominations of a nominating committee, any member in good standing may nominate him/herself or may be nominated at the nominating meeting. In all cases, as required by Section 2 of this Article, and by

Section 1 of Article VI, nominations whether by a committee or by individuals, shall be made from the floor at the nominating meeting.

Article VI
Membership Representatives

- Section 1 Beginning in 1999, each membership division shall annually elect a chief steward (formerly titled vice chair) and its other Executive Committee representatives between October 1 and December 15. Chief stewards and Executive Committee representatives shall serve terms that correspond to the terms of Local officers as stated in Article V, Section 4 of these by-laws. The membership divisions are as prescribed in Article III, Section 1 of these by-laws. Within each membership division, the members shall elect their own chief steward. A division nomination meeting for chief stewards and Executive Committee representatives shall be held; the membership shall be notified of such a meeting within a minimum of fifteen (15) days before its occurrence. If there is no contest for the office and the number of nominees for the Local Executive Committee is not more than the number to be elected in any membership division, the Local secretary shall cast one ballot for those nominated and they shall be declared elected. However, if there is a contest for any membership division office or for a seat on the Executive Committee, there will be a referendum vote of fifteen (15) days' notice. Ballots will be prepared by the Local secretary and delivered to the division members in good standing. In the case of contest for Local Executive Committee delegates, the ballot shall list the candidates in alphabetical order by last name and define the number to be elected for that division. The ballots shall be tallied by an impartial committee appointed by the Local president and the results shall be posted within three weeks following the division meeting. Delegates shall be certified to the Executive Committee by the Local secretary.
- Section 2 Vacancies in the post of chief stewards or delegates to the Local Executive Committee shall be filled by election at the next Local meeting.
- Section-3 Membership division election disputes shall be decided by the Executive Committee.
- Section 4 The Local secretary shall keep minutes of any membership division meeting concerning elections, to be included with the minutes of Local meetings.

Article VII
Membership

- Section 1 An applicant for membership shall submit his/her application to the Executive Committee of the Local and final action upon any application shall be by the-Local, subject to appeal as provided in The NewsGuild-CWA and the CWA Constitutions.
- Section 2 Good standing requirements of The NewsGuild-CWA and the CWA Constitutions in respect to dues shall apply equally to initiation fee payments under Article X of these by-laws.
- Section 3 Reinstatement fees shall be set by the Local Executive Committee.

Article VIII
Collective Bargaining

- Section 1 Negotiators in collective bargaining on behalf of the Local shall be selected by the Local's President and approved by the Executive Committee. The negotiations shall be open to members in good standing.

Section 2 Any agreement arrived at in negotiations shall be submitted after The NewsGuild-CWA permission, to the membership of the Local for approval. Before signing, it shall require ratification by a membership meeting of the local.

Article IX
Discipline

Section 1 Discipline under these by-laws shall be governed by The NewsGuild-CWA and the CWA Constitutions.

Article X
Dues

Section 1 Dues shall be paid in graduated accordance with the wages of the member as follows:

(a) for regular members, dues shall be 1.7811percent ¹of weekly gross wages, paid weekly by members working in a unit with a dues checkoff agreement.

(b) for unemployed members, dues shall be ten cents (.10) a month.

(c) for associate members, dues shall be three dollars (\$3.00) a year.

(d) for members on unpaid leaves of absence the dues shall be one dollar (\$1.00) per month; for those on management paid leaves, the regular dues shall be assessed.

Article XI
Budgets

Section 1 Upon taking office following the annual election, the president shall appoint no fewer than three members of the Executive Committee, subject to confirmation by the Executive Committee; to serve as the Local Finance Committee. The Local Finance Committee shall prepare and present to the Local president an annual budget listing estimated income for the fiscal year and an estimate of expected expenses to be incurred in conducting the business of the Local for the ensuing year. The president, however, shall be empowered to change the Local Finance Committee's budgetary estimates before s/he presents a recommended annual budget to the Executive Committee, pursuant to Section 2 of this Article.

Section 2 The budget for the fiscal year beginning October 1, shall be made available to members at least 1 (one) week prior to the September Executive Committee meeting and shall be submitted for revision and/or approval to the Executive Committee. If the budget as submitted is approved, the president or the secretary shall give notice of such approval in the next Frontier Reporter.

Section 3 In the event the Executive Committee fails to approve a specific item, or specific items, in the budget, and the president and the Executive Committee fail to agree on a compromise situation for the disputed item or items, the secretary or Administrative Officer shall have emailed to each member in good standing a copy of the president's budget, as submitted, and the proposal and/or objections of the Executive Committee to the items which are acceptable to that body. Such material must be emailed prior to the next regularly scheduled meeting, with notification that the budget dispute shall be presented to the membership at that meeting. Until such time that the new budget is approved, the officers of the Local may expend funds each month on a pro-rated basis based on the previous year's twelve-month budget.

Section 4 The dispute over the item or items in the budget shall then be presented to the membership meeting, and the membership, by majority vote, must determine at this meeting the amount to be allocated in the budget for the disputed items. The Secretary or Administrative Officer shall then

cause the completed budget to be emailed to each member in good standing not later than one week following such membership meeting.

- Section 5 The budget, as approved, shall be binding upon the Local. All expenditures by the Local shall be ordered by the Executive Committee and countersigned by the president or another officer, within the limits for such expenditures as set by the budget. In no case may the treasurer pay out funds without an order as described in this section and without approval of the Finance Committee, as provided in Article III, Section 5.
- Section 6 In the event more monies for a specific item of the budget are required, such expenditures may be made only with the approval of the Executive Committee. The expenditures shall be described in the notice to the Executive Committee of the next regularly scheduled or special meeting, and such expenditure, which exceeds the budget, must be approved by a majority vote of the Executive Committee.

Article XII **Referendum**

- Section 1 Any matter to be decided by the Local may be submitted to a referendum of the membership by either a majority vote of a Local meeting or the Executive Committee or a petition signed by not less than 10 percent of the membership in good standing at the time of the filing of the petition.
- Section 2 When a referendum is proposed by the Local or the Executive Committee or when a petition with the required number of signatures is submitted to the secretary at any regularly constituted meeting of the Local requesting a referendum vote, the matter shall be placed on the agenda for discussion at the next regular meeting of the Local. Within fifteen (15) days after the discussion meeting the secretary shall mail ballots to all members in good standing as of the date of the discussion meeting.

Article XIII **Official Publication**

- Section 1 The official publication of the Local shall be the *Frontier Reporter* and shall be published at least quarterly under supervision of the Executive Committee. The Executive Committee shall direct the vice president of mobilization and communication to appoint a staff or committee to help produce the *Frontier Reporter*. The *Frontier Reporter* shall be emailed to members, and posted on the Local's website and on all Buffalo Newspaper Guild-CWA departmental bulletin boards. Whenever notice to the membership is required by these by-laws, publication on the first page of the *Frontier Reporter* shall constitute compliance.

Article XIV **Amendments**

- Section 1 The Executive Committee shall appoint a committee of not less than three members to meet annually and review these by-laws and make any necessary recommendations for essential changes.
- Section 2 These by-laws may be amended by any membership meeting upon submission of the proposed amendment by the Executive Committee on its own action or by petition signed by not less than 20 percent of the membership in good standing. Such proposed amendments shall be posted on all Buffalo Newspaper Guild-CWA bulletin boards not less than ten (10) days prior to the meeting, with notice of time and place of meeting. Proposed amendments shall be included in a bulletin distributed to all members in print and email, and shall be posted on all Buffalo Newspaper Guild-CWA departmental bulletin boards not less than five days prior to the meeting.

Section 3 When a petition is submitted proposing a by-law amendment, no change shall be made in the wording of the proposed amendment by the Local meeting or any other Local body.

Article XV
Interpretations

Section 1 These by-laws shall be interpreted by the Executive Committee subject to appeal to the membership meeting, to The NewsGuild-CWA Executive Council and to The NewsGuild-CWA Sector Conference and/or CWA Convention. Questions of procedure not covered by The NewsGuild-CWA or the CWA Constitutions, the Sector Conference or Convention decisions, or these by-laws shall be governed by Robert's Rules of Order.

¹ This dues rate was adopted by a membership referendum in 2006.