

**Report of the  
Constitution Committee  
to the 77<sup>th</sup> Convention**



**Communications Workers of America  
Las Vegas, NV  
July 29 – 31, 2019**

**REPORT OF THE  
CONSTITUTION COMMITTEE  
TO THE  
77<sup>th</sup> CONVENTION**

The Constitution Committee met in the city of Washington, D.C. beginning June 3, 2019, for the purpose of reviewing and considering proposed amendments to the CWA Constitution.

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

This report sets forth all proposed amendments that have been received by the Committee to date. A ~~strikeout~~ denotes deletion of language; **boldface and underlined** type denotes insertion of new language. Each proposal in this Preliminary Report will require a majority vote of the delegates at the Convention to be enacted.

1       **1.       Amend Article V, Section 6(d)**

2       (d) A Council Executive Board shall be elected which will consist of two  
3       representatives from each of the CWA Districts and two representatives from  
4       each of the Sector/Division members who shall be elected from the Media  
5       Sector (consisting of the ~~Printing, Publishing and Media Workers Sector~~,  
6       NABET-CWA and TNG-CWA), the IUE-CWA Division, the AFA-CWA Sector,  
7       and the Public, Healthcare and Education Workers Sector. The District  
8       representatives on the Council Executive Board shall be elected by secret  
9       ballot among the Council Lifetime members within the appropriate CWA  
10       District. The Sector and Division representatives shall be elected by secret  
11       ballot among the Council Lifetime members who retired from the Media Sector  
12       (consisting of the ~~Printing, Publishing and Media Workers Sector~~,  
13       NABET-CWA, and TNG-CWA), the IUE-CWA Division, the AFA-CWA Sector,  
14       and the Public, Healthcare and Education Workers Sector. Of the two elected  
15       Representatives one shall be known as District or Sector President and one  
16       shall be known as District or Sector Vice President. Terms of office shall be  
17       consistent with those of International officers. The elections shall be  
18       conducted in accordance with Council bylaws, federal and provincial laws and  
19       this Constitution. Any challenge to the Council Executive Board elections or  
20       Council officers' elections shall be resolved in accordance with the Council  
21       bylaws.

22       **Amend Article IX, Section 1(d)**

23       (d) ~~The Printing, Publishing & Media Workers Executive Officer;~~  
24       Renumber Section 1(e) and (f) to 1(d) and (e)

25       **Amend Article IX Section 2(c)**

26       (c) Notwithstanding paragraph (a) or Article XV, Section 2(e), if a vacancy  
27       should occur among the Vice Presidents ~~or PPMWS Executive Officer~~ at least  
28       one year prior to the start of the next regular Convention, such vacancy shall  
29       be filled by means of a special election of a successor for the balance of the  
30       unexpired term. Such election shall be conducted by the Secretary-Treasurer  
31       within 60 days after the date of the start of the vacancy, under rules approved  
32       by the Executive Board. Ballots shall be cast by the presidents of the eligible  
33       locals, carrying the voting strength that such locals were assigned at the last  
34       regular Convention.

35       **Amend Article XII, Section 7**

36       ~~Section 7 — CWA Printing, Publishing and Media Workers Sector Executive~~  
37       ~~Officer~~

38 ~~The President of the Printing and Media Workers Sector of CWA (PPMWS)~~  
39 ~~shall also be the CWA Printing, Publishing and Media Workers Sector~~  
40 ~~Executive Officer, who shall be responsible under the direction of the~~  
41 ~~Executive Board for coordinating matters of common concern and interest~~  
42 ~~with respect to contracts, wages, hours of employment and other working~~  
43 ~~conditions with the units of the Printing, Publishing and Media Workers~~  
44 ~~Sector.~~

45 ~~The PPMWS Executive Officer shall:~~

46 ~~(a) Act under the direction of the President and perform such administrative~~  
47 ~~and constitutional obligations as may be assigned by the President or the~~  
48 ~~Executive Board;~~

49 ~~(b) Recommend to the President the employment of such personnel as may be~~  
50 ~~required;~~

51 ~~(c) Recommend to the President that services of such personnel as may be~~  
52 ~~assigned to the PPMWS Executive Officer be terminated for cause;~~

53 ~~(d) Supervise full-time and part-time personnel as may be assigned to the~~  
54 ~~PPMWS Executive Officer and employ and terminate the employment of~~  
55 ~~clerical forces subject to the limitations of the budget;~~

56 ~~(e) Preside at meetings;~~

57 ~~(f) Hold no other office in the Union and shall not be engaged in any other~~  
58 ~~employment. The PPMWS Executive Officer shall receive the annual salary~~  
59 ~~established for the office of the PPMWS Director by the Convention.~~

60 Renumber Sections 8-13 to 7-12

61 **Amend Article XV, Section 2**

62 Section 2—Vice Presidents ~~and PPMWS Executive Officer~~

63 ~~(b) The duly elected President of the Printing, Publishing and Media Workers~~  
64 ~~Sector of CWA shall be the CWA Printing, Publishing and Media Workers~~  
65 ~~Sector Executive Officer and shall be elected in accordance with the Sector~~  
66 ~~Bylaws and the CWA Constitution. The duly elected President of the~~  
67 ~~TNG-CWA Sector shall be the TNG-CWA Sector Vice President and shall be~~  
68 ~~elected in accordance with the CWA Constitution and the merger agreement.~~  
69 ~~The duly elected NABET-CWA President shall be the NABET-CWA Sector~~  
70 ~~President and shall be elected by delegates representing NABET-CWA~~  
71 ~~members in accordance with the CWA Constitution and NABET-CWA Sector~~  
72 ~~Bylaws. The duly elected President of the IUE-CWA Division shall be the~~  
73 ~~IUE-CWA Division Vice President and shall be elected in accordance with the~~

74 IUE-CWA Rules and the CWA Constitution. The duly elected President of the  
75 AFA-CWA Sector shall be the AFA-CWA Sector Vice President and shall be  
76 elected in accordance with the AFA-CWA Rules and the CWA Constitution.

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

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

85 **Amend Article XV, Section 7**

86 ~~Section 7—PPMWS Executive Officer~~

87 ~~Elections for the post of PPMWS Executive Officer shall be held in full~~  
88 ~~conformity with the requirements of the Sector Bylaws and the CWA~~  
89 ~~Constitution. The PPMWS Executive Officer shall be elected to four year~~  
90 ~~terms in the same cycle as the other CWA Executive Board member.~~

91 **Amend Article XVI, Section 8**

92 Section 8—National Committee on Civil Rights and Equity

93 The National Committee on Civil Rights and Equity shall consist of one  
94 member from each CWA District, one member from the Public & Healthcare  
95 Workers Sector, one member from the Media Sector (consisting of the  
96 ~~PPMWS CWA~~, NABET-CWA, and TNG-CWA), one member from the AFA-CWA  
97 Sector, and one member from the IUE-CWA Division. National Committee on  
98 Civil Rights and Equity members shall be appointed by the President and  
99 approved by the Executive Board. In Convention years, the Committee shall  
100 meet at least once a year and also prior to Convention to report to the  
101 Convention on its activities and make recommendations. In non-Convention  
102 years, the Committee will meet once and prepare a report on its activities and  
103 make recommendations which will be distributed to the locals by the  
104 President of the Union. The Committee Member from the particular District,  
105 Division, or Sector will also report on the Committee's activities at any  
106 District, Division, or Sector meetings.

107 **Amend Article XVI, Section 9**

108 Section 9—Women's Committee

109 The Women’s Committee shall consist of one member from each District, one  
110 member from the Public & Healthcare Workers Sector, one member from the  
111 Media Sector (consisting of the ~~PPMWS-CWA~~, NABET-CWA, and TNG-CWA),  
112 one member from the AFA-CWA Sector, and one member from the IUE-CWA  
113 Division. Women’s Committee members shall be appointed by the President  
114 and approved by the Executive Board. In Convention years, the Committee  
115 shall meet at least once a year and also prior to Convention to report to the  
116 Convention on its activities and make recommendations. In non-Convention  
117 years, the Committee will meet once and prepare a report on its activities and  
118 make recommendations which will be distributed to the locals by the  
119 President of the Union. The Committee Member from the particular District,  
120 Division, or Sector will also report on the Committee’s activities at any  
121 District, Division, or Sector meetings.

122 **Amend Article XVI, Section 10**

123 Section 10—Defense Fund Oversight Committee

124 The Defense Fund Oversight Committee (DFOC) shall consist of one  
125 representative from each CWA District, one representative from the Public  
126 Workers Sector, one representative from the IUE Division, one representative  
127 from the Airline Industries and one representative from the Media Sectors  
128 (TNG-CWA **and** NABET-CWA ~~and PPMWS~~). The election of the DFOC  
129 representatives and their alternates shall be conducted as established by the  
130 CWA Convention and shall be for four-year terms. The Committee shall meet  
131 at least twice a year and at the Convention. In non-Convention years, the  
132 Committee will meet and prepare a report on its activities and make  
133 recommendations which will be distributed to the locals by the President of  
134 the Union. In accordance with the Rules adopted by the Convention, the  
135 Committee is responsible to review receipts, disbursements, educational  
136 programs, administration and investment of the Defense (DF) and Robert Lilja  
137 Members’ Relief Funds (RLMRF), and shall have oversight for the Strategic  
138 Industry Fund (SIF).

139 **Amend Article XVIII, Section 2**

140 Section 2—Notification

141 After a strike vote has been taken by a Local or groups of Locals in a District  
142 or Region and a strike is imminent, the Vice President, ~~PPMWS Executive~~  
143 ~~Officer~~, or the Director of the CWA-SCA Canada shall notify the President of  
144 the Union in writing.

145 **Amend Article XXI, Section 1**

146 Section 1 – Petition for Recall of Union Officers and Executive Board Members

147 A petition for recall of an officers of the Union or any member of the Executive  
148 Board, including At-Large Diversity Executive Board Members, ~~the Executive~~  
149 ~~Office of the PPMWS~~, and the Director of CWA-SCA Canada:

150 **Amend Article XXI, Section 1(3)**

151 (3) May be preferred against a Vice President of a District by twenty percent  
152 (20%) of the Locals representing twenty percent (20%) of the membership  
153 within the District, and may be preferred against the Telecom and Technology  
154 Vice President; Public, Health Care and Education Workers Vice President, the  
155 TNG-CWA Sector Vice President; the NABET-CWA Sector Vice President; the  
156 IUE-CWA Division Vice President; the AFA-CWA Sector Vice President; ~~the~~  
157 ~~PPMWS Executive Officer~~, and the Director of CWA-SCA Canada by twenty  
158 percent (20%) of the Locals representing twenty percent (20%) of the  
159 membership of the units the affected Vice President, ~~the PPMWS Executive~~  
160 ~~Officer~~, or the Director of CWA-SCA Canada represents;

161 **Amend Article XXII, Section 7(c)**

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

171 (Submitted by the CWA Executive Board)

172 These amendments to various provisions of the Constitution are all  
173 being proposed as one amendment as they are all related. The purpose of this  
174 amendment is to consolidate the PPMWS into the CWA Districts'  
175 administrative structures. PPMWS would no longer function as a separate  
176 stand-alone sector within CWA.

177 In 2006, at the CWA Convention, the delegates passed a resolution titled,  
178 "CWA – Ready for the Future – Ten Steps to Strengthen Bargaining Power",  
179 Step Ten called for "Right-Sizing the Board." The Resolution stated that "this  
180 has been one of the most controversial and difficult issues in the Ready for  
181 the Future discussion... The CWA Executive Board has spent much time over  
182 the past months in sometimes tense discussions struggling with this issue."  
183 The Ready for the Future resolution went on to state: "The Board is confident  
184 that in the next five years, through combinations and additions, the Board's  
185 composition will be right-sized and balanced." But in fact, the Union has  
186 struggled over the last 13 years to resolve the issue. The Committee believes

187 that this proposed amendment furthers the purpose of the Ready for the  
188 Future resolution.

189 The need to consolidate the PPMWS is widely acknowledged, given its unique  
190 circumstances within the Union. This Sector has seen a dramatic decrease  
191 from 47,000 members at the time of the ITU merger with CWA in 1987 to  
192 3,600 active members today. Thus, PPMWS membership has shrunk by  
193 approximately 90 percent since the merger of ITU and CWA. Currently,  
194 PPMWS has only 4,079 members, of which 533 are retirees. Since 2010, there  
195 has been a dues revenue decrease of more than 51 percent. This structure,  
196 given the size and dispersion of the membership, has become financially and  
197 administratively unsustainable, triggering the current discussions about  
198 restructuring. Additionally, projections for the future appear equally  
199 problematic.

200 With typically small bargaining units spread across the country from Maine to  
201 Hawaii, the shrinking yet geographically dispersed membership has made  
202 maintaining a separate administrative structure for the PPMWS highly  
203 inefficient, ineffective, and financially unsustainable. Out of necessity, many  
204 PPMWS Locals have already voluntarily merged with each other or merged  
205 into other CWA Locals. Today, there are 44 traditional PPMWS Locals and 56  
206 amalgamated Locals with PPMWS members.

207 If this amendment is adopted, PPMWS Locals and bargaining units within  
208 amalgamated Locals would be serviced by their respective Districts, which  
209 have Staff Representatives spread across the country. Other than who is  
210 servicing them, the Locals are unaffected by this amendment. The Locals  
211 themselves continue to have the choice to merge with other Locals or not.  
212 Again, this administrative consolidation is in keeping with the 2006  
213 Resolution I – Ready for the Future. Integrating PPMWS Locals more fully into  
214 the Districts will enable them to be fully serviced by District Staff who can  
215 assist (as they do other Locals within the Districts) with bargaining,  
216 grievances, arbitrations, organizing, legislative/political work and matters of  
217 internal governance.

218 The funds in the PPMWS operating fund, the PPMWS strike fund, and the  
219 PPMWS general fund will be distributed, after payment of any bills or debts of  
220 the Sector, to Locals with PPMWS members on a per capita basis.

221 **The Committee Recommends Adoption of this Proposal.**

## 222 **2. Amend Article XIII, Section 7**

223 Section 7 – Appeal of Revocation



224 (a) A Local may appeal the findings of the Executive Board to the next  
225 Convention by giving written notice to the Secretary-Treasurer of the Union  
226 within thirty (30) days after the publication of the findings of the Executive  
227 Board of the Union. ~~No findings shall become effective pending the disposition~~  
228 ~~of the appeal.~~ **The findings and decision of the Executive Board shall**  
229 **become effective immediately and the Local placed into temporary**  
230 **administration pending any appeal to the Convention or Presidents'**  
231 **Meeting.** As provided more fully in Article IX, Section 7, commencing  
232 immediately after the 2011 CWA Convention, all appeals pending in non-  
233 Convention years may be heard and resolved by delegates to a Local  
234 Presidents' Meeting. **Notwithstanding any other provision of this**  
235 **Constitution, any appeal of a decision regarding a Charter Revocation**  
236 **must be made to the next Presidents' meeting or Convention, whichever**  
237 **occurs sooner.**

238 (Submitted by the CWA Executive Board)

239 This change was proposed by the CWA Executive Board to shorten the time  
240 frame for an appeal of an Executive Board decision to revoke a Charter and to  
241 allow the Executive Board to gain immediate control over a Local whose  
242 Charter the Executive Board has decided to revoke.

243 Currently an appeal to the Executive Board's decision to revoke a Local  
244 Charter can be made to either a Presidents' meeting or deferred to the next  
245 Biennial Convention, pursuant to Article IX, Section 7(e) of the Constitution.  
246 Thus, an appeal may take as long as two years to reach conclusion. This  
247 amendment would make it mandatory that the appeal be heard at the next  
248 Presidents' meeting or the next Convention, whichever comes first.

249 In addition, this proposed amendment would authorize the Executive Board to  
250 place a Local whose Charter has been revoked by the decision of the Executive  
251 Board into immediate temporary administration, thus protecting the  
252 membership and the assets of the Local pending any appeal.

253 This proposed amendment only changes the above referenced provisions.  
254 There is no change proposed to the reasons a Local Charter could be revoked  
255 (Article XIII, Section 5), the hearing procedure (Article XIII, Section 6) or the  
256 two-thirds (2/3) vote of the Executive Board (Article XIII, Section 6),  
257 Convention or Presidents' Meeting (Article XIII, Section 7(b)) to effectuate a  
258 Charter revocation.

259 **The Committee Recommends Adoption of this Proposal.**

260 **3. Public, Healthcare and Education Workers**

261 **Article V - Membership**

262 *Section 6 – Retired Members’ Council*

263 (d) A Council Executive Board shall be elected which will consist of two  
264 representatives from each of the CWA Districts and two representatives from  
265 each of the Sector/Division members who shall be elected from the Media  
266 Sector (consisting of the Printing, Publishing and Media Workers Sector,  
267 NABET-CWA and TNG-CWA), the IUE-CWA Division, the AFA-CWA Sector,  
268 and the Public, Healthcare and Education Workers ~~Sector~~. The District  
269 representatives on the Council Executive Board shall be elected by secret  
270 ballot among the Council Lifetime members within the appropriate CWA  
271 District. The Sector and Division representatives shall be elected by secret  
272 ballot among the Council Lifetime members who retired from the Media Sector  
273 (consisting of the Printing, Publishing and Media Workers Sector  
274 NABET-CWA, and TNG-CWA), the IUE-CWA Division, the AFA-CWA Sector,  
275 and the Public, Healthcare and Education Workers ~~Sector~~. Of the two elected  
276 Representatives one shall be known as District or Sector President and one  
277 shall be known as District or Sector Vice President. Terms of office shall be  
278 consistent with those of International officers. The elections shall be  
279 conducted in accordance with Council bylaws, federal and provincial laws and  
280 this Constitution. Any challenge to the Council Executive Board elections or  
281 Council officers’ elections shall be resolved in accordance with the Council  
282 bylaws.

283 **Article IX – Executive Board**

284 Section 1

285 (c) The Vice Presidents (District; Telecom and Technology; ~~Public, Health Care~~  
286 ~~and Education Workers~~; TNG-CWA Sector; NABET-CWA Sector; IUE-CWA  
287 Division, and AFA-CWA Sector).

288 **(g) Public, Health Care and Education Workers Executive Board Position**

289 **Article XII – Duties of Officers and other Executive Board Members**

290 *Section 3 – Vice Presidents-District: Telecom and Technology; ~~Public, Health~~*  
291 *~~Care and Education Workers~~; TNG-CWA; NABET-CWA; IUE-CWA; and*  
292 *AFA-CWA Sectors*

293 ~~Section 6 – Public, Health Care and Education Workers Vice President~~

294 ~~There shall be elected a Public, Health Care and Education Workers Vice~~  
295 ~~President who shall be responsible under the direction of the Executive Board~~

296 ~~for coordinating matters of common concern and interest with respect to~~  
297 ~~contracts, wages, hours of employment and other working conditions within~~  
298 ~~the units of public, health care and education works.~~

299 **{Re-number Sections 7-13}**

300 **Section 13—Public, Health Care and Education Workers Executive Board**  
301 **Member**

302 **There shall be one Public, Health Care and Education Workers Executive**  
303 **Board Member. The Public, Health Care and Education Workers**  
304 **Executive Board Member shall:**

305 **(a) Act under the direction of the President and perform such duties**  
306 **as may be assigned by the President or the Executive Board;**

307 **(b) Be responsible, under the direction and with the assistance of other**  
308 **members of the Executive Board, for matters of common concern and**  
309 **interest affecting Public, Health Care and Education Workers within the**  
310 **union;**

311 **(c) Attend meetings of the CWA Executive Board, in person or by**  
312 **telephone call, as may be scheduled by the President or the Executive**  
313 **Board;**

314 **(d) No full-time, permanent employee of the Union shall be eligible to run**  
315 **for or hold office as the Public, Health Care and Education Workers**  
316 **Executive Board Member. The Public, Health Care and Education**  
317 **Workers Executive Board Member shall not be an employee of the Union**  
318 **and shall receive no salary or other compensation from the Union for**  
319 **service as the Public, Health Care and Education Workers Executive**  
320 **Board Member. The Public, Health Care and Education Workers**  
321 **Executive Board Member shall receive reimbursement for lost-time wages**  
322 **and expenses associated with attending Board meetings and performing**  
323 **other Board responsibilities as assigned by the President.**

324 **Article XV—Elections**

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

326 (a) District Vice Presidents shall be elected by a secret ballot, after  
327 nominations from the floor, at a meeting of delegates from the District.  
328 Beginning with the 2011 CWA Convention, there shall be elected a  
329 Telecom and Technology Vice President for AT&T Legacy T, Avaya,  
330 Alcatel-Lucent (d/b/a Nokia), OFS and those bargaining units of  
331 telecommunications employees other than AT&T, Verizon, Qwest (d/b/a  
332 CenturyLink) and their subsidiaries and affiliates. The Telecom and

333 Technology Vice President, ~~and the Public, Health Care and Education~~  
334 ~~Workers Vice President~~ shall be elected by secret ballot, after  
335 nominations from the floor at meetings of delegates representing  
336 members of AT&T Legacy T, Avaya, Alcatel-Lucent (d/b/a Nokia), and  
337 OFS and affected telecommunications bargaining units, ~~and Public,~~  
338 ~~Health Care and Education workers units respectively.~~

339 **(f) Beginning with the election of 2023, the Public, Health Care and**  
340 **Education Workers Executive Board Member shall be elected by secret**  
341 **ballot of the delegates to the Convention who represent public workers,**  
342 **health care or education workers following nominations made from the**  
343 **floor of the Convention made by delegates from Locals representing**  
344 **public workers, health care or education workers. Beginning with the**  
345 **elections held in 2023, the term of office for the Public, Health Care and**  
346 **Education Workers Executive Board Member shall be four years. No**  
347 **candidate shall be permitted to run for or hold one of the four At-Large**  
348 **Diversity Executive Board positions and the Public Health Care and**  
349 **Education Workers Executive Board position. A candidate for the Public,**  
350 **Health Care and Education Workers Executive Board Member position**  
351 **must hold their membership within the Public, Health Care or Education**  
352 **field represented by that position.**

353 **(g) In the event a vacancy occurs in the Office of Vice President, PPMWS**  
354 **Executive Officer, ~~or~~ At-Large Diversity Executive Board Members, or Public,**  
355 **Health Care and Education Workers Executive Board Member** for any  
356 reason, an election shall be held at the next regular Convention for the  
357 purpose of electing a Vice President, PPMWS Executive Officer, ~~or~~ At-Large  
358 Diversity Executive Board Member **or Public, Health Care and Education**  
359 **Workers Executive Board Member** to fill the unexpired term.

360 **(h) In the event a vacancy occurs in the Office of Public, Health Care and**  
361 **Education Workers Vice President during the 2019-2023 term for any**  
362 **reason, the President shall appoint a temporary Public, Health Care and**  
363 **Education Workers Executive Board Member to fill the unexpired term.**  
364 **The responsibilities for the temporary Public, Health Care and Education**  
365 **Workers Executive Board Member will be consistent with those outlined**  
366 **for that position which would be elected at the 2023 Convention and is**  
367 **outlined in Article XII Section 12. The President and Executive Board**  
368 **will work with the Public Health Care and Education Workers Executive**  
369 **Board Member and the District Vice Presidents on a smooth transition.**  
370 **The Public Health Care and Education Workers Executive Board Member**  
371 **will work with the District Vice Presidents during this transition until**  
372 **their present terms of office expire in 2023.**

374 **(e) Public, Health Care and Education Workers Executive Board Member.**  
375 **Beginning with the election in 2023, a majority vote shall be required for**  
376 **election of the Public, Health Care and Education Workers Executive**  
377 **Board Member. If no candidate receives a majority vote for the Public,**  
378 **Health Care and Education Workers Executive Board Member seat on the**  
379 **first ballot, a run-off election shall be conducted and the two nominees**  
380 **receiving the greatest number of votes on the first ballot for that**  
381 **individual seat shall be the nominees on the second ballot for that**  
382 **individual seat.**

383 **Article XVI—Committees**

384 *Section 10—Defense Fund Oversight Committee*

385 The Defense Fund Oversight Committee (DFOC) shall consist of one  
386 representative from each CWA District, one representative from the Public,  
387 **Health Care and Education Worker** Sector, one representative from the IUE  
388 Division, one representative from the Airline Industries and one representative  
389 from the Media Sectors (TNG-CWA, NABET-CWA and PPMWS). **Beginning**  
390 **with the elections in 2023, the Defense Fund Oversight Committee**  
391 **(DFOC) shall consist of one representative from each CWA District, one**  
392 **representative from the Public Workers, Health Care and Education**  
393 **Workers unit, one representative from the IUE Division, one**  
394 **representative from the Airline Industries and one representative from**  
395 **the Media Sectors (TNG-CWA, NABET-CWA and PPMWS).** The election of  
396 the DFOC representatives and their alternates shall be conducted as  
397 established by the CWA Convention and shall be for four-year terms. The  
398 Committee shall meet at least twice a year and at the Convention. In  
399 non-Convention years, the Committee will meet and prepare a report on its  
400 activities and make recommendations which will be distributed to the locals  
401 by the President of the Union. In accordance with the Rules adopted by the  
402 Convention, the Committee is responsible to review receipts, disbursements,  
403 educational programs, administration and investment of the Defense (DF) and  
404 Robert Lilja Members' Relief Funds (RLMRF), and shall have oversight for the  
405 Strategic Industry Fund (SIF).

406 **Article XXI— Recall Petition Against Persons Holding Elective Office in**  
407 **the Union**

408 *Section 1—Petition for Recall of Union Officers and Executive Board Members*

409 A petition for recall of an officer of the Union or any member of the Executive  
410 Board, including At-Large Diversity Executive Board Members, **and beginning**  
411 **in 2023, the Public, Health Care and Education Executive Board member,**  
412 the Executive Officer of the PPMWS, and the Director of CWA-SCA Canada:

413 (3) May be preferred against a Vice President of a District by twenty percent  
414 (20%) of the Locals representing twenty percent (20%) of the membership  
415 within the District, and may be preferred against the Telecom and Technology  
416 Vice President; Public, Health Care and Education Workers Vice President;  
417 the TNG-CWA Sector Vice President; the NABET-CWA Sector Vice President;  
418 the IUE-CWA Division Vice President; the AFA-CWA Sector Vice President; the  
419 PPMWS Executive Officer, and the Director of CWA-SCA Canada by twenty  
420 percent (20%) of the Locals representing twenty percent (20%) of the  
421 membership of the units the affected Vice President, the PPMWS Executive  
422 Officer, or the Director of CWA-SCA Canada represents; **Beginning in 2023**  
423 **a petition for a recall may be preferred against the Public, Health Care**  
424 **and Education Workers Executive Board member by twenty percent of**  
425 **the Locals representing twenty percent (20%) of the membership of the**  
426 **Public,**  
427 **Health Care and Education Workers units;**

## 428 *Article XXII- Referendum and Recall*

### 429 *Section 6*

430 Any officer or member of the Executive Board, including any At-Large  
431 Diversity Executive Board Member and **Public, Health Care and Education**  
432 **Workers Executive Board Member**, may be recalled by two-thirds (2/3) of  
433 those voting at the Convention or in a general referendum if two-thirds (2/3)  
434 of the votes cast in such a referendum favor recall.

### 435 *Section 7*

436 (a) A Vice President of a District may be recalled by the Delegates from that  
437 District at an International Convention by two-thirds (2/3) vote of those voting  
438 on the question, or by a referendum among the members of the Union in the  
439 District if two-thirds (2/3) of the votes cast in such referendum favor recall.

440 **(f) Beginning with the election of the Public, Health Care and Education**  
441 **Workers Executive Board Member in 2023, the Public, Health Care and**  
442 **Education Workers Executive Board Member may be recalled by**  
443 **delegates at an International Convention, who represent the Public,**  
444 **Health Care and Education Workers membership, by a two-thirds (2/3)**  
445 **vote of those voting on the question, or by a referendum among the**  
446 **members of the Union in the Public, Health Care and Education Workers**  
447 **unit, if two-thirds (2/3) of the votes cast in such referendum favor recall.**

## 448 *Article XXVIII- Amendments*

### 449 *Section 6*

450 **(a)** Amendments adopted in a Convention shall become effective on the  
451 thirtieth (30th) day following the adjournment of the Convention, provided,  
452 the Convention does not specify a later date, or unless within thirty (30) days  
453 a referendum vote on the amendment or repeal is initiated, in which event,  
454 the amendment or repeal shall not become effective unless it is sustained by  
455 such referendum. Amendments or repeals adopted or sustained by  
456 referendum procedure shall become effective on the thirtieth (30th) day  
457 following such action or on a later date if so specified.

458 **(b) Amendments adopted at the 2019 Convention with regards to the**  
459 **Public, Health Care and Education Workers Sector shall become effective**  
460 **during the 4 year term of office of the Public, Health Care and Education**  
461 **Workers Vice President. The President of the Union will decide the**  
462 **timeline and completion for the transition. The President and Executive**  
463 **Board will work with the Public, Health Care and Education Workers Vice**  
464 **President and the District Vice Presidents on a smooth transition. The**  
465 **Public, Health Care and Education Workers Vice President will work with**  
466 **the District Vice Presidents during this transition until their present**  
467 **terms of office expire in 2023.**

468 (Submitted by Tom Benedetto, President CWA Local 1104; Shawn Ludwig,  
469 President CWA Local 1038 and Cori Gambini, President CWA Local 1168)

470 Again, as with the PPMWS and T&T proposed amendments, the Committee  
471 believes this proposed amendment furthers the goals of the 2006 Ready for  
472 the Future Resolution. Essentially, the same reasoning applicable to those  
473 proposed amendments applies here.

474 The Committee acknowledges that these changes are difficult. Change is  
475 always hard. But change we must, in order to strengthen our Union and the  
476 representation of our members. To borrow a phrase from a previous  
477 important change in our Union, related to the addition of the Diversity Board  
478 Members, "If not now...when?"

479 The Public, Health Care and Education office as currently structured does not  
480 bargain contracts or handle grievances/arbitrations for most public, health  
481 care or education units. That function is currently carried out by Districts  
482 and/or Locals. While some legislative and political work for public worker  
483 units is performed by the Public, Health Care and Education office, this work  
484 is also carried out by Districts. Organizing work on behalf of public, health  
485 care and education units is currently performed by and coordinated with the  
486 Organizing Department, Districts and the Public, Health Care and Education  
487 office. The proposed amendments would simply consolidate all work currently  
488 done on behalf of the public, health care and education members in the  
489 Districts, which are already performing this work. Therefore, this amendment  
490 eliminates duplicative work and fulfills all three legs of the CWA Triangle.

491 The proposed amendment to the Constitution is designed to accomplish the  
492 following:

493 • Merge the functions of the Public, Health Care and Education Workers  
494 office into the Districts and eliminate the need for a separate office.

495 • Transition the work of the Public, Health Care and Education Workers  
496 office into the Districts during the 2019-2023 term of office of the Public,  
497 Health Care and Education Workers Vice President. The President of the  
498 Union will be responsible for the timeline and completion of the transition.  
499 The President of the Union and the Executive Board will work with the Public,  
500 Health Care and Education Workers Vice President and District Vice  
501 Presidents to ensure a smooth transition. The Public, Health Care and  
502 Education Workers Vice President will work with the District Vice Presidents  
503 during and after the transition until the present term of the Public, Health  
504 Care and Education Workers Vice President expires in 2023.

505 • Create a new Public, Health Care and Education Workers Executive Board  
506 seat that will be filled by election at the 2023 Convention. This will ensure  
507 the public, health care and education members have a voice on the Executive  
508 Board. This is being modeled after the At-Large Diversity Executive Board  
509 Member seats. The Public, Health Care and Education Workers Executive  
510 Board Member shall:

511 (a) Act under the direction of the President and perform such duties as may  
512 be assigned by the President or the Executive Board;

513 (b) Be responsible, under the direction and with the assistance of other  
514 members of the Executive Board, for matters of common concern and interest  
515 affecting the public, health care and education members within the Union;

516 (c) Attend meetings of the CWA Executive Board, in person or by telephone  
517 call, as may be scheduled by the President or the Executive Board;

518 • In the event a vacancy occurs in the office of Public, Health Care and  
519 Education Workers Vice President during the 2019-2023 term for any reason,  
520 the President shall appoint a temporary Public, Health Care and Education  
521 Workers Executive Board Member to fill the unexpired term.

522 • Ensure that the public, health care and education members will continue  
523 to have a representative on the Defense Fund Oversight Committee (DFOC).

524 **The Committee Recommends Adoption of this Proposal.**



525 **4. Amendment Request to the Internal Appeals Procedures Section of**  
526 **the CWA Constitution**

527 **II. Complaints against the Union, its officers or Executive Board**

528 *A. The Complaint*

529 1. All complaints shall be:

530 (a) In writing;

531 (b) Signed by the complainant;

532 (c) Filed with the President of the Union; ~~however, if the complaint is about~~  
533 ~~the action of such officer, then it shall be filed with the Union~~  
534 ~~Secretary-Treasurer and considered by the Executive Committee subject to~~  
535 ~~appeal to the Executive Board and to the CWA Convention and/or, in~~  
536 ~~non-Convention years, subject to appeal to the delegates to a Local President's~~  
537 ~~meeting called by the CWA Secretary-Treasurer, as provided more fully in~~  
538 ~~Article IX, Section 7; and~~

539 **(d) If the complaint is about the action(s) of the local President and/or**  
540 **any officer of the local's Executive Board, then it shall be filed in writing**  
541 **with the office of CWA's National Secretary to be considered by the**  
542 **Executive Committee subject to the National Executive Board and to the**  
543 **CWA Convention and/or, in non-Convention years, subject to appeal to**  
544 **delegates to a Local President's meeting called by the CWA National**  
545 **Secretary-Treasurer, as provided more fully in Article IX, Section 7; and**

546 ~~(d)~~ **(e)** Submitted within sixty (60) days of the time the complainant became  
547 aware of the alleged violation.

548 2. The complaint shall also:

549 (a) Contain an allegation of the facts on which the complaint is based,  
550 including applicable dates;

551 (b) Specify the nature of relief sought; and

552 (c) Shall state that it is filed in good faith.

553 *B. Consideration of the complaint*

554 1. The President shall determine what action, if any, is to be taken within  
555 thirty (30) days and notify interested parties.

556 2. In the event such allegations **and/or** complaint is against the President,

557 **of the local and/or any officer of the Executive Board of the local,** the  
558 Executive Committee shall **provide fair and impartial oversight to**  
559 determine what action, if any, is to be taken ~~**within thirty (30) days and**~~  
560 **cause interested parties to be notified within thirty (30) days of receipt**  
561 **of the complaint/charge by after completion of the following**  
562 **investigative process:**

563 **(a) Conduction of an interview with the complainant and President of the**  
564 **local and/or any such officer of the local's Executive Board charged in**  
565 **the alleged allegation(s) to include any witnesses brought forth by the**  
566 **complainant.**

567 **(b) Use of the Seven Steps of Just Cause to determine the validity of the**  
568 **complaint/charge.**

569 **In the event the complainant demonstrates that he/she has been**  
570 **subjected to unfair and disparate treatment, retaliation, and/or**  
571 **subjected to discrimination based on race, color, gender, religion, age,**  
572 **martial/parental status, political beliefs, sexual orientation, gender**  
573 **identity or expression, national origin, or because a person is**  
574 **handicapped, a disabled veteran, or a veteran of the military service by**  
575 **the Local President and/or any officer of the local's Executive Board, the**  
576 **Executive Committee shall, within ninety (90) days of receipt of the**  
577 **complaint/charge, meet with the complainant, the VP of the district in**  
578 **which the complainant is a member, and the Local President and/or any**  
579 **officer of the Executive board charged in the alleged allegation(s) to**  
580 **mediate a satisfactory resolve to the matter.**

581 (Submitted by Cheryl E. Lee, Executive Board Member & Chief Steward of  
582 Local 6132)

583 Article IX of the CWA Constitution states:  
584 "The Executive Board of the Union shall establish reasonable appeal  
585 procedures within the structure of the Union to review complaints of  
586 members which allege violation of the Constitution, Local Bylaws or  
587 the rights and privileges of members."

588 That provision was added to the Constitution at the 1960 Convention. An  
589 amendment from the floor, which would have required Convention approval of  
590 the Procedures, was defeated.

591 Therefore, it is clear that the Constitution reserves to the National Executive  
592 Board the right to establish and change the Internal Appeals Procedures.

593 This proposed amendment, as submitted, is to the Internal Appeals  
594 Procedures and not to the Constitution. The Constitution Committee is  
595 "charged with the duty of considering and reporting to the Convention and to

596 the Executive Board on proposals to change this Constitution.” Therefore,  
597 this proposed amendment is not properly before this Committee for  
598 consideration.

599 **The Committee can not recommend adoption of this Proposal as it is**  
600 **outside of the Constitution Committee’s purview.**

601 **5. Article IX – Executive Board**

602 *Section 1*

603 (c) The Vice Presidents (District; ~~Telecom and Technology~~; Public, Health Care  
604 and Education Workers; TNG-CWA Sector; NABET-CWA Sector; IUE-CWA  
605 Division, and AFA-CWA Sector).

606 **Article XII – Duties of Officers and other Executive Board Members**

607 *Section 3 – Vice Presidents-District; ~~Telecom and Technology~~; Public, Health*  
608 *Care and Education Workers; TNG-CWA; NABET-CWA; IUE-CWA; and*  
609 *AFA-CWA Sectors*

610 *Section 4 – Vice Presidents- Districts, ~~Telecom and Technology~~*

611 ~~Section 5 – Telecom and Technology Vice President~~

612 ~~For those bargaining units of Telecommunications employees other than~~  
613 ~~AT&T, Verizon, Qwest (d/b/a CenturyLink) and their subsidiaries and~~  
614 ~~affiliates. The Telecom & Technology Vice President shall be responsible,~~  
615 ~~under the direction of the Executive Board, for coordinating matters of~~  
616 ~~common concern and interest with respect to contracts, wages, hours of~~  
617 ~~employment and other working conditions within the units.~~

618 ~~The Telecom & Technology Vice President shall be responsible for bargaining~~  
619 ~~in those bargaining units which are system-wide or national in scope as~~  
620 ~~determined by the Executive Board.~~

621 **{Re-number Sections 6-13}**

622 **Article XV – Elections**

623 *Section 2 – Vice Presidents and PPMWS Executive Officer*

624 (a) District Vice Presidents shall be elected by a secret ballot, after  
625 nominations from the floor, at a meeting of delegates from the District.  
626 ~~Beginning with the 2011 CWA Convention, there shall be elected a Telecom~~

627 ~~and Technology Vice President for AT&T Legacy T, Avaya, Alcatel-Lucent~~  
628 ~~(d/b/a Nokia), OFS and those bargaining units of telecommunications~~  
629 ~~employees other than AT&T, Verizon, Qwest (d/b/a CenturyLink) and their~~  
630 ~~subsidiaries and affiliates. The Telecom and Technology Vice President, and~~  
631 ~~the Public, Health Care and Education Workers Vice President shall be elected~~  
632 ~~by secret ballot, after nominations from the floor at meetings of delegates~~  
633 ~~representing members of AT&T Legacy T, Avaya, Alcatel-Lucent (d/b/a Nokia),~~  
634 ~~and OFS and affected telecommunications bargaining units and Public,~~  
635 ~~Health Care and Education workers units respectively.~~

636 **(f) In the event a vacancy occurs in the Office of Telecom and**  
637 **Technology Vice President during the 2019-2023 term for any reason,**  
638 **the President and Executive Board will oversee the transition of that**  
639 **sector into the Districts for the unexpired term.**

640 ***Article XXVIII – Amendments***

641 *Section 6*

642 **(a)** Amendments adopted in a Convention shall become effective on the  
643 thirtieth (30<sup>th</sup>) day following the adjournment of the Convention, provided, the  
644 Convention does not specify a later date, or unless within thirty (30) days a  
645 referendum vote on the amendment or repeal is initiated, in which event, the  
646 amendment or repeal shall not become effective unless it is sustained by such  
647 referendum. Amendments or repeals adopted or sustained by referendum  
648 procedure shall become effective on the thirtieth (30<sup>th</sup>) day following such  
649 action or on a later date if so specified.

650 **(b) Amendments adopted at the 2019 Convention with regards to The**  
651 **Telecom & Technology Sector shall become effective during the 4 year**  
652 **term of office of The Telecom & Technology Vice President. The**  
653 **President of the Union will decide the timeline for the transition and**  
654 **completion. The President and Executive Board will work with the**  
655 **Telecom & Technology Vice President and the District Vice President on**  
656 **a smooth transition. The Telecom & Technology Vice President will**  
657 **work with the District Vice Presidents during and after this transition**  
658 **until their present terms of office expire in 2023.**

659 (Submitted by Jim Gardler, President CWA Local 13000 and Keith Purce,  
660 President CWA Local 1101)

661 As with the PPMWS proposed amendments, the Committee believes this  
662 proposed amendment furthers the goals of the 2006 Ready for the Future  
663 Resolution. All of us know, CWA along with the entire labor movement, has  
664 been under vicious attacks for decades. For example, the Janus decision  
665 (even though not specifically damaging to the private sector) has the potential

666 to cost the Union millions of dollars a year in lost revenue. In order for CWA  
667 to survive we must adapt, we must change the way we function and we must  
668 be smarter and more efficient than ever before. This proposed amendment to  
669 the Constitution is designed to strengthen and restructure our Union in the  
670 face of these attacks. It is not an attack on Sectors. Sectors are a vital part of  
671 our Union but we have to acknowledge that the Union is under attack.

672 As we stated in connection with the PPMWS proposed amendment: “ ‘CWA –  
673 Ready for the Future – Ten Steps to Strengthen Bargaining Power’, Step Ten  
674 called for ‘Right-Sizing the Board.’ The Resolution stated that ‘this has been  
675 one of the most controversial and difficult issues in the Ready for the Future  
676 discussion... The CWA Executive Board has spent much time over the past  
677 months in sometimes tense discussions struggling with this issue.’ The Ready  
678 for the Future resolution went on to state: ‘The Board is confident that in the  
679 next five years, through combinations and additions, the Board’s composition  
680 will be right-sized and balanced.’ But in fact, the Union has struggled over  
681 the last 13 years to resolve this issue. The Committee believes that this  
682 proposed amendment furthers the purpose of the Ready for the Future  
683 resolution.”

684 This proposal advances the commitment made as part of Ready for the Future  
685 in 2006 by merging the Telecom and Technology Office (T&T) and  
686 transitioning the functions of this office into the Districts. The Vice President  
687 of Telecom and Technology will remain in office for the remainder of their  
688 current term (2019-2023) in order to help with the transition. We realize this  
689 is not an easy change but it is one that must be made now.

690 CWA no longer has the luxury of having offices and/or Sectors that duplicate  
691 work that is already being done by the Districts. Our resources, including  
692 staff, must be focused on Districts and Sectors that are in the best position to  
693 maximize the support we provide to members in these challenging times.

694 The Amendments to the Constitution are designed to accomplish the  
695 following:

- 696 • Merge the functions of the Telecom & Technology (T&T) office into the  
697 Districts and eliminate the need for a separate T&T office.
- 698 • Transition the functions of the T&T office into the Districts during the  
699 2019-2023 term of office of the T&T Vice President. The President of the  
700 Union will be responsible for the timeline and completion of the transition.  
701 The President of the Union and the Executive Board will work with the T&T  
702 Vice President and District Vice Presidents to ensure smooth transitions. The  
703 T&T Vice President will work with the District Vice Presidents during and after  
704 the transition until the present term of the T&T Vice President expires in  
705 2023.

706 • In the event a vacancy occurs in the office of Telecom and Technology Vice  
707 President during the 2019-2023 term for any reason, the President and  
708 Executive Board will oversee the transition of the functions of that office into  
709 the Districts for the unexpired term. Such vacancy, if it occurs between 2019  
710 and 2023, will not be filled.

711 **The Committee Recommends Adoption of this Proposal.**

712 **6. Article XII-Duties of Officers and other Executive Board Members**

713 Section 6- Public, Health Care and Education Workers Vice President

714 There shall be elected a full time Public, Health Care and Education Workers  
715 Vice President who shall be responsible under the direction of the Executive  
716 Board for coordinating matters of common concern and interest with respect  
717 to contracts, wages, hours of employment and other working conditions  
718 within the units of public, health care and education workers. **To insure the**  
719 **duties of the public sector is achieved the Vice President of Public Sector**  
720 **at a minimum shall have full time staff comprising of Assistant to the**  
721 **Vice President, Organizer, Researcher and an Administrative Secretary.**

722 (Submitted by Donald Alire, President Local 7076)

723 The change, as proposed, would require a minimum staffing level for the  
724 Public, Health Care and Education Workers Vice President. The adoption of  
725 this amendment would infringe upon the constitutional authority of the  
726 President and the Executive Board.

727 Article IX, Section 4(g) specifically states: "The Executive Board shall have the  
728 authority to approve the employment of personnel not elected which may be  
729 necessary to carry out the objectives and to effectuate the policies of the  
730 Union and to fix the compensation of such personnel within the limitations of  
731 the budget approved by the Convention."

732 Article XII, Section 1(e) states: "The President shall recommend to the  
733 Executive Board the employment of such personnel as may be required in the  
734 President's opinion to effectuate the programs of the Union."

735 Thus, the Constitution clearly reserves the authority to hire staff to the  
736 President and the Executive Board. This proposal would be inconsistent with  
737 the authority already established in the Constitution.

738 **The Committee does not recommend Adoption of this Proposal.**

Respectfully submitted,

Ryan Letts, Chair, President, CWA Local 4034

Penny Knapp, President, CWA Local 9417

Christopher Ryan, President, CWA Local 1123

Debbie Media, President, CWA Local 7777

Kathryn Ayala, President, CWA Local 24077