

Local Officer RESOURCE MANUAL

A Message from President Claude Cummings Jr.

Congratulations on your election. At a time of great division, unrest, and hate-inspired violence in our country, this is also a time of great hope and opportunity which calls for bold leadership in our union.

We cannot ignore the xenophobia, racism, and sexism that are part of the American labor movement's history. Only through committing to rectify these realities are we able to



genuinely join together in our endeavor to fight for respect on the job. This solidarity is the foundation that we, as leaders of CWA, must instill in all our actions.

We must be strong - CWA STRONG - for each other and for our communities.

That means showing up for each other no matter what. We will show up not just for our CWA family or other union siblings - but for ALL working people. Our movement depends on the empowerment of all workers to stand collectively for the dignity we deserve.

Unions have a duty to fight for every worker's right to a dignified life. We must do this work because our union's future - and the future of society - depends on it.

We hope this resource serves as a guide for each of you as you take on the important work of leading our union. Together we make CWA STRONG.

In Solidarity,

Claude Cummings Jr.

President CWA

Claude Cim

How To Use This Manual

As a Resource

This manual includes resource materials that you can refer back to after you leave this training session. It is also a handy place to keep other information that you may run across from time to time.

With Fellow Officers, Stewards, Activists, and Members

Much of the material in this manual is designed to help you educate, guide, lead and ener-gize your local. This resource book contains materials to help you develop union activists and guide them in their union work.

Keep this resource manual handy and use copies of pages of pertinent information in your one-on-one education sessions with officers, stewards, and members.

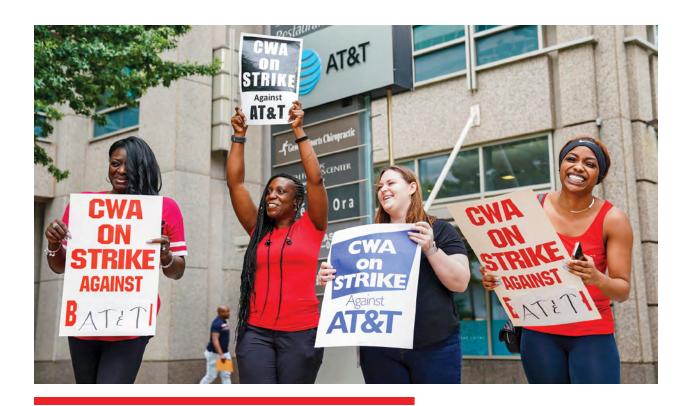
To Access Other CWA Materials

<u>CWAMATERIALS.org</u> is CWA's source for ordering education, organizing, training and political action materials. You can also find many CWA branded items to order. Orders may only be placed by Locals or District/Sector/Division/National offices.

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www.cwa-union.org



CWAers in District 4 hold AT&T accountable



CWA members at Envoy Air fight to form a union

Table of Contents

Chapter 1: Primary Roles of Local Officers		1
-	The CWA Triangle	5
Chapter	2: CWA STRONG	7
	Broad Goals of the CWA STRONG Program	10
	CWA STRONG Against Racism: Addressing Anti-Black Racism	10
	CWA STRONG: What We Can Do	12
Chapter	3: CWA Organization	13
	CWA Organizational Structure	16
	CWA District Map	17
	CWA Functions	18
	Union Dues	21
	CWA Departments	23
	Association of Flight Attendants (AFA-CWA)	25
	IUE-CWA	26
	NABET-CWA	27
	Public, Healthcare and Education Workers – PHEW	28
	The NewsGuild (TNG-CWA)	29
Chapter	4: CWA Constitution	31
	Responsibilities of Office	33
	Authority, Duties and Obligations of Locals	34
	Exercise: The CWA Constitution	36
Chapter	5: The Role Local Bylaws Play	41
	Local Bylaws	43
	Exercise: Fiduciary Responsibility Case	43

Chapter 6: Financial Responsibilities of Local Officers		
-	Fiduciary Responsibility of Local Officers	49
	I. LMRDA	49
	II. CWA Constitution	51
	III. Local Bylaws	52
	IV. Union and Local Operating Practices	52
	Exercise: Local Finances	56
	LM-30 Overview	63
	Exercise: LM-30	66
Chapter 7	: Setting Goals/Budget	67
	Preparing a Local Budget	69
	Sample Local Goals for the One Year	70
	Local Budget Work Sheet	72
	Exercise: The Local Budget	74
Chapter 8	: Running Effective Meetings &	
	Using Parliamentary Procedure	77
	Before the Meeting Begins: Planning, Agenda and Turnout	79
	Parliamentary Procedure and Robert's Rules of Order	80
	Exercise: Parliamentary Procedure	82
	Converting Group Member Functions Into Parliamentary Forms	84
	All the Rules at a Glance	85
Chapter 9	: Workplace Stewards	87
	Stewards Make CWA Strong	89
	The Role of CWA Stewards	89
	CWA Strong Steward Training	90
	Building a Steward Structure in your Local	91
	How Can Local Officers Support Stewards to Build Power	93
Chapter 1	0: CWA Human Rights Program	95
	Local Civil Rights & Equity and Women's Committees	98
	Training and Leadership Development Programs	98
	Movement Building	100
	Ways Local Officers Can Support CWA Human Rights Program	100
	CWA Policy on Mutual Respect	101

Chapter 11: Occupational Safety and Health		
What is The CWA Union Approach to Health and S	Safety? 105	
Common Hazards CWA Members Face On-the-Jo	b 106	
Are All CWA Members Covered by OSHA?	106	
13 Things Every Union Leader Should Know Abou	t	
Safety And Health*	107	
Involving the Membership in Safety and Health Act	tivities 109	
The Dangers of Employer Behavior-Based Safety/		
Blame-the-Worker Safety Programs	110	
How to Identify, Evaluate, and Control Hazards	111	
Bargaining and Health and Safety Contract Langua	age 103	
Chapter 12: Legislation and Politics	117	
Why We Do Political/Legislative Work	119	
Legislative and Political Action Teams	120	
LPAT Structure and Definitions	120	
Building Our Member Mobilization Teams	121	
What Is a PAC?	122	
Political Action Fund (CWA-PAF) —		
Funded by Individual Voluntary Contributions	122	
Dos and Don'ts: CWA Political Action Fund		
(CWA-COPE PCC) Individual Funds	125	
Do's and Don'ts: Local Union Funds	126	
Online Resources	127	
Political Action Fund (PAF/PAC) Yeahbuts	127	
EXERCISE: Possible PAF Objections	129	
Chapter 13: Collective Bargaining	133	
The Legal Context of Collective Bargaining	135	
The Bargaining Timeline	136	
Chapter 14: Local Union Committees	147	
Local Union Committees	149	
Committee: Meeting Information and Minutes	151	
Chairing a Committee Meeting	151	
Committee Responsibilities and Resources	152	
Committee Meeting Minutes Form	156	

Chapter 15	5: Organizing	157
_	Why Do We Need to Organize?	159
	Who Should We Organize?	160
	How to Begin Organizing	161
	How Do I Handle an Organizing Inquiry?	163
	What Do We Cover on the First Contact in an Organizing Drive?	164
	Evaluating a Potential Project	166
	Ten Common Mistakes to Avoid	166
Chapter 16	ិះ Internal Organizing	169
	Contracts	171
	Worksite Issues	173
	Legislative Issues	173
	Union Visibility at the Worksite	174
	Responding to Common Misconceptions about the Union	176
Chapter 17	7: Welcoming New Workers	179
	Access to New Hires	181
	Differences Between a Union and Non-Union Workplace	182
	I. Best Practices in New Worker Orientations	183
	II. Develop a New Member Packet	184
	How to Conduct a New Worker Orientation	186
	Tips for Talking with New Workers	189
Chapter 18	3: Understanding Arbitration	191
	Arbitration is Not the Final Step of the Grievance Procedure	193
	How is a Grievance Different From Arbitration?	195
	How Do We Decide Whether to Take a Grievance to Arbitration?	197
	Factors Which the International Considers When Deciding	
	Whether or Not to Take a Grievance to Arbitration	197
Chapter 19	9: Local President	199
	Local President — Duties and Responsibilities	201
	Getting Started as Local President	202
	Membership Meetings	204
	Basic Membership Meeting Agenda	204
	Executive Board Meetings	206



Chapter 23:	Retiree Activism	265
	Tack chock Emoraling official occurry/Agency office Agreements	201
	Fact Sheet Enforcing Union Security/Agency Shop Agreements	261
	Enforcing Union Security Language	256
	Private Sector Workers April 2013	253
	Fact Sheet Agency Fee Objector Policy —	24 3
	Your Rights With Respect to Union Representation, Union Security Agreements and Agency Fee Objections	249
	Providing Notice of Employee Right to Object — Private Sector	247
	Agency Fee Objections Definitions	241
Chapter 22	Enforcing Union Security Agreements and	241
Chapter 00:	Enforcing Union Consulty Agreements and	
	Look I mily Cyclom	201
	Local Filing System	237
	Order of Business	236
	Minutes of Union Meetings	234
	How to Use Membership Reports	232
	Membership Dues Reports	232
Silapter 21.	Local Secretary — Duties and Responsibilities	231
Chanter 21	: Local Secretary	229
	Cample Labor Department Letter Announcing Addit of a Local	221
	Sample Labor Department Letter Announcing Audit of a Local	225
	How to Select an Accounting Firm Bond Coverage	225
	General Ledger	223 224
	Bank Accounts	222
	Financial Statement to International	221
	Financial Report to Membership	220
	Best Practices for a Smooth Fiscal Year-End	219
	Bottom Up Processing	218
	Top Down Processing	217
	CWA Dues and Processing Overview	217
	Local Voucher Guidelines	215
	Handling Expenditures	214
	Getting Started as the Local Treasurer	213
	Treasurer's Checklist of Documents	211
	The Duties and Responsibilities of the Treasurer are to:	210
	Local Treasurer — Duties and Responsibilities	209
Chapter 20:	Treasurer	207

Appendix: N	Model Contract Language	330
	CWA Officer's Participation Reaction Form	327
Chapter 32	: Training Reaction Form	325
Chapter 31	: CWA/NETT Academy	319
	Connect with CWA	317
	Social Media	316
	ActionNetwork: Free Email, Actions and Events Tool	316
	UnionHall: Free Website Creation and Hosting	315
Chapter 30	Online Communications for Locals	313
Chapter 29	: Checklist of Federal Government Required Forms and Reports	307
Chapter 28	: CWA Forms	301
Chapter 27	: The Union Operating Procedures Manual (UOPM)	297
	What Can You Do to Stop Harassment?	296
	Other Common Forms of Harassment	294
	What About a Sexual Harassment Complaint Between Members?	293
	How to Handle a Sexual Harassment Complaint	292
	Why Does Harassment Occur?	291
	Sexual Harassment	289
Chapter 26	: Sexual Harassment	287
	Frequently Asked Questions (FAQs)	283
	Application of Fund Rules	281
	Preparing for a Strike	279
	Members Relief Fund	279
Chapter 25	: Members' Relief Fund	277
	Dog and Borto Treventing a Beschindation	210
	Do's and Don'ts — Preventing a Decertification	276
	What is the Decertification Election Process? Exercise: Temco Case Study	274 275
	When can a Decertification Take Place?	273
	What is Decertification?	273
Chapter 24	: Preventing Decertification	271

CHAPTER 1: Primary Roles of Local Officers





CWA participants at the 60th Anniversary of the March on Washington for Jobs and Freedom

Primary Roles of Local Officers

Please allow 15-20 minutes for a small-group conversation.

- Which of the following do you see as the primary goals of local officers? Which of these are the five most important in your opinion for the principal officers of a local.
 - ☐ Keep the local financially stable.
 - ☐ Keep the Local Executive Board united and working together.
 - ☐ Represent the members in the workplace and enforce the contract.
 - ☐ Train and recruit (elect) sufficient workplace stewards.
 - ☐ Build a mobilization structure in each workplace.
 - ☐ Engage and involve members in the issues, fights and campaigns that impact them including organizing new members.
 - ☐ Establish or maintain a strong political program by building a LPAT team and developing relationships with local elected officials including members of Congress.
 - ☐ Communicate with the members through the website, newsletter, worksite meetings, email messages and worksite mobilization.
 - ☐ Develop a local budget which reflects the priorities of the local including organizing new members.
 - ☐ Make internal organizing a routine part of locals work.
 - ☐ Establish with the Executive Board annual goals for the local with clear and measurable results.
 - ☐ Join or form coalitions or partner with progressive allies in movement building.



a	ctivists? What role can only the local officers play?
_	
_	
_	
	What areas do you want to strengthen in your local? How will you make your ocal CWA STRONG?
-	
_	
W	Vhat nonunion progressive organizations or coalitions are in your communit
Н	low are you working together? Why does it matter?
_	
-	

The CWA Triangle

The CWA Triangle symbolizes the three major programs — and pillars — of our union. If any one side of our triangle is weak, it diminishes our power and ability to effectively represent our members.



■ Representation/Collective Bargaining

Representation is our ability to stick up for each other and enforce our rights under the law and the contract. This is never a right we can take for granted. Our basic rights to form unions and collectively bargain are under attack and can only be secured through strengthening all sides of our triangle.

Organizing

Organizing means building up our membership in existing units, as well as strategically adding new groups. Organizing is how we build the power we need to maintain our rights.

■ Movement Building

Movement building means engaging our members and partner organizations across the nation to unify in support of economic justice and democracy.

When our founding president, Joseph Beirne, created the CWA Triangle in 1965, he dubbed it the "triple threat" and key to CWA's future. By remembering our roots and the interdependence of the Triangle's sides, we can strengthen our union and defend our rights.

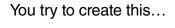
ADVICE FOR UNION LEADERS

- 1. Get close to the members. Stay close to the members.
- 2. Tell members it's their union and then behave that way.
- 3. Don't do for workers what they can do.
- 4. The union is not an insurance policy on which members make claims —it is the collective effort of members to improve the quality of their lives.
- 5. Don't be afraid to ask members to build their own union.
- 6. The union is the members' tool to make positive change in their lives.
- 7. Anger is there before you are channel it, don't defuse it.
- 8. Members know the risks. Don't lie to them.
- 9. Communicate excitement, energy, urgency and confidence.
- 10. Union leaders talk too much. Most of what we say is forgotten. Listen more and don't forget.
- 11. Workers united can beat the boss. You have to believe that and so do they.
- 12. Don't underestimate the members.

WE LOSE WHEN WE DON'T LEAD THE MEMBERS INTO THE STRUGGLE AND PARTNER WITH ALLIES.

CHAPTER 2: CWA STRONG

Membership involvement means that, instead of this...







UNION REP vs. EMPLOYER

ALL MEMBERS vs. EMPLOYER

... and this



A MOVEMENT OF 50 MILLION



On strike at AT&T Mobility

CWA STRONG

CWA leaders and members have always stepped up to meet the challenges of the day. The upheaval of telecommunications divestiture, changing technology, mergers of communications companies, consolidation of the airline industry, the offshoring of good jobs, the assault on public services that benefit working people, and the attacks on public and private sector workers' rights all require a strong union that can fight back. We are that union.

Today, we need to be tougher than ever, because we face the perfect storm of emboldened corporate greed, a Congress determined to roll back workers' rights and protections, anti-union forces pushing for an end to public worker bargaining rights, a billionaire cabinet filled with the worst of Wall Street, and unprecedented attacks on civil and human rights.

Bargaining good contracts is tougher than ever, across every industry. It is a turbulent time for millions of working families, and a dangerous one. We are at risk of losing decades of gains, in safety and health, fair wages and overtime, the right to collective action, and much more. The attack on unions is unprecedented and we must increase our power to withstand the blows.

CWA STRONG is a bold national plan to move every member to action, with the goal of

building workplace power and expanding our capacity to survive and fight back. The CWA STRONG plan includes real, measurable goals that keep us all accountable for the work that will allow our union not just to survive this crisis but to make gains. Together, we can bring more workers into our union, strengthen our political voice, and win on issues that affect us all. We must all commit to this work. This is no time for bystanders.



Rallying for good jobs at Frontier

Broad Goals of the CWA STRONG Program

- An internal organizing plan. If the local is below 80% organized, the Local will design a systematic plan to increase membership by 10 percentage points.
- Strengthening our steward's structure by increasing the number of trained stewards.
- Workplace mobilization structures that allow the local to contact every member with important information and move them to action in support of bargaining and other issues.
- An active Legislative-Political Committee to send activists to political trainings, thereby expanding the number of members fighting for pro-worker candidates and legislation.
- An active Women's and Civil Rights and Equity Committee.
- Communications. Ask every member for their email address and cell phone number so that the Local can regularly update them and move them to action.

Since the 76th Convention, our union has already made great progress toward our CWA STRONG goals. This has included organizing trainings, leading membership blitzes, providing assistance in building organizing committees to conduct deep systematic work, and ensuring that all CWA-represented workers are asked to join CWA. We have also bargained for improved language on workplace access, information about the unit, and new hire orientations.

Strong concrete growth began with the locals that jumped into this effort early, and that growth has motivated hundreds more locals to participate in CWA STRONG.

Our determination and energy has resulted in increased member involvement in every aspect of the union. Nationally, we have grown in membership density by six percent and many locals have surpassed the 10 percent goal. We have cut the number of non-members in half. Yet, there are still thousands of potential CWA members in our workplaces, many of whom have not yet been asked to join.

CWA STRONG Against Racism: Addressing Anti-Black Racism

The uprisings of communities calling for justice after the murder of George Floyd in Minneapolis, MN demonstrated every person of conscious must move to action against the deeply rooted legacy of anti-Black racism in our country. We cannot build the working class power we seek unless we dismantle racism and every worker takes on the struggle for justice for Black people in this country as their own. This commitment to anti-racism must go beyond words alone.

The reality is that the same people who attack our union — the boss, the richest Americans, corporate executives — they know that justice for Black people is inextricably linked to justice for all working people. They use race as one of the most effective and destructive ways to divide workers.

As leaders, we must commit to creating dedicated spaces for open dialogue and we must listen to the experiences and stories of Black CWA members, Black workers, and the Black community. This means every White union member, Black union member, Latino union member, Asian union member, Native union member and every ally, must organize and fight for to dismantle racism — inside our union, our workplaces, and our communities.

There are trainings available through the CWA Human Rights Department to support each of you in this work. See a collection of anti-racism resources gathered by CWA here: https://cwa-union.org/anti-racism-resources.

Dismantling racism is central to the success of the CWA STRONG program. CWA must demonstrate our commitment to Black lives through our organizing, representation, political and movement building work. We need you as local officers to be leaders in this struggle.



CWA Strong Against Racism

CWA STRONG: What We Can Do

Each of us has a different role to play in making CWA Strong. As Local Officers here are steps that you can take:

- Review your local's CWA STRONG plan with your local Executive Board, organizing committee, and at membership meetings
- Communicate with members about the crisis we face as a labor movement, and our CWA STRONG program by posting on local union website, sending out emails, and including updates in the local newsletter
- Reach out to District Organizing staff and design a systematic plan to increase membership by 10% if local is at or below 80% organized
- Make internal organizing a priority and review non-member numbers at every local Executive Board meeting
- Divide up worksites among local board members and visit each worksite to talk with members and ask non-members to join the union
- Work to collect at least 50% of member's emails and communicate regularly with members via email. A request for email addresses should be on all materials distributed in the workplace, on bulletin boards and local websites
- Use CWA STRONG materials at steward and membership meetings to help members better understand the crisis and challenges we face, and how it impacts our bargaining power and rights on the job
- Set up a website and Facebook page for your local and keep it up-to-date with information on events, activities, and other opportunities for members to engage in the union
- Ensure your local has functioning committees:
 - Organizing
 - Political/Legislative
 - Women's
 - Civil Rights and Equity
 - Steward's committees
 - Health and Safety
- Have a systematic program for asking for PAF contributions
- Identify allies in your community that your local can work with on issues of economic, social justice and democracy hopefully to develop a deeper and longer term partnership

This manual covers many of the wide-ranging responsibilities that come with serving as a local officer — from overseeing your local's budget to the role of the local treasurer to understanding arbitration. That said, engaging our members to build real workplace power and strengthen our union to fight back against attacks we face must be at the center of everything we do.

As you read through each of the chapters that come next, how can you keep the goals of the CWA STRONG program at the core of every responsibility you take on?

CHAPTER 3: CWA Organization



CWA activist leads chants during AT&T SE contract mobilization

CWA Organization

Overview

Beginnings

The Communications Workers of America (CWA) is a young union—it was founded in New Orleans in 1938. First known as the National Federation of Telephone Workers, convention delegates in 1947 changed the name to the Communications Workers of America.

CWA joined the Congress of Industrial Organizations (CIO) in 1949 and has been an affiliate of the AFL-CIO since the two labor organizations merged in 1955.

Size

CWA represents 700,000 workers in public and private sector employment.

Composition

The CWA represents workers in telecommunications, broadcasting, cable TV, journalism, publishing, manufacturing, airlines, customer service, government service, healthcare, education, and other fields.

Geographic Spread

CWA members live and work in more than 10,000 communities in the United States and Canada.

Collective Bargaining

Among the largest employers are AT&T, Verizon, the State of New Jersey, United Airlines, G.E., Canadian Broadcasting Corporation, state and local governments, major newspapers, and universities.

Union Democracy

CWA conventions are the union's highest policy-making body.

CWA Organizational Structure

Convention....The Convention is the highest governing authority of the Union. Approximately 2,500 locally elected delegates and alternates attend the CWA Convention.

Executive Board....The Executive Board is elected at the Convention every four years and consists of:

- President
- Secretary-Treasurer
- Vice Presidents Seven District Vice Presidents and

Six International Vice Presidents for:

- Telecom and Technologies
- Public, HealthCare Workers and Education Workers
- NABET-CWA
- TNG-CWA
- IUE-CWA
- AFA-CWA
- Four At-Large Diversity Board Members
- Director, CWA-SCA CANADA

Districts....CWA is structured into seven geographic Districts. Districts are responsible for carrying out the goals and programs of the Union.

Sectors Division....CWA has six sectors/divisions. Four are merger partners (AFA-CWA, IUE-CWA, NABET-CWA, TNG-CWA) that represent and negotiate contracts in their respective industries.

Chartered Locals....CWA has more than 900 chartered local unions in the United States and Canada. Members elect local officers and the delegates to the CWA Convention.

All CWA members, including International Officers, Staff and Local Officers must abide by the CWA Constitution as well as their Local's Bylaws.

CWA District Map



CWA Districts

District 1	New York City, NY	District 6	Austin, TX
District 2-13	Philadelphia, PA	District 7	Denver, CO
District 3	Atlanta, GA	District 9	Sacramento, CA
District 4	Cleveland, OH	Canadian Region	Ottawa, ON

CWA Functions

I. Convention

CWA holds a biennial Convention. Once the Convention makes a decision, that decision stands, and it must be carried out by every single officer and employee of the Union — at both the local and international levels. Convention action can be changed only by a later Convention or by a referendum of the membership.

The Convention has the power to:

- 1. Interpret and amend the Constitution.
- 2. Establish the policies to be followed by the union.
- 3. Elect the International President, Secretary-Treasurer, Vice Presidents, and the Diversity At Large Board members.
- 4. Act as a final court of review for appeals of decisions made at lower levels of the Union. (Non-Convention years appeals are handled at the national Presidents' meeting)
- 5. Establish per capita dues to the International.
- 6. Approve or change the budget.
- 7. Dispose of any other matters that may come before it.

Delegates to the Convention are elected by Local unions with the number of delegates per Local determined by membership strength as specified in the CWA Constitution.

II. Executive Board

The Executive Board meets regularly throughout the year and makes decisions on union matters, with these decisions being subject to review by the Convention. The Executive Board also administers the policies established by the Convention.

The Executive Board consists of:

- President
- Secretary-Treasurer
- Vice Presidents Seven District Vice Presidents and

Six International Vice Presidents for:

- Telecommunications and Technologies
- Public, HealthCare Workers and Education Workers (PHEW)
- National Association of Broadcast Employees and Technicians (NABET)
- The NewsGuild (TNG-CWA)
- International Union of Electrical, Salaried, Machine and Furniture Workers (IUE-CWA)
- Association of Flight Attendants (AFA-CWA)

- Four At-Large Diversity Board Members for:
 - Northeast Region
 - Southern Region
 - Western Region
 - Central Region
- Director, CWA-SCA CANADA

The Executive Board has 16 full time national officers who are responsible for recommending policies and programs to the Convention, based upon their day-to-day experience in administering the affairs of the Union.

IV. Budget Committee

The President, Secretary-Treasurer and appointed Vice Presidents make up the Budget Committee. The Budget Committee reviews Union income, expenses and budgets and makes recommendations to the Executive Board.

V. Districts

CWA is structured into seven geographic Districts. The Districts are responsible for carrying out the goals and programs of the Union. Delegates representing the Locals within each District elect a vice president every four years at the Convention. Representatives of locals within each District must meet at least once each year as required by the CWA constitution.

VI. Sectors/Division

CWA has six sectors/division. Four are merger partners (AFA-CWA, IUE-CWA, NABET-CWA, TNG-CWA) that represent and negotiate contracts in their respective industries. The Telecom & Technologies sector bargains national agreements with AT&T Legacy, Nokia, AT&T Internet Services, Optical Fiber Solutions, AVAYA and other and coordinates bargaining with Century Link, Windstream, and Frontier. The Public, Healthcare, and Education Sector has ongoing initiatives to promote organizing and bargaining rights for public workers and contributes to national policy issues affecting members.

VII. Canadian Region

CWA-SCA Canada is responsible for coordinating matters of common concern and interest with respect to contracts, wages, hours of employment and other working conditions within the units of the CWA-SCA Canadian Region.

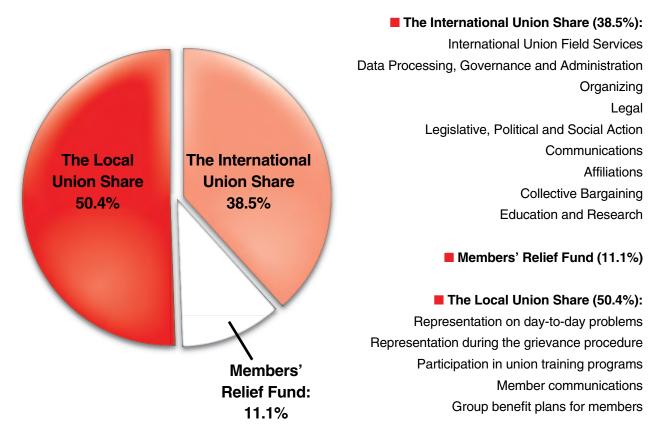
VIII. Locals

CWA has approximately 900 chartered local unions in the United States and Canada. Members elect local officers and the delegates to the CWA Convention. All chartered locals must represent the workers in their respective jurisdictions and hold meetings at such time, place and frequency as the members may decide by vote. The locals are also responsible for representation and actively implementing all union programs.

At each level of CWA, the members set policy and control the finances. All members have the opportunity to participate in their local union by attending meetings, serving on committees, becoming a steward, joining a Legislative Political Action Team or being an activist in building a movement.

Union Dues

Where Do Our Union Dues Go?



Note: The 2006 convention delegates established a strategic industry fund (SIF) to finance large scale campaigns to increase our bargaining power. MRF contributions go into the SIF unless the MRF falls below the floor established by the convention (\$377,484,108). If the MRF falls below the floor all contributions revert back to the MRF until it reaches the floor again.

The 2013 convention delegates approved rolling the existing Defense Fund money across each of the Strategic Industry Fund silos (Telecom, Media, Manufacturing, Passenger Service, and Public/Healthcare-Right to Strike) and including two new silos; Public Workers-No Right to Strike and AFA. The \$.50 per member previously assessed for members ceased.

In addition, delegates approved the creation of a Growth Fund. This newly created Growth Fund is used to support and enhance the union's movement building, organizing, leadership development, research, industry analysis and efforts to achieve economic justice.

How Much Are Minimum Union Dues?

Members who have the right to strike pay 2 1/4 hours dues a month based on a 40 hr. work week.

For example, if you earn \$500 weekly your dues are \$28.13 a month:

 $$500 \times .05625\% = 28.13

\$10.00 of this goes to the International \$3.13 goes into the Strategic Industries Fund/ Members' Relief Fund, \$15.00 goes to the Local.

Members who are legally restricted from striking pay two hour's dues a month based on a 40 hour work week.

For example, if you earn \$500 weekly your dues are \$25 a month.

 $$500 \times .05 = 25.00

Who Decides How Much Dues We Pay?

CWA members decide. The convention delegates who are elected by the rank and file members establish the *minimum* dues structure.

What Are Dues Used For?

Negotiations of contracts
Enforcement of contracts, handling of grievances, arbitration
Mobilization campaigns

Education programs and training materials

Research on employers benefit plans

Lobbying for legislation

Organizing

Health and Safety research

Member's Relief Fund

Communications and Media

Strategic Industry Fund Campaigns

CWA Departments

Communications

The Communications Department handles CWA's internal, traditional and online communications programs, including the weekly e-newsletter, CWA News and other publications, social media, media outreach and video. Connect with CWA at www.cwa-union.org, on Facebook at CWAUnion, on Twitter/X @CWAUnion, on Instagram @CWAUnion, and on TikTok @CWAUnion.

Data and Information Systems

Administers tools and manages data that are used by locals and at HQ for membership and dues processing, organizing, political outreach, and other projects. The department helps locals by making their data easier to use. The team also provides reporting and analysis on membership data to inform strategic decision making. This also houses HQ's IT department to ensure all employees can work efficiently and member data is handled securely.

Education

This department produces materials and programs that inform members about key issues affecting our union and prepares members for mobilization actions to improve our strength at the bargaining table, in the workplace and in the community. The department develops training for stewards, local officers, union activists, and CWA staff in the fundamentals of union representation, leadership development, contract enforcement and movement building.

Finance and Membership

The Finance and Membership Department handles the day-to-day financial work of the union. The Department works diligently to ensure that membership records are maintained accurately and that dues reports and checks are worked in a timely and efficient manner. In addition, the accounts payable section processes and pays the bills for headquarters and district expenses. The accounts receivable section processes the income received from dues and other sources. The accounting department generates budget reports and quarterly financial reports for the union.

Human Rights

CWA accepts its responsibility to represent all members, regardless of gender, color, disability, sexual orientation, creed or nationality. CWA consistently challenges discriminatory practices and fosters enlightened attitudes throughout our union and society. This office coordinates the National Committee on Civil Rights and Equity, the National Women's Committee and works with the AFL-CIO constituency groups and other coalitions and community organizations.

Legal

CWA is represented by a General Counsel and by various in-house and retained counsel across the country in all legal matters, including litigation, NLRB, other administrative agency proceedings and arbitration cases. CWA attorneys also handle and provide advice relating to internal governance issues, complaints and appeals and other matters governed by the CWA Constitution. CWA's Legal Department provides opinions and guidance on a wide range of matters relating to organizing, mobilization, corporate campaigns, bargaining obligations, legislative and regulatory initiatives and enforcement, benefit and personnel matters and on contractual interpretations and representation disputes.

Legislative and Political

Coordinates CWA's Political Action Fund and LPAT program (Legislative-Political Action Teams). Works with District/Sector Legislative-Political Coordinators to increase CWA's grassroots political legislative action efforts and member support of Local, State and Federal candidates. CWA has one of the most active grassroots lobbying and political programs in the country and is working to build up our independent political power for workers in the U.S.

Occupational Safety and Health

The department works towards the identification and elimination of member occupational safety and health hazards through the development of education and training materials, conducting workplace safety and health education and training, providing technical assistance, and conducting research specific to member occupational safety and health hazards.

Organizing

Works with the districts/sectors and locals in expanding external organizing opportunities. Provides resource support and direct assistance to locals in organizing campaigns. CWA has one of the most active organizing programs in the labor movement.

Research

CWA's research and technical staff provide support for CWA bargaining, organizing, and public policy work. The Research Department develops strategic and financial analyses of companies and sectors where CWA members are employed. Department members pro-vide research and technical support for corporate campaigns and other initiatives.

Sectors

Association of Flight Attendants (AFA-CWA)

Established in 1945, the Association of Flight Attendants is the world's largest labor union organized by flight attendants for flight attendants. AFA-CWA represents nearly 50,000 flight attendants at 18 airlines, serving as a voice for flight attendants at their workplace, in the industry, in the media and on Capitol Hill. Through the years, AFA- CWA members have fought for, and won a number of changes in the airline industry that has led to safer airplanes and transformed the flight attendant profession. Flight attendants are trained professionals, First Responders in the air, and responsible for the safety of passengers in the airplane cabin.

- AFA-CWA negotiates the best flight attendant contracts in the industry, maintaining and improving wages, benefits and working conditions for flight attendants.
- AFA-CWA has strength in numbers and a professional staff to assist flight attendants with workplace, career and interpersonal concerns.
- AFA-CWA is a democratic union representing flight attendants at every Mainline, Regional, Low Cost, Niche, and charter carrier. All AFA-CWA officers are flight attendants who solicit member input on policy and financial decisions.
- AFA-CWA shares information and strategies, working in solidarity with flight attendant unions around the world through the International Transport Workers Federation (ITF).

International Union of Electrical, Salaried, Machine and Furniture Workers (IUE-CWA)

The International Union of Electronic, Electrical, Salaried, Machine, and Furniture Workers' roots reach back to the early 1930's in the radio and electrical manufacturing industries at many of the world's largest companies, including General Electric, Westinghouse, and General Motors. In 1936 these independent unions coalesced to form the United Electrical, Radio and Machine Workers (UE), the first chartered CIO union. In 1949, as a result of disputes within the CIO, the UE left the CIO and the IUE was born as the union representing those workers who wished to remain in the CIO.

In the 1950's a growing IUE pioneered coordinated bargaining among the 14 unions at GE and Westinghouse, which became a model for the entire labor movement. In 1987, the United Furniture Workers of American merged with the IUE, and in October of 2000, the IUE membership voted to approve the merger with CWA, becoming the Industrial Division of CWA.

IUE-CWA members remain employed in manufacturing, but also now include private and public service-related industries, with over 100,000 active and retired members throughout the United States.

The IUE-CWA Division is known for its progressive history, including leadership in the area of social action. Through the years, IUE has fought on behalf of civil rights and anti-poverty programs, equal employment opportunity, fair housing, education, national health care, pay equity, and trade reform. Currently, the Division is focused on improving union members' job security by bringing both a union-oriented version of high performance, or lean, manufacturing and Energy Treasure Hunts into IUE-CWA worksites. Other priorities include ensuring that a green economy and a U.S. manufacturing renaissance translate into high quality union jobs. The Division is active in the AFL-CIO Industrial Union Council and is outspoken in calling for fair trade laws and a fair and equitable U.S. manufacturing policy.

National Association of Broadcast Employees and Technicians (NABET-CWA)

In 1994, NABET merged with CWA. NABET-CWA has 27 chartered Locals with over 10,000 members who are employed in broadcasting, distributing, telecasting, recording, cable, video, sound recording and related industries in North America. Radio announcers, technicians, clerical workers, set designers, directors, video camera operators, videotape editors, and audio visual technicians are among those represented by NABET-CWA.

NABET-CWA negotiates over 100 collective bargaining agreements for its members. Major employers include NBC, ABC and independent companies in the public and private sectors.

Early history of NABET-CWA:

- In 1933, some 300 NBC workers formed the Association of Technical Employees (ATE).
- In 1934, ATE signed its first contract with NBC. The contract called for a 48-hour work week and a monthly wage scale of \$175.
- In 1940, ATE changed its name to the National Association of Broadcast Engineers and Technicians (NABET).
- In 1941, NABET negotiated its first eight-hour day contract provision.
- In 1943, a Supreme Court decree splits up NBC and creates ABC. NABET adds ABC to its contracts.
- In 1951, NABET affiliates with the Congress of Industrial Organizations (CIO).
- In 1994, NABET merged with CWA.

Public, Healthcare and Education Workers – PHEW

CWA saw its first public worker members in 1965 when 2,300 New York City government workers joined CWA Local 1180. Public worker organizing continued over the next two decades. A major leap in membership occurred in 1980 when 40,000 New Jersey State workers voted for CWA representation.

At CWA's Special Committee on the Future Convention in 1983, delegates saw the need to establish a separate department for its growing public workers sector and created the CWA Public Workers Department. They voted to elect a Vice President who would oversee the Department and become a CWA Executive Board member.

Since that time, public workers along with thousands of health care workers throughout the country have joined CWA. The Public, Healthcare and Education Workers Sector represents over 130,000.

Union attempts to organize public workers began in the 1930's but it was in 1959 when Wisconsin became the first state to enact legislation giving public workers a legally enforceable right to bargain collectively. During the 1960's sixteen states enacted bargaining rights legislation. It wasn't until 1962 that the federal government recognized federal employees' right to join unions and bargain collectively.

The battle for recognition continues today as only 29 states and the District of Columbia have enacted comprehensive collective bargaining laws for public workers.

CWA represents public, healthcare and education workers across the U.S., ranging from blue collar workers, and social workers to computer programmers, heavy equipment operators, correction and police officers, finance managers and instructors.

The NewsGuild (TNG-CWA)

Led by columnist Heywood Broun, The American Newspaper Guild began in 1933. Dissatisfaction with their pay was the main reason that editorial workers, traditionally independent, came together. In 1937 it expanded its membership to include commercial departments.

TNG has been at the forefront of labor law, social justice and worker safety throughout its history. In the 1940's it fought off attacks by publishers who claimed labor law violated their 1st Amendment rights. In the 1960s, the Guild actively pushed employers to end racial and gender discrimination in their hiring and employment practices. In the 1980's the Guild lead the fight to address workplace injuries and repetitive strain injuries caused by the introduction of poorly designed computer equipment.

In the past 20 years language workers, including translators and interpreters have been added to the ranks of Guild members.

At the 2015 TNG Convention, delegates approved changing the union's name to The NewsGuild-CWA, to better reflect the current news industry and diversity of Guild units. TNG today is primarily a media union whose members are diverse in their occupations, but who share the view that the best working conditions are achieved by people who have a say in their workplace through collective means.

TING has more than 24,000 members in the United States, Canada and Puerto Rico.



Bank workers rally for good jobs in Washington, D.C.

CHAPTER 4: CWA Constitution



Delegates speak for a motion at the 79th CWA Convention



CWA Canada National Representative Council

CWA Constitution

The CWA Constitution sets forth the rules by which the union conducts its business. Just like the Constitution of the United States, it is a living, changing document. The democratically elected delegates to the CWA convention have the power to change or amend the Constitution. The delegates have used this power many times over the years. Copies of the Constitution may be ordered from www.cwamaterials.org.

Responsibilities of Office

At the time of your installation as a local officer, you took an oath or obligation to faithfully discharge your duties according to the Bylaws and rules of your local, the CWA Constitution and the policies of the union. This means all the policies, constitutional requirements and local bylaws — including those you may personally disagree with.

Some will complain that adherence to specific Convention action and/or a constitutional provision which the local disagrees with is undemocratic. On the contrary, in an organization as large as CWA, it is essential. Our strength is in our numbers — our united numbers. The time for debate and discussion is on the convention floor. Once the Convention makes a decision, we must all abide by it, regardless of our own personal position.

You may find this uncomfortable or even distasteful. But you will find strength in the knowledge that a union's membership must remain a united force for the common good, no matter how sharply it debates the path to that end. In this, as in so many ways, your role as local officer will be decisive.

Authority, Duties and Obligations of Locals

CWA Constitution, Article 13, Section 9

The authority, duties and obligations of chartered locals, their officers and members, in addition to those otherwise set forth in the Constitution or in their respective bylaws and rules, shall be:

- (a) To represent the workers in their respective jurisdiction relating to local matters;
- **(b)** To actively implement all union programs and carry out the policies established by the District, State or Area meeting at which it is required to be represented;
- **(c)** To abide by the Constitution, the decisions of the Convention, the Executive Board of the union and the decisions resulting from the referendum procedure;
- (d) To adopt bylaws and rules not inconsistent with this constitution and to repeal, amend, or modify such rules and bylaws as may be inconsistent therewith, voluntarily, or at the direction of the Executive Board of the Union, subject to the right of appeal to the Convention. As provided more fully in Article IX, Section 7, commencing immediately after the 2011 CWA Convention, all appeals pending in non-Convention years may be heard and resolved by delegates to a Local President's Meeting;
- **(e)** To establish and maintain actively functioning organizing, education, legislative-political, community services, women's equity, and such other committees as may be necessary to effectuate the policies of the local, the union and the District, State or Area;
- (f) To participate actively in the political and legislative processes on a city, state, provincial and national level, with special regard to legislation affecting the welfare of the members, and do all things reasonable and necessary to accelerate the adoption of laws which may be beneficial and to encourage defeat or cause the repeal of laws which may be detrimental to the workers;
- **(g)** To respect picket lines of any local of the union engaged in a strike authorized and conducted in accordance with this Constitution;
- **(h)** To provide for the bonding of local officers and other persons who handle union funds and property;

- (i) To hold local meetings at such time, place and frequency as the members may decide by vote;
- (j) To hold local elections by secret ballot with provision of reasonable opportunity for all members to vote in accordance with the bylaws or rules established by the local and this Constitution;
- (k) To elect by secret ballot delegates and alternate delegates to the union Convention as provided in this Constitution and to designate the chair of such delegation;
- (I) To establish a quorum and other rules of conduct of local meetings;
- (m) To maintain adequate files and records and have made an annual audit of the financial records of the local by competent persons; make available local financial statements to the membership at least annually; furnish to the union's Secretary-Treasurer in acceptable form, an annual financial statement;
- (n) To furnish the Vice President and Secretary-Treasurer of the union with copies of Bylaws and Rules of the local and copies of revisions as they may be made;
- **(o)** To require participation of all local officers and stewards in appropriate training schools and programs;
- **(p)** To establish a program designed to keep rank and file members informed of union activities:
- (q) To process grievances through the step below the top level of the grievance procedure preceding arbitration, where applicable;
- (r) To represent the members of the local at all District, State or Area Meetings, and at quarterly meetings of local representatives with their International Staff, at such times and places as may be set by the Vice President, or the Vice President's accredited representative;
- (s) To maintain an active internal membership development program;
- (t) To maintain an active organizing program and budget monies to support the Local's efforts as well as assisting the Union in reaching a goal of 10% of resources to be spent on growth.
- (u) To do all other things necessary for the proper disposition of matters which may come before the local for consideration.

Exercise: The CWA Constitution

The answers to the following questions can be found in the CWA Constitution. This exercise will help you become more familiar with the document.

Read each question and list the article and section which contains the answer. Some questions may require you to list more than one article. Once you locate the article of the Constitution, briefly write the answer to the question.

1. Can delegates to a District or S	State meeting initiate and establish policies?
Article(s)	Page
Answer	
2. If the Local President negotiate	es a contract, can the contract be in the Local's name?
Article(s)	Page
Answer	

Article(s)	Page
A If there exists a contradiction	between the Local Bylaws and the Constitution, do the
Local Bylaws preempt the Cons	•
Article(s)	Page
	raye
_	ention adopt a position on an issue; a new Local President be following month and in the course of the meeting explain:
	rention. After some discussion, a member rises and offers
	position adopted by the convention. The Local President
puts the motion to a vote at the bership meeting have the right	membership meeting and it passes. Does the local mem- to do this?
bership meeting have the right	to do triis:
Article(s)	Page
Answer	

What are they?	
Article(s)	Page
Answer	
	procedure for handling charges filed against a member
Article(s)	Page
Answer	
8. Where in the Constitution is the the procedure.	procedure for handling an election challenge? Explain
Article(s)	Page
Answer	

6. Where in the Constitution are the duties and responsibilities of locals spelled out?

9. What are the five primary objectives of the union as stated in the Constitution?		
Article(s)	Page	
10. Can a local authorize a strike ac		
Article(s)	Page	
	0	
11. If there is no opposition to those held, is a local required to run an ele	currently holding local office after nominations are ection?	
Article(s)	Page	
Answer		

12. What is required if locals wish t	to merge?
Article(s)	Page
Answer	
13. Does the Constitution require the amount each year on organizing?	he International Union and locals to spend a specified Explain.
Article(s)	Page
Answer	

CHAPTER 5: The Role Local Bylaws Play



National Human Rights Committee Members working a booth at the 79th CWA Convention

The Role Local Bylaws Play

Local Bylaws

Local bylaws set out the policies and procedures of a local and are the rules that the local must abide by in addition to the CWA Constitution. Local bylaws generally contain provisions concerning the officer and steward structure for the local, provisions concerning local meetings, what is required for a quorum and what committees the local will have. Local bylaws also generally contain more specific provisions concerning local elections, for example what happens if the President resigns or there is a vacancy on the Executive Board. In addition bylaws frequently contain policies on officer salaries or allowable expenses. Local bylaws must be followed by the elected officers of the local. The International Executive Board may order the repeal of any bylaw or rule of a local inconsistent with the CWA Constitution.

Exercise: Fiduciary Responsibility Case

The following is a summary of an actual case decided in the U.S. Court of Appeals 6th Circuit. Please read the case summary and answer the questions that follow.

McCABE v. IBEW (72 LRRM 2014)

This local's bylaws provide for the reimbursement to local officers for out-of-pocket authorized expenses upon presentation of an itemized expense voucher with receipts attached.

After the completion of an annual audit, the local's Certified Public Accountant suggested that the procedures be changed because inadequate documentation was being presented in support of claims for reimbursement.

The accountant recommended that each of the local's officers be paid a fixed amount of money per week for all expenses incurred. The money would be treated as salary and appropriate withholding of all taxes would be made. After discussion of the accountant's proposal by the local's executive board and the membership at various meetings, the fixed amount proposal was put into effect, but the bylaws were never changed.

On occasion, after the fixed amount policy was implemented, some officers submitted expense vouchers with receipts attached and were reimbursed for the vouchered expenses.

Mr. Smith, a member of the local, thought the officers were receiving payments under the new fixed weekly amount procedures to which they were not entitled. He asked the Local officers to stop making the fixed weekly payments. Finally, after all of Mr. Smith's internal efforts to have the weekly expense allowance stopped had failed, he sued the officers and the Local in Federal court. The case was heard in the 6th Circuit court.

QUESTIONS — McCABE v. IBEW

	hat does this local's bylaws state about reimbursement of expenses for I ficers?
_	
_	
WI	hat new reimbursement expense policy did the local implement?
_	
Di	id the local bylaws reflect the change?
_	

4.	What was member Smith's objection?
5.	How do you think the court ruled? in favor of the local or Mr. Smith? Why?
Ot	her Bylaws Situations
6.	Local 5000's bylaws provide for payment of 'lost time' to officers and stewards. Is it a breach of the officers fiduciary duty to make payment to a steward for attending a grievance meeting when the employer paid the steward his/her wages for the time spent in the meeting?
	Yes No
	Why?

Yes	No
Why?	
becom	on union business at the rate of 50 cents a mile. The Executive Board es aware that the Internal Revenue Service now permits 56 cents per m
the offi	cides to start paying officers and stewards 56 cents. Is this a breach of icer's fiduciary duty?
the off i Yes	. , ,

Breach of Fiduciary Responsibility

The consequences for a local officer's breach of his/her fiduciary responsibility can be severe. An officer may be held personally liable for losses sustained by the local or union as a result of a breach of fiduciary duties. Moreover, the LMRDA provides that an officer who embezzles, steals, or otherwise converts local funds or assets to his/her own use may be fined in an amount up to \$10,000 and/or imprisoned for up to five years.

CHAPTER 6: Financial Responsibilities of Local Officers



Members in West Virginia go on strike against Frontier

Financial Responsibilities of Local Officers

Fiduciary Responsibility of Local Officers

Every local officer stands in a fiduciary position with respect to the union and its members. The sources of that fiduciary position are the:

- I. Labor-Management Reporting and Disclosure Act (LMRDA)
- II. CWA Constitution
- III. Local Bylaws
- IV. Union and Local Operating Practices

A local officer's fiduciary responsibilities require them to hold the assets of the local in trust, to see that the local's money is spent only for a proper purpose, and to account for all expenditures of the local's assets. It is important to note that *all* officers are held accountable, not just the treasurer. Local officers should familiarize themselves with the duties required of them.

I. LMRDA

The Labor-Management Reporting and Disclosure Act (LMRDA) provides that "officers, agents, shop stewards, and the other representatives of a labor organization," occupy positions of trust in relation to the union and its members and imposes five particular duties of such persons. Thus, an officer of a local is required:

 To hold the union's money and property solely for the benefit of the union and its members;

Money and property include: all union funds and assets, including fixed assets such as office equipment, automobiles, buildings, etc. — as well as bank accounts, petty cash, credit cards, and investments, etc.

Union monies or property are not for the personal use or benefit of union officers. Union monies can be expended **only** for a union purpose. The operative maxim for every union officer should be, "**It's the members' money, not mine.**"

Example: A union officer takes the local's laptop computer home so that her son can use it to write his school term paper. Is the use of the union's laptop computer being used solely for a union purpose? No.

2. To manage, invest and expend the union's money in accordance with the union's constitution, bylaws and resolutions adopted pursuant to them;

Local union bylaws should specify detailed procedures for authorizing and documenting the expenditure of union funds. The procedures should be scrupulously followed.

Example: A local union's bylaws require that an officer's authorized out-of-pocket expenses be reimbursed only upon the submission of an expense voucher with receipts attached. The officer takes the grievance committee to dinner at a local restaurant, an authorized expense. He submits an expense voucher for reimbursement for the meal, but with no receipt. Can the officer be reimbursed? No, not until he submits a receipt.

3. To refrain from dealing with the union as an adverse party;

The actions of a union officer must be consistent with the interests of the union.

Example: A manager contacts a union officer and advises her that a portion of the members' work is going to be contracted out within the next couple of months. The manager tells the union officer he doesn't want to deal with any grief from the union on this and tells the union officer "you owe me." The union officer takes no action on the information about pending work loss. Has the officer acted in the interest of the union? No.

4. To refrain from acquiring any financial or personal interest in conflict with that of the union;

No union officer or employee may receive anything of value from an employer or agent with whom the union has a collective bargaining relationship. This includes loans, payments or valuable gifts of any kind. If the union officer is also an employee of the employer, he/she may receive normal compensation and benefits provided for under a collective bargaining agreement.

Example: A union officer receives an iPhone as a holiday gift from an employer with whom the union has a contract. Is this a conflict of interest? Yes.

5. To account to the union for any profit received by him/her in connection with transactions conducted by him/her on behalf of the union.

A union officer must report/disclose to the union monies received in connection with transactions undertaken while acting on behalf of the union. The provision does not prohibit nor authorize union officers to receive such monies, it simply requires that they be reported to the union. Additionally, the officer is required to report receipt of such monies on their annual report filed with the Department of Labor.

Example: A union officer receives a free vacation package from the travel agency used by the union. Does the officer have to disclose and report this to the union? Yes.

II. CWA Constitution

In addition to the duties set forth in the law, a local officer's fiduciary responsibilities are further defined by the CWA Constitution. The Constitution in Article XIII, section 11, declares that the local assets "shall be considered a trust fund of the union to be held and administered" by the local for the membership. In section 9 of Article XIII, the Constitution imposes specific duties.

(m) To maintain adequate files and records;

To have an annual audit of the financial records of the local prepared by competent persons;

To make financial records available to the membership at least annually;

To furnish to the union's Secretary-Treasurer an annual financial statement;

(h) To provide for the bonding of local officers and other persons who handle union funds and property.

*CWA provides access to locals to an umbrella bonding program through a dedicated agent, calculated to ensure each local has adequate coverage. Details of the program are posted online in the CWA Union Operating Procedures Manual.

III. Local Bylaws

Local bylaws generally set forth additional duties of local officers. For example, a local's bylaws may require the treasurer to issue payments only upon review and approval of proper documentation indicating the purpose and amount of the expense.

IV. Union and Local Operating Practices

In addition to its bylaws, a local may also have established operating practices or rules concerning the financial administration of the local. For example, a local may have an operating practice by which it will reimburse an officer or member only for actual lost wages when engaged in union business. Payments to an individual for time spent on union business, but for which no wages were actually lost, may trigger a finding of a breach of fiduciary responsibilities.

Local Union Credit Cards — BEWARE!

Credit cards are the leading cause of locals getting into financial and legal difficulties. A local significantly increases its financial and legal exposure by issuing credit cards to officers in the name of the local.

Our experience confirms that the possibility for problems increases in proportion to the number of officers and or executive board members given local credit cards or access to them. A local union credit card can present an irresistible temptation for some, especially if they are experiencing financial or marital difficulties, have children with financial problems, or cannot qualify themselves for a personal credit card.

The local can avoid many of these problems by establishing a policy whereby officers secure cards in their own name and the local pays for the card's basic annual fee (if any). The officer then submits the credit card charges associated with authorized union activity, along with itemized receipts, and the local reimburses the officer. Any additional expenses charged to the card, plus the payment of the credit card bill, remain the responsibility of the officer and are not the local's obligation.

This arrangement avoids the union becoming liable and responsible in situations where expenses may be charged that do not qualify for reimbursement or in cases where officers use the card for personal purchases.

For those locals who currently issue credit cards in the local's name and who are not convinced by our comments to change that policy, we recommend the following steps to protect the local and yourself:

- 1. Issue cards only to those officers who have extensive travel responsibilities or are responsible for purchasing goods, services or paying bills that cannot be handled through the local's normal voucher procedure.
- 2. Inform local officers on the proper use of the local's credit card. Ask each officer to read and sign the "Local Union Credit Card Proper Use Statement," which follows on the next page, and file a signed copy with the local.
- 3. Do not activate the cash withdrawing feature of the credit card (usually with PIN).
- 4. Require officers to submit monthly credit card expense reports including itemized receipts.
- 5. Set up an audit committee which knows to spend time reviewing credit card statements, payments and monthly credit card expense reports.

Locals that maintain credit cards for their officers should consider increasing their bonding coverage beyond the required 10% of the local's assets. Should credit card fraud occur at the local, the money lost often exceeds the normal bonding requirements.

Monthly Credit Card Expense Report

In order for business expense reimbursements to be non-taxable, they must be part of an "accountable" business expense plan under the IRS guidelines. Credit card statements alone do not necessarily provide this. When a plan is not "accountable," disbursements made under that plan must be included on the employees' W-2 Form as reportable, taxable income.

The Monthly Credit Card Expense Report form will assist you in ensuring that your local's business expense plan is accountable under IRS guidelines. The form should be used by each officer submitting expenses for payment to the credit card company. The form will accompany the monthly statement, and should be reviewed by those local officers responsible for reviewing all credit card activity for the local.

Local Union Credit Cards Proper Use Statement

- 1. I understand that the Local Union Credit Card which has been issued to me is to be used ONLY for official, authorized Union expenses.
- 2. I understand that my Local Union Credit Card is not to be used for any personal expenses or purchases. This includes personal meals, transportation, purchases at stores and through catalogues.
- 3. I understand that my Local Union Credit Card is not to be used to pay for any expenses associated with a personal vacation or trip. If I am away on union business and choose to stay extra days, I will make other payment arrangements for the extra days.
- 4. I understand that I cannot use my Local Union Credit Card to pay for personal expenses, even if I promise to repay the local promptly when the statement arrives.

I have read the four items above and agree to abide by them when using the Local Union Credit Card. I understand that I hold a position of trust in relation to the union and its members as stated in the Labor-Management Reporting and Disclosure Act (LMRDA) and that I am required by law and the CWA Constitution to hold the union's money and property solely for the benefit of the union and its members.

rint your name and Local position	
ignature	

Monthly Credit Card Expense Report

Submitted by:			
Credit Card Receipts for Month of:	Jonth of:	are attached.	
Itemized credit card expenses being submitted for payment by Local	nses being submitted fo	r payment by Local	are:
Receipt From:	For:	Amount: \$	Purpose:
Receipt From:	For:	Amount: \$	Purpose:
Receipt From:	For:	Amount: \$	Purpose:
Receipt From:	For:	Amount: \$	Purpose:
Receipt From:	For:	Amount: \$	Purpose:
Receipt From:	For:	Amount: \$	Purpose:
Receipt From:	For:	Amount: \$	Purpose:
Receipt From:	For:	Amount: \$	Purpose:
Receipt From:	For:	Amount: \$	Purpose:
Receipt From:	For:	Amount: \$	Purpose:
Receipt From:	For:	Amount: \$	Purpose:
Receipt From:	For:	Amount: \$	Purpose:
Receipt From:	For:	Amount: \$	Purpose:
Receipt From:	For:	Amount: \$	Purpose:
Receipt From:	For:	Amount: \$	Purpose:
		Total: \$	(Should equal total of credit card statement)
This is to certify that these expenses were incurred on behalf of CWA.	enses were incurred on beha	uf of CWA.	
Signature:	ΙL	Title:	Date:

Exercise: Local Finances

Circle the letter or letters which best answer the question. Give your reasons on the lines below each question.

Who is responsible for the proper handling of the local's property and financia resources?				
A. Local president				
B. Local treasurer or secretary-treasurer				
C. The local's CWA staff representative				
D. The local's Executive Board				
E. All of the above				
Who should be authorized to sign checks on behalf of the local?				
A. President only				
B. Secretary-treasurer only				
C. President and secretary-treasurer				
D. President, secretary-treasurer and one other officer				

	an authorize expenditures from the local's treasury?
	al president
	al secretary-treasurer
	nbership
D. GW/	A staff representative
When of	can union funds be deposited in a local officer's personal account?
B. After	r officers prove their trustworthiness.
	en it is difficult to deposit it in the union account.
	en the local president or secretary-treasurer says it's okay.
directs	oper for a local secretary-treasurer to refuse to pay a bill if the presids them to pay the bill?
A. Yes	
B. No	

•	operly authorized? Yes
B.	No
wł	fellow officer asks the local treasurer to loan him \$200 from the local trea nich he promises to repay next payday. The treasurer should do which of llowing:
A.	Have the officer sign a promissory note before handing over the money.
В.	Make a check out to cash for \$200 and give the officer cash instead of a check
C.	Tell the officer the executive board must approve all loan requests.
D.	Furnish the officer the address and phone number of the credit union.
_	
	e local decides the officers should have credit cards to pay for expenses
	In the local's name only.
	In the name of the local and officer.
	In the name of the president only.
	In the name of the officer only.
	None of the above.
Ε.	
E.	
E. _	

	An officer can charge personal expenses on the local's credit card in which		
	the following cases: A. If the officer gets permission from the local president.		
	B. If the officer is low on cash when out of town.		
	C. At the officer's discretion.		
	D. Under no circumstances.		
	D. Officer no directifications.		
	Under which of the following conditions should the local secretary-treasurer make an advance to a local officer.		
	If A. The officer is attending a CWA convention or meeting.		
	If B. The officer is short of cash.		
	If C. The local president directs the secretary-treasurer to make an advance.		
	in or the local precident and to the ecolotary troubards to make an advance.		
	If an advance is given when should the advance be retired?		
	A. Within 30 days.		
	B. Within 60 days.		
	C. Within one year.		
	D. When the officer returns from the trip.		
	E. When the officer retires or leaves office.		

12.	If an individual refuses to retire an advance, what course of action should the			
	local secretary-treasurer take?			
	A. Notify the executive board.			
	B. Bring it up at the next membership meeting.			
	C. Call the staff representative assigned to the local.			
	D. Notify the police.			
13.	A local officer or executive board member submits a voucher requesting reimbursement for an expense which the secretary-treasurer does not believe was part of any union assignment. What course of action should the secretary-treasurer take?			
	A. Go ahead and pay the voucher and raise the issue at the next Executive Board meeting.			
	B. Tell the local president about it and let the president make the decision if a payment			
	is proper.			
	C. Ask the person to further verify the expense.			
	D. Don't pay the expense and see if the person brings it up.			
14	A local officer decides to drive to the CWA Convention instead of flying. The			
17.	officer says he should receive the equivalent in cash since the local is not paying his airfare. Which of the following action(s) should the secretary-treasurer take?			
	A. Tell the officer the executive beard must approve before payment.			
	B. Tell the officer the executive board must approve before payment.			
	C. Pay the officer mileage instead of the cash.			
	D. Pay the officer the cash as requested.			

15.	A local vice president spent all day in grievance meetings with the company. The company paid him his usual wages for the day. The vice president turns in a voucher for lost wages for the day. When the local secretary-treasurer questions the request, the vice president says he worked all evening and well into the night preparing reports for the day's meeting. What should the secretary-treasurer do? A. Pay the voucher; the explanation justifies the lost wages. B. Refuse to pay the voucher. C. Pay the voucher but bring it up at the next Executive Board meeting.					
16.	The local's Community Services Committee raised \$500 from selling baked goods. The committee expects to spend the money on holiday baskets for some needy members of the community. The committee chairperson opens a checking account and deposits the funds, expecting to pay future bills as the baskets are purchased. Does this account need to be in the local's name? A. Yes B. No					
17.	The Community Services Committee decides to use some of the money they raised to buy pizza and soft drinks for the hard-working members who sold the baked goods. Is it proper to use the collected funds in this manner? A. Yes B. No					

The local's practice requires the local president and secretary-treasurer to sign all checks. The local president is going on two weeks vacation and will not be available to sign checks. The local president says he will sign a number of blank checks for the secretary-treasurer to use until he returns. Is this an acceptable practice? A. Yes B. No
The local's practice requires that the local president and secretary-treasurer sign all checks. The local president and secretary-treasurer live 250 miles from one another. The local president signs ten blank checks every couple of months and gives or mails them to the secretary-treasurer. Is this an acceptable practice? A. Given the distance — Yes B. No
The local has about \$15,000 that is not needed for regular day-to-day operations. The money is currently in a checking account earning 1% interest. The local's secretary-treasurer decides to invest the money in AT&T stock, considering the stock has a good record of increasing in value. Is such a transaction permissible? A. Yes B. No

Annual Local Audit

The CWA Constitution requires every local to have an audit annually of its financial records. ARTICLE XIII-LOCALS sec. 9(m). The audit serves as a review of the local's financial transactions. Most locals will engage an outside firm to complete this audit, along with 990 and LM reports.

However, very small locals may use an audit committee instead. The committee can include members of the local's Executive Board but should also include other members who demonstrate a sincere interest in the financial affairs of the local.

Usually a committee of 3-5 members can do an effective review. Ideally, a couple of committee members should be rotated off each year, thereby providing some continuity and experience for future meetings.

The local secretary-treasurer should make the local records available, including itemized receipts, and be prepared to answer any questions from the committee members. Upon concluding their work, the committee should make a written report to the local summarizing their findings. Some locals publish an annual financial summary for distribution to the membership.

LM-30 Overview

WHAT IS THE LM-30? The LM-30 is a report filed with the U.S. Department of Labor Office of Labor Management Standards as part of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA). It applies to local and international union officers or union employees who meet certain requirements. The form was revised in 2011.

WHAT IS THE STATED PURPOSE? To publicly identify an actual or potential conflict between the personal financial interests of a union officer or employee and his/her obligations to the union and its members.

WHO MUST FILE? For locals or international union bodies that represent any private sector workers, the officer or employee of a labor organization (other than an employee performing exclusively clerical or custodial services) is required to file a LM-30 IF that individual or his/her spouse or minor child (under 21 years in any part of the fiscal year) held any legal or equitable interest, received any payments, or engaged in any transactions or arrangements (including loans) of certain types, including:

■ Holding stock, bond, security or other interest in an employer whose employees the union represents or is actively organizing;

- Deriving income or any other benefit (such as reimbursed expenses) from an employer;
- Deriving income from businesses (including vendors and service providers) that buy from or sell to such employers, the official's union, or the union's trust; and
- Receiving a loan from or making a loan to an employer; or
- Engaging in any other business transaction or arrangement with an employer that was not a purchase or sale of goods or services in the regular course of business at prices generally available to any employee of the employer.

ARE THERE EXCEPTIONS?

Yes.

- You do not have to report any payments or gifts totaling \$250 or less from any one source and payments or gifts worth \$20 or less do not need to be included in determining if the \$250 threshold has been met.
- You do not have to report benefits, such as food and entertainment, you received while in attendance at one or two widely-attended receptions, meetings or gatherings in a single fiscal year for which an employer or business has spent \$125 or less per attendee per gathering. If you attend three or more gatherings provided by an employer or business, you must count the value of all such events.
- Reports are not required on bona fide investments in securities traded on a registered national securities exchange, in shares of a registered investment company, in securities of a registered public utility holding company, or on any income from such bona fide investments. Further guidance on this exemption is available on the OLMS website. Holdings of, transactions in, or income from, securities not listed or registered as described above are also not reportable if the holdings or transactions involve \$1,000 or less and the income received from any one security is \$100 or less. These exceptions do not apply to gifts of stock which are reportable.

EXAMPLES OF REPORTABLE ITEMS:

- You are a full-time officer of a union that represents employees of several different employers. One of the employers pays your expenses on a trip with management officials to a plant in another part of the country to view some new equipment that the employer is thinking of purchasing.
- You are a union employee and your minor child receives 100 shares of stock as a high school graduation gift from an employer whose employees your union represents.
- You must complete Part B of the LM-30 if you, your spouse, or your minor child held an interest in or received income or other benefits from a business which meets either of the following two conditions:
 - a substantial part of the business consists of buying from, selling or leasing to, or otherwise dealing with the business of an employer whose employees your union represents or is actively seeking to represent, or

- any part of the business consists of buying from, selling or leasing directly or indirectly to, or otherwise dealing with your union or a trust in which your labor organization is interested.
- You are a union officer and are running for a local public office. Employers in the industry organized by your union make campaign contributions. This is reportable under Part C of the LM-30. (If a contribution were made by an employer whose employees your union represents or actively seeks to represent, you must complete Part A.)
- You are a union employee involved in obtaining accounting services for your union. An accountant that your union does not do business with gives you a holiday gift of golf clubs. This is a reportable in Part C.
- You are a local union president. A company whose workers your union represents offers your 20-year old daughter a paid summer internship. Your daughter's income and benefits from the internship are reportable.
- You are an elected local officer, and your local union signs a contract with your spouse's landscaping company to maintain the grounds of the local's union offices.
- NOTE: A national or international union officer or an officer of an intermediate body does NOT have to report payments from or interests in businesses that deal with employers represented by, or actively being organized by, any lower level of the officer's labor organization. Such officers are also not required to report payments and other financial benefits received by their spouses or minor children as bona fide employees of a business or employer involved with a lower level of the officer's labor organization.

WHEN DO I FILE?

Within 90 days of the end of the union's fiscal year.

WHERE DO I FILE FORM LM-30?

The completed Form LM-30 must be mailed to: U.S. Department of Labor ESA/OLMS, Room N-5616 200 Constitution Avenue, NW Washington, DC 20210-0001

WHAT IF I STILL HAVE QUESTIONS?

Try checking the Frequently Asked Questions page at www.dol.gov/sites/dolgov/files/olms/regs/compliance/comp_pubs/lm30%20fact%20 sheet%202014.pdf

Look at the DOL instructions page <u>www.dol.gov/olms/regs/compliance/GPEA_Forms/LM-30_Instructions.pdf</u>

Or send a message to <u>olms-public@dol.gov</u>, or call the DOL Help Line at 1-866-401-1109.

Exercise: LM-30

- 1. You are a full-time officer of a union that represents employees of several different employers. One of the employers pays your expenses on a trip with management officials to a plant in another part of the country in order to view new equipment that the employer is purchasing and could lead to an increase in the number of union jobs. Do you need to report the travel expenses?
- 2. You are a full-time employee of a union that now represents employees of several different employers. One such employer is a non-profit organization that makes union-friendly t-shirts and posters. You have been a board member of the non-profit for many years. Do you have to report your role on the board?
- 3. You are a part-time officer of a local union. Your full-time job is working at a newspaper. The company hosts its annual charity golf tournament. Tickets normally run \$300/ round but the employer gives you 2 complimentary tickets for golf and the dinner. Do you have to report this gift?
- 4. You are a part-time officer of a local union. Your full-time job is working at a telephone company. At an employee appreciation lunch, you win an iPhone in a raffle. Is this gift reportable?
- 5. You are a part-time officer of a local union. Your full-time job is working at a telephone company. The employer offers you and 3 other co-workers demo models of the new GPS device. Is this gift reportable?
- You have worked for a telephone company for 15 years that provided stock options to all its eligible employees. Now, you are a full-time union representative who decides to sell some of the company's stock. Does the sale need to be reported?
- 7. You are the secretary-treasurer of a local union. The local Executive Board agrees to hire your 16-year-old daughter to redesign and update the local website. Should you file an LM-30 to report this transaction?

CHAPTER 7: Setting Goals/Budget



Members of AFA-CWA participate in a Pride parade

Setting Goals/Budget

Local officers must take the time to look ahead and set specific goals for the upcoming year. The mere exercise of discussing and agreeing to specific goals can be an empowering and positive experience for the Executive Board. It also serves to unite the board members in a common vision for the future. Remember to keep the goals:

Specific, Achievable, and Measurable

Goals will enable your local to have a proactive plan for improving the lives of members, rather than reactive responses to the actions of others.

Once the Board has agreed to goals, they should be brought up at subsequent Board meetings to discuss progress and to return everyone's attention back to the stated goals. Obstacles (and suggestions on how to overcome obstacles) should also be discussed at this time.

Preparing a Local Budget

Preparing a local budget gives officers an opportunity to support the goals of the local. When allocating the local's income, we must think strategically and ask ourselves questions such as:

- Is our spending still in keeping with current membership numbers and dues income? What is our plan to accommodate any expected revenue loss?
- What percentage of the local's budget is allocated to each item?
- Are we spending too much on certain items and not enough on others?
- Are we setting aside an adequate reserve for unexpected expenses?
- Are we prioritizing areas, programs and activities that help build the local union and involve members?
- Are we continuing to allocate money to meet goals set years ago that are no longer a priority?
- What is our plan to make our local CWA STRONG, and how does our budget support our goals?

Sample Local Goals for the One Year

Stewards

Recruit and train 15 new stewards.

Education

- Send 15 new stewards to stewards training.
- Send 4 chief stewards to District Leadership Conference.

(Two for year 1 and two for year 2.)

Send 3 interested activist to CWA Organizing training.

Communication with Membership

- Improve local website.
- Increase number of member emails and mobile numbers by 20%.
- Launch CWA STRONG local e-bulletin send at least six emails a year to stewards and activists.

Mobilization-Stewards

- Run two one-on-one campaigns on workplace issues.
- Involve/sign up 5% of membership as workplace mobilizers.
- Increase membership emails by 10%.

Organizing

■ Internal — increase membership by 10 percentage points.

Legislation/Politics

- Strengthen LPAT.
- Target 1-2 local candidates for active Local support LPAT.
- Increase PAF contributors by 5%.

Movement Building

- Reach out and partner with a local active community group such as Common Cause, NAACP, Sierra Club, etc. on issues of mutual interest.
- Lobby elected leaders with other non-union groups on specific policy issue.

Health and Safety

■ Conduct health and safety workplace survey in two work locations.



CWA members at Verizon take a stand for good jobs

Local Budget Work Sheet

Anticipated Income Membership Dues \$_____ Interest Total Income **Expenses** I. Affiliations, Per Capita Amount Percent of Total Budget **CWA Per Capita** MRF _____ % _____ % State Federation Labor Council _____ % **CWA State Council** II. Office & Administrative Amount **Percent of Total Budget** Rent/Mortgage Utilities Telephone Insurance Office Equipment _____ % Postage _____ % Stationary, Supplies _____ % Bank Service Charge **Accounting Services** III. Wages and Expenses Amount **Percent of Total Budget** Officers' Salaries _____ % Lost Time Salaries ______ % (Breakdown Attached) _____ % **Grievance Expenses** _____ % **Executive Board Expenses** _____ % Steward Expenses **Payroll Taxes** %

IV. Organizational Expenses	Amount	Percent of Total Budget		
<u> </u>	7 C G	%		
Stewards Training Officer Training Work Site Meetings				
<u> </u>		%		
Convention/Presidents Meeting:				
CWA/International		%		
fficer Training fork Site Meetings embership Meetings onvention/Presidents Meeting: CWA/International State Fed onferences: CWA District Labor Council Other oliday Party egislative Lobbying obilization rganizing: Internal New Units ocal Committees febsite/IT Contributions ommunity Partners WA Programs oalitions olitical I. Contingency Reserve Office & Administration . Wages & Expenses				
		%		
		%		
•		%		
		0/		
				
Website/11				
V. Contributions	Amount	Percent of Total Budget		
	7			
-				
Coalitions				
Political				
- Childen				
VI. Contingency Reserve	Amount	Percent of Total Budget		
1.		%		
2.		%		
3.		%		
Totals	Expenses	Income		
L Affiliations & Par Capita	\$	Anticipated		
1. Allillations & Fel Capita	Ψ	Income \$		
II. Office & Administration	\$	Interest \$		
III. Wages & Expenses	\$	· · · · · · · · · · · · · · · · · · ·		
IV. Organizational Expenses	\$			
V. Contributions	\$			
VI. Contingency	\$			
	Ψ			
TOTAL EXPENSES \$	TOTAL INCOME \$			

Exercise: The Local Budget

An easy way to determine an organization's priorities is to examine its budget; budgets always reflect the priority goals and projects of an organization. Leaders will sometimes articulate priorities for their organization but propose budgets that reflect very different priorities. Review the local budget below and answer the questions on the next page.

Local 5555 Budget

Budget		Amount	Percent of Total	
1.	Affiliations	\$ XX	4%	
2.	Office and Administration (rent, utilities, telephone stationary, office equipment)	\$ XX	30%	
3.	Wages and Expenses (officers' salaries, clerical salary, Executive Board expenses, stewards' expenses, payroll tax)	\$ XX	27%	
4.	Organizational Expenses (e-bulletins, website, member communications)	\$ XX	12%	
5.	Education (Stewards and officers)	\$ XX	3%	
6.	Membership Meetings	\$ XX	1%	
7.	Convention/Conferences	\$ XX	22%	
8.	Organizing	\$ XX	_	
9.	Legislative Lobbying	\$ XX	_	
10.	Mobilization	\$ XX	_	
11.	Contributions	\$ XX	1%	
12.	Contingency	\$ XX	0%	

1. What three items does this local sp budget is spent on these three items	end the most money on? What % of the total?
2. If this were your local's budget, wh think about?	at questions/discussions would you initiate or
When you get back to your local, take your local's total budget spent on each	e a few minutes and calculate the percentage of ch line item.
Sample Local Committee Budge This is a sample budget request form tha	et Hequest Form at can be used to submit to local budget committee
	YearYear
Chairperson	
iviembers (Please LIST)	
, , , , , , , , , , , , , , , , , , ,	
Number of Members on Committee	
Number of Members on Committee Number of Hours Per Meeting	
Number of Members on Committee Number of Hours Per Meeting Number of Meetings Per Year	
Number of Members on Committee Number of Hours Per Meeting Number of Meetings Per Year Annual Wage Lost (If Any)	
Number of Members on Committee Number of Hours Per Meeting Number of Meetings Per Year Annual Wage Lost (If Any) In-Town Conferences (If Any)	Registration Fee
Number of Members on Committee Number of Hours Per Meeting Number of Meetings Per Year Annual Wage Lost (If Any) In-Town Conferences (If Any) Conference	

Out of Town Conferences (If Any)	
Conference	Registration Fee
	Wage Loss
	Mileage
	Per Diem
Noveles of Allerday	Lodging
Number of Attendees	
Additional Information/Program Bud	lget Request
It is the Committee Chairperson's responsembers who attend conferences:	onsibility to review the following information with
Arrangements for hotels, registration should be made in consultation with the	and transportation (other than personal vehicle) e Treasurer.
■ Per diem — per day is \$	
■ Receipts for per diem must be retain attending conferences.	ned and turned into the Treasurer by member
■ Receipts for cabs, buses, etc., must reimbursement.	be retained and turned into the Treasurer for
■ Mileage paid is cents	per mile.
Respectfully Subn	nitted,
Chairperson	

CHAPTER 8:

Running Effective Meetings & Using Parliamentary Procedure



CWA Next Generation activist



CWA members participate in Runaway Inequality training

Running Effective Meetings & Using Parliamentary Procedure

Unions hold meetings, in part, because we are a democratic member organization. Well-attended, well-run meetings can serve as one part of an overall strategic plan to provide context for what is happening to workers and present the union strategy. Meetings should energize members and make them want to be more engaged.

Planning and running meetings is both a skill and an art. While there is no sure-fire approach that will work in every situation, this chapter will present some ideas and tips for productive meetings.

Before the Meeting Begins: Planning, Agenda and Turnout

Creating the Agenda:

- How are agenda items determined? Consider seeking input in advance from the local executive board or members on what items should be included.
- How will members be involved in the meeting? What input or feedback will attendees be asked to give on specific agenda items?
- What important decisions will be made at the meeting? Try to include at least one significant subject on the agenda for each meeting. Otherwise, if meetings are just "rubber stamp" sessions or a series of routine reports from officers, then members may wonder why they should bother to attend. Let people know ahead of time what issues are going to be discussed, and actively urge members to attend to give their opinions.
- What information will members gain from this meeting? If members see meetings as a source of important information, they'll be more likely to participate.
- Can something unusual fit on the meeting agenda? Training sessions, brief updates on hot political issues, guest speakers or videos can enliven meetings and increase their educational value.

- How much time will agenda items take? Estimate this in advance or consider proposing time limits for each item (which can always be extended if attendees decide to do so).
- How long do you want the meeting to be and how will you keep to that time limit? The longer meetings are, the harder it is to hold people's attention. Likewise, not many people will return to meetings if they repeatedly run longer than promised.
- How will the meeting agenda be publicized in advance? If members don't know what important business is coming up, then they won't know why they should come to the meeting. Members should be alerted to meetings via email. Building a local email list is critical. Consider circulating an agenda in advance. In some cases, it's more effective to circulate an abbreviated agenda or flyer that simply highlights one or two of the most important issues.

Sample Meeting Notice 1

MEMBERSHIP MEETING TUESDAY, 6PM UNION HALL

Agenda will include:

- Officer's Reports
- Delegates' Report
- Grievance Update
- Annual Vote on Per Cap

Sample Meeting Notice 2

TIRED OF FORCED OVERTIME?
DISCUSS WHAT TO DO ABOUT IT WITH
CO-WORKERS TOMORROW NIGHT

Tuesday, 6pm Membership Meeting Union Hall

We need your input on a proposed action plan!!

Parliamentary Procedure and Robert's Rules of Order

Most unions (and many other organizations in and outside of government) run meetings using Robert's Rules of Order, or some variation of it. Check your bylaws or Constitution to find out whether the use of Robert's Rules is mandated for your local. Parliamentary procedure (e.g., Robert's Rules) is designed to reflect certain core democratic principles — putting into practice principles that are embedded in most union constitutions: (Booklet available at www.cwamaterials.org)

1. Business is transacted in an orderly fashion, by way of "motions" made by members, which, if they get a minimal level of support, are discussed and then voted on.

- 2. The majority rules.
- **3. Minority rights are protected**; in other words, individual members have the right be heard.
- 4. All members have equal rights, privileges and obligations.
- 5. Every proposal presented for discussion gets full and free discussion.
- 6. Only one question is considered at a time.
- 7. Every member has the right to know what the motion means before a vote is taken.
- 8. All motions are disposed of according to a logical order.

Chairing meetings

Knowing the rules of parliamentary procedure is important, but to be a good meeting chair it is even more important to use common sense and always keep in mind the purpose of any union meeting, which is to serve the membership and further the union's goals. Beyond knowing procedural rules and how to conduct business, a good chair must be a facilitator, a host, a listener, an educator, and sometimes a timekeeper.

- **Set the tone.** Chairs have the power to influence how members experience meetings; depending on the context, chairs can signal whether a matter at hand is serious, important, fun, urgent, etc.
- Start on time, end on time, and make every effort to stick to the agenda. If an agenda item hasn't been completed within allotted time, ask members present if they want to add a specific amount of time, or if they prefer waiting until the next meeting to finish discussion or drop less timely issues from the agenda to make more time for discussion.
- Welcome members and introduce officers and others; allow time for attendees to introduce themselves if possible.
- Know when and how to move the agenda. On the one hand, members should be allowed to talk long enough to make sure all ideas have been heard and all relevant information has been considered. On the other hand, no one wants repetitive discussions to ramble

on indefinitely. Learning how and when to solicit motions and votes to "move things along" is a skill most chairs develop over time.

- Chair and educate, but don't dominate discussions. The chair is naturally a position of power that should be used wisely and not abused. Often the chair does need to summarize discussion, clarify issues, or explain procedures so that everyone present understands what is being voted on or knows how to participate. And occasionally the chair will need to offer information or ideas to start a discussion or keep a discussion going. On the other hand, if the chair has a strong opinion about an issue and wants to speak openly in hopes of influencing a vote, then s/he should hand the chair over to someone else during discussion of that item. And in any case, it is an abuse of the chair's power to use rules or procedure to confuse people, influence a vote, cut off debate unfairly, or refuse to recognize certain points of view.
- Be flexible. Remember that the purpose of the meeting is to get things done effectively in a way that helps build your union. If Robert's Rules or an overly formal agenda become obstacles to this, then they aren't serving their purpose. One general principle embedded in Robert's Rules is that ultimately the body of members present at the meeting gets to decide how formal or informal the meeting will be and which parts of the agenda need to be followed or bypassed (or even which rules may be suspended).

Exercise: Parliamentary Procedure

- 1. Choose the phrase which best completes the sentence.
 - A point of order...
 - (a) asks the Chair for information about the debate.
 - (b) changes the motion on the floor.
 - (c) requests a technical ruling from the parliamentarian.
 - (d) requests a procedural ruling from the Chair.
- 2. Choose the phrase which best completes this sentence.

When a main motion is on the floor...

- (a) it may only be amended twice.
- (b) the maker of the motion and whoever seconds it must vote for it.
- (c) it must be disposed of in some way before another main motion can be made.
- (d) a call for the previous question automatically closes debate.

3. Choose the phrase which best completes this sentence.

The Chair has discretionary power to...

- (a) comment from the chair on the wisdom of a main motion or amendment.
- (b) order the end of debate on a motion and bring that motion to a vote.
- (c) refer a motion to a committee or postpone discussion of it.
- (d) recognize one speaker before another.

4. With reference to classes of motions, which statement is WRONG?

- (a) A subsidiary motion changes the condition of a pending motion without either adopting or rejecting it.
- (b) Tabling a main motion defers discussion until the next meeting.
- (c) Incidental motions most frequently assert the rights of individuals within the organization.
- (d) A privileged motion interrupts consideration of anything lower in rank because of its immediate importance to the organization.

5. With reference to motions, which is CORRECT?

- (a) An amendment to an amendment to a main motion, if passed, is added to the amendment to the main motion and not to the main motion itself.
- (b) The maker and whoever seconds the motion can agree to withdraw it from the floor. The motion is thereby withdrawn.
- (c) Substitution of one main motion for another means that the substitute is automatically carried as policy.
- (d) All controversial subjects must be approved by a two-thirds majority of the voting members.

6. Three of the following are correct. Which one is WRONG?

- (a) The Chair may change the order of business if this is deemed necessary to complete the work of the meeting.
- (b) A main motion may be debated only after every higher ranking motion has been resolved, and the debate may continue only if no higher ranking motion intervenes.
- (c) A simple majority may not suppress free discussion of an issue, but a two-thirds majority may do so.
- (d) Reconsideration of a motion may be moved and seconded only by members who voted with the prevailing side on the original vote.

Converting Group Member Functions Into Parliamentary Forms

Group member functions can be seen in groups using parliamentary procedures. Below several group member functions are listed and an example of how each might be expressed in parliamentary terms. Each function can have several parliamentary equivalents.

Group Member Function	Parliamentary Equivalent	Example
Initiate a policy or action to be taken by the group.	Make a motion	"I move that"
Giving an opinion or expressing a feeling.	Speak for or against a motion	"I oppose this motion. It is a costly idea to"
Examining an idea to see if it is practical; clarifying an issue before the group.	Point of information	"A point of information. Isn't it the case that And if so, how will the motion change anything we do now?"
Define a group problem.	Amend the content of a motion	"I think our primary problem is I therefore move to amend the motion so that"
Suggest procedures for the group to follow.	Refer to committee	"I move that we refer this issue to a committee with instructions to"
Acknowledging in a friendly manner the contributions of another member.	Speak to the issue on the floor	"I have never considered this issue from that viewpoint before. I'd like to hear about it from others who have."
Reducing tension in fy the group.	Point of order	"Point of order. Will the Chair clari- who is recognized to speak?"
Testing whether a group decision is near.	Move the question (close debate)	"I move the previous question."
Attempting to create harmony among conflicting views or attempting to reconcile disagreements.	Move to postpone	"It seems that those in favor and those opposed share a common concern. In order to work out an agreement, I move to postpone."

All the Rules at a Glance

Motion	Debatable	Amendable A Second	Requires Required	Vote When	In Order Reconsidered Another Is Speaking	Can Be Which it	Motions to Apply to it Applies	Motions Which
Adjourn	No	No	Yes	Majority	No	No	None	None
Recess	No	Yes	Yes	Majority	No	No	None	None
Question	Yes	Yes	Yes	Majority	Yes	Yes	None	All
of Privilege								
(treat as Main Mo	tion)							
Appeal	No	No	Yes	Majority	Yes	Yes	Any decision of the chair Reconsider	Lay on table, Close Debate,
Point of Order	No	No	No	None: unless appealed; then majority	Yes	No	Any motion or act	None
Parliamentary Inquiry	No	No	No	Same as above	Yes	No	None	Withdraw
Objection to Consideration of Question	No	No	No	2/3	Yes	Yes	Main questions and questions of privilege	Reconsider
Withdrawal of Motion	No	No	No	Majority	No	Yes	Any motion	Reconsider
Suspension of Rules	No	No	Yes	2/3	No	No	Any motion where needed	None
Lay on the Table	No	No	Yes	Majority	No	No	Main questions, appeals, ques. of privilege, reconsider	None
Previous Question (close debate)	No	No	Yes	2/3	No	Yes	Any Debatable motion	Reconsider
Limit or Extend Limits of Debate	No	Yes	Yes	2/3	No	Yes	Any Debatable motion	Reconsider
Postpone to a Definite Time	Yes	Yes	Yes	Majority	No	Yes	Main motion, ques. of privilege	Amend, Reconsider, Limit or Close Debate
Refer or Commit	Yes	Yes	Yes	Majority	No	Yes	Same as above	Same as above
Amend	Yes	Yes	Yes	Majority	No	Yes	Main motion, limit debate, refer, postpone, fix time of next meeting	Amend, Reconsider Close Debate
Postpone Indefinitely	Yes	No	Yes	Majority	No	Yes	Main motion ques. of privilege	Limit or Close debate, Reconsider
MAIN MOTION	Yes	Yes	Yes	Majority	No	Yes	None	All
Take from the Table*	No	No	Yes	Majority	No, except new main motion	No	Any motion which has been tabled	Withdraw
Reconsideration*	Yes, if motion to w it applies is		Yes	Majority	Yes	No	Any motion except adjourn, suspend rules, lay on table	Limit debate, Lay on table, Postpone definitely
Rescind*	Yes	Yes	Yes	2/3 of members present; majority when notice to rescind was given at pre		Yes	Main motions, appeals, ques. of privilege	All

^{*} These are treated as if they were main motions.





Various members of the National Civil Rights & Equity Committee and the National Women's Committee presenting reports at the 79th CWA Convention

CHAPTER 9: Workplace Stewards



CWA stewards and members rally against budget cuts in New Jersey



Newly trained stewards in District 7

Workplace Stewards

Stewards Make CWA Strong

Stewards are the most critical layer of union leadership. Where our stewards are strong, our union is strong. Where stewards are absent or weak, our union is weak. Unions are workplace-based organizations where the members are the union, and the stewards are the leaders of our union in our workplaces and communities every day.

As local officers, your ability to develop effective stewards and steward structures is **critical** to your local's ability to educate, unite, and work with members to move the union's program and solve problems on the job.

The Role of CWA Stewards

Stewards have a primary responsibility to build union power through organizing and representation. As the union leaders in the workplace each day, this means playing multiple interconnected roles as **organizers**, **communications and educators**, **problem-solvers**, and **representatives**.

As **organizers**, stewards engage and mobilize their co-workers to build power necessary to enforce the contract, but also to give workers power in their communities. As **communicators and educators** stewards educate and advance our union's values and priorities to the membership. As **problem-solvers** stewards seek to understand co-workers' issues and resolve workplace problems. And as legal **union representatives** — the legal counterparts to management on the job — stewards serve as the front-line enforcers of the union contract and the law and hold management accountable.

Stewards also serve as the key link between local union members, management, local union officers, and the broader community, bringing the inner life of the union to the work-place, and communicating workplace issues, grievances, action and member sentiment to you as local leaders.

Here are some responsibilities that you as local leaders might ask your stewards to take on:

- 1. Sign up every co-worker to be a participating member of the union
- 2. Sign up members to the CWA Political Action Fund and help facilitate the local union's political program
- 3. Act as the face of the union on the job
- 4. Communicate between and connect local leaders with all union members
- Serve as "mobilization captain" to coordinate collective actions during bargaining or other issue campaigns
- **6.** Enforce the contract by educating members, monitoring for violations, and filing grievances
- 7. Represent members during Weingarten meetings and educate members about their Weingarten rights
- **8.** Communicate with management on behalf of members
- 9. Work with local leadership to advance union priorities and build the union's power

CWA Strong Steward Training

Steward training is an essential part of making sure stewards are prepared to fulfill the responsibilities listed above. In 2019, staff across our union worked tirelessly to revamp the stewards training curriculum to make sure that it sufficiently prepared stewards to meet the opportunities and challenges of this moment.

In this moment we face serious attacks on our union, our legal rights and our democracy. The revamped CWA Strong steward training gives stewards additional tools to support them in using the grievance process to take power from management: working with contracts, note-taking, requesting information, grievance meetings, arbitration and educating co-workers about their legal rights on the job.

This steward training also deals very directly with questions of power: who has it, how do they use it, and how can working class people get more of it. The training explores how Corporate America uses their power to roll back hard fought gains of the peoples' movements and why 21st century unionism must return to our roots of mobilization, organizing, and develop the class-consciousness among our members that is necessary to fight back.

The training is very hands-on with many interactive exercises that give stewards practice using workplace problems to organize and build the union, role plays that prepare stewards for Weingarten and grievance meetings, as well as videos and case studies that give stewards concrete examples of how to do their job and expand stewards' imaginations about what kinds of problem solving approaches are possible.

A stewards' training package is available from the CWA Education Department for locals who choose to conduct their own steward training. It includes an Instructor's Manual, a Steward Resource Manual, a Participant Workbook and a PowerPoint presentation, complete with videos. This package can be found at www.cwamaterials.org.

There is also newly created steward's web portal with additional resources that can be found at https://steward.cwa.org.

Building a Steward Structure in your Local

Making sure stewards are supported and trained is only one aspect of your role as a local officer as it relates to stewards. If training isn't followed with ongoing support and leadership development, as well as intentional selection of new stewards, it is unlikely to be effective or sufficient on its own. Steward recruitment, communication, and building a steward structure is also critical to moving the union's program and building power in your local.

The number of stewards recommended for each local will vary based on a variety of factors — how many work locations are in your local, how big those locals are, how many shifts there are, etc. There should — at a minimum — be one steward for every manager in the work location. You should aim for roughly one steward for every 10-20 workers.

In some locals stewards are elected, whereas in others they are appointed by local leadership or petitioned to run by their co-workers. Make sure you have a clear system in place so everyone understands how stewards are selected. Giving members the opportunity to weigh in on the selection of job stewards makes them more likely to view that person as a workplace leader. Building a steward structure and writing it down on paper helps you see where the gaps are, whether it is work locations or shifts or job titles that lack representation. Locals with strong steward structures can (1) can reach a very high percentage of members quickly and maximize participation in collective actions, (2) have a clear understanding of the role stewards play in mobilization, and (3) can efficiently evaluate membership attitudes and capacity in advance of a strike or other major union activities.

Having a clear steward structure also gives stewards a network of people doing the same work who they can reach out to for support, as well as clear lines of communication within the local questions or challenges emerge.

What does the steward structure look like in your local? Can you write it down on paper?

Are there clear lines of communication between local officers, stewards and the membership?

Is there a clear process for identifying and selecting new stewards?

Are stewards clear about their role and where to get support?

As local officers, these are all important questions to ask. For many of you, it will be nearly impossible to reach and educate every member, attend every new hire orientation, or regularly update every union bulletin board. Or if you could, you'd be pretty worn out!

Having an effective steward structure helps ensure that you can reach every member in a short period of time with key updates, mobilization information, and to respond to problems that come up on the job. This also helps make sure that you are developing new leaders within your local by asking stewards to take on responsibilities and giving them space to develop their skills and role over time.

How Can Local Officers Support Stewards to Build Power

Stewards need support to increase membership engagement in the workplace and drive participation in the union's program — from contract campaigns to grievance meetings to legislative and political work.

Local officers can support stewards to build power and implement the union's program by:

- 1. Clearly define the expectations of CWA stewards as organizers, educators, problemsolvers and union representatives
- 2. Teach stewards to understand and exercise their legal rights (i.e. Weingarten rights) in the workplace, and empower other members to do the same
- **3.** Ask stewards to be leaders in building political and legislative power for our union and all working-class people
- **4.** Make sure stewards to communicate regularly with their co-workers and use workplace problems that come up as opportunities to build the union
- Offer stewards ongoing support after steward training to become more comfortable working with their union contract
- **6.** Give stewards opportunities to investigate and resolve workplace problems through note-taking, interviewing witnesses and affected members, and requesting information from management
- **7.** Encourage stewards to use mobilization and collective action to resolve problems at work, giving each member an opportunity to play a role in improving working conditions
- **8.** Support stewards to represent members in grievance meetings with management by giving them the opportunity to shadow people with more experience and get ongoing feedback and development

Mentoring and developing stewards, and building an effective steward structure in your local is one of the most important parts of your role as a local officer. Taking the time to do it well and with intention will make all the other parts of your role as local officers much easier and more effective.



Members in District 2-13 work to register new voters

CHAPTER 10: CWA Human Rights Program



Minority Leadership Institute, Class of 2022

CWA Human Rights Program

CWA is committed to protecting the fundamental rights of every working person. We are a union of over half a million working people from diverse backgrounds and industries, and our power is unrelenting when we embrace our differences and support each other. CWA members have fought to pass legislation that protects working people like the Civil Rights Act of 1964, the Voting Rights Act of 1965, the Family Medical Leave Act, the Pregnancy Discrimination Act and the Lilly Ledbetter Fair Pay Act. And while we have won these fights for basic human rights, we still have so much more work to do.

The CWA Human Rights Program is developed, supported, and carried out by CWA activists and leaders who work to improve the lives of our members and all working-class people. Through the work of the National Women's Committee, the National Civil Rights and Equity Committee, and our leadership development programs, we inform and educate the membership on issues that protect and advocate for human and civil rights. We also work to build relationships with progressive unions, grassroots organizations, and community groups who support working people on the issues we face in our day to day experiences. We actively participate and engage members in national human rights issues, movements, and demonstrations that motivate and encourage members to have a voice in our union. When we connect with civil and human rights groups on the issues that affect us all, we grow stronger together.

"An injury to one is an injury to all."

The goals of CWA's Human Rights Program are to:

- Support local union engagement with their communities on CWA's broader goals for social and economic justice.
- Work to fully integrate Civil Rights and Women's issues within the union's core agenda through the work of our local Human Rights committees. Support activists to advocate and defend human rights through training and leadership development programs.

Local Civil Rights & Equity and Women's Committees

CWA members encounter discrimination when they are on and off the job, whether based on race, gender, nationality, religion, or sexual orientation. Working together to ensure the civil and human rights our members and the people in our communities are protected strengthens the power of our union. To help us achieve these goals, Article XVI of the CWA Constitution requires each chartered local to have a Women's Committee and a Civil Rights & Equity Committee.

Local Women's and Civil Rights & Equity Committee Roles

- Work with the local Executive Board, stewards, and activists to defend attacks against working people's human rights and increase grassroots activity in the community
- Keep the membership informed on issues related to civil rights & equity and the rights of women
- Work all sides of the CWA triangle by building coalitions with other labor unions and community organizations to advance campaigns related to social and economic justice

Training and Leadership Development Programs

Each of our programs teaches the importance of union engagement in broad social movements to build strong coalitions and solidarity across rank and file struggles. We seek to build up a movement that fights on all fronts and all issues that impact the working class, from collective bargaining to voting rights, racial and gender justice, LGBTQIA+ rights and respect for the earth we live on. There are many fronts we must fight on, but one movement we are a part of.

We currently offer two trainings: Building an Anti-Racist Union and Gender Justice. You can request either training by filling out the Training Request Form at **bit.ly/cwahumanrightstraining**.

Both trainings dynamic and customizable to your needs. They can be held in-person or virtually. You may utilize the entirety of the trainings, or choose the modules that are most relevant to your Local.

Visit https://cwa-union.org/national-issues/human-rights for more information.

Building an Anti-Racist Union Training

The Building an Anti-Racist Union aims

- To educate participants on their own biases and how to hold themselves accountable;
- To explore racism as a system of power and what that looks like in our communities; and
- To forge anti-racist action in our union through the formation of local Human Rights Committees and activism

Gender Justice Training

The Gender Justice Training aims

- To demonstrate the presence and significance of gender bias, patriarchy, and homophobia in labor throughout history and today;
- To push members to interrogate and challenge their own gender biases; and
- To promote community engagement across locals to create a more proactive movement for gender justice

Minority Leadership Institute

The Minority Leadership Institute (MLI) was founded in 1983. Participants receive rigorous training in leadership development, legislative and political advocacy, mobilization, grievance handling, labor economics, labor law, and communications. Members also learn how to analyze systems of economic, racial, and gender-based oppression, and how to build collective power through transformative organizing.

Movement Building

Our ability to build power and fight back against mounting attacks on our democracy, human rights, and the right to organize comes from representing our members and building solidarity with organizations that help advance our agenda. Since forming *Jobs with Justice* in 1987, CWA has focused on increasing our involvement with organizations that share our dedication to eliminating inequality.

The Poor People's Campaign

One example of movement building is our work with the *Poor People's Campaign: A National Call for Moral Revival (PPC)*. CWA has partnered with the PPC since 2017 as part of a movement to address the deep moral crisis we are experiencing in our economy, healthcare, policing, housing, and environmental policies. Through our work with the Poor People's Campaign we've rallied, marched, participated in convenings of activists from around the country, and stood in solidarity with other working people to advocate for those most affected by racial, social, and economic inequality.

We support and protect our members while tearing down the walls of inequality through the work we do with organizations committed to improving the lives of working people.

Ways Local Officers Can Support CWA Human Rights Program

- 1. Prioritize the creation and/or development of Civil Rights & Equity and Women's Committees in your local.
- 2. Build relationships and partner with community organizations who advocate for the human rights, dignity, and respect of all working people.
- 3. Work with your District/Sector/Division staff representative with Civil Rights & Equity and Women's Committee responsibilities to get support campaigns that work to advocate for civil rights and women's issues.
- 4. Educate, inform, and involve members in fights for economic and social justice issues through human rights training programs and workshops.
- 5. Identify women and members of color for mentorship, training, and leadership development opportunities.

CWA Policy on Mutual Respect

The CWA Policy on Discrimination is as follows:

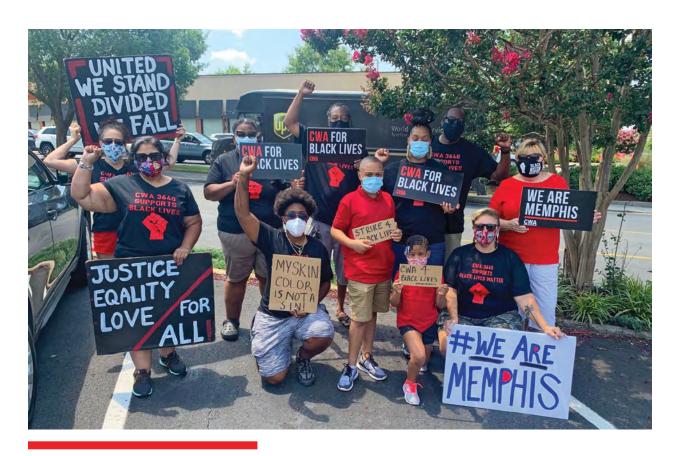
- 1. The Communications Workers of America reaffirms its commitment as a matter of principle and policy that all forms of discrimination, for whatever reason, be vigorously opposed until all vestiges of discrimination are eliminated from society.
- 2. Freedom from discrimination within our Union is a right and privilege of all CWA members. Any abridgement of this right and privilege shall be subject to a complaint under the CWA Internal Appeals Procedures and should be investigated immediately without fear of reprisal and retaliation.
- 3. In restating our policy for conduct within our Union, it is equally important that our employers reflect this policy so that neither the Company nor the Union shall unlawfully discriminate against a person on account of race, color, gender, religion, age, marital/parental status, political beliefs, sexual orientation, gender identity or expression, national origin, or because a person is handicapped, a disabled veteran, or a veteran of the military service. This means what it says: "No form of Discrimination will be tolerated at any level of CWA."
- 4. Any matter which relates to the field of discrimination should be immediately and appropriately handled by the appropriate level of the Union that comes across the allegation of discrimination. It should be handled thoroughly in an honest and positive manner.
- 5. It is a matter of principle that no one member is more equal than another. The handling of the representation of our members at all levels of CWA should be done in an evenhanded way with no fear; no preference; no favorites.
- 6. Local Equity and Women's Committees can play a positive role by providing continuous education training assistance and by reporting to the members of the Local on the ways and means of eliminating discrimination in its entirety.
- 7. CWA Constitutional Committees should be representative of the Union. Local CWA Constitutional Committees should be representative of all the Local membership and should be active committees, not paper committees.
- 8. The Union policy to have a job steward for each fifteen members should be fully implemented and should be reflective and representative of the entire membership of each Local.

(Adopted by the CWA Executive Board June 11, 2002; revised December 17, 2009)



CWA-AFA members stand in solidarity for the movement for Black Lives after the death of George Floyd in Minneapolis, MN.

CHAPTER 11: Occupational Safety and Health



Members from Local 3640 in Winston-Salem, NC take action in solidarity with Call Center workers in Memphis, TN



CWA healthcare workers in Buffalo, New York take action for safe staffing

Occupational Safety and Health

Occupational safety and health issues are a top priority for CWA. Safety and health at work impacts the entire membership. Local union leaders play a critical role in fighting for safety and health protections.

What is The CWA Union Approach to Health and Safety?

The best way to address health and safety problems is at the local union level. The determination and commitment of local union leadership coupled with a strong and united membership are key factors in achieving victories in workplace health and safety. The goals of the union's health and safety program are to protect members and build the union. The focus of a comprehensive workplace health and safety program should be to identify the problems, issues and concerns that are causing or could cause members to be injured, made ill, stressed and/or killed on the job — and then reduce these hazards — or ideally, eliminate them.

This is accomplished by member activism to build union power, and using a strategic approach to identify problems and compelling actions to achieve safer and healthier work environments.

Common Hazards CWA Members Face On-the-Job

CWA members face a wide range of health and safety hazards on the job which can vary in severity and scope. While some hazards may be specific to a particular type of work or bargaining unit, there are some categories of hazards that cut across all sectors. These include:

- Ergonomic hazards
- Violence on the job, including domestic violence as it impacts the workplace
- Indoor air quality issues for indoor environments of all types such as call centers, offices, health care facilities, libraries, correctional facilities, TV and radio studios, airports and airplanes, warehouses, manufacturing plants, etc.
- Infectious diseases, such as COVID-19
- Occupational stress as a result of:
 - Understaffing/downsizing
 - Work overload (too many job duties)
 - Push for production/speed-up/production over safety
 - Extended working hours/fatigue (e.g. mandatory overtime)
 - Job combinations
 - Lack of control of work
 - Extensive monitoring/surveillance by management
 - Policies that punish workers for all injuries
 - Lack of adequate training
 - Racism, sexual harassment and discrimination
- Disasters and emergency response to natural and/or human-caused disasters.

Please note that there are no federal health and safety standards for ergonomics, violence, indoor air quality, infectious diseases, or occupational stress despite the clear need. There are a small number of standards in some states that may address some of these topics, such as the Cal/OSHA Aerosol Transmissible Disease (ATD) Standard for Healthcare, the NYS Violence Prevention standard for public sector workers, or the NJ Indoor Air Quality standard.

Are All CWA Members Covered by OSHA?

No, not all CWA members are covered by federal OSHA. While most <u>private sector</u> <u>employers and their workers</u> are covered by OSHA, many public sector workers do not have OSHA coverage or protections.

<u>State</u>, <u>county</u> and <u>municipal government employers and their workers</u> are only covered if the state has a "state plan." A "state plan" means the state government has taken responsibility for enforcing the federal OSH Act.

The Federal Aviation Administration has jurisdiction for health and safety "above the wing" for AFA-CWA members. Federal OSHA does cover airline employees "below the wing," i.e. passenger service agents, reservation agents, etc.

13 Things Every Union Leader Should Know About Safety And Health*

- 1. The twin goals of a union safety and health activism are to improve working conditions and to build the union. They are equally important. In fact, you can't do either one well unless you do both.
- 2. Management has different goals for health and safety than the union does. They may care about safety in its own right, but are probably more concerned about things like workers' compensation costs. Building the union is <u>never</u> one of management's goals.
- 3. What you do regularly with your employer on safety and health is a form of bargaining called "continuous bargaining." Management comes in to joint labor-management health and safety committee meetings prepared to meet their goals; we need to come in just as prepared to meet our goals.
- **4.** Solving safety and health problems isn't just a technical issue. Technical knowledge helps, but there are plenty of places to get technical information including your District, Sector, Division staff. Strategy, organization, and mobilization, as well as strong contract language are much more important in winning the improvements we need.
- 5. It's also important to have a joint, labor/management safety and health committee, with representatives from the union and from management. The joint committee can be important in resolving health and safety problems.
- **6.** Every CWA local needs a union safety and health committee. You should set one up even if you don't have a joint, labor/management safety and health committee with represented employers. You don't need an employer's permission to establish a union committee.

- 7. The union members of the joint committee should meet by themselves at least as often as they meet with management. You need separate meetings to identify issues, set union priorities and plan strategy.
- **8.** You should never, ever allow the employer to appoint your safety and health representatives, to veto the union's choices, or dismiss your representatives from their union positions. Never, ever.
- 9. Union safety and health representatives should think of themselves as organizers, promoting health and safety in a way that builds the involvement, and the solidarity of the membership. That means involving the membership whenever you can in the union's health and safety activities. The most effective way to accomplish this is through one-on-one conversations.
- 10. Workers' injuries and illnesses are caused by exposure to hazards on the job. The hazards can be unsafe equipment or toxic chemicals. Hazards also include things like lack of training, fatigue from extended working hours and shifts, downsizing/understaffing, work overload (too few people, too much work, job combinations, etc.), and production pressures.
- 11. A good safety and health program focuses on finding and forcing management to correct hazards. Employers' safety programs that focus on "worker behavior," workers' "unsafe acts," and blaming workers are hazards in and of themselves. They focus attention away from the real hazards that put our members' health and lives at risk. "Blamethe-worker" safety programs tell our members that they are the problem. In fact, our members and their union are the solution.
- **12.** The best way to find hazards is for union health and safety representatives to talk to every worker about his or her job about how to make it safer, healthier and easier. It's even better to enlist that member in pushing for improvements. That helps build involvement of members in safety and health, and builds the union!
- 13. You're not alone. You have many resources through the CWA. Every CWA District, Sector, Division representative with occupational safety and health responsibilities. CWA's Occupational Safety and Health Department also provides assistance to CWA representations and locals. (See the 'Resources' section at the end of this chapter.)

^{*}Adapted from the fact sheet prepared by the USW, Health, Safety, and Environment Department and used in the CWA Union Approach to Health and Safety training.

Involving the Membership in Safety and Health Activities

Every member has a stake in safety and health at their workplaces. No one ever wants or plans to get hurt, become ill, or die on the job. Local union leaders can provide meaningful and real ways for members to become involved in union safety and health initiatives. Below are some examples of what local unions can do to involve the membership and build the union:

- Set up a local union Health and Safety committee
- Provide ways for members to communicate their concerns about safety and health issues to the union and have a process to get back to members about the concerns they have raised.
- Get out on the "shop floor" to speak to members and conduct walkthroughs to see working conditions first hand.
- Mobilize around safety and health issues to improve conditions and build the union through member involvement.
- Regularly communicate to members the efforts members and the local union leadership are taking to address safety and health concerns with the employer to improve conditions. Provide information about the work the local union Health and Safety committee is doing, as well as updates about what is happening with any bargaining unit's joint, Labor/ Management Health and Safety committee.
- Showcase all health and safety successes accomplished by the members, Local Union health and safety committees, and local union leadership. Take credit for health and safety improvements provided by the employer when the union members and/or leadership advocated for those changes. When management had to be pushed to make necessary improvements, do not let them steal the narrative.
- Promote opportunities for members to participate in CWA health and safety campaigns at the local union, District, Sector, Division or national level. Health and safety campaigns coordinated by the national AFL-CIO, state federations, worker advocacy organizations such as Local Committees for Occupational Safety and Health (COSH) and National COSH, or even some campaigns initiated by other unions present many opportunities for involvement and support of health and safety initiatives and reforms.
- Conduct thorough investigations of safety and health problems to figure out the root causes of the problems and to develop strategic plans to get the problems addressed.
- Provide or arrange for health and safety education and training for your local union leadership, stewards, and members. (See Resource Section at the end of this chapter)
- When preparing for contract bargaining, survey the membership about health and safety concerns and consider proposals to strengthen health and safety contract language or propose new contract language.

The Dangers of Employer Behavior-Based Safety/Blame-the-Worker Safety Programs

All occupational injuries and illnesses are caused by exposure to HAZARDS at work. There are no exceptions. When hazards are eliminated, reduced, or prevented safe workplaces result.

Employer "Behavior-Based Safety/Blame-the-Worker" policies, practices or programs define health and safety problems as the union members, i.e. workers themselves, who are seen as the main cause of workplace injuries and illnesses because of their unsafe acts and risky behaviors. When worker behavior is the sole focus of an employer's health and safety program, the real hazards or circumstances that create unsafe conditions and that endanger workers, are not identified and addressed. Instead of fixing the unsafe conditions, behavior-based safety programs shift the focus to 'fixing' the worker through disciplinary and other punitive measures. Regardless of whether a member works safely or not, behavior-based safety programs deflect the focus of health and safety away from the hazards. The hazards remain to hurt or kill others and workers get blamed for their injuries. Employer behavior-based safety/blame-the-worker programs are not just bad for health and safety — they also damage union solidarity.

Some examples of behavior-based/blame-the-worker programs that can harm union solidarity and result in more dangerous workplaces are:

- Safety Incentive/Prize Programs programs where workers get some kind of prize/ reward if they go a certain number of days/weeks/months without reporting a work-related injury or illness, or having a lost-time accident. These programs create disincentives for workers to report injuries/illnesses and creates ill will between members when someone does get hurt.
- Injury Discipline Policies policies where workers receive "coaching" on how to be a safer worker and/or are put on a "progressive discipline" track when they report an injury, or perhaps are even outright fired. These policies can be formal, written "Accident-Repeater" type policies counseling for a first injury and after that a verbal warning, written warning, suspension and termination; or informal practices such as "the inquisition" where injured workers are brought into a management office to be grilled about what they did wrong to cause their injury. Vague employer work rules such as "Work safely," or "Maintain situational awareness," are purposely open-ended, catch-all phrases that enable management to blame workers for pretty much any workplace injury.
- Post-injury/Accident drug testing policies where workers who report injuries or have medical treatment for a work-related injury must take a drug test.

- Signs Tracking Recordable and/or Lost-Time Injuries/Accidents these signs or stoplights generally track days "without a lost-time injury" or days "without a recordable injury". This creates a disincentive for workers to report injuries and accidents.
- Behavioral Safety Observation Programs these generally have workers observing other workers and noting down when they have performed an "at-risk behavior" or "committed an unsafe act." These programs are usually brought in by management consultants. These programs are often, disingenuously portrayed as collaborative labor/management health and safety initiatives. Don't fall for it! The only kind of observations the union and union members should be doing is of unsafe conditions or unsafe management behavior, followed by efforts to get management to correct the hazards.

In summary, local union leaders and members should focus on getting hazards in the workplace eliminated, corrected, or prevented and should fight against employer, behavior-based/blame-the-worker programs. Confronting and eliminating employer, behavior-based/blame-the-worker programs may need to involve bargaining, contract language protections, use of the grievance procedure, and arbitrations.

How to Identify, Evaluate, and Control Hazards

Local union leaders should understand how to identify health and safety hazards, evaluate and prioritize those hazards, and choose the most effective methods to control the hazards in order to advocate, or bargain, for the best protections.

IDENTIFICATION of hazards: This involves the collection of as much relevant information about a hazard or hazards to fully understand the hazard itself, the scope of the problem, and the conditions/policies that are related to or are contributing to the problem (e.g. lack of training). Some information may need to come from the employer and other information may be obtained elsewhere from union records, government websites, or research.

Information sources that can help identify the hazard and scope of the problem include:

- Member Surveys and Questionnaires
- Hazard Mapping
- Member Interviews
- Worker Complaints
- Grievance and arbitration records
- Inspections/Audits
- Government Regulations
- Data Analysis
- OSHA Citations

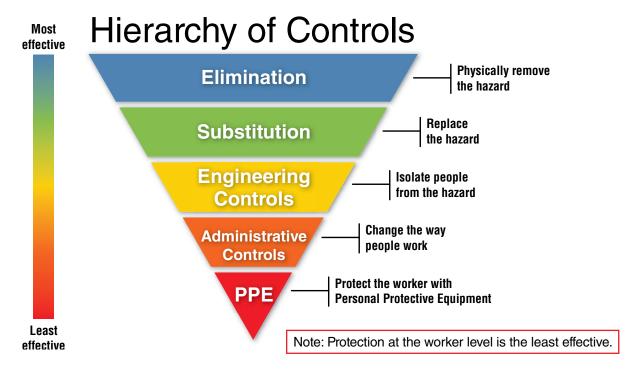
- Safety Data Sheets (SDSs)
- Health and safety committee minutes
- Inspection reports/ exposure or environmental monitoring data
- OSHA 300 Logs
- Incident Reports
- Workers Compensation Data
- Absentee Records

EVALUATION of the Hazard Information: The next step after identifying the hazard(s) by collecting relevant facts and information is to evaluate the information. The union should review the information and facts to define the scope of the problem and prioritize the items the union will want management to address. For example, what first appeared to be one member's exposure to a toxic chemical, may turn out to be exposure to many members over a period of time, a lack of training, missing Safety Data Sheets (SDSs) and non-compliance with the Hazard Communication Standard, inadequate staffing, inadequate protocols and procedures, lack of an exposure assessment by the employer, poor ventilation, and a lack of personal protective equipment. How you define the problem is directly related to what the fixes/controls should be.

CONTROL of Hazards: The last part of the process involves getting the hazards and related issues corrected by selecting the most appropriate and effective control measures for those particular hazards. Hazard controls are methods used to eliminate or limit workers' exposure to a hazard. While there are many different types of hazards, there are certain principles guiding hazard control that apply to all hazards.

- 1. The best way to control a hazard is to eliminate it.
- 2. If a hazard can't be eliminated it may be possible to substitute something in its place that is not dangerous or less dangerous.
- **3.** If substitution is not possible, there may be engineering controls that can be put into place, i.e. technology or equipment that will keep the hazard away from the worker.
- **4.** The next type of control to explore are administrative controls such as staffing, safe work practices, protocols and procedures, warning systems and alarms, and training.
- 5. The last type of control to consider is Personal Protective Equipment (PPE). PPE is considered the least effective type of control because PPE has several drawbacks the hazard still exists, PPE is uncomfortable to use and may make work more difficult, the proper selection of PPE needs to be made by a qualified/knowledgeable individual, and the safe use of PPE depends on the worker. PPE may be absolutely necessary to use in some circumstances, but PPE does create potential difficulties and complications.

Below is a chart illustrating the Hierarchy of Hazard Controls from the most effective protection (elimination of the hazard) to the least effective (PPE).



Bargaining and Health and Safety Contract Language

Most workers are covered by a bargaining law. Health and safety is considered a part of 'terms and conditions of work' and so is a mandatory subject of bargaining. Strong health and safety contract language is a critical tool in the fight for safety and health protections. Strong health and safety contract language is so important because it provides a much more effective means by which to address health and safety problems in the workplace than is provided under most state and federal laws. Strong health and safety contract language should broaden the coverage of protections not afforded by law and should strengthen protections that may exist. Strong health and safety contract language should establish a process by which health and safety concerns are continuously addressed through the use of joint, labor/management Health and Safety Committees. Strong health and safety contract is imperative because:

- Health and safety standards that exist at the federal and state levels can be weak.
- Enforcement of standards that do exist can be difficult, inconsistent, and can take a long time to resolve (in some cases, years).
- There are significant hazards that affect large numbers of members and workplaces for which there are no standards, such as for ergonomics and infectious diseases.
- Public sector members living in states without an OSHA state plan do not have coverage.

Private sector workers are covered by the National Labor Relations Act (NLRA), except for railroad and airline employees who are covered by the Railway Labor Act (RLA). In some states, state, county and municipal employees are covered by state bargaining laws.

These laws give workers the rights to organize, bargain, and act collectively to improve workplace conditions. Workers and Unions have certain safety and health rights under these laws in addition to the rights some workers have under the Occupational Safety and Health Act (OSH Act).

Bargaining law covers the following:

- Union right to bargain with employer over all aspects of workplace safety and health
- Union right to receive safety and health information from employer
- Worker right to participate in "concerted" safety and health activities
- Worker right (very limited) to refuse to do unsafe work

Health and safety contract language can cover many topics. There are key topics that are applicable to all CWA-represented workplaces and there are other topics that may address specific hazards and concerns unique to an employer. The common topics for which strong health and safety language is essential are:

- Language establishing the employer's sole responsibility to provide a safe and healthy workplace (see discussion below about the General Duty Clause).
- Language establishing joint, Labor/Management Health and Safety Committees with sufficient union representation that will meet on a regular basis, preferably no less than every other month.
- Language preventing employer retaliation or discrimination against employees for raising a safety and health concern, reporting a work-related injury or illness, or otherwise using their health and safety rights.
- Language concerning health and safety education and training programs, provided through an effective format (preferably, in-person where possible), with union input.

Other topics to consider for health and safety contract language include:

- Language establishing a process for refusing dangerous work.
- Language covering hazards for which there are no federal or state standards, such as the establishment of programs for violence prevention, ergonomics, infectious diseases, indoor air quality, and others as needed.
- Language covering the provision of Personal Protective Equipment (PPE).
- Language covering health and safety during disaster and emergency response activities.

The basis for contract language clearly establishing the sole responsibility of the employer for work-related safety and health is rooted in the law as established under the federal Occupational Safety and Health Act (OSH Act) of 1970. Section 5(a)1 of the OSH Act also known as the General Duty Clause, establishes by law the employers' responsibility to provide a safe workplace. The General Duty Clause, Section 5(a)1 of the Occupational Safety and Health Act states:

"Each employer shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees."

Be aware that for General Duty Clause-type health and safety contract language in a CBA, the language should state that it is the responsibility of the employer to provide a safe and healthy workplace and the employer will follow all applicable federal, state, and Local laws pertaining to health and safety. Health and safety contract language should never weaken the already narrow coverage of the General Duty clause by saying that it is the 'joint responsibility of the employer, union, and employees to provide a safe and healthy workplace.' It is NOT a joint responsibility; it is the employer's responsibility.

Health and Safety Resources

You are not alone in your fight for health and safety at work. The following are places you can turn for assistance and some helpful resources you can use.

CWA District, Sector, Division staff with health and safety responsibilities are points of contact for health and safety inquiries and can provide information to locals, coordinate certain activities, or put locals in touch with other resources. If you need assistance with a safety and health problem or are interested in arranging for CWA health and safety training, contact your staff representative.

The CWA Safety and Health Department is an additional resource for health and safety expertise and technical assistance. Local Unions should work within their Districts, Sectors, Division to resolve health and safety issues, but may need more help. The CWA Safety and Health Department is responsible for coordinating CWA health and safety training activities covered by a federal grant program through the National Institute of Environmental Health Sciences (NIEHS). CWA is one of the grant partners of an NIEHS grant that is administered by the United Steel Workers/Tony Mazzocchi Center (USW/TMC). Under the federal grant program, CWA has established District, Sector, Division health and safety trainers who can deliver CWA health and safety training.

The CWA HQ Safety and Health Department website link is: https://cwa-union.org/national-issues/health-and-safety

CWA health and safety fact sheets and other materials can be downloaded for free at: https://cwa-union.org/national-issues/health-and-safety/health-and-safety-fact-sheets

CWA health and safety materials can be ordered at: https://www.cwamaterials.org

For a list of many other health and safety resources including government, academic, health worker advocacy organizations, professional organizations, and union federation and national unions, go to:

https://cwa-union.org/national-issues/health-and-safety/health-and-safety-links

CHAPTER 12: Legislation and Politics



CWA Political Action Flyer: This and other PAF items available at www.cwamaterials.org

Together, we will continue to fight to:

- Protect jobs, by fighting to keep jobs in our communities, ending incentives to offshore work, and ensuring all workers can retire with dignity.
- Strengthen workers' rights, through defeating Right-to-Work (For Less) laws, advocating for a pro-worker NLRB and passing legislation that gives stronger protection to workers trying to organize.
- Ensure the tax code works for everyone, by making the super wealthy and corporations pay their fair share.
- **Build a fair democracy**, where everyone has the opportunity to vote and corporate interests do not influence our elections.
- Fair trade deals: Fight to make sure any new trade deals have strong labor enforcements that protect good paying union jobs, environmental safeguards, and protect against drug company monopoly.

CWA Political Action Fund is how we have won victories across the country!

- Six states passed laws to stop corporations from sending call center jobs overseas.
- The U.S. House passed bills to: Get money out of politics, expand voting rights and end gerrymandering. Raise the minimum wage to \$15
- Right-to-work (for less) legislation was defeated in Missouri and West Virginia.
- With political support from legislators calling on AT&T, members at Midwest and Legacy-T successfully won wage increases, a cap on health care costs and preserved inhe
- Stopped the bad TPP trade deal by driving an international coalition to expose anti-worker lies told by politicians and corporate lobbyists.

Yes, I want to build power for working people.

Every dollar you give to CWA PAF is put to work building political power for you, your family, and your future. Through PAF, CWA will have the strength we need to elect pro-workers legislators and fight for issues that ma

(Check one):	EMPLOYSE NAME
\$20 per pay period \$15 per pay period \$10 per pay period	SOCIAL SECURITY INJURIEN (Lise four Optio) INCHE ADDRESS
sper pay period	CRY STATE
per pay period	EMAIL (Do not use a work email address)
I authorize my local union to determine how much I am currently contributing and fill in the new total amount to go to my payroll clerk above.	MASSEE PHORE NUMBER by sounds you can show treated you agree to recover pasted updates and other units released more from CRM as and or level. Message 6 data state (1993)
The amounts suggested above are merely guidelines, and CVM will not favor or disadvantage me because of the amount of my contribution or my decision not to contribute.	NAME OF EMPLOYER PAYROLL/EMPLOYER INTUREY
and decision not	JOB TITLE
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Legislation and Politics

Why We Do Political/Legislative Work

Building our political strength is a key part of our CWA Strong effort. Organizing together to fight for laws and lawmakers who will help us in our efforts to build our union strengthens our ability to take on corporate attacks. And by enacting laws and rules that protect our rights, we strengthen our leverage to fight for better wages, working conditions, and terms of employment at the bargaining table.

Virtually every day Congress and state legislators across the country make decisions that vitally affect us — regarding basic collective bargaining rights, telecommunications policy, health care, taxes, trade, FMLA, social security, safety and health, pensions, public services, etc. The list is endless. That is why it is especially important for CWA members to get involved — at every level of our union — in the democratic process. We must help elect candidates to offices that represent the concerns of CWA members and workers, not just corporations and the super wealthy. We must communicate our views to elect officials and hold them accountable after the election.

Corporate political action committees and other PACs who oppose interests of CWA members pour millions of dollars into campaigns in every election — far outspending labor PACs. In addition, since the Citizens United Supreme Court decision, our elections have been inundated by billions of dollars in increased campaign spending by corporations and the super-wealthy. This tsunami of corporate and money from the super wealthy into elections threatens to drown out the voices of everyday Americans in our political process.

We will never be able to match the opposition dollar for dollar, but we can increase our funding to a degree that will make labor's candidates viable contenders, and we can educate our members on the candidates and get out the union vote. The volunteers we have sharing information in the workplace and knocking on doors can make a difference in elections.

And it's making a difference. CWA and our allies have been able to secure critical political and legislative victories that have helped strengthen our union and our voice in the economy. For example, CWA played a critical role in electing a worker-friendly governor in Louisiana and, once he took office, getting a bipartisan bill to prevent call-center offshoring signed into law. CWA has also led fights to defeat the Trans-Pacific Partnership, to ensure that worker protections have been included in broadband funding bills, to protect workers' pensions, and more. At the same time, we have had successes in electing pro-worker candidates up-and-down the ballot who have become key allies in these and other fights.

Legislative and Political Action Teams

Legislative Political Action Teams (LPATs) are made up of local legislative and political coordinators in city or state. The LPAT usually has at least one local union coordinator (LUC) from each local.

The purpose of LPATS is to coordinate actions specific to legislative, political and electoral work. This includes legislative activity, i.e., lobbying, letter writing campaigns, e-mail campaigns, phone calls, or other actions tied to supporting or opposing legislation at the federal, state, or local level; CWA Political Action fundraising campaigns, i.e., recruiting volunteers for workplace leafleting, phone banking and walks, registering new voters, and other activities associated with the election process.

This includes:

- Legislative activities
- CWA Political Action fundraising
- Political campaigns

Each local union coordinator (LUC) on the LPAT is responsible for implementing the program within their particular local.

LPAT Structure and Definitions

- **District/Sector Legislative-Political Coordinator** is a CWA Staff or Administrative Director or Assistant who coordinates the legislative and political program within their District or Sector.
- State Coordinator is the activist who oversees the legislative and political activity within the state through established LPATs.
- State Data Coordinator is an activist who is in charge of documenting and recording all of the political outreach work across the state in our systems, especially the LAN (Labor Action Network).
- Local Union Coordinator (LUC) is an activist from the local who is the lead person in the local to coordinate the legislative and political program established by the LPAT
- Local LPAT Activists/Volunteers are the CWA activists that LPAT's rely on to volun-teer for activities and actions related to our legislative and political work.

Building Our Member Mobilization Teams

At the heart of any CWA fight to move a pro-worker legislative agenda and elect progressive CWA endorsed candidates is our ability to mobilize hundreds of thousands of members to take action. Throughout the union, many locals have Legislative and Political Action Teams (LPATs), who are member-activists leading mobilization and advancing the union's pro-workers legislative agenda and electing pro-worker CWA endorsed candidates.

LPATs and activists in coordination with local presidents, District and State L/P coordinators and national staff work to:

- Advance pro-worker legislation: lobbying, letter writing campaigns, email campaigns, phone and text banks, direct actions (i.e. picketing), or other actions tied to supporting or opposing legislation at the federal, state, or local level
- Elect pro-worker CWA endorsed candidates: recruiting volunteers for workplace leafleting, phone and text banking, door canvassing, registering new voters, and other activities to get out the vote.
- Raise CWA Political Action Fund to elect pro-worker CWA endorsed candidates.

We seek to build up a movement that fights on all fronts and all issues that impact the working class, from workers' rights to voting rights, racial and gender justice, LGBTQIA rights and respect for the earth we live on. In our efforts to build activists with the skills and knowledge to move the union's pro-workers agenda and elect progressive candidates, we run different training programs, including Reverse Runaway Inequality and Tier 1 Political Activists Training. Both training programs are facilitated by CWA members.

CWA launched the Runaway Inequality political education in 2016 with the goal of putting hundreds of members through a training program that explains how hyper-financialization of the economy over the last 40 years has been a key factor in the broader attack on workers and unions, the growth of economic and racial inequality, and the growing power of Corporate America.

In 2013, CWA started the Tier 1 Political Activists training to get members involved in campaigns in their states to bolster the interests of the working class above those of big corporations. It is through education and organizing that CWA leaders have been successful at radically improving the membership's organizing capacity. This has yielded a surge in the number of CWA activists, the skills of these activists, people-power-building through our Political Action Fund (PAF), and major local elections wins for progressive candidates who support CWA and the working class struggle.

What Is a PAC?

A PAC is an acronym for Political Action Committee. Citizens, labor, business, lobbying, and advocacy groups in the United States establish PACs in order to raise funds to influence elections in which they and their members have a stake. PACs solicit contributions, pool the funds, and make donations to the campaigns of candidates for national, state, and local offices, as well as to political parties and to allied PACs. The PACs also communicate to the public about the union's political priorities.

Labor unions organized the first PACs in the 1940s as an innovative way to involve their members in politics and give workers a voice that could compete with big business influence.

This was a needed response to anti-union wartime legislation that barred unions from contributing from their ordinary dues-based treasuries. Over time, many national unions created PACs in order to give added clout to the voluntary contributions of their members. Federal election law also refers to a PAC as a Separate Segregated Fund (SSF), because the PAC is a special account created and directed by the union separately from its regular treasury account. The term "SSF" and "PAC" are used interchangeably because the PAC is a special account created and directed by the union separately from its regular, dues-funded treasury account.

Please note: The Federal Election Commission (FEC) is the agency that administers and enforces the Federal Election Campaign Act, the federal law that governs federal PACs and the financing of federal political campaigns generally.

Political Action Fund (CWA-PAF) — Funded by Individual Voluntary Contributions

The major purpose of CWA's federal PAC, CWA-COPE PCC (CWA-PAF), is to make financial contributions to federal candidates and, in some instances, to state and local candidates.

All CWA-PAF money comes from members' individual voluntary contributions. Over 90% of our members who contribute to CWA-PAF do so through PAF payroll deduction, which members authorize and which are administered much like union dues payroll deductions. Federal PAC monies are often referred to as "hard money."

The CWA Political Action Fund is how we have won victories across the country!

- Six states passed laws to stop corporations from sending call center jobs overseas.
- The U.S. House passed bills to:
- Get money out of politics, expand voting rights and end gerrymandering
- Raise the minimum wage to \$15
- Strengthen labor protections to make it easier to organize, bargain and strike
- Provide frontline workers with stronger OSHA protections and benefits during the COVID-19 pandemic
- Right-to-work (for less) legislation was defeated in Missouri and West Virginia.
- With political support from legislators calling on CWA employers to negotiate in good faith, we were able to secure good contracts that protect our pay, benefits and job security even in tough economic times.
- Stopped the bad TPP trade deal by driving an international coalition to expose anti-worker lies by politicians and corporate lobbyists

The CWA-PAF allows tens of thousands of working class people an opportunity to combine their small individual contributions in order to participate in politics along with the wealthy and corporations.

CWA Political Action Fund (CWA PAF)

- Funded by individual voluntary contributions
- Known as "hard money"
- May make contributions to federal candidates/committees
- May make contributions to state and local candidates/committees

Allocation of CWA-PAF Funds

(Individual Contributions)

It is CWA's national policy to enable locals and districts that achieve various targets in member contributions to CWA-PAF to control directly a share of the PAC'S spending.

*When a local reaches 10% of its membership at a cumulative minimum of \$1 weekly or higher, the monthly share shall be:

40% - National

40% – District

20% - Local

*When a local reaches 15% of its membership at a cumulative minimum of \$1 weekly or higher, the monthly share shall be:

37.5% – National 37.5% – District 25% – Local

*When a local reaches 20% of its membership at a cumulative minimum of \$1 weekly or higher, the monthly share shall be:

331/3% – National 331/3% – District 331/3% – Local

*When a local reaches 35% of its membership at a minimum of \$1 weekly or higher, the monthly share shall be:

30% – National 30% – District 40% – Local

CWA-PAF Income

CWA-PAF

Members (check-off)



Employer or Local



Lockbox/Bankwire

PAF

COPE Contributor Report

Requests for CWA-PAF Expenditures

Please see the CWA-COPE Check Request Policy

CWA-PAF

Local



District Office



Headquarters

(Checks written by CWA-PAF Office at Headquarters and sent to person indicated on request form to deliver to candidate)

Dos and Don'ts: CWA Political Action Fund (CWA-COPE PCC) Individual Funds

- Only members, executive & administrative personnel, and the families of these groups can be solicited to contribute to CWA-PAF. Contributions cannot be solicited from nonmembers.
- **2.** Locals cannot accept **cash** contributions from a member for CWA-PAF in excess of \$100 (this does not apply to PAF payroll deduction or personal checks).
- 3. Local Union treasury monies cannot be contributed to CWA-PAF.
- 4. CWA-PAF may be used to contribute to federal candidates, and in most instances, to state or local candidates. CWA-PAF also can be used to contribute to political parties and other PACs to communicate CWA political messages to the general public.
- 5. CWA-PAF funds may be transmitted via Bankwire/ACH or sent to the District Offices to be mailed to the CWA Headquarters via COPE Lockbox (member contributions through PAF payroll are automatically remitted to headquarters by way of Bankwire/ ACH or COPE Lockbox).
- **6.** Only CWA-COPE PPC (CWA-PAF) is permitted to distribute monies to federal candidates. All PAF checks are issued from headquarters, but most checks may be mailed to the local for presentation to the candidates/committees by local officers and staff.
- 7. Locals should direct requests for contributions to specific candidates to their District Legislative/Political Coordinator.
- **8.** Union and Local Treasury money can be used to solicit members to contribute to PAF and to conduct member fundraising events for CWA-PAF. Minimum fundraising thresholds apply. Please contact Compliance.

Do's and Don'ts: Local Union Funds

- 1. Union and Local Treasury money cannot be used to contribute to federal candidates or to fundraise for federal candidates.
- 2. Some states may allow contributions to state/local candidates from treasury monies, but it's best to use CWA-PAF funds to make these contributions in order to avoid tax penalties.
- 3. Treasury and Local treasury monies can be used to communicate with members and retirees about elections, candidates, and legislation, though reporting may be required. Check with Compliance.
- 4. Treasury and Local Treasury monies may be used to run phone banks to call members.
- **5.** Treasury and Local Treasury monies may be used to run voter registration campaigns among members and non-partisan voter registration among non-members.
- **6.** Treasury money may be used to administer the Local's PAF program (for example, record keeping and activities planning).
- 7. Treasury money may be used for member fundraising events for CWA-PAF. Specific rules apply contact your District Legislative/Political Coordinator for more information
- **8.** Unions **cannot** give "in kind" treasury contributions to a federal candidate (*for example, free use of office space for a campaign*).
- **9.** Unions **cannot** reprint and distribute a federal candidate's campaign literature, even to members. However, you can write your own flyer or communication piece about the candidate and distribute it to members, union policy makers, and salaried staff; that piece can quote from a candidate's materials.
- **10.** Treasury money can be used to encourage members to volunteer for CWA's political activities, or to volunteer directly for CWA-endorsed candidates.

NOTE: For more specific information on record keeping and PAF regulations, call your LP coordinator for your district/sector. COPE Compliance review and approval will be needed on CWA-PAF fund and union treasury fund spending.

Online Resources

CWA members can access the latest resources and information on our legislative and political program at https://cwa-union.org/national-issues/legislation-and-politics. As new battles over policy proposals that would strengthen or undermine worker rights come up, and as new elections that serve as opportunities to elect pro-worker, pro-union candidates emerge, you can find the latest updates and information on CWA priorities on that page.

In addition, the website includes a number of training materials, fact sheets, administrative guidelines, copies of the Political Action Fund (PAF) sign-up card, and more — so that you can get the materials you need to advance the legislative and political program in your local at a moment's notice.

The CWA Collective Briefing newsletter is also available on the website, which CWA members can read to find the latest action items and political developments on a regular basis.

Political Action Fund (PAF/PAC) Yeah...buts

- 1. Yeah...but: I don't think the union should be involved in politics.
- An overwhelming majority of the union members want their union involved in the legislative and political process. Three quarters of all union members, regardless of party affiliations, approve of their union investing "time and money in politics and legislation to counter the influence of corporations and special interests." Jobs, wages, healthcare, taxes, workplace safety, pensions, FMLA, discrimination, environmental protection, and Social Security are critically important to workers. Today's unions help make working families' voices heard on all of these issues.

The concerns of working families are every bit as valid as those of corporate interests. Union members know that working families have the right to be heard in the American political process. Without our voices, there would be no employer-provided health care, no minimum wage, no overtime pay, no job safety protections, and no retirement or job security.

2. Yeah...but: I'm not interested in politics: I don't want to have anything to do with it:

- Unions are involved in politics to protect and advance the interests and concerns of their members and families. A union speaking for hundreds of thousands of members is much harder for a politician to ignore than a single voice. Unions give voice to members who are too busy or disillusioned to spend time themselves influencing government policies. At every level of government, our leaders must know for whom they are working and unions let them know.
- As individuals, workers cannot take on big business and its allies. Local, state, and federal laws shape the lives of American workers. They can't effectively challenge the corporate interests that lobby for big tax breaks, deep cuts in health care, retirement, and FMLA benefits and overtime laws. But through unions, workers have a say in the laws and policies that protect jobs, health care, and education.

Our leaders need to know we watch what they do with our economic security and wellbeing. Too many of our members throw up their hands and say nothing can be done. They think an unbalanced economy that favors corporations and the rich is inevitable and can't be changed. They think it's the "system," and that is that. **However, the problem is not the system. It's who controls the system.**

- 3. Yeah...but: Why should I contribute to PAF when I will get the same wages and benefits as everyone else?
- Don't bet on it. Every time the United States Congress or a State Legislature opens a new session, a flood of bills to restrict the rights of workers and their unions is introduced.

Congress and state legislatures can wipe out all protections and gains won by unions at the bargaining table. And whether legislation helps or hurts working families depends on the votes of our representatives — the very representatives who we put in office.

EXERCISE: Possible PAF Objections

Read the each of the common responses to PAF ask that members may have. Ask participants to make counter responses then read the sample counter responses included below:

۱.	I already do my part, I pay union dues.
2.	The union hasn't done anything for me.
3.	The union just wants my money, why should I give to PAF?
l.	I don't have time for this now.

	a Republican and the union doesn't stand for my interests.
How	do you know that this will work?
don	't get involved in politics.
t's th	ne union's job to fight not mine.
t's th	ne union's job to fight not mine.
t's th	e union's job to fight not mine.



Rally to tax millionaires and protect pensions



Rally for democracy

CHAPTER 13: Collective Bargaining



Members at AT&T mobilize in Atlanta, GA



IUE-CWA members on strike in Waterford, NY

Collective Bargaining

Many CWA local unions participate in collective bargaining. This process determines the contracts you enforce as local officers and is one of the most important ways we contest for power with management. Your local may be negotiating a contract with a single employer, in a single location. Or your local may be one of many, surveying its members, fine tuning and coordinating its mobilization structure, communicating with members and the public to build power across a large geographic region.

Collective bargaining is about power. At each step in the process the union seeks to increase and solidify its power in order to achieve its contract goals. This section introduces collective bargaining as a series of steps that build power.

CWA has additional resources available for each of the steps of collective bargaining in a series of webinars. See the <u>index</u> at the end of this chapter on page 134 for more information on these resources.

The Legal Context of Collective Bargaining

The collective bargaining process is governed by applicable laws. It is critical to understand the particular laws that apply in your case. Management side attorneys are well-versed in these laws and may make the process more difficult for the union if we are bargaining without awareness of the legal framework.

National Labor Relations Act (NLRA)

CWA contracts that are negotiated in the private sector are bargained under the National Labor Relations Act. The NLRA, and the history of rulings by the National Labor Relations Board (NLRB), set the terms for negotiations in the private sector. For instance, the topics that the parties must be willing to negotiate about — Mandatory Subjects — and those that the parties may refuse to bargain over — Permissive Subjects — have been determined by the law and the Board. Wages and benefits are Mandatory Subjects, but health care benefits for those already retired are a Permissive Subject.

Railway Labor Act (RLA)

CWA contracts negotiated in the airline industry — such as those covering flight attendants and passenger service workers — are bargained under the terms of the RLA. The primary difference from the NLRA is that RLA contracts generally do not expire and a long "cooling off" period is required before the union can strike or implement a job action such as a strike.

State and/or Local Labor Law

The process by which CWA contracts are negotiated with state and local employers depends on the rules of the state where the bargaining unit is located. Check the terms applicable to your state or municipality.

The Bargaining Timeline

Making Preparations for Bargaining

1. Researching the Employer

All bargaining requires some research to understand the many important details that will affect negotiations. Is it a public company whose shares are bought and sold on the stock market, a smaller firm owned by investment bankers or a family owned business in your home town? Research is also useful when bargaining with smaller employers. It provides insight into the company's priorities. Knowing what is important to the company enables the union to plan its bargaining strategy to leverage its power at the table.

2. Assessing the Relative Power of the Union and the Employer.

Power — in the context of collective bargaining — is our union's ability to win our demands at the bargaining table. This power does not depend on a talented negotiator or whether or not management feels generous that day. In each round of collective bargaining both parties have strengths and vulnerabilities that will determine which side has the power to win concessions from the other. The company may have an order from an important new customer, which means they want to get a deal quickly. Or another large company in town may have laid off 100 workers, who may be willing to replace our members in case of a strike.

Our union's power at the bargaining table comes from a variety of factors — ranging from locals' relationships with community and political leaders to overall union density in the United States. The greatest source of our power at the bargaining table is an organized and mobilized membership.

Honestly evaluating the relative strength of the union, as compared to the employer, will enable the bargaining committee to assess its ability to win on its demands at the table in this round of negotiations.

3. Developing a Campaign

Power dynamics at the bargaining table are ever-changing. Once we've assessed the union's power relative to our employer, we don't stop there — we make a plan to build more power. We do this through engaging our members around the issues that are important to them during bargaining and asking them to get involved, educate other members and mobilize to put pressure on the company. Oftentimes we ask other unions, community organizations, religious organizations, and elected officials to get involved. This demonstrates the power of the union to the employer and also recognizes that our families and communities have much to gain from a stronger union contract and stronger labor movement.

4. Organizing the Bargaining Unit

Internal organizing is the process of harnessing union power through engaging our members in the work that needs to be done on all three sides of the CWA Triangle: representation, organizing, and movement building.

One of the key elements of internal organizing that significantly impacts our union's power at the bargaining table is whether or not employees are dues-paying union members. Leading up to bargaining we must make an effort to ask as many non-union members as possible to join the union and fight with us as one union to win the type of contract we deserve. We should engage in internal organizing year round but preparations for bargaining are a good time to make a self-assessment and make sure we're on track.

5. Mobilizing Members to Action

Mobilization is a continuous process of building structure, one-on-one member education, and taking collective action. Mobilization shows the union's power to management and builds solidarity.

The first step in the mobilization cycle — building structure — takes the longest and requires detailed preparation in order to build a structure that makes it possible to communicate to all members in a short period of time — oftentimes across many different workplaces, shifts and even cities. It requires creative thinking to develop activities that engage members, educate them about the issues, what is at stake and why their participation is critical. Mobilization also requires a plan to take escalating action over the course of negotiations to show the employer that members are committed to the contract they want to win.

Testing the effectiveness of your mobilization structure through things like a bargaining survey are important to make sure your structure works before the time comes for higher stakes actions during negotiations.

6. Making Requests for Information

In order to negotiate a new contract, the union must have information on the members of the bargaining unit such as their years of service, wages and benefits selections. The union will also need to understand the cost to the employer for wages, benefits and other provisions under the contract. More details may be needed such as on the utilization of the benefit plans by employees and their dependents. Depending on the topics on the table, more information may be required whether before or during the bargaining process.

Requesting basic information about the bargaining unit early in the process will ensure that the union has what it needs to be able to negotiate, and ensures that the employer is able to provide that information in a timely fashion. Please see the *Model Comprehensive Data Request*. The employer has an obligation to pro-vide relevant and necessary information and if it fails to do so, an unfair labor practice may be filed with the NLRB.

Preparing to Open Negotiations

As the union gets closer to the actual negotiations, a series of basic "nuts and bolts" topics must be addressed. These include the process of selecting the bargaining committee, surveying the membership, analyzing data and requesting more information if needed, developing proposals and establishing a communications strategy and naming people to carry it out as well as establishing a system for keeping track of proposals and counter-proposals during the actual bargaining process.

Depending on the number and complexity of each of the topics, as much as three months before the contract expiration date may be needed. Note that all of these items are intended to be done before negotiations begin.

1. Selecting a Bargaining Committee

The process by which the bargaining committee is selected is governed by Article 17, Section 4 of the CWA Constitution. Members of the bargaining committee should be representative of the bargaining unit as a whole.

The number of members on a bargaining committee may be agreed upon with the employer. One of the main issues that comes up is whether members of the committee will be paid by the employer for any and/or all of their time. If the employer refuses to pay bargainers what alternatives are there? Negotiations may occur after work hours so that the committee continues to get paid during negotiations. The union will sometimes pay committee members for their lost wages while at the table.

2. Using a Bargaining Survey to Identify Member Priorities

Prior to beginning negotiations with the employer, bargaining surveys are an important tool used by the union to determine what issues they should bring to the table. Depending on the size and structure of the unit, a printed or online survey may be appropriate. A small unit may choose to hold membership meetings to identify issues important to the members.

In addition to which issues the members view as priorities for negotiations, the survey should ask members what they are willing to do to win their preferred result.

The process of distributing and collecting bargaining surveys is also a great time to test your mobilization structure.

Please see an example of a bargaining survey at the end of this chapter on page 145.

3. Analyzing the Data Received

Once the employer has supplied data and other answers in response to the union's requests for information, the data should be reviewed and analyzed. Prepare summary data such as weighted average wages, age and service, for each department and or job title. Determine total straight time costs.

Review data about particular concerns raised by the members in their bargaining surveys. Additional data may be requested to investigate the concerns raised by members.

Check to be sure that all the items requested have been supplied. If not, reiterate the request with a deadline for submission. Be aware that the employer may contend that it is

not providing the requested information because it is not relevant or necessary for bargaining or may seek a non-disclosure for it deems to be privileged and confidential.

4. Developing your Proposals

Once the bargaining committee identifies members' priorities, the committee must then work to develop contract language proposals that reflect those priorities. When writing proposals, it's important to use direct, clear language, making sure that the employer understands a proposal the way it is meant to be understood. See examples of clear language in the *Appendix: Model Contract Language* (page 330 of the Manual).

5. Communications

Choose a media coordinator to communicate with members, the media and the public. Also name a social media coordinator and a team to work on digital communications. Establish a presence on various social media platforms (Facebook, Instagram, Twitter, etc.) to communicate with members, the press and the public.

Develop a message that explains what the union wants out of these negotiations and why? Make sure all members know that message.

Communicate with members via all means available. Members cannot support the bargaining committee when they don't know what's happening.

Negotiations

1. Opening Day of Negotiations

In final preparations for the opening of negotiations, the employer and the union should discuss how negotiations will proceed, at each bargaining session. This will also include working with the union bargaining committee to decide how the union committee will function. Who will keep official notes? What roles will other members play at the table? The union will make an opening statement: "What does the union want to achieve in a new contract?" In the same session, the union may begin to present its initial proposals.

2. Process at the Bargaining Table

Typically non-economic issues are negotiated before economic issues. This is important for several reasons.

First, it is possible that non-economic issues affect the ultimate cost of the contract. Both the union and management need to understand how non-economic proposals might impact the negotiation of economic issues like wages and benefits.

Second, most members follow negotiations most closely until the contract language regarding wages and benefits is determined. If economic issues were resolved at the outset of bargaining, members could lose interest, weakening the ability of the union to mobilize and demonstrate the power necessary to win on key non-economic issues.

4 Possible Outcomes at Expiration

1. Reaching an Agreement with the Employer

This is the preferred outcome — the parties negotiate seriously and productively to reach agreement on a new contract. The bargaining committee is satisfied that their work has resulted in the best outcome they could reach. They are ready to recommend that the membership ratify the results of their work and move forward.

In this scenario, the union has two key responsibilities:

- Prepare a Final Bargaining Report to be distributed to the members in the way that best suits the membership in person at a membership meeting, online, on paper.
- Hold a ratification vote by secret ballot, under the terms required by Article 17, Section 5 of the CWA Constitution. Again, depending on the structure of the union, a ratification vote may take place at a membership meeting, by mail or using an online service that provides for a secret ballot process for each member.

2. Extend the Current Agreement while Negotiations Continue

The parties may find that they have reached the contract expiration date but are not finished negotiating a new contract. If they agree that they are close to finishing but have some details to work out, they may "STOP THE CLOCK" to finalize the details or MUTUALLY AGREE TO EXTEND THE CURRENT AGREEMENT for a few hours, a few days or even a week or more. The point is that both parties believe that it is in their interest not to let the agreement expire.

A mutual agreement to extend has the advantage that the terms of the expired agreement will continue in effect, providing protections for benefits, dues deduction, grievance and arbitration procedures. Either party can terminate the extension with agreed upon notice.

Keep in mind that the party wishing to terminate or modify a contract must serve written notice on the other party at least 60 days before and on federal and state mediators at least 30 days before.

3. Working without a New Contract and Avoiding Impasse

If the parties cannot agree upon an extension, the union could decide to work without a new contract while negotiations continue. The employer must keep the status quo regarding contractual provisions on pay, work rules and benefits — all terms and conditions of work. However, keep in mind that the employer can make certain changes to terms and conditions of employment if the changes are consistent with its past practice while the contract was in effect or if the contract has discretionary provisions, such as a broad management rights clause, allowing it to unilaterally make changes. The grievance procedure provision survives contract expiration, but arbitration, dues check off, union security and no strike/no lockout provisions do not. However, there is an obligation to arbitrate pending grievances over issues that arose while the contract was in effect even after the contract expires. And, if an employer makes unilateral changes post-expiration that we think are unlawful, while we may not be able to arbitrate over it, we can file an unfair labor practice with the NLRB.

For CWA members in the private sector, the NLRA protects the union's right to concerted activity even without a contract — up to and including the right to strike. State law grants this right to public sector workers in select states. However, the employer could also impose a lockout.

The union can use any mediation services available and actively and creatively continue to negotiate, making data requests to dig into all issues relevant to the contract and the workplace. The goal is to prevent the employer from declaring an "impasse" where the parties are fixed in their positions and there is no indication that further negotiations will move things forward. In these cases, the employer can impose a "LAST BEST AND FINAL" offer on the workforce. Avoiding impasse is discussed in great detail in David Rosenfeld's book "Offensive Bargaining," available to read or download from the CWA Collective Bargaining Webinar Series on Offensive Bargaining.

4. Strike

If the union decides that a strike is necessary, CWA requires locals to follow a clear STRIKE AUTHORIZATION PROCESS. The Bargaining Chair must file a description of the negotiation process to date, explaining what has happened, what issues have been settled and which remain unresolved. The Chair must also describe what other strategies have

been attempted, how united are the members, and how long they will be willing to strike to achieve their goals.

If the union has used "The Bargaining Checklist" to track the steps of the negotiations, most of this information is available in that document. The request for strike authorization goes before the CWA Executive Board which can authorize the President of CWA to call a strike at some point in the future. The decision of whether or not to strike has many strategic complications which are described extensively in the CWA Collective Bargaining Series Webinar entitled, "Offensive Bargaining," "CWA's Strike Authorization Process" and "Running a Strike: Operational Considerations."

Members' Relief Fund

The Robert Lilja Members' Relief Fund was established to provide financial protection for striking CWA members and other CWA members negatively affected by strategic decisions implemented by the union during a strike or other job action. Instructions and rules can be obtained from the union web site at

www.cwa-union.org/sites/default/files/part_xix_mrf_sif_and_growth_fund.pdf#page=1

and at

https://cwa-union.org/sites/default/files/part_xviii_strike_manual.pdf.

In conclusion, as local officers you have a critical role to play in successful outcomes at the bargaining table. From building out a mobilization structure of your membership, to accurately assessing member priorities through the collection of bargaining surveys, to even serving on a bargaining committee, your leadership is critical to an engaged and educated membership, and winning a strong contract.

Understanding the negotiations process as well as the power dynamics that impact the results at the bargaining table, you will better be able to engage members in fighting for contracts that maximize our voice and power in the workplace.

CWA Bargaining Training Webinar Index

CWA has created an online curriculum of videos and presentation slides on collective bargaining for new staff and local leaders. This curriculum is based on the input of experienced CWA leaders and staff.

This online web series closely follows the topics covered in this chapter and provides additional information and resources on each topic.

Please reference the index below for webinar resources that provide more information on the topics covered in this chapter.

For access to this webinar series, please contact your Staff Representative.

Topic 1. Making Preparations for Bargaining 2. Researching the Employer 3. Assessing the Relative Power of the Union and the Employer 4. Developing a Campaign 5. Organizing the Bargaining Unit 6. Mobilizing Members to Action 7. Making Requests for Information 8. The Legal Context of Collective Bargaining 9. Preparing to Open Negotiations 10. Selecting a Bargaining Committee 11. Using a Bargaining Survey to Identify Member Priorities 12. Analyzing the Data Received 13. Developing your Proposals 14. Communicating Internally and Externally 15. Opening Day of Negotiations 16. Process at the Bargaining Table 17. Possible Outcomes at Expiration

Sample	CWA Bargaining Survey		
Your barga	aining team will begin bargaining wi		20
	every member to participate in setting out the questionnaire below and ref	•	
1 = Ve 2 = M 3 = Ne	ark each item below as to how in ery important (would strike to achiev oderately important ot so important ot important at all	•	
Wage	e Increase		
Pens	ion improvements		
•	oyment Security — limiting subcontage argaining unit	tracting and moving wo	ork from
Acces	ss to and training for the jobs of the	future	
Impro	oved transfer rights across compani	es	
Prote	ct and improve Health Care Benefit	S	
Retire	ee Benefits		
Impro	oved vacations, excused work days	and other time off	
Othe	r working conditions (overtime, perf	ormance plans, safety) Please specify:

Now circle your #1 priority.

What I will do to help win a good contract

Good contracts are not won just at the bargaining table. The Union needs the active support of every Union member to show the company we are united. The stronger the unit the stronger the Contract. Please tell us what you are willing to do to help get a good contract.

Distribute information	and talk to coworkers
Participate in on-the-j	ob actions
Participate in off-the-j	ob actions like shareholders meetings, rallies, picketing stores,
Wear a union t-shirt/b	utton
I would like to be train	ned in mobilization tactics
Strike	
And another thing	
	ner bargaining items you're interested in, if there are other ways our bargaining efforts (art, music, photography, social media, etc) nts you'd like to make.
Here's how to contac	t me
	Job Title
	Il Email (not work) Cell phone (personal)
	L want to be contacted by FMAIL Text message

CHAPTER 14: Local Union Committees



Workers rally at Piedmont

Local Union Committees

Local Union Committees

A functioning committee structure is essential to a vital, activist local. There are two types of committees: standing committees and special committees. Standing committees are required by the CWA Constitution and are responsible for working on union programs. CWA standing committees are listed below:

CWA Standing Committees

- ORGANIZING
- EDUCATION
- LEGISLATIVE-POLITICAL COMMITTEE
- COMMUNITY SERVICES
- **MEMBERSHIP**
- ELECTION
- CIVIL RIGHTS & EQUITY
- WOMEN'S
- HEALTH AND SAFETY COMMITTEE

Special local committees include: Budget/Finance, Mobilization, Health and Safety, internal org website, Retirees, and others. Both types of committees are important in a local.

How Do Active Committees Benefit a Local?

1		 	
2			
3.			

Getting a Committee Off the Ground

I. Assign a local officer to each committee.

If there are no officers on the committee, one should be assigned to assist and oversee the committees' activities. This does not mean that the officer has to attend every meeting, but he/she should act as a liaison and talk with the Chair frequently and find out what the committee is working on and what obstacles or difficulties they are encountering which the officer may help work through. The officer can build the union by encouraging the growth of new leaders in the local through their committee work.

Make sure the committee understands its job.

Often a committee is set up and then fails to do anything. Many times this is because they are given little guidance in the beginning and throughout the year.

At a minimum, committees need to have a clear idea of what their job is. It is important to discuss not only what the job of the committee is, but why it is important, how it fits into the work of the local, and how it impacts on the membership. People need to know how their work and effort is contributing to the overall mission of the union.

The responsibilities of the committee should be written up in one or two paragraphs and discussed with the committee's chair, or the entire committee. The responsibilities should be typed and kept in the committee minutes binder as a handy reference to give to new committee members.

The committee chair should always take the time to review the job of the committee with a new committee member.

II. Appoint (in some cases elect) a committee chair.

The local officer assigned to the committee should do everything he or she can to help the committee chair do a good job and have a positive leadership experience. The officer should begin by reviewing the role and function of a committee chair. III. A local officer assigned to a committee must follow-up, encourage, motivate and advise the committee chair.

It is important to talk frequently with the committee Chair one-on-one. Ask him or her how the committee is doing. Ask if the Chair and committee are enjoying the work. If not, try to determine why. Sometimes all the committee Chair needs is to have someone to listen and understand his or her frustrations.

Committee: Meeting Information and Minutes

The local should have a large three-ring binder or notebook for each local committee. The binders should be kept in the local office. The day of the committee meeting, the committee secretary should pull the binder and bring it into the meeting. Once a year the contents of the binder (or the notebook) should be put in a file for future reference.

In the binder, the committee secretary should file:

- The first page of the binder should be an explanation of the job of the committee and its role in the local. This way the committee secretary can photocopy and give a copy to new committee members.
- Minutes for each committee meeting. The "Committee Meeting Minutes Form" can be used for taking minutes.
- Any important information. For example: names and address lists, leaflets, articles, etc.

Chairing a Committee Meeting

The Chair's Job

A successful committee meeting usually starts with a good chair. The chair acts primarily as a moderator, encouraging members to speak out and facilitating discussion. In the course of a meeting the chair may have to: clarify a member's point, redirect the discussion back to the topic after a particularly long personal story, control an overly talkative member, solicit the opinion of a quiet member, and/or know when it's time to quit (end the meeting).

Tips for Productive Meetings:

- 1. Always have a written agenda for the meeting
- 2. Know what you want to accomplish.
- 3. Make sure the group knows what the meeting is about.
- 4. Start on time and end on time.
- 5. Know when to call it quits.

Committee Responsibilities and Resources

Organizing Committee

The local organizing committee's job is not to do all the organizing work itself, but rather to coordinate the involvement of members and stewards in organizing. The committee should address both internal organizing and new unit organizing. Some steps involved in building a local union organizing program include:

- The committee should be a solid group representing all departments, shifts and social groups. The committee should mirror the gender, ethnic and racial diversity of the workforce, also accounting for different job titles and variations in age.
- Provide committee members with training or help from CWA staff if necessary.
- Identify targets that should be given priority. Often, the first task is to establish or improve efforts at internal organizing signing up members within the local's existing jurisdiction. External targets should be identified and evaluated in consultation with your District/Sector/Division organizing staff.
- Discuss the importance of organizing at stewards' meetings, worksites, and Executive Board meetings. Try to get local activists, stewards and officers to bring organizing leads to the attention of the local.

Resources: The "Organizing Basics" is available from the International. Brochures on many topics and issues are also available. Visit www.cwamaterials.org for ordering.

Education Committee

This committee, along with local officers, is responsible for developing and carrying out the Local's educational programs. Interested and capable committee members should be developed as Local trainers. These individuals should be sent to special classes on how to be a good trainer. Programs the committee could sponsor are:

- Steward's initial training. A stewards' training package is available from the CWA Education Department. It includes an instructor's manual, participant's manual, and training DVDs.
- New worker orientation training for stewards. (See *Chapter 17*, page 179).
- FMLA Family Medical Leave Act booklet
- ADA American Disabilities Act booklet.
- Other special education programs which support and advance the priority goals of the Local.

Resource: The CWA Education Department has materials on a wide range of union topics. www.cwamaterials.org

Legislative Political Committee

This committee works to advance the interest of the union and its members in the legislative electorial field, to make sure that every member is a registered voter, and to involve the members in campaigns of local candidates who care about working people and their families. Committee activities can include:

- Lobbying politicians on legislation.
- Developing LPAT (Legislative Political Action team).
- Registration of all eligible members.
- Getting out the vote on Election Day.
- Educating members on local candidates
- Collection of political dollars (PAF).
- Communicating about critical legislative issues with the membership.
- Mobilizing membership to contact Congress on legislative issues.
- Recruiting volunteers for walks and phone banks
- Attending political/legislative training

Community Services Committee

This committee helps develop programs to involve the union in the community and to join in coalitions with other organizations in support of worthwhile causes. "Jobs with Justice" is one example of a successful coalition in which many CWA locals are involved. Local Community Services Committees are also involved in programs aimed to help the less fortunate such as the Special Olympics, United Way, blood drives, and many other worthwhile local community efforts. In addition, the Community Services Committee plays an important role during a strike. (See CWA's Conducting a Successful Strike. Available at www.cwamaterials.org).

Membership Committee

This committee accepts or rejects application for membership in the local in accordance with the CWA Constitution and local bylaws and rules of the union.

Election Committee

This committee conducts all local nominations, elections, and referendums in accordance with the CWA Constitution, bylaws and federal law.

Resources: The UOPM contains information on how to conduct Local elections. CWA provides training and a manual: "How to Conduct Local Union Elections." Contact your staff for information on this training.

Civil Rights & Equity & Women's Committees

The mission of these committees is to develop and promote the CWA Human Rights program by building a union where members of all cultures, religions, sexual orientations, gender, disabilities, ages and nationalities feel welcomed, respected and heard. The committee will:

- Provide guidance and information to the Districts and Locals on the CWA Human Rights Program.
- Keep the CWA National Executive Board apprised of Human Rights issues that affect our members and communities and when necessary offer a course of action.
- Research, report and make recommendations or give direction to the convention delegates on current Civil Rights, and women's issues.

Resource: Contact the Human Rights Department for more information.

Mobilization Committee

The Mobilization committee will usually be made up of the Local Mobilization Coordinator and workplace activists. The Local Mobilization Committee is responsible for developing and carrying out mobilization activities around important workplace issues and is responsible for developing contract mobilization plans.

Health and Safety Committee

The purpose of this committee is to give union representatives the opportunity to discuss identified workplace health and safety problems, document the problems, determine how the union believes the problem should be corrected, and to strategize about how to get management to fix the problems. At a minimum, this committee makes sure that the employer is complying with its legal responsibility to provide a place of employment which is free from recognized hazards likely to cause death or serious physical harm.

A local Health and Safety Committee should also be used to build the union and involve the membership. Mobilization activities can be a very effective way to pressure management to improve workplace conditions.

The members of the local Health and Safety committee can vary based on a number of factors including the size of the local and the bargaining units represented. It could be a mix of health and safety advocates from different bargaining units or could be from one bargaining unit or employer. There is no one right way. The most important thing is that the local Health and Safety committee members should care about health and safety issues and be committed to fighting for health and safety on the job. Members of the committee could include:

- the local union members of the bargained Labor-Management Health and Safety Committee
- Health and Safety Committee Co-Chairs from bargained Labor-Management Health and Safety Committees (if there are several Labor-Management Committees)
- Worksite safety reps or stewards
- Members who are interested in fighting for safe workplaces

If the Local's Health and Safety Committee should find that a work hazard exists, it should bring the problem to the attention of the employer. If the employer refuses to remedy the situation, the committee should notify the appropriate local officer to discuss other avenues for resolving the problem.

Resources: A fact sheet "Forming CWA Local Occupational Safety and Health Committees," is available on the CWA Safety and Health website, as well as other fact sheets about additional health and safety hazards and topics. See CWA Safety and Health website: www.cwasafetyandhealth.org.

Website/Newsletter Committee

The Newsletter Committee assists the local editor (generally the Chair of the committee) in gathering news and producing the local publication. It is suggested that members of this committee include stewards and activists who are in a position to know what is going on and thereby function as key news sources.

A local newsletter is often the only source of union information for many members. The committee should strive to create an interesting and lively newsletter that addresses worksite issues of interest to members. Locals should continually collect member emails and consider electronic newsletters and communications.

Resource: Contact the CWA Communications Department for assistance.

Budget/Finance Committee

This committee monitors the finances of the union and presents a budget to the Local Executive Board and members each year.

Committee Meeting Minutes Form

Committee:		
Date/Time:		
In Attendance: (Chair	r)	
■ Topic(s)/Issues/A	ctivities Discussed. Numb	oer each.
■ Date of Next Mee	eting:	
Assignments	Person(s) Responsible	Date Due
■ Topic(s)/Issues/A	ctivities Discussed. Numb	per each.



IUE-CWA members at GE take action

CHAPTER 15: Organizing



Maximus workers speak at CWA
Headquarters during the 60th
Anniversary of the March on
Washington for Jobs and Freedom to
share about their fight to form a union

Organizing

Why Do We Need to Organize?

In the 1930s and 1940s, union membership soared, inequality rapidly declined, and income became more broadly distributed. Over the past 50 years, Corporate America has organized aggressively to roll back these gains and increase its influence and weaken unions.

As a result, income has become concentrated in the hands of the richest Americans, inequality surpassed record-highs of the 1920s, and the percentage of workers in unions who belong to unions in the U.S. is only 11%. That means almost 90% of workers in the United States do not currently have the ability to come together and negotiate over their wages and working conditions.

This impacts our power in the workplace, in the bargaining table, and in our communities. As working-class people and union members, we must resist Corporate America's efforts to consolidate money and power and destroy our union movement.

One of the most important ways we do this is by building and growing the labor movement; by organizing the unorganized and adding new members to our union.

Organizing cannot be viewed as a separate activity your local may or may not participate in, but must be seen as a key link increasing the power of working people and their families.

The level of unionization will grow only if we are actively involved in building our union. CWA's organizing strategy rests on strong local organizing committees supported by staff and resources from the international union. If we are to reverse the decline of the labor movement, organizing must be more than a slogan.

At the CWA Convention in 1996 delegates adopted a constitutional amendment which mandates the International to spend 10% of the budget on organizing. The amendment also encourages locals to have an active organizing program and to dedicate 10% of resources to organizing.

Who Should We Organize?

We should be organizing anywhere in our communities where workers need and want a union. But we also need to be strategic and have a plan about what makes the most sense to build your local and CWA's power long term. This usually starts by looking at who CWA currently represents. CWA has become diverse in its membership over the last two decades. CWA represents all aspects of the information industry including tens of thousands of printing, publishing, broadcast, wireless, customer service, manufacturing, cable telecommunications workers and flight attendants. Our membership also includes over 100,000 public and health care workers who are building political power in our communities. When more workers in these industries join our union, it gives our members a more powerful voice.

CWA's Organizing Model

Our organizing strategy is based on the local organizing model which rests on motivated and educated **local** organizers. These organizers are activists in locals where an increasing number of members commit to explain to their family members, friends and neighbors that they can organize unions where they work, and that they don't have to accept the conditions at work if they can unite with their co-workers.

The local base is important because it means that the organizing is community-based. The local union has a wide variety of community ties which makes it harder for the employer to portray the union as an outside force. It's also easier for the union to unite the community, if necessary and appropriate, and to support the right of the workers to organize.

How to Start an Organizing Program in Your Local

As a local officer you need to develop an overall organizing program for your local. Here is a simple 3 step plan to get started:

- Hold an E-Board Discussion of Organizing Basics (manual available on cwamaterials.org)
- 2. Identify one or two activists who will make organizing their primary union work and lead local organizing committee on internal and external organizing.
- 3. Work with District Organizing Coordinator and staff to develop a one year plan which would include potential projects, training, goals and local funding.

You can't begin to develop an organizing program until you identify people with organizing skills, or people who want to learn more about organizing. You should designate two or three activists in your local as organizers. Organizing for the Local will be their main work. You need to provide support for them by helping them to develop their organizing skills. You can do this by making education and field training available to them.

CWA provides a three-day workshop or "organizing institute." The locations of the workshops rotate around the country. For information on how you can get your local organizers enrolled in the Institute, contact your CWA Representative or District Organizing Coordinator. There are also opportunities to get experience in the field by working on national organizing campaigns or with locals with active projects.

Only until we develop activists into organizers, support them by helping them to continue developing their organizing skills, and reach out into our communities, will we be able to re-energize our labor movement.

How to Begin Organizing

A canvass of your local members is a good way to get organizing leads. A survey can also help your members see the connection between building the union in their community and the effects it can have on their jobs.

A survey can be the catalyst to these discussions and provide eventual leads. Here's a sample format for a local organizing survey:

Organizing materials may be ordered at www.cwamaterials.org

Do You Know Someone Who Needs a Union?

Our employers are telling us that they can't afford wage increases because of competition. This means that our union wage and benefit levels will be threatened unless we organize workers at non-union companies in our area. The more people we have standing together in a community the stronger we'll be against each and every employer.

Many workers who do not have a union want one. CWA is committed to helping workers organize. We need to make contacts with workers who might be interested in joining CWA. You can help by filling out this special organizing survey. All names of non-union employees that members provide will be kept strictly confidential. They will be contacted privately by a CWA organizer.

1.	Do you have friends, neighb	ors, or relatives working in non-union jobs who would benefit from
	having a union like we do?	
		□ yes □ no
2.	Examples: a non-union com	might be interested in organizing a union at their workplace? munications worker; a non-union clerical, service or manufacturing r or public employee who doesn't have a union
Naı	me	Job Title
		Employer
Pho	one	Location
Naı	me	Job Title
Ad	dress	Employer
Pho	one	Location
Naı	me	Job Title
Ad	dress	Employer
Pho	one	Location
Do	you know anyone who works	at one of the following firms?
-		are subsidiaries of your main employer. If your main employer is a but might list their cellular subsidiary or cable tv company.)
icic	communications company ye	in might hat their centural substantity of cubic to company.)
	, 55	es where workers may want to organize?
em	•	
	ation	

Return This Survey to Any Union Steward Today!

How Do I Handle an Organizing Inquiry?

What do I do if I get a call from someone who is interested in forming a union where he/she works?

Get some basic information from the caller — work location, type of jobs, number of workers, work issues/problems.

Set up a meeting with the caller (include your Local organizer). During this meeting try to determine how many other workers are interested in forming a union. Find out if another union tried to organize the group before and the result. Determine why the union lost the election. Get a better understanding of work issues, wages, benefits, job titles, etc. Map out the workplace and gather information about the employer.

Consult with your District Organizing Coordinator right away about the unit and to find out if other employees of this employer are already organizing, and to get some idea of the degree to which the employer will resist. While time is of the essence, it's important to have some facts *before* meeting with the employees. Remember, their jobs could be on the line."

Organizing Time Line*



^{*}All stages of an organizing campaign are more fully described in the booklet, "Organizing Basics."

What Do We Cover on the First Contact in an Organizing Drive?

First contacts are often made on a home visit or at a small two or three person meeting. We need information to begin organizing and the employee needs information to decide whether to support a union drive. We want to:

Look for Information About Employer

Ask about **wages/salaries**, health care, pensions, holidays, promotions and transfers, grievance procedure, hours per day, etc.

Benefit booklets, **employee manuals**, civil service rules, regulations, employer memos, newsletter, etc.

What are the **job titles**, **departments and agencies** at this workplace? What is the office layout and how many **shifts**? What is the **management structure**? Are there **other locations**?

List of workers (use employer/agency phone directories, vacation lists, schedule lists, etc.)

Co-workers who may be interested in organizing (get their **phone numbers and email** addresses).

Understand the Organizing Issues

What are the **job issues** workers are concerned about? Are there **improvements that should be made in salaries**, benefits, job bidding and promotions? Is **favoritism a problem** on the job? Does management treat the employees with **respect**? Are they **consulted about benefit changes** and other changes in the workplace?

Do workers know about **CWA wages** for the same type of work? Are they familiar with our benefit packages, hours of work, promotions/training? Do you **think a union could help** improve things on the job?

Identify On-the-Job Leaders

Who are the leaders at work? Who is outspoken? Who is well respected among the workers? Are there any employees or groups of **employees who are speaking out** about issues on the job?

Is this contact person a leader? Is he or she interested in the union?

If so, will this person help us organize some or all of the following: gather information, contact other workers, invite one or two co-workers (friends) to meet us after work. Inform employees about issues and union facts, distribute newsletters, participate in planning the organizing drive (activities will be confidential at first, but eventually public).

Describe **our plan for organizing** (one committee person for every 10-20 workers).

Explain How the Union Works

Some **information about CWA**: Represents 700,000 members, **democratic process** in union (*elect officers, vote on contract, never a strike without a vote of the employees involved*). Representation — employees will have their own stewards and representatives and will **decide their own bargaining proposals**.

Be prepared to answer questions about **dues and strikes**. Will the employer close down if we organize and **why does the union organize?** If you don't know answers, don't fake it — get back to the person later.

Be Prepared for Management's Anti-Union Campaign

Emphasize that management will not want a union, supervisors will organize against it. Talk about the issues we know the employer will use (strikes, dues, closing down); it's only logical because employee gains are management losses. Be honest that this will not be easy. Leaders will have to be public and work hard, we will support them.

Know Their Rights to Organize — Labor Law

Briefly describe the labor law as it applies to organizing and their right to speak and pass out literature at work during breaks and lunch or before and after shifts. Talk with them about the election process (i.e. cards or petitions, hearing, election).

Emphasize that we don't rely on the law to protect our supporters because organizing laws and enforcement are weak in the U.S. We organize in a way that will protect them until they have strength in numbers.

Evaluating a Potential Project

It is important for Locals to seriously evaluate each possible campaign to determine if workers have a chance to win an election and get a first contract. Following are three questions to help us make this determination.

- 1. Are workplace issues strong enough to sustain a campaign?
- 2. Is there the potential for majority support of the issues and a union?
- 3. Is there the potential to build a strong committee of 10% of the workers who will be willing to work to build a union in their workplace?
- 4. Is there a potential to achieve a first contract, understand the leverage there is with employer.

Ten Common Mistakes to Avoid

- 1. **Pursuing a bad project.** Even if workers are interested in CWA, we should not pursue a project unless we do adequate research to determine whether we can actually win and maintain majority support and negotiate a contract.
 - If past history, coming events at nearby units, changes in the company or agency, or other factors are not favorable, we cannot proceed as if those problems will magically disappear.
- 2. **Not building an active Organizing Committee.** Without a broad-based, trained core group of union supporters from within the unit, the campaign becomes a duel between the employer and the union organizer with the employer holding most of the advantages such as access to the workers and power over working conditions.
- 3. **Distributing petition or cards too soon.** Even when workers appear very eager to join CWA, petition or cards should be used to call for an election after a solid campaign has been established.

- 4. **Failing to develop specific issues.** A general campaign message "CWA is the Union For You!" will not build the commitment needed to withstand the employer's anti-union efforts.
- 5. **Failing to prepare workers for employer tactics.** Unless workers know what to expect from the employer, they usually will be overwhelmed by the employer's use of propaganda and power. It is far more difficult to repair workers' confidence after an attack than to inoculate them ahead of time.
- 6. **Not negotiating hard enough on legal details.** Many campaigns are doomed because we didn't influence decisions by the NLRB or the public employee relations agency on who is in the unit, when or where an election will be held, and so on.
- 7. **Failing to broaden the base of union support.** It sometimes is tempting to keep talking to key activists rather than setting up a system for personal contact with workers throughout the unit. The result, however, may be that key issues are missed, individual workers' questions are never answered, and the core group's rosy predictions turn out to be unfounded.
- 8. **Declaring, "I am the union, and I'm here to organize you."** If CWA organizers convey that message in meetings, conversations and literature, everything the employer says about "outsiders who want your money" will ring true. The alternative attitude is, "You are the union, and I'm here to help you get the employer to recognize that."
- 9. **Running boring and unnecessary meetings.** For most people, time is precious. If committee meetings turn into lectures, or "bull sessions" where nothing is accomplished, workers may be turned off to the whole campaign.
- 10. **Making promises you can't keep.** If you lead workers to expect an election, even though a decision hasn't been made to seek one, or to expect an NLRB decision within a specific time period, or to count on certain improvements in their first contract, they may be demoralized and suspicious.

In addition to these tips and others you can get from your "Officers Resource Manual," your CWA staff representative, District Organizing Coordinator and Organizing Department staff are available to provide advice at any stage of the campaign.

Resource: Organizing materials may be ordered at www.cwamaterials.org.



NewsGuild members celebrate a union victory

CHAPTER 16: Internal Organizing



AFA members rally with Unite Here in Chicago

Internal Organizing

Organizing is an ongoing process to build power in our workplaces, our communities, and ultimately in our broader economy and society. All the principles of organizing are the same whether we're doing internal or external organizing: building committees, making face-to-face contact with employees, organizing around issues and maintaining a good recordkeeping system. These are the essential elements that determine success whether it's an election victory for unorganized workers or a unionized, active membership in a local.

What does internal organizing mean? It means organizing our members around issues that affect them and using that activity to ask non-members to join the union. It also means developing new stewards where we need them. We emphasize that issue development is as essential in internal organizing as it is in external organizing. People do not join the union in a vacuum; they join because the union has programs that will improve their lives and that they can support. Through their involvement in group activities that support these programs, they demonstrate that their participation makes the difference.

Let's discuss the different kinds of issue organizing that the union does and how we use those efforts to sign up non-members.

Contracts

Consider a different framing? When we begin a mobilization effort in support of contract demands, the major component of those efforts incorporates all our internal organizing goals: educating our members, developing new work site leaders and signing up non-members. The mobilization campaign should begin 12 months in advance of major contract negotiations and should incorporate group activities in support of union demands as well as the signing up on non-members.

The following is an example of a contract mobilization campaign:

- Form mobilization committee composed of representatives from each area in local that will be involved in the contract fight.
- Establish goals for each area of the number of new non-members you will sign.
- Establish goals for each area of number of stewards and/or activist you will develop.
- Develop contract survey to be distributed by stewards/activists to members.

- Publish survey results (contract demands) in newsletter and hold worksite meetings to discuss results.
- Develop "Which Side Are You On" literature that makes the cases clear why non-memebrs must join if we are to win a decent contract.
- Hold training sessions with stewards/activists that discuss how to approach non-members and set goals of number of non-members you will sign. Establish recordkeeping system.
- Develop timelines of activities in support of particular demands. Start group activities across worksite. Begin with a minimal activity such as petition signing, and escalate to lunch time picket lines and rallies as campaign develops.
- Track the number of members involved in activities from beginning to end as well as the number of non-members who have joined the union.

Victory is defined not only by what we won in the contract, but also by how much stronger our union is.

Next we need to be able to talk about the contract after negotiations are over. We need to be able to show members and non-members alike what the union has accomplished in collective bargaining over the long term. While this may sound simple, too often employees start work where CWA has a contract and believe that benefits and salary levels are the result of the employer's kindness. In other words, no one from the union has explained how the union fought and struggled for those wages and benefits over the past 10, 20 or 30 years. Each local should have written material that explains their contract gains. Stewards and organizing committee members should use this kind of pamphlet when talking to non-members about joining the union. Many members forget or do not know what the union has accomplished. Literature and discussion with members and non-members about contract gains are important.

Just as important as what we've accomplished is to talk about what we did not accomplish at bargaining. We continue to fight around those issues at the worksite and across worksites. These issues can be the basis of the organizing around worksite problems campaign.

Worksite Issues

Every issue in the workplace – safety problems, grievances, layoffs, budget cuts, etc., — should be tied to organizing. How much the union can accomplish in solving problems is directly related to how many members we have and how active those members are. Find a problem in an area of low membership and begin to solve it, but tell the members and non-members they have to get involved if we are to be successful. Such activity usually brings in new members and successful results always bring in new members.

The first step is to identify the problems on the job that the workers think the union should be addressing. This can be done through a survey, meetings with stewards/activists or through worksite meetings.

The criteria for determining the issue on which we will base our organizing program are:

- 1. the issue is important to most people;
- 2. by involving members we can solve part, if not all, of the problem (so we are not just doing this *for* them;
- 3. we can develop allies when the issue affects the public as well as workers.

Once we've determined the issue, we can begin the organizing program by establishing a committee that will be responsible for developing a plan of action. The plan includes educating all the workers about the issue and a serious of activities that require their participation. The goal is to demonstrate through collective action that we can win.

Legislative Issues

Many issues that we face may be tackled in the legislative arena as well as at the bargaining table. For example, minimum wages, health and safety laws, protections against offshoring jobs and unfair trade policies can be done through state or federal legislation. Identify ways to link legislative issue activities with internal organizing.

Union Visibility at the Worksite

You want every worksite to have evidence that the union exists and is active. New hires should know by walking through a worksite that it is a union shop. This is done with:

Bulletin Boards

Make sure they are kept current and look attractive. A sloppy bulletin board, or one that resembles a museum exhibit, is almost worse than no board at all. Each board should include a listing of local officers and stewards. A special section of the board could be labeled "Know Your Rights" which each month highlights a different contract clause, recent arbitration or court decision, or safety ruling.

Stewards

They should be identified by a sign on their desk (in offices), and/or by wearing a steward's button or some other item. Stewards should introduce themselves personally to every new worker and let them know how to contact them. Some studies of union members activity have shown that steward introduction at the workplace is the single most valuable action the union can take to keep members engaged over the member's entire career.

Buttons, Hats, T-Shirts, Coffee Mugs, Etc.

Anything that identifies workers as union members helps create a union atmosphere. Rather than try to have people wear their buttons every day, you may have better success with a "Union Day" tied to some event, where everyone wears their button. One union made up coffee mugs with the union's symbol on it and occasionally provided free coffee to anyone who had a union mug. Sometimes it is good in areas of high membership to put up a sign that says "This area is 92% union."

Why We Wear Red



In 1989, along with many of our Union brothers and sisters across the country, CWA was on strike against NYNEX. The strike was successful, winning contract language that protected jobs for our members. It was a long 18-day strike. We stood strong and we still enjoy many of the protections that we achieved during that strike. The Company looks at us in a very impersonal manner, but this is our livelihood. It affects not just us but our families as well. A strike is never easy, and it is always our last resort to protect our future.

One of our members walking the picket line was E. Gerald Horgan, Chief Steward, CWA Local 1103. On August 15, 1989, Gerry Horgan was killed. His death was a result from injuries he sustained when he was run down by a "scab" as he walked picket duty. The driver of the vehicle which killed him was a manager's daughter who was working as a "scab" during the strike.

The idea started small; we asked all of our members to wear red on Thursday to remind the

company of the blood they had spilled and to show support for our fallen brother. But it quickly spread nationwide and now every Thursday at CWA workplaces across the country, a sea of red has become an ongoing sign of solidarity. Wearing red is a simple but effective way to show the Company that we stand together as a Union. We all have personal lives and beliefs, but in the workplace every member shares the same goal – better wages, benefits, job security, and respect in the workplace.

No company we work for can take away the wages and benefits we have fought so hard to achieve when we fight together. Our solidarity will make these companies prosperous and provide good jobs for generations to come, but only when we stand united.

Solidarity is not just an idea.

It is a belief that together we can protect and improve our way of life.

Responding to Common Misconceptions about the Union

Question:

Is it true that in "Right to Work" states, I can get all the same benefits without paying dues?

Answer:

That's a common misconception! In fact, our ability to win and protect decent raises, benefits, and working conditions depends on our power in numbers. When you join, our union is stronger and we can all achieve more. If you don't join, management can see that our union is weaker, and we all end up with less. What are the things you most want to improve in your workplace?

Question:

What if I can't afford the dues?

Answer

I'm really careful with my budget too. Dues are worth it, because they are essential for protecting and improving our pay, benefits, and working conditions. If we want power and a voice at work, we need resources. Dues make everything we do as a union possible. The more people do their part by paying their dues, the stronger we are.

Question:

Why should I support the union if it didn't help me when I needed it?

Answer:

That sounds frustrating; tell me more about what happened. [Ask questions and listen. Learn about the person's experience. If a mistake was made, empathize. Then refocus on the current struggles that affect this person today.] I'm sorry that

happened. It takes each of us getting involved to have the best possible ability to address the problems that affect us as workers. Dropping out is the worst thing to do — it makes our voice weaker. Together we will continue to strengthen our union. What are some of the things you would most like to improve in our workplace today?

Question:

What if I don't agree with political candidates the union supports?

Answer:

The union is a democratic, nonpartisan organization — we can disagree and debate while sticking together for dignity at work. Our union endorsements are based on how candidates vote on working people's issues our members have identified as priorities. Our union dues do not go to politicians — but a lot of members like me choose to contribute money to candidates who back our issues with voluntary contributions to the Political Action Fund.

Question:

Is the union really doing anything? In the last contract we had a big insurance increase.

Answer:

The more members in our union, the stronger we are. We need you in this fight. Health care is going up everywhere, along with corporate greed and economic inequality. Without the union, we have no way of fighting as individuals on a big issue like health care. Joining the union means more power for all of our fights. We can't do it without you.



UPTE members mobilize during contract negotiations



District 4 members in action supporting the Pro Act

CHAPTER 17: Welcoming New Workers



CWA members at Verizon rally for good jobs

Welcoming New Workers

Effective orientation programs can have a lasting and outsized impact on the future strength of our union. New employees form early and lasting impressions of the union. The following best practices offer simple, practical ways that union leaders and staff can develop and enhance their orientations for new bargaining unit members.

Access to New Hires

One of the best ways that we can ensure that workers are welcomed into our union is to meet with them as soon as they are hired, ideally during the employee orientation process. Most CWA contracts have language that allows union representatives time with new hires during the employees' first few days on the job. This is our moment to show new employees that this is a union shop, welcome them to our union, and engage with them about what it means to build a powerful organization. We want to invite and encourage them to play a role in building our union, emphasizing that we are **stronger together**.

If you don't have language guaranteeing access to new hires in your contract, prioritizing and expanding access should be something you fight for in your next contract. Some employers are now conducting "virtual" orientations. Since some locals are spread out across many different states and regions, it is important that the contract language gives the union access to all new employees soon after they are hired, even if there cannot be a face-to-face orientation.

Make sure that the contract language also requires the employer to send notification of new hires to the union, along with the new employees' name, title, work location, and contact information.

In addition to new hire orientations, as local leaders you should strategize around systematic and effective ways to make contact and follow up with all new employees as soon as they are hired. Stewards and worksite leaders should be on the lookout for new hires and take charge of personally reaching out to those employees as soon as possible.

It is important that local leaders supply stewards and worksite leaders with new hire packets and membership cards so that stewards can take initiative to fully welcome all new hires. One-on-one conversations, lunch time meetings, and union-led new hire orientations after work hours are additional ways to engage hires.

Differences Between a Union and Non-Union Workplace

We sometimes take for granted the protections the union provides for us on the job, and the difference a union can make in the way we are treated at work. It's always worth reminding ourselves and others what we can accomplish through the collective power of our union.

Union

- 1. Your wages, benefits and working conditions are protected by a legal contract.
- 2. The contract spells out how much everyone earns.
- 3. The union negotiates raises for everyone. The members vote on the settlement. If they think that it is not a fair settlement, they can vote it down.
- 4. If you are disciplined for something you didn't do, the union will defend you.
- 5. If you do a good job and are in line for a promotion, you will have a fair shot at getting it?
- 6. If you don't like something at work, you can work to change it.
- 7. Vacations, shifts, layoffs are based on seniority.

Non-Union

- 1. Management can change wages, benefits, working conditions whenever they want.
- 2. No one knows how much anyone else earns.
- 3. If you want a raise, you have to beg for it, or kiss up to the boss.
- 4. If you are disciplined for something you didn't do, you are on your own.
- 5. Promotions can be handed out on any basis friendship, loyalty, etc.
- 6. If you don't like something at work, you can quit.
- 7. Vacations, shifts, layoffs can be based on the bosses' desires.

I. Best Practices in New Worker Orientations

- 1. Orient new hires as soon as you can after they start work.
- 2. Train the officers/stewards doing the orientations and be intentional when you select who will be the facilitator. This is your first opportunity to make an impression on the new hire, you want to select people who are knowledgeable about the contract, can answer questions and inspire confidence. Pay attention to the age, race, gender, and language preferences of the new hires. It is often useful to pair up two facilitators so new hires can see the diversity of the local.
- 3. Develop a presentation that is substantive, positive, and informative. A new employee does not want to hear all the negative things about their new employer. Many employees will never have worked for a union employer before, so will need to understand what a collective bargaining agreement is, how to understand the language and where to get answers. Select a few of the key parts of the agreement that most employees care about as examples to use.
- 4. Provide quality materials, handouts, and freebies to those who join. Quality written materials that the new worker can look at after the orientation can influence how the new hire perceives the union. If you are asking the new hire to wear red on Thursday, give them a red wristband or lanyard they can wear to display their solidarity and participate right away. (See below what to include in a New Member Packet and sample letter)
- 5. Encourage new hires to become involved in the local. Explain the ways they can get involved in the local, including union committees, any recreational sports teams, and things the whole family can participate in. Emphasize the ways the local is involved in issues beyond the workplace and the contract, like community services, and political and legislative issues. Have a sign-up sheet for the different ways the new member can be involved.
- **6.** Provide the positive reasons why being a member of the union and participating in PAF makes a difference then make a direct ask to join. Don't use pejorative terms for people who don't join, this can turn new hires off who are considering joining. Speak instead to the value of being a member, standing up and joining together with their co-workers, being part of a democratic organization with a voice in their job, etc.
- 7. Follow up. As soon as they get into the workplace, have the worksite steward follow up. Let the steward know if the new hire joined the union and PAF, if they signed up to be involved and what the next steps are, if you have a structure try to assign them a mentor to help them adjust to the new job and meet other union members.

II. Develop a New Member Packet

Develop a Local new member packet to be given to all new members at orientation. Materials available from *www.cwamaterials.org*.

Suggested Enclosures:

- "Welcome to CWA" brochure
- "The CWA Triangle" brochure explains the union's goals
- "We Work Hard for Our Money" brochure explains dues
- "We Make a Difference" brochure for specific bargaining units
- "You Have Rights" card Weingarten statement
- "FMLA" booklet Family Medical Leave booklet
- "ADA" booklet American Disabilities Act booklet

Sample New Member Letter

The following sample letter can be included in your new member packet.

Dear New Member's Name:

Local 0000 President

On behalf of the members of Local 0000, I am pleased to welcome you to our union.

By joining Local 0000 you have joined with thousands of other workers to fight for respect and dignity on the job. We are about improving our lives, both on and off the job, as well as creating a better life for your family. Our union exists to help us do just that. It is a tool that helps workers get treated fairly.

We're all very proud of our record at Local 0000. We're a union that has always encouraged members to get involved: attend meetings, join committees, vote on contracts, participate in workplace actions, and speak out on workplace issues.

A union is its members. The more members participate, the stronger we will be and the more we will be able to accomplish in bargaining, and implement improvements in our workplace.

remember that stewards are volunteer union representatives and are	•
they possibly can. Your steward is	•
for each packet) and can be reached at	
telephone number for each packet).	
Our local has monthly membership meetings. They are	<u></u> @
We encourage you to attend. You can find out other ways to be involor at the meetings.	ved from your steward
Enclosed is a copy of our CWA Constitution and Local Bylaws and a with respect to Union representation.	a flyer on your rights
Again, welcome! We are proud to have you with us. And we hope yo strong union that contributes to making things better.	ou will help us build a
In Unity,	

How to Conduct a New Worker Orientation

Materials You Will Need

- A copy of the contract to give to the new worker.
- A membership card to give to the new worker.
- A new member packet to give to the new worker when they join the union.

What You Are Trying to Achieve

At the end of the orientation you want the new employee to:

- Be aware that CWA represents them.
- Understand that wages, benefits and working conditions are the result of workers fighting together as a union to build power and a voice at work.
- Sign a membership card and become a CWA member.
- Contribute to Political Action Fund (PAF).
- Know a friendly face he or she can come to with questions or problems.

What You Should Cover

The orientation can be broken down into three simple parts:

1. Opening; Getting To Know Each Other — 10 minutes

Introduce yourself. Put the new employee at ease. Find a quiet place where you and the new employee can sit down and talk. Your introduction may go something like this:

"Hello, I'm Lee Martin. I'm the union steward for this work group. I'm an accounting clerk; I have been here for 12 years; I started as an order typist. How about you? Where were you working before this? How much do you know about unions?"

If there is more than one worker in the orientation, make sure you engage each one in conversation. If it is a large group this will not be possible. With large groups it is especially important that the new workers leave knowing who in CWA they can contact (*one-on-one*) with questions. Give them the name and telephone number of their steward.

2. Talking About The Contract — 10 minutes

Give the new employee a copy of the union contract. Turn to selected pages in the contract and briefly explain the following sections. Don't go into detail — the new worker is probably overloaded with information.

Turn to the section on vacations.

"Here is the la	anguage on vacations. You'll be entitled to 2 weeks after you've worked	_
months. After	years you'll get 3 weeks."	

Next, turn to the section on holidays.

"These are the holidays we get off. If you work a holiday, you get paid."

Turn to the employee's wage schedule.

"Here in the back are all the wage schedules for all the jobs. That's one thing that's really nice about working in a union shop — there aren't any secrets. Everyone knows what everyone makes. By using the wage schedule you can keep track of when you are supposed to get an increase."

Health Care Benefits

"Our health care plan is very important to us here. I'm sure management talked to you about it during their orientation. Through the union we have improved the health care plan over the years. It is a plan we are proud of."

End the contract discussion by saying something along these lines.

"I know you've gotten a mountain of paper and information in the first few days and you have a million things whirling around in your head. Put your contract in a safe place so that when things settle down you can look through it. There is a lot of important information in this little book that you'll want to refer to."

We suggest you not cover the grievance procedure in this first meeting. Remember, the new worker hasn't been there long enough to be mad at management. They are probably feeling pretty grateful to have a good job. Do not make a big deal out of management being the enemy.

3. Why We Need A Union: Signing Up The New Worker — 10 minutes

Explain that workers need an organization, in order to have a voice at the workplace. The union is basically a volunteer membership organization and like any other membership organization our strength and power is based on the membership.

End the orientation by asking the new worker to join CWA. Make sure you have him or her fill out the membership card on the spot.

"As you can see I'm pretty proud of what we've achieved here. It's taken us many years, a little bit at a time at each bargaining session to obtain what we have. The contract gives us certain rights and the union makes sure these gains are not taken away."

Explain that workers need an organization in order to have a voice at the workplace. The union is basically a volunteer membership organization, and like any other volunteer organization, our strength is based on our members.

"Once you sign up, the union dues will be automatically deducted from your paycheck. The dues equals \$___ a month.

"The dues provide the resources to protect our interest. The dues pay for contract negotiations (a bargaining committee of workers plus a professional negotiator), processing of grievances, educating members and stewards on how to resolve problems, Health & Safety Resources, legal representation when necessary, and a lot of other things.

Other Suggestions — Introduce new employees to a couple of other members. Offer to have lunch with new worker.

4. Follow-Up

In a couple of weeks, seek out the new employee and ask them how things are going.

Remember: What you talk about with the new worker is not as important as the attitude you are showing; that he or she is accepted and welcomed, and that the union cares about what happens to them.

You may, at this time, want to review the grievance procedure — or at least review their rights to union representation at all disciplinary meetings, so they know if they have a problem with management they should call their steward.

Tips for Talking with New Workers

- Be positive, proud, confident, and welcoming joining our union is a new worker's opportunity to have a voice on the job and improve their work life.
- Learn about them show a genuine interest in the person. What attracted them to this job? Have they worked in a union workplace before?
- Explain what CWA is and don't assume the workers have been a union member before. We are a powerful group of workers joining together to improve our lives, on issues like wages, health benefits, pensions, vacation and safety.
- Share contract highlights. Explain that co-workers joined together to negotiate and vote on this agreement and that stewards help our co-workers enforce it.
- Encourage new workers to get involved in the union. Talk to them about how workers become members and get involved in committees, political action, etc.



CWAers in New Jersey participate in a lobby day

CHAPTER 18: Understanding Arbitration



CWAers in District 1 phone bank to elect pro-worker candidates

Understanding Arbitration

Arbitration is Not the Final Step of the Grievance Procedure

Not every grievance will be submitted to arbitration. The decision will be made on a case by case basis depending on the specific set of facts.

Why not take most, if not all, unresolved grievances to arbitration — what do we have to lose? Our first reaction might be that we don't have anything to lose by arbitrating all unresolved grievances. But upon further reflection, it becomes absolutely clear that we have much to lose by not being selective in taking grievances to arbitration.

Harm to Contract Interpretation

If the subject of the grievance is a contract interpretation issue, the arbitrator, in his/her ruling, might do great harm. If the contract language is vague and the arbitrator's decision clarifies it to management's benefit, the union thereafter is stuck with this interpretation until we can attempt to change it in negotiations. Once the grievance is given to an arbitrator, the parties have no control as to the content of the arbitrator's opinion and award.

Further, regardless of the care in which the arbitrator is informed of the parties' bargaining history or previous cases, he/she may still misunderstand what the case is really about and render an interpretation that makes no sense to either party. So long as an arbitrator's decision is based on his/her interpretation of the contract, however, it cannot be set aside even if he/she made a mistake.

Domino Effect

Once the arbitrator's adverse decision is in print, it may produce an unfortunate domino effect. As examples, management may stretch the ruling to apply to other related issues; or, some management personnel who, until reading the decision were in agreement with the union's position, will change their policies to conform with the arbitrator's ruling.

Unfounded Hope

It is essential to keep the grievant informed of the status of his/her grievance. Not keeping the grievant informed regularly might be found to be a breach of the duty of fair representation, which is an unfair labor practice. The grievant must be advised in writing using a means that insures that the grievant will receive the notice when a grievance has been settled or dropped. For example, it may be appropriate to send notice by certified mail, return receipt requested, as well as regular mail. If delivery is made by hand, the act should be recorded and made a part of the grievance file. Compliance with this procedure will help to minimize legal issues raised by a disgruntled grievant.

Careful Review

In conclusion, grievances should be carefully reviewed both for the strength of their case and the possible consequences of an arbitrator's ruling. Those that appear to be meritorious should be forwarded for arbitration consideration. Those that do not appear to be meritorious should be carried no further. There is much to lose by not being selective as to which grievance will be sent forward for arbitration consideration. In no circumstances should the decision to move forward or not be based on arbitrary or discriminatory reasons.

How is a Grievance Different From Arbitration?

Below are some significant differences between grievances and arbitrations.

1. Grievance and Arbitration Subjects

The grievance procedure permits the processing of all sorts of employee complaints which may not have any basis in contract language. This practice is often the effect of broadly defining a grievance, and it results in employees feeling free to make claims that the union cannot satisfy in arbitration.

Arbitration is constrained to the interpretation and application of the contract. We as union leaders have a continual task of explaining that, although a matter is grievable, it does not necessarily mean the case can be arbitrated successfully, or at all.

2. Problem Solving vs Arbitrator Decision

The grievance procedure can be used as a vehicle to discuss and problem solve.

Arbitration is a vehicle for submitting a dispute to a third party (an arbitrator) for resolution. Once we submit the dispute to arbitration we lose control of the results in that we must live with the decision rendered by the arbitrator.

3. Control of Process

The grievance procedure offers the possibility of a negotiated settlement or solution. There is more control over the results.

Arbitration results in a decision. While it is possible for settlement negotiations to take place between the last step of the grievance procedure and the actual trial/submission of a case to an arbitrator, there generally is less control. Once the arbitrator has ruled, there is no control.

4. Grievance Meetings and Arbitration Hearing Rules

In the grievance procedure there are no rules of evidence. You can talk about any problem without evidence or legal arguments. For example, you can talk about a problem and say the situation is unfair and not present any evidence.

Arbitration is not about what ought to be done in a particular case, but about what the contract says or, in discipline cases, it's about applying specific principles (see Discipline Grievance Checklist) to a set of facts. Arbitration is a structured proceeding with a prescribed set of rules.

5. Resolution

In the grievance procedure a settlement can be negotiated which might interpret contract language to more clearly reflect what the parties intended, or as in many instances, the parties may agree that the settlement cannot be used in the future as an interpretation of contract language at all. This is particularly so when there is an unusual fact situation and application of the strict language of the contract (which an arbitrator must do) would produce a ridiculous result which was never intended by the parties.

Arbitrators cannot add or subtract contract language. He/she is only empowered to enforce the existing contract language. He/she cannot base a decision solely on what may be "right" or "fair", but only on what the contract provides. An arbitration decision will not give us any new rights. It will only confirm the rights we already have. If we haven't gotten it in negotiations, the chances of us getting it in arbitration are zero!

6. Settlement vs Decision

Grievance settlements are negotiated and therefore acceptable to both parties.

Arbitration decisions will reflect the strengths and weaknesses of the contract. An arbitration decision can clarify vague contract language to the benefit of management or the union. And once this clarification is made, the losing party will have to live with it until the next round of negotiations when it generally will be even more difficult to get what was not obtained in previous negotiations. This is why it is important to be selective about the cases we take to arbitration. If you lose it in arbitration, it may be lost forever.

How Do We Decide Whether to Take a Grievance to Arbitration?

Once a grievance has been processed through all steps of the grievance procedure, we must ask ourselves: will this grievance be taken to arbitration? In order to answer this question, another question must be asked: Is there a reasonable chance to prevail in arbitration?

How do we determine if the union has a reasonable chance of prevailing in arbitration? We must consider several factors.

Factors Which the International Considers When Deciding Whether or Not to Take a Grievance to Arbitration

- 1. What are the chances of getting a favorable decision in arbitration?
- 2. What will the union gain if we win? (Will it clarify a contract right or enforce a right which is in the contract but which the union has been unable to enforce?)
- **3.** What will be the effect of an unfavorable arbitration decision? Can the union live with a bad decision?
- **4.** Does the case have a strong set of facts/evidence to support our position? If not, are we better off waiting for a stronger case on which to arbitrate the issue?
- **5.** Is the issue important to the local/bargaining unit?
- **6.** Union expense/resources: Does the case warrant spending the union's money/ resources or are other cases more compelling?
- **7.** Will taking the case to arbitration satisfy a particular group of members? Will it build solidarity in the long run?
- **8.** Is there a way other than arbitration to achieve the same or better results? Would it be better to wait until negotiations? Could workplace pressure (mobilization) achieve a better result?



AT&T Mobility members take action in St. Louis, MO

CHAPTER 19: Local President



Families make CWA Strong



CWA stewards at Comcast show solidarity

Local President

Local President — Duties and Responsibilities

The president is ultimately responsible for the conduct of all local business. The responsibilities of the president are to:

- Lead the local
- Perform all duties as required by the CWA Constitution and local bylaws
- Set specific goals and action plan for the year, with input from other officers
- Approve a budget, in consultation with other officers, which supports and reflects specific goals for the year
- Develop new leadership within the local
- Operate as a member of a team, as well as lead that team
- Assume direct responsibility for internal and external organizing and make it a part of stewards/officers routine work
- Get members involved in union grow stewards and activists
- Involve other officers in local decision-making
- Share information with other officers
- Provide a communication link between members and CWA
- Execute all local programs as established by the membership
- Represent local to employer, community leaders and media
- Have working knowledge of contract(s) check with staff for interpretations
- Supervise collective bargaining as needed
- Supervise all grievances
- Reach out to allies and create partnerships
- Support work of all officers and committees
- Plan and chair membership meetings and Executive Board meetings
- Make worksite visits
- Approve expenditures
- Keep your local CWA STRONG

Your most difficult task will be juggling all these responsibilities. Try to remain focused. If you are feeling overwhelmed, perhaps you need to delegate more. Try to avoid spending all your time "putting out fires." It's your responsibility to keep your eye on the big picture: your goals. (Where do you want the local to be in 2-3 years?) Let other officers handle some of the details.

Getting Started as Local President

As you want to articulate a direction and program for the local. You can do this by setting specific goals, in consultation with other officers, along with a budget that supports these goals. Goals allow you to achieve a program that is proactive rather than reactive.

But, before you can begin to develop goals, you need to have a clear picture of your local as it exists today. Below are three activities that will go a long way toward drawing that picture for you. Even if you've been a local officer for many years and think you know how the local works, we suggest you take the time to go through the following exercises — you might be surprised by the results.

1. Local Structure

Put the local's structure in writing. Check bylaws for structure requirements. Begin by listing the following:

- Name/Number of bargaining units. How many work locations are there in each unit?
- Each local Executive Board member and his/her assignments and areas of responsibilities.
- Each chief steward local president (*if not on Executive Board*) and his/her assignments, work locations, and number of stewards assigned to them.
- Stewards and work group mobilization coordinators in each work location.
- List state and local legislators who represent those in your local. Then make sure someone in the local has relationship.
- Local committees the chair and members of each. Activity/accomplishments in past couple of years.

Ask yourself:

Are the assignments fairly distributed? Do certain work locations have weak union coverage? Do the local's structure and assignments support the local's goals?

2. Local Budget

■ Look at the local's budget and calculate what percentage of total income is being spent on each line item. Determine which three line items have the largest expenditures.

Ask yourself:

How is the local spending its money? Is the membership getting a good return on the money spent? What goals does the budget support?

3. Members/Non-Members

- Review your membership reports. Determine the percentage of members and non-members in your local.
- Make a breakdown by work location. How many non-members do you have in each work location? Are the non-members concentrated in one or two areas? What is the local's structure in these areas (of concentrated non-members)? Do these areas have effective stewards? Is the union visible in the workplace? Are there problems in these areas that have not been addressed?
- Ask staff or district organizing coordinator to help set up internal organizing training and plan.

Once you have completed a review of the local's structure, budget, and non-member numbers, you will have some ideas, questions and recommendations. At this point, you can begin to kick around specific goals that will strengthen the local. Remember to involve other officers in developing goals for the local.

Membership Meetings

The officers should always keep in mind the purpose of membership meetings. Membership meetings are held in order to:

- Make decisions that guide the officers in carrying out the local's programs and the policies of CWA. Democratic control can be assured only by broad participation by members.
- Educate the membership on what is happening and why, and what might happen and why, on matters such as:
 - Current collective bargaining developments;
 - Developments in the labor movement locally;
 - Legislative and political activities; and
 - Labor's involvement in the community.
- Develop a spirit of solidarity among the members
- Identify new people for positions of leadership
- Energize members through commitment, passion, strategy shown at meeting

Basic Membership Meeting Agenda

Many CWA locals have an order of business for membership meetings spelled out in their bylaws. It may look something like this:

- 1. Call to order
- 2. Roll call of officers
- 3. Minutes of previous meeting
- 4. Reports of officers
- 5. Reports of committees
- 6. Unfinished/new business
- 7. Adjournment

Unfinished and New Business

The last two items on the agenda, "Unfinished Business" and "New Business," generally encompass the substance of the local's current activities. But they won't command attention unless they are presented in a way that ties them directly to each member's well being. Here are some suggestions:

- There should be a high point, a main feature, at each meeting. Where possible, it should involve some important happening at the worksite, in the community or in the labor movement.
- Consider what is likely to be on members' minds and what is happening that is important to them. A new health care plan? An arbitration case? Rumors of layoffs? A new tax bill before the legislative body? Pick out one topic and plan to cover it at the meeting.
- Don't be afraid to tackle public issues if there is nothing exciting on the union scene. You might want to invite advocates on each side of an issue to give a ten-minute speech followed by a two-minute rebuttal and a question/answer period.
- A good guest speaker with a short, timely topic can attract an audience.
- Always start on time and end on time. It is best if the meeting is over in an hour and a half. (*Unless there are special circumstances such as bargaining*.)
- Promote meetings. Don't just announce them. Think up a catchy title for a feature event. Make sure every member knows the time and place of every membership meeting. Send email meeting announcements to members.

Taking the Union to the Members

"I've tried everything and the same six members always show up."

Well, if the members won't come to the union, take the union to the members. Set up a mobilization structure. Through this structure you can reach each member one-on-one. Grow the number of activists and membership email list. Communicate via email on matters of importance to members.

CWA belongs to the members — it cannot be effective if only a dozen workers are actively involved. Remember, if the members don't come to the union, take the union to the members in the workplace.

Executive Board Meetings

It is the responsibility of the local president to draw up the agenda for executive board meetings. The agenda normally includes:

- Reports of officers;
- Reports of committees;
- Preliminary handling of correspondence;
- Approval for payment of routine bills;
- Evaluation of budget.
- Evaluation of goals and progress made on goals; and,
- Other pending items of business.

Local executive boards should meet regularly. Special meetings can be called with proper notice when deemed necessary by the president or a majority of the board (*refer to your local's bylaws on this*).

Board meetings ensure that the officers get together as a group from time to time, an essential element in a united, efficient local team.

Local executive boards must keep a record of their meetings with the secretary taking minutes. A digest of the minutes comprises the board's report at membership meetings.

What Are They Saying About You?

In interviews with local officers regarding what should be included in this manual, the one complaint we heard most often about local presidents was: "He (or she) doesn't share information."

CWA and its districts, sectors and divisions send frequent e-mail communications to local presidents. These include financial statements, notice of national mobilization events, conferences, educational materials, organizing and legislative news as well as updates on campaigns. Most of this information should be shared with the other officers. Be sure that all local officers are listed by their appropriate roles in Aptify; these records are used when pulling lists for various email updates.

Make sure all your officers are subscribed to the CWA weekly online newsletter — sign up at **cwa-union.org**.

CHAPTER 20: Treasurer



AT&T Mobility members in District 9 mobilize for a good contract



CWA Strong at the District 6 conference

Treasurer

Local Treasurer — Duties and Responsibilities

Protecting the funds and assets of the local is the fundamental job of the Treasurer.

Treasurers must carry out their duties and make sure they comply with:

- I. Federal Law
- II. CWA Constitution
- III. Local Bylaws
- IV. Union and Local Policies

It is the treasurer's responsibility to:

- verify that all expenses have been properly authorized.
- verify that there is adequate documentation of expenses on file.
- ensure that all expenditures are explained.

Resources: Forms, reporting requirements and more can be found at *cwa-union.org/for-locals*

The Duties and Responsibilities of the Treasurer are to:

Prepare budget in consultation with other officers.

Maintain financial records.

- Receive funds due to the local, including dues payments from the International, cash dues, initiation fees, etc.
- Handle expenditure of funds. Secure authorization, documentation and explanation.
- Keep bank account records.

Report on finances to the local.

- Report to membership.
- Furnish financial statement to the International.

Maintain records on employees.

- Prepare Forms W-4, W-2, W-3, I-9.
- Prepare Forms 1099, 1096.

Prepare journal ledger.

Meet federal report requirements

- LM reports
- Form 990
- Unemployment compensation Form 940
- Quarterly tax return Form 941

Meet state, county, & city report requirements.

Arrange for annual audit.

Handle bonding coverage (available through CWA).

Manage local's assets.

Invest local funds in keeping with sound accounting practices and local policies.

Share responsibility for internal and external organizing, including working the CWA STRONG program.

Visit worksites. (All officers should talk with the members at different worksites occasionally.)

Provide communication link between members and local officers.

Perform all duties as required by the CWA Constitution and local bylaws.

Treasurer's Checklist of Documents

When you take office, review this list to make certain that you have the following documents. Make them part of your permanent records. Some of these items may not apply to your local.

DATE RECEIVED	ITEM		
	CWA Constitution (most current version)		
	Local Union Bylaws (most current version)		
	_ Local Operating Practices or Standing Rules		
	_ The Uniform Operating Practices Manual (UOPM)		
	_ Local Union Employer Identification Numbers		
	EIN:		
	_ Local Union LMSA File Number with the Department of Labor LMSA File Number:		
	_ Copy of the Blanket Tax Exemption IRS Letter		
	_ Local Union Checkbook(s)		
	Account Number(s):		
	_ Local Union Savings Account(s)		
	Account Number(s):		
	Money Market Certificates		
	Account Number(s)		
	_ Vouchers (for past five years)		
	Local Budget (most current and previous years if available)		
	_ Financial Report(s) To Membership (most current)		
	_ Annual Local Financial Statements		
	_ Key to Local Safety Deposit Box		
	_ Fixed Asset Inventory		
	_ Current Fiscal Year General Ledger		
	Past Years' General Ledgers (for past five years):		
	Current Fiscal Year Journals (<i>which include</i>):		
	Cash Receipts		
	Disbursements		
	Petty Cash		

DATE RECEIVED	ITEM
	Past Years' Journals:
	Cash Receipts
	Disbursements
	Petty Cash
	Past Years' Payroll Cards
	_ Current Fiscal Year Cancelled Checks and Bank Statements
	Past Years' Cancelled Checks and Bank Statements
	(for past five years)
	Current Fiscal Year Payments
	Current Fiscal Year Bills
	Past Years' Bills
Insurance Policies:	
	Workers Compensation
	Liability
	Casualty and Liability (Cybercrime)
	Other:
	Fidelity Bond — Amount: \$
	Copy of the Mortgage/Lease
	Copies of ALL Audit Reports
	All IRS Reports of:W-2'sW-3'sW-4's990's
	990-T's940's941's1096's1099's
	Department of Labor Reports (either LM-2 or LM-3's)*
	All State and Local Tax Bills and Receipts of Payments
	A copy of Labor-Management Reporting and Disclosure Act,
	(LMRDA) As Amended 1959
	Other:
	Other: Other:
	Other: Other:
	Outer.

^{*} Locals comprised entirely of public employees are not required by law to file LM reports. However, even one private-sector member may trigger a responsibility to file.

Getting Started as the Local Treasurer

We strongly recommend that you take a few days and work through this list. Familiarize yourself with each of these documents and requirements. As you go through these items, insert information in this book that you may want to refer back to at a later date. If you have any questions on these items ask your local president or your staff representative.

- **1.** Review CWA Constitutional requirements for treasurer. (See CWA Constitution Articles VI and XIII Sec. 9.)
- **2.** Review Local Bylaws requirements for treasurer. Highlight sections in bylaws for future reference. Remember, the bylaws will give you authorization for certain payments and may require specific actions. Also review the local's operating practices or standing rules on ongoing expenses.
- 3. Review fiduciary responsibilities of local officers.
- 4. Review bonding requirements. The CWA Constitution requires all officers who handle union funds to be properly bonded. The Department of Labor requires bonding coverage to be at minimum ten percent of liquid assets plus total receipts. Compliance maintains the bond, which covers a three-year period, and covers not only local officers, but also full or part-time employees of the local who have the occasion to handle union funds.
- **5.** Review local budgets from previous years. Calculate what percentage of total dues income was spent on each line item last year. This will help you assess where the money is being spent and may identify areas that need to be examined by the Executive Board.
- **6.** Review previous financial reports to members. You should make a special effort to see that financial reports are easy to understand and that they reach all members, not just those who come to membership meetings. When members know where the money goes, they are more likely to support the union and its programs.
- **7.** Review bank accounts. Bank accounts should be in the name of the local. The local bylaws should require that all checks be signed by two officers. This is also a recommendation of the U.S. Department of labor and most auditors.
- **8.** Review the local's procedures and policies for payment of bills. Local union funds should be disbursed only by check. The only exception is a petty cash account. When a payment is issued, the invoice or statement should be marked paid, dated and the check number noted. This will safeguard against duplicate payment. Remember all expenditures of local union funds must have: authorization, documentation and explanation.

- 9. Review the local's procedures and policies for payment of expenses.
- **10.** Review membership and dues processing reports and make sure you understand what all the information means. Note trends, increases/decreases in members or nonmembers in certain locations, bargaining units, etc.
- **11. Review federal forms and report requirements LM and 990.** (See *Part II: Local Officer*) Locate previous years federal forms and reports and briefly review.
- **12. Review applicable federal, state and city taxes** paid in previous years. For example, payroll tax, real estate, withholding tax, sales tax, etc.
- **13. Review how long you must keep local financial records.** (Five years in most cases.) (See UOPM: Record Retention)
- **14. Review the Local's procedures for an annual audit.** This is a constitutional requirement.

Handling Expenditures

All expenditures must be:

Authorized, Documented and Explained

Authorized

Because of the fiduciary nature of your position as treasurer, the need for authorization for disbursements is greater than in a commercial enterprise. Basically, no disbursement should be made without an authorization. Authorization may take the form of allowances set forth in bylaws, or a motion passed at a membership meeting or Executive Board action.

Authorization for payment of rent, purchase of supplies, etc., may be delegated to officers; however, such authorization must have been acted on by the membership, at some point.

Documented

Disbursements must have supporting documents such as receipts, bills, etc. If there is no documentation for the expense, reimbursements are not to be made.

Explained

An explanation of the activity which caused the expense should be included on all expenditures.

This is important. The explanation should give a clear purpose related to union activity — i.e., "bargaining preparation" or "signs for AT&T rally."

Local Voucher Guidelines

An expense voucher should be used by individuals to gain reimbursement for authorized personal expenses incurred in the course of union business.

Expense Voucher Form

An expense voucher should be used by individuals to gain reimbursement for authorized personal expenses incurred in the course of union business.

Expenses should be turned in weekly or bi-weekly with proper explanation of expenses, activities, and itemized receipts which support reimbursements.

In the rare cases where receipts are not obtainable, appropriate explanation should be entered on the vouchers.

Wages

Wages should be reimbursed weekly or biweekly for lost time while on union business. Wages paid for other than actual lost wages may occur when working full-time for the union (for example, vacation) if approved by the local executive board. A W-4 form, "employees withholding allowance certificate," must be on file for each individual reimbursed for wages. Wages are not to be paid if a W-4 and I-9 form are not on file. This also applies to any withholding forms required by state or city income taxes for which you may be liable.

Double Dipping — Don't

We negotiate employer paid lost time wages for members conducting union business so that the local union can stretch its financial resources. We advise against the practice of paying additional lost time wages out of local dues money. In some instances, it may violate the law.

Meals and Hotel

When away from home on union business, the individual should follow the local union's policy regarding the class (*room-rate range*) of hotel to stay in. The local will then reimburse the individual for the actual cost of the hotel room plus actual expenses for meals and incidentals in accordance with the local union policy and authorization. Meal receipts should be itemized and list all people covered by the bill.

Transportation

When traveling, officers and representatives of the union are required to use the classes of travel designated by the local's policy. All travel and travel expenses should have prior approval and actual receipts should be submitted to the local with an explanation.

Personal Car/Mileage

In the event that personal cars are used in the conduct of union business, the mileage rate established by the local will be reimbursed to the individual. It is recommended that this not exceed the current IRS allowance per mile. The individual must explain the travel using a point-to-point designation (i.e., Philadelphia to DC to Philadelphia) as well as the union purpose of the trip.

All individuals using their personal car to conduct union business should have proper insurance in accordance with state requirements. Those who normally drive on union business should provide you with for the name of their insurance carrier and policy number. Keep this information on file.

Telephone

Expenses for mobile phones and other telephone calls for official union business when properly vouchered will be paid in accordance with local union policy. AT&T provides a discount on wireless service to union members and their locals.

(www.unionplus.org/benefits/home/att-discounts)

Other

Any expenses that do not fit the headings above and are incurred during the course of union business must be authorized and explained. Proper documentation must exist before reimbursement is made. The treasurer should not make payment for any expense unless it is properly authorized and documented.

CWA Dues and Processing Overview

Typically, members and agency fee payers authorize that dues/fees are deducted from payroll and the employer deducts and remits that money to CWA. However, recent Board law allows employers to cease payroll deductions when a CBA expires. Therefore, locals should have back-up signed authorization to deduct dues/fees directly from bank accounts and/or credit cards. The same applies for COPE/PAF.

CBAs should be negotiated to include a requirement that the employer continue payroll deductions post-expiration. Contact the Secretary-Treasurer's office for more information.

Dues processing is handled in multiple ways, depending on the flow of information. All processing information, regardless of type, is available on the CWA Local Portal (Aptify) under the Reports menu. For questions on how to access Aptify, email aptifysupport@cwa-union.org.

Top Down Processing

Most employer dues are sent to CWA headquarters, along with electronic files listing which members paid on what wages. The CWA Dues department reconciles the files and sends the local its share twice a month (the "settlement"). This processing method is referred to as "top-down" because the money and information go to CWA headquarters first and then out to the locals.

Locals should carefully review and reconcile the dues deposit with the settlement report, member status reports and invoice & payment reports. Any questions should be directed first to a district, sector or division dues specialist, then to *duesquestions@cwaunion.org*.

Key Reports for Top-Down Processing:

- All Unsettled Transactions
- Dues Summary by PU and Dues Period
- Settled Transactions by Settlement Date
- Unpaid Dues by Period

Locals with "top-down" processing units may also request to sign up for "Local Pay," which provides a percentage of projected dues paid up front if processing is not completed on the expected schedule. This ensures locals will continue to receive funds, even if employer files are missing or dues processing is delayed. Locals must receive payments via direct deposit if they are interested in Local Pay.

Bottom Up Processing

Some bargaining units are part of a program that includes local collection of dues. In this case, the employer sends the dues check directly to the local. This is called "bottom-up" processing because the local is responsible for processing the dues and membership records and then remitting the required per capita payment to CWA headquarters.

This process requires the local to download an MS Excel "prelist" spreadsheet from the local portal, update the member payment information, and then upload the corrected file to headquarters for final processing and billing. The prelist file can be for one month, or multiple months if catching up. Once the dues are reviewed and posted by CWA Headquarters, the invoice amount will be displayed on the local portal under the Reports menu. (Nothing will be mailed or

What Does Per Capita Mean?

The portion of dues that go to fund CWA's central international operation collected is called per capita. Only Convention delegates can set or alter our dues structure. Our current dues structure was established by the 1979 Convention and modified by the 1990 Convention. CWA's minimum dues are two-hours per member per month, or the equivalent. The typical per capita paid to the international is 40% of those dues. (See the UOPM Part IX: Membership Dues for more information.)

emailed; it is online only.) Payment should be mailed using the pre-addressed remittance envelopes. They are available free of charge on the CWA Materials website (www.cwamaterials.org).

Key Reports for Bottom-Up Processing:

- Dues Summary by PU and Dues Period
- Open Invoices
- Paid Invoices by Check Number

Best Practices for a Smooth Fiscal Year-End

Downloads to Your Network

Monthly:

- 1. Download the remittance advice for each payment you receive from headquarters to the appropriate month/year folder.
- 2. Download the Settlement Detail report for each settlement payment received.
- 3. Download the Dues Summary by PU and Dues Period report for each PU/month on the settlement report.

Although you may get .pdf remittance advices for non-dues payments from HQ, they will not show up on Aptify, so make sure to keep electronic copies of your reimbursement requests.

Annually:

- 1. Settlement by Date Range report for your fiscal year
- 2. Local Pay Sent by Date Range report for your fiscal year

Other Dues Related Information

Locals are encouraged to explore the Learning Lab menu on Aptify whenever they have questions about updating information on the portal or bottom-up dues processing. There are both documents and videos on a variety of topics.

Questions not answered there can be sent to duesquestions@cwa-union.org.

Headquarters staff can help locals setup direct deposit, change the bank account for those deposits, answer questions about processing, settlements, charitable deductions and more.

Financial Reports

The CWA Constitution requires locals to make financial reports to their local membership and to the International.

Financial Report to Membership

Members should be encouraged to know as much as possible about the finances of their union. When members know where the money goes, they are more likely to support expenditures for worthwhile programs. The CWA Constitution requires that all locals make a financial report to the membership at least once a year (*Article XIII*, *Section 9m*). However, it is a good local policy to report more often. You can build your local union by sharing this information, which will help educate members on all aspects of our union.

Officers have to make a special effort to see that financial reports are easy to understand, are meaningful and reach all the membership, not just those who come to membership meetings.

Some Suggestions:

- Hand out a monthly or yearly financial report at the membership meetings. Encourage questions. Don't get defensive: Remember, the members don't know as much as you do about how and why the local spends money.
- Print the financial report in your local newsletter.
- Go over the report with stewards before handing it out so they can explain it to the members and answer questions.
- Make the report easy to understand. Run it past your spouse or friend; if they are confused, your membership will be also.
- Be specific and explain all items. Don't just say "lost time," say "lost time for stewards and officers to work on grievances."
- Explain all items. Don't say lost time, say lost time for stewards and officers on grievances.
- Use a pie chart along with the report.
- In your report, try to anticipate all questions which might arise on financial matters, and answer them carefully and fully.

Financial Statement to International

Every local must submit a financial statement each year to the CWA Secretary Treasurer's office. This is a requirement of the CWA Constitution, Article XIII, Section 9m. This can be reported by sending a copy of the LM, 990 and local audit.

The financial statements should be emailed to cwamail@cwa-union.org. Be sure to include the local number in the subject line.

LM-Reports

The Labor-Management Reporting and Disclosure Act (LMRDA) requires that all local units file annual financial disclosure reports. Locals with an annual income of \$250,000 or more are required to complete Form LM-2. Locals with total receipts under \$250,000 must file a LM-3. Those locals with total receipts under \$10,000 file an LM-4. Receipts include any funds received by the local, whether from an employer, CWA headquarters, rental income or dues.

An LM form must be filed electronically no later than 90 days after the close of the

local's fiscal year. Please note: 90 calendar days is not the same as three months. Paper forms are no longer accepted or processed by the DOL.

In addition, city, state or regional CWA Councils must file an LM report.

To file an LM report, you must have filed an LM-1A report which establishes your local with the Labor department and provides you with an OLMS file number. Most likely, your local already has an OLMS file number that you can use. Form LM-1 is also the report that is to be filed if you have made changes in your Constitution or bylaws during the reporting period. **Note:** Locals comprised entirely of public employees do not have to file an LM financial report, but they do have to file a Form 990. **Note:** The tax exempt status exempts unions from federal corporate income tax only. Your local union is still subject to applicable federal and state payroll withholding and pay-roll taxes, as well as city and state sales, personal property and real estate taxes.

What is an EIN?

Every CWA local is required by law to have its own Employer Identification Number (EIN). Your EIN is the key to the data files the IRS maintains. Without the EIN, the IRS is unable to place your tax returns and inquiries in their proper filing spot. Your local probably already has an EIN. If it doesn't, you must file a FORM with the IRS. If you are unable to locate the EIN for your local, the CWA Secretary-Treasurer's office keeps a record of these numbers. Email to cwamail@cwa-union.org to ask that it be looked up.

Local Union Accounting System

Bank Accounts

Bank Accounts and Certificates of Deposits should be in the name of the local.

Local bylaws should require that all checks be signed by two officers. This is also a recommendation of the U.S. Department of Labor and most auditors.

Local officers should **never** sign blank checks.

Avoid using cash. Instead, spend union funds by check or properly documented electronic payment. Always mark the corresponding invoice statement as "paid," date it, and note the check or transaction number. This will safe-guard against double payments.

Checks should be numbered consecutively.

Check for any sequence breaks on your bank statement and account for what happened. If you are using a physical checkbook, make sure no checks are missing from the back of the book.

Always have authorization, documentation, and explanation before issuing a check or electronic funds transfer.

Most accounting software like Quickbooks, Quicken, or Peachtree have check writing capabilities. Check your account balances frequently, and reconcile and balance the local's checking account every month. It is a fiduciary responsibility of the treasurer to reconcile the accounts monthly. Failure to balance the local's checking account can result in a loss to the local due to fraud, cyber theft or bank errors.

General Journal

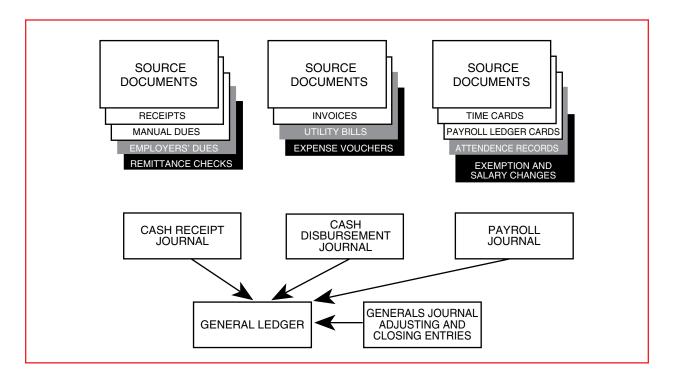
The general journal is used for recording transactions that are not otherwise recorded in either cash receipts, cash disbursements, payroll or other specialized journals. General journal entries are commonly used to record correcting, adjusting and closing entries.

Correcting entries include correction of prior journal entries recorded incorrectly, etc.

Adjusting entries are used to record the depreciation of fixed assets, amortization of bonds, etc.

Closing entries are used to "close out" the local's income and expense accounts at the end of the year.

General Ledger



The general ledger is used to summarize the financial transactions of a local union by account number. This summarized information is then used to prepare financial statements, LM-2s, LM-3s, LM-4s, 990s and other reports.

Once the receipt, disbursement, payroll and journal entries (if any) for the month have been recorded and totaled, the next step is to record (post) the totals by account in the general ledger. This is done on a monthly basis.

A general ledger requires setting up a chart of accounts which gives a brief description of each account and assigns a number to each type of account. Some examples of accounts are:

- Assets
- Liabilities
- Income
- Expense

All postings to the general ledger are either "debits" or "credits". Debits are posted to the left-hand side and credits are posted to the right-hand side of accounts in the general ledger. The meaning of credit and debit (whether it reflects an increase or decrease to the account) depends on the nature of the account.

Here are some guidelines to follow if posting to the general ledger from the various types of journals:

Cash Receipt Journal

The total of the cash account (asset) is a debit. The other accounts to which the cash is distributed are credits (expense).

Cash Disbursement's Journal

The total for the cash account (asset) is a credit. The distribution accounts are debits (expense).

Payroll Journal

The net pay amount is a credit to cash (asset). Gross pay is a debit to the salaries account (expense) and all deductions from payroll are credits (liabilities).

General Journal

Each portion of the journal entry is posted as either a debit or credit as indicated on the journal.

How to Select an Accounting Firm

Inquire as to the type of services they provide, and be sure they are licensed and bonded in these areas. Large locals that need to file an LM2 with the DOL should look for auditors with labor union experience. Ask to review their security and fraud prevention policies.

Annual Audit of Financial Statements

The accounting firm will review and document your accounting system, test the activity in your general ledger, make any adjustments needed for your financial statements to be in conformity with generally accepted accounting principals, and issue an opinion on the fairness of your financial statements.

Preparation of Tax Forms

Sometimes it is cost efficient to have the accounting firm prepare the local's 990 or LM report, because during the audit of your financial statements they have already accumulated most of the information needed to prepare these forms.

Technical Assistance Throughout the Year

Whichever firm you might choose, they should be willing to answer any type of accounting or tax question whenever the need arises, often at no charge.

After you have decided which services would be best for your local, have at least two or three accounting firms bid a fixed fee on the cost of providing service to your local.

Remember, large does not always mean better when it comes to accounting firms. Many smaller local firms might be able to give your questions and accounting problems more attention throughout the year at a lower billing rate.

Each year you should review and evaluate the services the accounting firm has provided and decide whether another accounting firm could better serve your purpose.

Note: An accounting firm is only held accountable for what they did with the information you provided them. Because you engage an accounting firm does not mean they have the fiduciary responsibilities or take over your responsibility to the Department of Labor.

Bond Coverage

What is Bond Coverage?

Bonding is an insurance guaranteeing reimbursement for financial loss caused by acts of fraud or dishonesty.

The Labor-Management Reporting and Disclosure Act (LMRDA) requires that individuals handling union funds be bonded. This bond coverage can be obtained through CWA or a local may secure their own coverage through any Department of Labor-authorized bonding company.

The bond coverage must equal 10 percent of total assets. The Landrum-Griffin requirements of 10 percent of funds handled refers to liquid assets (money and securities) on hand at the beginning of the annual or fiscal year, plus the annual or fiscal year income. The formula used by the DOL in computing the amount of bond coverage required is as follows:

Total Receipts plus Total Assets minus Fixed Assets equals the amount that must be multiplied by 10 percent to arrive at the amount of bond coverage required.

The amounts available under the basic bond range from \$2,500 to \$500,000. The minimum bond amount for which a local or council can request coverage is \$2,500, which covers 10 percent of assets and receipts not exceeding \$25,000. This bond coverage can be obtained through CWA, or a local or council may secure its own coverage. CWA will help you determine the appropriate amount of bond coverage, including adjustments to conform with your local's LM reports.

Should a local or council secure its own coverage, the local or council must supply CWA the name of the bonding company, the amount of coverage and expiration date of policy by emailing *cwamail@cwa-union.org*.

Sample Labor Department Letter Announcing Audit of a Local

Every year some of our locals are audited by the Department of Labor. Below is a sample letter sent from the Department of Labor to a CWA Local.

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Dear

This letter will confirm the arrangement made during your telephone conversation with me concerning the conduct of an audit by this Agency to determine your union's compliance with the provisions of the Labor-Management Reporting and Disclosure Act of 1959, as Amended (LMRDA). You were advised of our statutory authority to conduct such audits as well as the scope and objectives of the audit scheduled for your union. If you have any further questions about any aspect of the compliance audit, please contact me.

We plan to audit the financial operations of your local union for its fiscal year ended 9/30/XXXX. As agreed, the audit will begin with an interview with you and President ______ on February 15 at 2:30 p.m. I will be conducting the audit. We will need to obtain certain information in order to become familiar with the type of financial records, bookkeeping system, and internal controls used by your union. Specifically, the following information will be needed for at least the year covered by the audit:

- a. The names of all officers and key employees for the year being audited.
- b. Salary levels of all officers and employees and any other benefits accorded them such as pension or welfare benefits, vacation pay, use of union automobiles, allowances, deferred compensation, etc.
- c. The names, addresses and telephone numbers of the union's attorney and accountant, if any.
- d. The identify, location, account number, and purpose of all bank accounts (including Certificates of Deposit, Money Market Accounts, etc.) held by the union, or on behalf of the union, and the names of all persons authorized to withdraw funds from each account.
- f. The names and account numbers of all credit cards held in the union's name together with the names of those persons authorized to make charges to each account.
- g. Full information concerning all loans made to officers, employees, members (if any), and others including amount, security, repayment provisions and present status.
- h. Evidence of bonding coverage for all persons who handled the union's funds during the fiscal year ended 09/30/XXXX.

The audit of your Local's records will start on 2/18/XXXX following the initial review. Compliance audits usually take from 5 to 7 days although more time may be needed depending upon circumstances that arise during the examination of your union's records. During the audit, I will want to examine many of the records maintained by the union including but not limited to:

- i. Receipt records including duplicate receipts, receipt journals, and individual membership records (member ledger cards).
- j. Bank account records including bank statements, duplicate deposit tickets, debit/credit memos, and bank reconciliations.
- k. Disbursement records including cancelled checks, check stubs, disbursements journal, payroll ledger, vouchers, and back-up documentation (such as vendor invoices, etc.).
- I. Minutes of Executive Board and membership meetings.

While the audit is expected to be limited to union records for fiscal year 09/30/XXXX, we are not in a position at this point to precisely define the records that will actually be needed. The audit may be expanded or contracted based on findings as to the status of union records and internal controls.

Your cooperation in making union records readily accessible and having a union officer or employee available to answer any questions about the records will help to expedite the audit.

At the conclusion of the audit, unless serious problems requiring further investigation have surfaced, we will meet with you and any other union officers and employees to review the results, explain the LMRDA, provide explanatory pamphlets about the LMRDA, answer any questions you may have, and discuss specific steps, if any, the union must take to comply with the law. I will also send you a letter outlining our audit results.

Since the Compliance Audit Program was started in 1980, we have found that providing compliance assistance directly to union officials during the audit is very beneficial in helping unions comply with the law, particularly in regard to the proper maintenance of union records and in filing required financial reports. We look forward to working with you to ensure your organization's compliance with the provisions of the LMRDA.

Thank you for your cooperation in this matter.

Sincerely,

CHAPTER 21: Local Secretary



IUE-CWA members stand up for democracy

Local Secretary

Local Secretary — Duties and Responsibilities

The duties and responsibilities of the secretary are to:

- Provide a communication link between members and local officers.
- Perform all duties as required by the CWA Constitution and local bylaws.
- Maintain a current record of local membership in Aptify.
- Record and save minutes of all local meetings.
- Maintain files on:
 - Membership
 - Reports
 - Grievances/arbitration cases
 - Correspondence
- Furnish CWA and the appropriate CWA district, sector or division with proper records and reports as required.
- Handle correspondence.
- In cooperation with the treasurer, implement the local budget.
- Share responsibility for internal and external organizing.
- Make worksite visits.
- Inform president and (executive) vice-president of changes in CWA procedures.
- Remind the local president of items for agendas of meetings.
- Cooperate with other officers in furnishing filing mandatory annual reports within government deadlines.
- Become involved in the local decision-making processes.
- Work as a member of the local officers' team.

Membership Dues Reports

Local Summary

The Aptify "Reports" tab (*portal-cwa.aptify.com/Reports.aspx*) contains information on payments and changes received for all members, agency fee payers and non-members. These reports are generated for each bargaining unit according to the most recent dues files processed and should be regularly reviewed by local officers.

Membership reports are the foundation of the local secretary's job. Carefully review the reports on members, non-members, pending members and new member adds and notify the district dues coordinator in writing of any discrepancies. Use the appropriate form below for this. With the new Aptify system, many of these functions can be performed by the secretary online; add a new member, change a member to a non-member, etc.

Form Function

MLO-169: To make name correction.

MLO- 81: To set someone up as cash member to pay dues directly to local.

How to Use Membership Reports

Keeping Track of Changes

Every month you should compare the current membership reports with the previous month's report. Note and review the differences. Examples include: additions (new employ-ees), changed status (from member to non-member), or members dropped completely from the report. These reports are available in Aptify (*portal-cwa.aptify.com*).

Decide What You Will Do With Changes Found

Additions (new employees): Use Aptify to generate a list by work locations of all new employees and give this list to the appropriate officer or steward. Ask them to contact the new employee, give a union orientation and sign them up to be an active, dues-paying members of our union. Follow-up on this with the next membership report.

Change of status (member to non-member): Generate a list by work locations of all individuals who have changed status from member to non-member. Give these lists to the appropriate officer or steward. Ask them to contact these individuals and determine what their status is. If they did change to non-member status, try to sign them back into the union as a member. Follow-up on these lists with the officers and the next membership report. If someone lingers in the "pending member" status for more than a payroll cycle, take action — contact the employer to ensure the membership card was received and is being processed, or reach out to your assigned dues specialist for assistance.

Discrepancies: If the change is a mistake, sign on to membership system (Aptify) and change the status. If you have questions contact <u>duesquestions@cwa-union.org</u>.

Internal Organizing

The membership reports should be used as a starting point for internal organizing.

Work with your staff representative to develop measurable goals to work the CWA Strong program. Give each steward a list of the non-members in their department. Ask the stewards who they can contact from the list and ask to join the union. Make this a standard part of all stewards' meetings.

Minutes of Union Meetings

Minutes are the official, permanent record of the activities and official actions of the local and must be taken at all meetings, including the meetings of Executive Board, local committees, and membership. Minutes also serve as a reminder to members of what went on at the last meeting. They should be retained permanently in the local files since they may be necessary to substantiate local actions at some future date. Minutes need not be word for word, but must be clear and accurate so that when they are referred to at a later date, there is no doubt what action the members took (or didn't take) on the subject matter that was discussed.

Minutes Must Record Motions and Actions, Such as:

- Committing the local to a particular policy
- Committing the local to a particular course of action
- Authorization to spend local funds
- Approval of membership action
- Approval of bylaw amendments
- Officer elections
- Committee recommendations
- Trial Court hearings, etc.

Minutes include:

- 1. Name of organization (Communications Workers of America, Local 0000, for example)
- **2.** Type of meeting (regular, special, Executive Board, etc.)
- 3. Date and time of meeting
- 4. Place of meeting
- 5. Chair of meeting; roll call of officers including absentees
- **6.** Quorum of members present
- 7. Action taken on minutes of last meeting
- **8.** Brief summary of reports of committees, delegates, officers and others, including financial report show what action, if any, was taken on reports

- **9.** Wording of every motion and action taken that comes to a vote must be included, with a note explaining whether it was passed or lost. (*This is very important*.)
 - The Secretary must get correct wording of the motion; ask the chair to repeat the motion if in doubt.
 - It is not necessary to write up discussion on a motion; some secretaries summarize debate on important motions.
 - The exact vote for and against the motion should be included in minutes, whether vote was by ballot, roll call, or count of hands.
 - The names of members making motions should be reported.
- 10. Time of adjournment
- **11.** Signature of secretary
- 12. Approval of presiding officer

The secretary should not include personal opinions or evaluations. Such phrases as "a brilliant suggestion," "very heated discussion," or "an able report" do not belong in the minutes. The secretary is a recorder of events, not an interpreter of sentiment.

Writing Minutes

After a little practice, most secretaries find taking minutes fairly easy.

Take notes during the meeting. Have a copy of the agenda in front of you as a guide.

Rewrite your notes into minutes as soon as possible. It is much easier to rewrite meeting notes when the meeting is still fresh. If you are not sure how it sounds, read it aloud to yourself.

The final copy of the minutes should be stored both electronically and in hard copy — a special binder will make them easy to find. Minutes for different kinds of meetings should be kept in different binders.

If a correction is made in the minutes at the next meeting, the secretary writes the correction at the end of the minutes and initials it. Then incorporate the correction the final electronic version of the minutes.

Order of Business

Each local should have a regular order of business which can also be included in the local bylaws. Meetings generally are conducted as follows:

Call To Order

Handled by presiding officer.

Approval of Minutes of the Last Meetings.

This is done to correct any errors and inform members who were absent of what business has been transacted. Corrections may be made at the request of any member. Should there be a difference of opinion, the matter must be settled by vote. After any corrections are made, the presiding officer declares the minutes approved.

Communications

Correspondence should be summarized and reviewed with the membership to keep them currently informed on local and international matters.

Committee Reports

Active local committees should present reports at this time. If the report requires local action, motions should be made accordingly and settled by vote.

Officer Reports

These are made by the presiding officer and generally consist of matters that have come to his or her attention since the previous meeting. The local must also act to receive the treasurer's report on receipts and disbursements made since the last meeting.

Unfinished Business

If considered, but not disposed of at a previous meeting, unfinished business is now brought up for membership discussion and action.

New Business

Any new business.

Adjournment

When all business is completed, any member may make a motion to adjourn, or the presiding officer may adjourn the meeting.

Local Filing System

A simple filing system is absolutely necessary for conducting the local business. Several types of files are needed.

Action File

Each local officer should keep an action file.

All matters which require attention or action should be kept in these files until the problem is solved or appropriate action taken. Nothing on such matters should be transferred to the regular files (or archives) until the problem is solved or appropriate action taken.

When a letter is opened, it should be directed to the attention of the person responsible for action on it. That individual should also have an action file to keep it in. This way, no matters are overlooked.

Some locals have purchased red folders and use them as action file folders. A red folder is easier to spot and keep track of on a crowded desk. Use an electronic calendar to enter deadlines for response on various action items, and set electronic reminders to be sure that you keep them.

Follow-Up File

Copies of letters mailed by the local which require a reply should be placed in a file for follow-up action, and also entered into an electronic calendar or another tracking system with reminders.

This file should be a folder, indexed by number from 1 to 31, representing the days of the month.

The copies should be placed under the appropriate date, usually ten days after the letter is mailed, to allow reasonable time for the recipient to answer.

This file and your action reminder calendar should be checked every day and a reminder letter sent if a reply is not received after a reasonable wait.

Local Policies File

Locals should maintain written policies on how to handle routine business such as lost time, expense vouchers, mileage reimbursement, etc. Keep all these files in a computer folder with a hard copy back-up, noting the date that each was put in place by the Executive Board. Policies should be shared with new officers as well as others doing work on behalf of the local.

Correspondence File

The purpose of filing is to keep letters and records that the local may need in the future. It is not necessary to keep every piece of correspondence or every leaflet received. However, when in doubt, it is best to save it — then go through the files once a year and throw out all materials no longer in use.

Generally speaking, it is a good rule to keep all letters written by hand or individually type-written. They are usually important.

Official letters from CWA should be kept and filed.

Experience has shown that a subject file system works best for most locals. This is a system in which letters are filed according to the subject discussed. For example, a letter on pensions is filed under "pensions."

Correspondence files are the property of the local. When a secretary goes out of office, files should be turned over to the new secretary immediately.

Grievance Files

Every local should keep a file of written grievances. This file may be kept according to the date the grievance was written or by the subject of the grievance (*seniority, overtime, wage rates, safety, etc.*). It's critical that every local set an organized and accountable system for considering, investigating and acting on grievances and potential grievances. Failure to do so makes the local and its officers potentially liable for missed deadlines or administrative mistakes. If your local does not yet have a system for grievance handling, work with your staff rep to find one that works.

Arbitration Files

A file should also be kept on every arbitration case and contain all background materials, briefs, correspondence, meeting notes, etc.

Other Files

Other files the local should maintain for bargaining or grievance purposes are:

- Copies of employer notices regarding hours, policy, vacation, etc. Notes, especially hand-written notes, from bargaining sessions with the employer, clearly labeled with the date and time of bargaining, who was present, and a reference summary of items discussed.
- Reports published by the employers on the insurance plan, number of pensioners, etc.



CWA members in New Jersey stand up for a fair tax code

Enforcing Union Security Agreements and Agency Fee Objections



CWA Veteran Organizing Institute

Enforcing Union Security Agreements and Agency Fee Objections

Introduction

CWA contracts generally include "Union Security" or "Agency Shop" language that requires all employees to pay dues — if they are members — or agency fees — if they are not members — in order to maintain their employment. The biggest exception to this rule occurs in "Right to Work (for less)" states where such a requirement is prohibited. In a so-called right-to-work state, the union must represent every employee in the bargaining unit, but cannot require everyone to pay for that representation.

Contracts under the Railway Labor Act (for CWA, these are primarily in the airline industry) can apply agency shop language to all employees even if they are located in a right-to-work state.

The Supreme Court's Beck vs. CWA decision in 1988, set the requirements for private sector unions, like CWA, to allow agency fee payers to object to the payment of fees to support activities not directly related to core representational responsibilities — collective bargaining, contract administration and grievance adjustment. The union is required to prepare an accounting of its expenditures, dividing them into those chargeable and those that are not chargeable to all represented employees, to provide that accounting to any fee payer that objects to such non-chargeable expenditures, and to verify that the financial information disclosed to them has been independently verified by an auditor. Then the union must reduce the fees it charges these agency fee objectors to reflect the share of its expenditures that are not chargeable. Over time, the non-chargeable portion of CWA's expenses has hovered between 25 and 30% of the Union's total expenditures.

Other decisions apply the concepts behind the Beck decision to airline contracts under the Railway Labor Act (Ellis vs BRAC, 1984).

This section will provide local leaders with:

- Definitions and procedures for locals for dealing with agency fee objectors under public and private sector contracts
- The CWA national union's policies and procedures for handling agency fee objectors
- CWA's procedures for enforcing contract language that ensures that all employees bear their share of responsibility for representation expenses.

Definitions

Agency Shop/Union Security Agreements

These agreements require workers, who are not union members, to pay an "agency fee" equal to normal union dues, as a condition of employment. Regardless of the wording of the particular contract, none can require the payment of more than this agency fee to retain employment. Workers cannot be required to become members of the union.

Certain states have so-called "Right-to-Work" laws that prohibit unions and employers from negotiating such agreements. These laws do not apply to unions organized under the Railway Labor Act, which for CWA, means our members employed by airline companies.

Member

A member is a worker who has signed a union membership card. This status remains in effect until the worker resigns in writing. Regardless of what local bylaws may say, membership is voluntary and the only legal requirement for resignation is that it be made in writing.

Agency Fee Payer

An agency fee payer is a worker who has chosen not to join the union (or has resigned his membership) but who must, under the agency shop/union security language in the collective bargaining agreement, pay agency fees (typically equivalent to dues) as a condition of employment. Agency Fee Payer is the initial status of any employee under an agency shop agreement — all newly hired workers are agency fee payers. That status remains in effect until the worker signs a membership card.

Agency Fee Payers are represented by the union, but have no say in that representation. They may not attend union meetings, participate in the election of officers, vote for contract acceptance or have any other members-only rights or privileges.

Non-Member

A non-member is a worker who has chosen not to join the union (or who has resigned his membership) who is not required to pay agency fees because there is no agency shop language in the contract.

Non-members are represented by the union, but have no say in that representation. They may not attend union meetings, participate in the election of officers, vote for contract acceptance or have any other members-only rights or privileges.

Agency Fee Objector

An Objector is an agency fee payer who objects to paying more than the costs of collective bargaining, contract administration and grievance adjustment. This status is in effect for one year and must be renewed each year unless the objector explicitly requests that his objection be considered continuous or permanent, in which case his objector status will continue to be recognized as long as he remains in the bargaining unit.

Beck Objectors (Private Sector Except Airlines)

Beck objectors are objectors under the Supreme Court's Beck ruling affecting employees organized under the National Labor Relations Act (NLRA).

Ellis Objectors (Airlines)

Ellis objectors are objectors under the Supreme Court's Ellis ruling affecting employees organized under the Railway Labor Act.

Chargeable Expenses

Expenses that are "germane to collective bargaining, contract administration and grievance adjustment" are called chargeable because the union can charge an agency fee objector for them.

Non-Chargeable Expenses

Expenses that are NOT "germane to collective bargaining, contract administration and grievance adjustment" are called non-chargeable because the union MAY NOT charge an agency fee objector for them.

Objector Year

CWA's 'objector year' runs from July through the following June.

Statement of Chargeable and Non-Chargeable Expenses

Each year an audit of CWA's finances is performed by an independent certified public accounting firm. Included in this audit is the development of a Statement of Chargeable and Non-Chargeable expenses which is used to determine the percentage of agency fees that will be reimbursed to agency fee objectors for the coming objector year.

Fair Share/Fair Share Payer

These terms are sometimes used in New Jersey for agency shop agreements and agency fee payers.

Providing Notice of Employee Right to Object — Private Sector

Upon being notified that a new person has joined the employment rolls at a company or an agency with which CWA has a contract, in a state without a right-to-work law, the office of the CWA's Agency Fee Administrator sends a copy of the Union's "Your Rights With Respect to Union Representation, Union Security Agreements and Agency Fee Objections" statement to the new employee. From this information, an employee can determine whether he wants to become a union member or remain an agency fee payer. Similarly, if a union member resigns his membership, the statement will be sent to him. The statement is included in the next section.

Substantially the same statement is printed in the first edition of the CWA News published each calendar year. It is also posted on the CWA website at:

www.cwa-union.org/pages/security_agreements_and_agency_fee_objections

Standard Procedure

Agency fee payers who wish to object for the coming objector year are expected to write to the Agency Fee Administrator during May. Assuming the fee payer is eligible for a fee reimbursement, he will receive an advance check for the non-chargeable portion of the fees that he is projected to pay during the coming objector year. To be eligible, a fee payer must be current on the payment of his fees and must not be a member of CWA. An Agency Fee Payer may state in his objection letter that his objection is continuous and permanent in nature. In that case, his status will be changed to agency fee objector for all future years — until he leaves the bargaining unit. A continuing objector must stay current with the payment of his fees. If he takes a leave of absence and does not return and start again to pay fees within that objector year, his objector status may lapse and he may have to refile.

In addition to the check paying the non-chargeable portion of future fees in advance, an objector also receives a copy of the Statement of Chargeable and Non-Chargeable Expenses, on which the percentage attributable to non-chargeable expenses is based.

When a New Hire or a Resigning Member Becomes an Objector:

A new employee who does not sign a membership card remains an agency fee payer. A member who resigns becomes an agency fee payer.

The NLRB's General Counsel is requiring unions to notify employees at the time of the first dues collection attempt of their right to be a non-member, their right to be a Beck objector and the reduced percent or amount of dues and fees if they decide to become an objector. This is not yet Board law, but failure to do so has been found by the General Counsel to be an unfair labor practice warranting issuance of a complaint against a union.

Once an agency fee payer has received the notice of his right to object, he has 30 days from his receipt of that notice to send a letter to the Agency Fee Administrator stating his objection. If this occurs in the middle of the objector year and the agency fee payer has begun to pay monthly fees, he will receive a check in the next several weeks for an amount equal to the non-chargeable portion of the fees he is projected to pay during the balance of the current objector year. He is expected to continue to pay the full amount of agency fees each month.

Agency Fee Payers in the Public Sector

Based upon the Supreme Court decision in *Janus*, we can no longer accept agency fees from non-members in the public sector unless they volunteer to pay.

Challenges

The letter that accompanies a check sent to an objector includes language which notifies him that, in addition to any other avenue of relief available under the law, he has the option to challenge the calculation of the non-chargeable percentage on which his check amount was based. If he initiates such a challenge, an impartial arbitrator will be appointed by the American Arbitration Association to review the calculations and the process by which his charges were determined.

Your Rights With Respect to Union Representation, Union Security Agreements and Agency Fee Objections

Fair Representation

The Communications Workers of America (CWA) has been chosen through the democratic processes provided by the National Labor Relations Act or the Railway Labor Act as the exclusive collective bargaining representative for this workplace. CWA negotiates and enforces the contract with your employer that sets the terms and conditions of your employment. A copy of that contract is available from your Union representative. In most locations there will be a CWA steward on the job as your Union representative. Your CWA steward is a fellow worker who has been specially trained to help you understand your contract rights. If you believe the contract has been violated, the CWA steward or representative is the person you should contact. If the problem cannot be handled informally, the first step in securing a remedy is the filing of a grievance. Where a grievance is not resolved through discussions with management, the contract permits it to be resolved by a neutral arbitrator.

Any employee who is faced with possible adverse action by management has the right to Union representation at disciplinary interviews. If you are called into an interview that you believe could lead to discipline against you, be sure to tell whoever calls you to the interview that you want to have a Union representative present.

Union Membership

CWA has a membership of 700,000 working men and women throughout the country. The Union is an organization of your fellow workers who have come together to improve their terms of employment and protect their rights on the job. Within CWA all decisions are made democratically, either by the members directly in local meetings or by the members' elected representatives at conventions and Executive Board meetings. The officers, chosen by the Union members in elections every three years, are Union members themselves, and either now work or recently worked in places like the one where you are employed.

You have the right to join CWA and to fully participate in its affairs. The rights of Union members are spelled out in the CWA Constitution and in your local's bylaws. These are available from your CWA representative.

You also have the right not to join CWA. If you do not join, you will be fairly represented. But you will not have the right to participate in the election of the officers who represent you on the job or to participate in meetings where Union decisions are made.

Negotiating and enforcing your contract are costly endeavors. To spread these costs fairly, those employees who do not join the Union are still required to pay an agency fee. The non-member's fee is generally equal to the dues paid by members. Those non-member agency fee payers with conscientious religious objections to financially supporting a labor organization may arrange to make charitable contributions equal in amount to Union dues instead of paying the agency fee to the Union. In addition, those non-member agency fee payers who conscientiously oppose the Union's efforts in non-collective bargaining areas such as charitable fund-raising, lobbying to improve terms of employment, and organizing to prevent your employer from being undercut by competitors paying substandard wages, may file an objection in accord with the policy on agency fee objections.

Union Security Agreements

As a general matter, employees covered by a collective bargaining agreement containing a Union security clause are required, as a condition of employment, to pay an agency fee equal to normal Union dues (and, where applicable, initiation fees). While the wording of these clauses is not perfectly uniform, none requires more than the payment of this agency fee to retain employment.

Agency Fee Objections

The Communications Workers of America policy on agency fee objections is the Union's means of meeting its legal obligations to employees covered by Union security clauses and of effectuating those employees' legal rights as stated in the applicable decisions of the United States Supreme Court (including Beck v. CWA) and the companion lower court and labor agency decisions. Under the CWA policy, employees who are not members of the Union, but who pay agency fees pursuant to a Union security clause, may request a reduction in that fee based on their objection to certain kinds of Union expenditures. The policy provides an objection period each year during May, followed by a reduction in the objector's fee for the twelve months beginning with July and running through June of the following year.

Briefly stated, CWA's objection policy works as follows:

 The agency fee payable by objectors will be based on the Union's expenditures for those activities or projects "germane to collective bargaining, contract administration, and grievance adjustment" within the meaning of applicable United States Supreme Court decisions.

Among these "chargeable" expenditures are those going for negotiations with employers, enforcing collective bargaining agreements, informal meetings with employer representatives, discussion of work-related issues with employees, handling employees' work-related problems through the grievance procedure, administrative agencies, or informal meetings, and Union administration. In the past, approximately 70-75% of the International Union's expenditures have gone for such activities. The percentages of Local Union expenditures on "chargeable" activities have generally been higher.

Among the expenditures treated as "nonchargeable," which objectors will not be required to support, are those going for community service (including participating in charitable events), legislative activity, cost of affiliation with non-CWA organizations, support of political candidates, participating in political events, lobbying activities, recruitment of members to the Union, and members-only benefits (including members-only social events). In the past, approximately 25-30% of the International Union's expenditures have gone for such "nonchargeable" expenditures. The percentages of Local Union expenditures on "nonchargeable" activities have generally been lower.

2. Objectors will be given a full explanation of the basis for the reduced fee charged to them. That explanation will include a more detailed list of the categories of expenditures deemed to be "chargeable" and those deemed to be "nonchargeable," and the independent certified public accountants' report showing the Union's expenditures on which the fee is based. In addition to any other avenue of relief available under the law, objectors will have the option of challenging the Union's calculation of the reduced fee before an impartial arbitrator appointed by the American Arbitration Association, and a portion of the objector's fee shall be held in escrow while he or she pursues that challenge. Details on the method of making such a challenge and the rights accorded to those who do so will be provided to objectors along with the explanation of the fee calculation.

3. Objections for the period of July through June must be sent during May. Objections will be honored for one year unless the objection specifically states that it is continuing in nature. Continuing objections will be honored for as long as the agency fee payer remains in the bargaining unit. Agency fee payers who are new to the bargaining unit, or who are returning to the bargaining unit, may object within thirty days of receiving this notice. In addition, employees who resign Union membership may object within thirty days of becoming an agency fee payer. Employees filing these objections in either circumstance should so state that circumstance in their letter of objection. New bargaining unit members are to receive this notice prior to any demand being made upon them for the payment of agency fees. If, however, for any reason a new unit member begins paying agency fees prior to the receipt of this notice, he or she may object retroactively to the commencement of such payments and for the duration of the current annual objection period.

The letter of objection should include name, address, social security number, CWA Local number, and employer. Objections must be sent to the Agency Fee Administrator, CWA, 501 Third Street, NW, Washington, DC 20001-2797.

Revised September 2010

Fact Sheet

Agency Fee Objector Policy — Private Sector Workers April 2013

Q. What is an agency fee?

A. An agency fee is the amount equal to union dues that non-members must pay as a condition of employment where there is an agency shop agreement in the contract. These workers, called agency fee payers, include newly hired employees who have not yet signed a membership card to join the union and those who have resigned their membership.

Q. What is an agency fee objector?

A. Agency fee payers who have requested to have their fees reduced are called "objectors," as they object to supporting the union's activities that are not germane to collective bargaining, contract administration and grievance handling.

Q. What is the agency fee objector policy?

A. The agency fee objector policy is a CWA policy designed to ensure that the Union complies with various Supreme Court and lower court decisions. These rulings concern the rights of non-members who pay agency fees as a condition of employment.

Q. What are the Supreme Court decisions?

A. The three primary rulings apply to three categories of workers. Those private sector workers who are organized under the National Labor Relations Act are covered under the dictates of the *Beck* case. Those who are organized under the Railway Labor Act (CWA's airline employees) are covered by the *Ellis* case, while the ruling in the Hudson case applies to public sector workers.

Q, Why should CWA be concerned with the rights of non-members?

A. CWA must obey the law. Intentionally not complying with Court rulings could be financially and legally disastrous to the International and to any local that ignores the dictates of the courts.

Q. What are the rights of non-member agency fee payers?

A. Ellis and Beck require the Union to permit non-member agency fee payers to object to being charged for more than the cost of activities and expenses germane to collective bargaining, contract administration and grievance adjustment. These expenses are called "chargeable." Those that are not germane are called "non-chargeable" and include such things as organizing, legislation, charitable contributions, community service and members-only benefits. Objectors have their agency fees reduced by the non-chargeable percentage.

Q. How are agency fee payers notified of their right to object?

A. The International informs agency fee payers of their objector rights by publishing **the Notice Regarding Union Security Agreements and Agency Fee Objections** in the spring issue of the *CWA News* each year. The notice advises agency fee payers to file their objection during the May window period for the upcoming July through June year.

New agency fee payers (newly hired workers and newly resigned members) are sent a flyer entitled *Your Rights with Respect with Union Representation, Union Security Agreements and Agency Fee Objections* within a month of their hire or resignation date. The window period for filing an objection for these workers is 30 days from their hire/resignation date.

The NLRB General Counsel is requiring that the notification also include the percentage or amount of deduction for non-chargeable expenses.

Q. How does the Union determine the percentage of expenditures that are non-chargeable?

A. The determination of chargeable and non-chargeable expenditures is made as part of the International's annual audit.

Q. Does the Local also have to prepare such a report?

A. No. CWA does not factor in the Local's non-chargeable activities and expenses when calculating the agency fee reduction. Experience has shown that locals spend less on non-chargeable expenditures. By not using the local's figures, the objector gets a slightly larger reduction payment, but the local saves the expense of preparing annual chargeable expenditure reports. However, locals with objectors must have one such report on file.

Q. What is the average non-chargeable?

A. The average non-chargeable for the International is about 25-30%.

Q. So objectors have their agency fees reduced by the non-chargeable percentage. How is the reduction handled? Do objectors have their payroll deduction or billing statements changed?

A. No. Payroll deductions or billing statements are not changed. Objectors have their agency fees reduced by means of a lump-sum, advance reduction payment sent during July for the July through June year. Mid-year objectors (new agency fee payers) are sent their checks within 30 days of their objection.

Q. Does the advance reduction payment cover both the International's per capita and local dues?

A. Yes. It is a reduction of all the fees paid by the worker to the union. The International bills the local for its share of the reduction payment.

Q. So objectors get the money upfront. What if they leave during the year? Can we get the money back?

A. Regrettably, no. While the advance reduction system is not perfect, it is the only practical way to reduce the fees of objectors on a large scale.

Q. Is objector status permanent or do objectors have to renew each year?

A. The objector year runs from July through June. Agency fee objector status is good for that one year unless the individual requests that the objection continue indefinitely.

Q. Objectors send their letters to the International. What happens when they are received?

A. Letters of objection are sent to CWA in Washington where they are reviewed for eligibility. If the objector applicant appears to be eligible, the local is contacted for final approval. If the objector applicant appears to be ineligible (because he is a member or has left the unit), the applicant is so notified and advised to contact the Local if he believes the records are wrong. Locals are copied on all correspondence with objector applicants.

Q. What if a member asks for objector status?

A. Members who file timely objections are sent a letter reminding them of the benefits of membership and that the policy is for non-members and as a result, it does not pertain to them.

Q. What is the Local's role in the objector policy?

A. Locals review the list of their provisionally eligible applicants prior to the advance reduction payments being mailed. If objector applicants send their letters to the local, the local should forward them to the International.

Q. What if the worker files an objection outside the window period?

A. The worker is notified that the objection is not timely and the local is copied on the letter.

Q. Who should Locals contact with questions about the agency fee objector policy?

A. Locals should contact the Agency Fee Administrator in the Secretary Treasurer's office at CWA, 501 Third Street, NW, Washington, DC 20001-2797, agency-fee-admin@cwa-union.org.

Enforcing Union Security Language

CWA contracts generally include "Union Security" or "Agency Shop" language that requires that all employees pay dues — if they are members — or agency fees — if they are not members — in order to maintain their employment.

Under Agency Shop language in a collective bargaining agreement subject to or the National Labor Relations Act (in non-right to work states) or the Railway Labor Act or state laws governing public sector employees, the Union has the right to require all employees who are members to pay dues and all non-members to pay fees of an equivalent amount to support the activities of the Union. If a non-member — an agency fee payer - does not wish to support the Union's activities not directly related to representation, he may declare himself an agency fee objector, as described in detail earlier in this section.

All agency fee payers are obligated to pay fees. Agency fee objectors may have the fees they pay reduced to exclude the cost of non-representational — non-chargeable — expenses. Objectors are still obligated to pay the chargeable portion of their fees.

If an agency fee payer does not pay the fees he is obligated to pay under the agency shop contract language, whether or not he has declared himself to be an objector, the Union may ultimately enforce that language by requiring the employer to terminate the worker's employment for non-compliance with the terms of the collective bargaining agreement.

CWA's process for enforcing agency shop language has three steps:

- 1. The Friendly Reminder Letter sent to the employee by the local
- 2. The Stern Warning Letter sent to the employee by the district
- 3. The Termination Letter sent to the employer by the district

Samples of these letters follow below.

Letter 1 - Friendly Reminder

To be sent 30 days after the obligation to pay fees has gone unmet

Dear [Agency Fee Payer]:

According to our records, you are not paying dues or agency fees. As you know, paying an amount equivalent to dues is a condition of employment pursuant to **[cite appropriate section of the contract.]**

To help you meet your obligation, I am sending you another payroll deduction card. Please fill it out and send it back to me in the self-addressed stamped envelope and I'll see to it that [employer] gets it right away. If you have already completed one of these cards, please fill out another one anyway because the first one is likely lost in the system. You also have the option of paying cash dues each month. If this interests you, please call me and I will advise you the exact amount of your monthly payment and where to send it. If you have any questions or concerns, please call me and I will be happy to talk to you.

Sincerely, Local Officer

Enclosures: Your Rights With Respect to Union Representation, Union Security

Agreements and Agency Fee Objections brochure

Payroll deduction card

Return envelope

Letter 2 – Stern Warning:

To be sent 30 days after the Friendly Reminder letter has been sent and ignored. Usually sent by District Vice President. NOTE: wording is important and should not be changed.

Dear [Agency Fee Payer]:

I am writing to you about a very serious matter that could affect your future employment. Please attend carefully to this letter. If you have any question about its meaning, you should contact me for clarification.

The collective bargaining agreement between CWA and **[employer]** contains a union security clause generally requiring, as a condition of employment, that all covered employees tender to the Union an amount equal to the periodic dues uniformly required as a condition of Union membership beginning on the thirtieth day following the beginning of employment. The legal significance of this clause is explained more fully in the enclosed brochure. If you have not already received a copy of the collective bargaining agreement, you may do so by requesting one from me.

The information from your employer indicates that you have been covered by the collective bargaining agreement and that for a period exceeding **X** months you have not been paying agency fees.

Periodic union dues, which serve as the basis for calculating your agency fee obligation, are ______% of your normal pay. Our records indicate that you owe \$_____ per month for the period **X** months <code>[maximum of three]</code> preceding this letter for a total due of \$_____. While CWA may be legally entitled to collect fees covering a longer period, in the interest of quickly settling this matter, the Union is willing to accept this amount as full payment of all back fees you may owe. You may pay the back fees in three equal installments over the next three months, or you may pay them in one lump sum. In addition to paying these back fees, you must begin paying agency fees as they come due, i.e., no later than the last day of each month.

To make arrangements for paying agency fees, contact me at the Local office on **[phone number]**. If you have not contacted the Local within 45 days of the date of this letter and made suitable arrangements to pay the back fees and begin paying fees each month, **CWA will contact your employer to request that you be discharged from employment.**

If you believe that our records are in any way incorrect or if you have any questions, please call me immediately.

Sincerely,

District Officer

Enclosure: Your Rights With Respect to Union Representation, Union Security

Agreements and Agency Fee Objections brochure

cc: CWA Agency Fee Administrator, Local Union Officer

Letter 3 - Termination Request:

To be sent to employer after Stern Warning letter has gone unheeded. Usually sent by the District Vice President

Dear [Employer Representative]:

This is to request enforcement of the union security clause in your collective bargaining agreement with CWA.

[Name of worker], an employee covered by the agreement, after having been fully informed of the obligation to pay agency fees and given a reasonable opportunity to tender such payments, has refused to do so. Please take the necessary steps to discharge **[Name of worker]** for failure to meet this requirement of employment.

Sincerely, District Officer

cc: [Name of worker]

CWA Agency Fee Administrator, Washington DC

Local Union Officer

Fact Sheet Enforcing Union Security/Agency Shop Agreements

Q. What are agency shop/union security agreements?

A. Agency shop/union security agreements require workers to pay an agency fee equal to normal Union dues as a condition of employment. Regardless of the wording of the agreement, none requires more than the payment of this agency fee to retain employment. None can require workers to join the Union and become members. Certain states have "Right-to-Work (for Less)" laws that prohibit unions and employers from negotiating these agreements. These state laws do not apply to unions organized under the Railway Labor Act, which for CWA, means our airline employers.

Q. Who is responsible for enforcement of the agreements?

A. The local has primary enforcement responsibility, with key support from the International

Q. What is the first step in enforcing these agreements, and who takes it?

A. Labor law requires that the Union notify newly-hired workers of their right to join the union, refrain from joining the union, and object to paying for more than the cost of collective bargaining, contract administration and grievance handling.

The NLRB General Counsel is also requiring the notification to include the percent or amount of reduction.

The International is responsible for this notification. Once a month, the Your Rights brochure, a self-mailer, is sent to the home of all new employees working under an agency shop agreement. If the home address is not on file, the brochures are sent to the local with the request that the material be distributed at the worksite. All workers are reminded of their rights in the Spring issue of the *CWA News*.

Q. What is the next step?

A. When a local becomes aware that a worker is not paying dues or agency fees, either because the worker is a new hire, or because the payments have simply stopped, the local sends the "**Friendly Reminder**" letter along with the *Your Rights* brochure, a payroll deduction card and a return envelope. The local can modify this letter if necessary, but it must take care to keep the friendly tone. In the majority of cases, this letter is all that is needed for the worker to comply with the agency shop agreement.

Q. What if the "Friendly Reminder" letter is ignored?

A. If the delinquent dues payer does not respond to the "Friendly Reminder" letter within 30 days, the local should follow up with a phone call or visit. If these efforts are not successful, then the local requests their District to send the "**Stern Warning**" letter and another copy of the *Your Rights* brochure to the worker. This letter tells the worker he has 45 days to start paying and to catch up on back dues, or else we will request that his employment be terminated. The Local supplies the details for the letter — that dues are X% of pay, that the worker owes \$X per month for X number of months (maximum of three), for a total due of \$X. The appropriate local officer and contact information is also supplied. Merger-partner locals may send the "**Stern Warning**" letter themselves.

IT IS IMPORTANT TO NOTE THAT the text of the "Stern Warning" letter should not be modified because it contains all the legally required information to enforce the agency shop agreement.

Q. What happens if the worker has not contacted the Local within the 45-day deadline.

A. If the worker has not complied with the "Stern Warning" letter within the 45-day deadline, the local contacts the agency fee administrator at the International to check for any extenuating circumstances that would delay the request for termination. If there are none, the local requests the District to send the "Termination Request" to the employer, with the worker copied in. Merger-partner locals may send the termination request themselves. Note — the local must take action within a day or two of the expiration of the dead-line; otherwise, the termination threat is a hollow one.

Q. Can the Local still accept payment of back dues and a check-off card once the termination letter has been sent?

A. Absolutely. Rarely will a worker not comply at this point.

Q. A worker has to pay dues by check-off, right?

A. No. Workers have the right to tender dues directly to the local by check or money order. The Local must advise the worker of the monthly amount and due-by date, generally the 30th day of the following month. The local also notifies the International that the worker is now a cash dues payer. The International will deduct the per capita from the regular dues remittance payment, allowing the local to deposit the worker's fees directly into their bank.

- Q. What if the worker responds to the "Stern Warning" letter, pays the back fees, but is late with a future dues payment? Do we have to start the process all over again?
- **A.** If the worker has been paying by payroll deduction, the problem is most likely with the employer. Check with them first. If the worker has cancelled checkoff, send him a letter detailing the monthly dues amount and deadline.

If the worker has been paying cash dues, and misses the deadline, the termination request may be sent.

- Q. Who should Locals contact with questions about the agency fee objector policy?
- **A.** Locals should contact the Agency Fee Administrator in the Secretary Treasurer's office at CWA, 501 Third Street, NW, Washington, DC 20001-2797, <u>agency-fee-admin@cwa-union.org</u>.



AFA-CWA members at Hawaiian Airlines

Verizon workers on strike



CHAPTER 23: Retiree Activism



Members in District 6 protest layoffs at AT&T



Retirees turn out for fairness

Retiree Activism

Locals can be made stronger by tapping the power of their retired members and sponsoring a local chapter of the CWA Retired Members' Council (RMC). Having the support of retirees is important to achieving the Union's goals, whether bargaining a contract, supporting a strike or building a strong and effective community and political action program.

RMC Chapter members are motivated and want to stay active and connected with CWA. They serve as role models for younger or less-experienced workers. And it is inspiring to see retired members, some of whom are a bit older, walking picket lines or attending rallies.

Chapters are made of lifetime members of the Retired Members' Council. The cost of joining the Council is only a one-time fee of \$25, and locals are encouraged to give the gift of RMC lifetime membership to their retiring members.

For more information, visit the Council's web site www.cwaretirees.org.

Retiree Activism Goals

- Increase number of Council lifetime members
- Increase number of retiree chapters
- Engage more retirees in mobilization/actions
- Increase number of participants in PAF/Political Action Fund
- Raise awareness of the Council among pre-retirees

Council

The CWA Retired Members' Council is made up of lifetime members who pay a one-time \$25 fee to join. Those who retired as members in good standing of the union are eligible to enroll. Local are encouraged to give the gift of membership to their retirees.

Each District and Sector has elected representatives on the Council Executive Board. These representatives serve as delegates to the CWA Convention.

Starting a Retiree Chapter

CWA local unions can build the union by tapping the activism of retired members by sponsoring a chapter of the CWA Retired Members' Council. More than 250 locals unions in every district and sector have retiree chapters and they are stronger for it.

Retiree chapters provide a tremendous level of support to locals because they are made up of retirees who are motivated to stay connected with union. They are committed because they know what it takes to negotiate a good contract or win passage of important legislation. They are invaluable in helping build public support for our union's goals because they are active and visible in their community, belonging to a wide range of locally-based organizations.

To request a starter packet with step by step instructions and forms to start a new retiree chapter contact the Retiree Department — <u>rmc@cwa-union.org</u>.

Sponsor

The Local executive board first votes to sponsor a CWA Retiree Chapter. Next, a committee is formed to coordinate and lay the groundwork for creating a chapter. The committee should be made up of several local retirees and a local officer or union member. The committee then plans an event such as a lunch or dinner for the retired members of the local.

Invite a member of the board on the CWA Retired Members' Council to be the featured speaker at the event. The board member can talk about the importance of establishing a chapter and the important role that they play in supporting CWA locals.

Once the decision is made to have a chapter, the local applies for a charter from the International. Forms are available from the CWA Secretary-Treasurer's in Washington, DC or on the RMC website <u>www.cwaretirees.org</u>.

Only Council lifetime members are eligible to join retiree chapters.

Launch

Once the charter is received the committee should appoint a temporary chapter president and hold an inaugural meeting to take the following actions:

- Establish an election committee to conduct officer elections.
- Chart the course of the chapter.
- Establish a by-laws committee.
- Distribute and collect membership cards
- Set the next meeting date to write by-laws, establish annual dues, and coordinate activities with the local union.

Recruit

After the chapter's formal launch and election of officers, the chapter should begin the process of building the chapter's membership. Chapter membership is open to Lifetime members of the Retired Members' Council. The Council will provide guidance on proven methods of recruiting new members. The CWA Secretary-Treasurer's office can provide lists of Council members and other retirees.

While the chapter is sponsored by the local, it is autonomous and operates separately from your local. Each local CWA Retiree Chapter elects its own officers, sets its own by-laws, dues, and conducts its own membership meetings.

Engage

The Local should coordinate with the chapter's officers so the chapter can be included in events and activities to support mobilization campaigns, lobbying, community action, organizing, informational picketing, and bargaining support.

For more information, visit the Council's web site: www.cwaretirees.org



CWA members in Puerto Rico fight for a fair contract

CHAPTER 24: Preventing Decertification



CWA participates in the Women's March



Members of NABET-CWA

Preventing Decertification

What is Decertification?

Decertification is a vote by the workers in a bargaining unit to remove union representation and collective bargaining.

When can a Decertification Take Place?

(Unless otherwise noted this applies to decertifications under the NLRA)

Contract Bar

A decertification election under the NLRA may not take place during the term of a collective bargaining agreement. This is called the contract bar. A decertification election may take place once a contract expires and before a new one becomes effective. There is a 30 day window for filing a decertification petition. The window is 60-90 days prior to expiration. When the term of the contract is longer than 3 years the time frame is after the end of the 3rd year of the contract. Generally, the rules are different in the public sector as well as the healthcare sector — where 90-120 days prior to expiration is often the norm. However, there are new attacks on public sector collective bargaining rights with legislation that encourages and even requires regular decertification elections in particular circumstances. Airline and railway employees covered by the Railway Labor Act follow a different procedure.

Election Bar

A decertification election may not occur within one year of a previous election — whether it was a certification election or another decertification attempt. This is the election bar. However, often when a decertification petition is filed it is too late to address what problems may have caused workers to want to get rid of the union. Staying in contact with every unit, large or small is the best protection against a decert.

What is the Decertification Election Process?

In order for a decertification election to take place, at least thirty (30) percent of the employees in the bargaining unit must sign a "decertification petition." The petition is submitted to the NLRB (National Labor Relations Board). The NLRB then issues a notice to the union, the employer, and the petitioning employee that the petition has been submitted. The NLRB will attempt to have all parties agree on when an election should be held, who is voting, and other pre-election issues. If agreement cannot be reached, a hearing is held.

In a decertification election, the Union prevails if 50% plus 1 of those voting, vote to maintain union representation. If there is a tie, the union is decertified. Decertification means the end of recognition by the employer, unless a new representation election takes place certifying the union again. A representation petition cannot be filed for 1 year after decertification.

Blocking a Decertification

In order for a decertification to be valid, an employer may not commit unfair labor practices during the decertification effort in ways that would taint the vote. If the employer does taint the decertification process with ULPs, (Unfair Labor Practices), blocking charges may be filed. These charges halt any election until the NLRB has investigated and resolved the ULP allegations.

Withdraw of Recognition

If an employer receives proof of an actual loss of majority status within 90 days of contract expiration, the union must file a new election petition within 45 days from the date that the employer gave notice that it plans on withdrawing recognition at contract expiration.

Exercise: Temco Case Study

TC Temco, Inc.

Read the case study below and answer the questions.

CWA Local 5000 has 885 members, 700 in telecommunications, 160 healthcare workers, and 25 members in TC Temco, Inc., a small packaging plant (assembly line packaging, about 70% women). One week ago, Roy Sherman, president of Local 5000, received a certified letter from the NLRB notifying him that a decertification petition had been filed by union members at Temco.

The local organized Temco 3 years ago. Roy and the VP of the local, Dennis, had recently begun negotiating the contract renewal. After receipt of the letter, Roy immediately called Victor, a steward at the plant, and asked him to post a notice on the Union bulletin board of a meeting Friday evening at a local restaurant for all Temco union members. Victor informed Roy he was management and hadn't been a steward for nearly a year. Another member, John, agreed to post the notice and attend the Friday meeting. On Friday night, only six members showed up for the meeting — two women who worked 2nd shift and had taken the day off, and four women from the midnight shift. Roy didn't attend the event because he was in a grievance meeting Friday afternoon out of town and didn't get back in time.

The members wanted to know what was going on in bargaining because they had not heard anything from the Union. John told them he didn't know but would have Roy or Dennis get in touch with them. The midnight shift workers reported that the company had a pizza party for them the first of the week and announced production was up and they would like to reduce the quota by 10%, but the Union negotiations prevented them from doing so. The two women who worked 2nd shift said they'd heard the decert petition was started by some women on the day shift but hadn't seen it. They thought the reason for the petition might be the employee newsletter the company started a couple of years ago was getting more and more anti union.

1.	Identify 3 things in the case study which weakened the Union presence?

What specific Union structures and programs could have prevented this situation

Do's and Don'ts — Preventing a Decertification or Loss of Majority Support

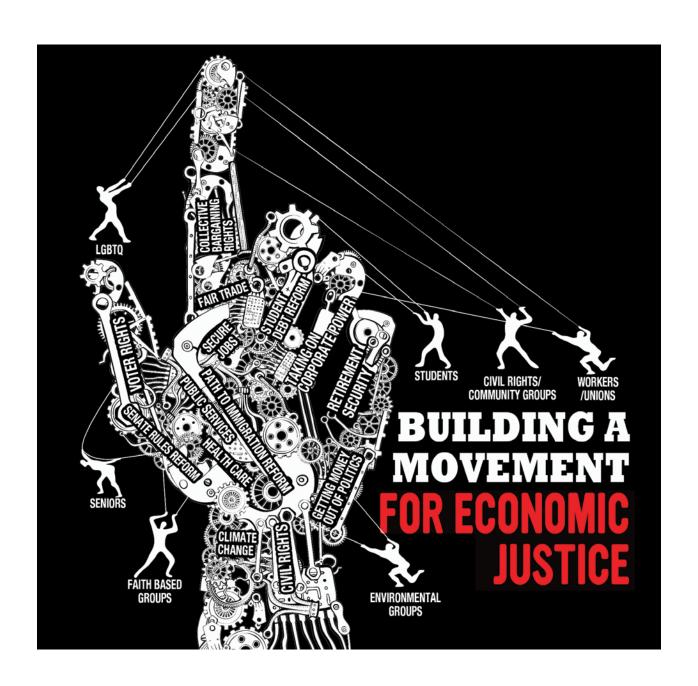
Do's:

- 1) Have a steward structure for all work groups within the bargaining units.
- When possible, have a representative from every bargaining units in the Local on the Local Executive Board.
- 3) Make sure the Union is visible in all parts of every bargaining unit (bulletin boards, newsletters etc.) and that the union is actively working on addressing workplace issues.
- 4) The year before contract expiration there should be an analysis of the strengths and weaknesses of the bargaining unit (level of membership, stewards, mobilization structure, involvement in union programs) and a plan should be in place to improve weak areas.
- 5) If you get a decertification petition, it is critical to immediately assess the level of support and initiate an internal organizing campaign to gain back support.

Don'ts:

- 1) Don't overlook work place issues and member complaints in smaller bargaining units.
- 2) Don't disregard warning signs, such as members dropping out, stewards resigning or no one from the bargaining unit attending union meetings.
- 3) Don't ignore the decertification petition.

CHAPTER 25: Members' Relief Fund



Members' Relief Fund

Members Relief Fund

The CWA Robert Lilja Members' Relief Fund was established by the 1990 CWA Convention. CWA members and fee payers who are eligible to strike pay into the MRF at a rate of 1/4 hour of basic wages (0.15%) per month.

CWA Members' Relief Fund money is used for direct assistance to strikers, as well as victims of collective bargaining strategies and other approved mobilization actions.

The structure of our Member's Relief Fund is as follows:

- CWA Executive Board
- CWA Fund Director
- Agents and Field Representatives (district fund directors)

Preparing for a Strike

- The requirements for going on strike are set by the CWA Constitution, Article XVIII.
- Determine the number of members and agency fee payers in the bargaining unit and notify your District Fund Director, who will then forward this information to the Secretary-Treasurer's Office. This number is used to make the **initial** deposit into the local's Members' Relief Fund accounts. Thereafter, it is the Local's responsibility to provide a weekly Striker/Victim count to the District Fund Director.
- Establish a separate checking account, segregated from all other funds (resources) of the local. This separate checking account is designated as the "CWA Local ______ Members' Relief Fund". You must set up this account as a commercial banking account so that cancelled checks are returned to the Local with the monthly bank statements. We recommend that locals set up a direct deposit account so that we can wire transfer the necessary funds as quickly as possible.

Appoint and train the Local Union Fund director. The district fund director has the responsibility of providing the training. The Secretary-Treasurer's Office is always available to assist in such training.

- In accordance with the CWA Constitution, a Local Community Service Committee (CSC) must be appointed. Among their other duties, the CSC has the responsibility of assisting the local in the overall administration of our funds and assisting strikers with their health-care needs (in cases where an employer ceases to provide health-care coverage during a strike).
- Have each member/agency fee payer complete and sign a "Striker Certification Form". These forms can be found in the back of the "CWA Members' Relief Fund Rules and Ground Rules" booklet.
- Select a Members' Relief Fund Option as stated in the rules. MRF Funds may be distributed to strikers as:
 - 1. Flat payout each week regardless of need;
 - 2. On an "as-needed" basis:
 - 3. A combination of need basis and flat payout.
- Notify every member and agency fee payer of the strike benefits that will be provided by the union. Members and agency fee payers must also be advised as to their obligation to perform strike duty in order to qualify for these benefits, which may affect the taxable status of benefits.

Application of Fund Rules

- 1. Members' Relief Fund assistance does not begin prior to the strike; therefore, local unions are responsible for all expenses related to strike preparation.
- 2. The Members' Relief Fund can only reimburse the local for "authorized expenditures" once a strike has started, provided such expenditures receive prior approval, and are directly related to strike activity and picket line maintenance.
- 3. The Members' Relief Fund will not reimburse locals for expenses related to the normal operation of the local, including strike preparation expenses, as well as any costs incurred in connection with the administration of the Members' Relief Fund (i.e., cost of printing checks, postage, supplies and banking fees).
- 4. The Members' Relief Fund will not reimburse a striker for expenses related to traveling to their primary picket line assignment. When travel expenses are authorized and necessary for picket line maintenance or strike activity, the Members' Relief Fund will reimburse the local for the actual cost of gas and/or public transportation. The Fund does not pay a mileage allowance.
- 5. In addition to the Items listed in the CWA Members' Relief Fund Rules and Ground Rules, the fund *may* also be used to:
 - 1. Support the union's bargaining strategies where a strike is not in progress (i.e., public relations campaigns). Requests for such assistance requires the support of two-thirds of the CWA Executive Board and the Defense Fund Oversight Committee.
 - 2. Pay for necessary medical/hospital expenses. In some extreme cases the fund director may authorize payment of health care premiums (COBRA) on behalf of strikers/victims, or their dependents, where chronic medical conditions have been identified and documented by the Local's Community Services Committee.

Locals must obtain permission from the district fund director *prior* to spending any money that they will want reimbursed by the fund. It is always a good idea to provide the District with a projected budget of fund expenditures. The district will then advise the local as to which items on the projected budget qualify for reimbursement to the local. *Failure to obtain prior approval will likely result in the local being liable for the expense.*

- 6. The CWA Member's Relief Fund (MRF) provides direct assistance to members, agency fee payers, local union officers who are on the local's payroll and lose wages, and victims of collective bargaining strategies during sanctioned strikes and other approved mobilization actions. Currently, the weekly benefit to strikers and victims is \$300 beginning with the fifteenth day of the strike, increasing to \$400 per week beginning with the twenty-ninth day of the strike. The 14-day waiting period does not apply to victims of collective bargaining strategies. MRF payments end on the seventh day following the conclusion of the strike. MRF benefits are subject to availability of funds.
- 7. Strikers are required to perform strike duty. It is the local's responsibility to advise every member/agency fee payer what that strike duty is required in order to receive MRF benefits. The local determines the amount of strike duty. As a result, a striker's obligation may vary from local to Local. Keep in mind that the rules require some level of involvement by each and every striker who applies for MRF benefits.
- **8.** A uniform method for payout to strikers must be selected prior to the commencement of a strike. The payout options and selection procedure is outlined in Section III (B) of the Members' Relief Fund Rules and Ground Rules. Locals are responsible for notifying all members/agency fee payers of the benefits available under the selected payout option.
- 9. Locals shall be held accountable for any money disbursed in violation of fund rules.
- **10.** In "right to work" states, non-members are not eligible for assistance from the fund.

Frequently Asked Questions (FAQs)

Q. Are CWA members who honor sanctioned CWA picket lines eligible for assistance from the MRF?

A. CWA members and agency fee payers **who lose wages** because they honor one of our picket lines are considered "victims of collective bargaining strategies". As victims, they would be entitled to a prorated benefit from the MRF on the same basis as strikers for each day of wages lost.

Q. Does the fourteen-day waiting period under MRF rules apply to "victims" before they are eligible for MRF payments?

A. No — Victims become eligible on the first day they lose wages.

Q. If a member or agency fee payer is disciplined upon returning to work after a strike and the discipline is related to his/her activity on the picket line, does the MRF help?

A. Yes — Such member/agency fee payer is considered a "victim" and MRF payments will resume and continue for the length of the discipline or in case of a dismissal until his/ here case receives a final determination. In cases of dismissals for strike related activities, the MRF Fund will pick up the cost of necessary medical care or, if appropriate, health insurance premiums (COBRA) as well as any legal costs associated with strike-related legal proceedings.

Q. Does a member or agency fee payer who is disciplined for strike related activities have to wait an additional 14 days before receiving MRF benefits?

A. No — They will resume MRF payments at the same level they were receiving at the conclusion of the strike. In addition, strike time is counted towards qualifying for the \$400 MRF benefit (e.g. if the strike lasted twenty days his first day of discipline would be the 21st day for purposes of meeting the 28 day period before benefits are increased to \$400).

Q. During an "approved mobilization," one of my members was disciplined for engaging in a sanctioned mobilization action. Is this member entitled to any help from the Members' Relief Fund?

A. Yes — These "victims" are treated the same as those victims disciplined for strike related activities.

Q. Does the local need to have victims of collective bargaining strategies fill out "Striker Certification Forms" (DFR-1)?

A. No — However, all fund benefits given to victims must be documented in the other (DFR) forms found in the back of the "Members' Relief Fund Rules and Ground Rules".

Q. Do strikers get prorated MRF payments if a strike ends mid-week?

A. Yes — The MRF will prorate the benefit amount that was being paid at the time the strike ended (\$300/\$400).

Q. We returned to work from a lengthy strike on a Thursday; however, some of our strikers, due to their schedule, lost out on four days pay that week (Sunday – Wednesday). Are they entitled to prorated MRF benefits of three or four days?

A. These strikers should have received MRF benefits four days. Remember, this only applies when a weekend day is part of the normal work week (one of the five days scheduled).

Q. Are local officers who lose their wages from the local as a result of a strike eligible for benefits at the same level as strikers?

A. Yes — The CWA 62nd Annual Convention authorized this benefit for local officers who are on a local's payroll and lose their wages during a strike.

Q. Are strikers who are allowed by their employer to take vacation time with pay during any week of the strike entitled to MRF benefits?

A. No — A striker who receives vacation pay during any week of the strike is not suffering any loss of wages that week.

Q. Will the CWA Members' Relief Fund pay the cost of hiring clerical help to assist with administration of the Members' Relief Fund during the strike?

A. No — The costs of administration of the funds are the responsibility of the local.

Q. Does the Members' Relief Fund reimburse strikers for travel expenses in order for them to get to rallies or their picket line?

A. No — We do not reimburse for travel to the initial picket line assignments, strike rallies or ratification meetings. However, with prior approval from the district fund director, we do reimburse for actual gas expenses for picket captains, officers, stewards and representatives where such travel is necessary for maintaining the picket lines. We also (with prior approval) reimburse actual gas costs incurred by members assigned to roving picket lines ("flying squadrons.")

Q. Does the Members' Relief Fund reimburse the local for cell phones that are needed for communication and coordination with the picket lines?

A. Depending on the circumstances, we can reimburse for necessary communication costs such as cell phones; however, as with any other Members' Relief Fund request, prior approval from the District Fund Director is a must.

Q. Does a local's MRF account remain open past the 90-day deadline if that local still has "victims" entitled to benefits?

A. No — Fund accounts must be closed within 90 days of the end of the strike and/or approved mobilization activities. Beyond this 90 -day period, victims are to receive benefits from Local funds. The local should then provide the required documentation to the district fund director so that the MRF can reimburse the local union.

For further information and Members' Relief Fund forms see "Members' Relief Fund — Rules and Ground Rules" and "CWA On Strike — A Local Officers' Guide To The CWA Members' Relief Fund," available from the Secretary-Treasurer's office.



CWA members in **PA** building political power



CWA Parking Assistants United

CHAPTER 26: Sexual Harassment



AFA-CWA members at the 79th CWA Convention

Sexual Harassment

It is the responsibility of CWA Local Officers to create an environment free from all forms of harassment in **every** CWA local. This chapter specifically addresses sexual harassment. That said, at CWA we are committed to the fight for dignity and respect for all working people. This means we must honor each other's inherent differences and strive for the inclusion of all people — regardless of their race, color, gender identity, age, sexual orientation, national origin.

Harassment is covered under federal laws like Title VII of the 1964 Civil Rights Act, the Age Discrimination in Employment Act (ADEA), and the Americans with Disabilities Act (ADA). Title VII of the Civil Rights Act of 1964 prohibits discrimination in the workplace but does not contain an express prohibition against harassment. However, the Supreme Court has decided the statute prohibits various forms of harassment, including sexual harassment. Title VII of the Civil Rights Act of 1964 also prohibits employment decisions based on stereotypes and assumptions about abilities, traits, or the performance of individuals of certain racial groups. Additionally, Title VII prohibits both intentional discrimination and neutral job policies that disproportionately impact and exclude minorities.

Sexual Harassment

Sexual harassment is any unwanted sexual behavior that unreasonably interferes with work performance or creates a hostile, intimidating, or offensive work environment.

Sexual harassment appears as repeated or unwanted **verbal or physical sexual advances** or **sexually explicit statements** or remarks, which are offensive or objectionable, cause discomfort or humiliation, or interferes with work performance. Anyone, regardless of sex or gender, can be a victim of sexual harassment. The harasser can be male or female or have the same sex as the individual being harassed. For example, a man can harass another man, just as a woman can harass another woman. Additionally, individuals who witness harassment can be affected by the act, even if that person is not the intended focus of the harassment.

Harassment has no place in our society or in our workplace. However, studies reveal that many women — and an increasing number of men — have been sexually harassed during their careers. In fact, harassment claims continue to expand to include claims involving same-race harassment, same-sex harassment, sexual orientation harassment, gender harassment, and social media harassment.

Here are a few examples of verbal, non verbal, and physical sexual harassment you may encounter in the workplace:

- Unwelcome sexual advances or requests for sexual favors
- Unwanted touching or physical contact
- Sexual innuendos and comments, or sexually suggestive jokes
- Threats based on rejection of sexual advances
- Displays of sexually explicit or degrading materials (including posters, calendars, drawings, emails, screensavers, and more)
- Suggestive emails, text messages, or other communications
- Vulgar language or jokes about sex or gender
- Rumors about someone's sex life or use of sex to get ahead
- Comments about someone's appearance
- Conversations, questions, and stories about sex
- Sexual assault or rape

Sexual harassment is a violation of Title VII of the Civil Rights Act of 1964, which prohibits employers from discriminating against individuals based on their sex. According to the EEOC, there are two types of sexual harassment categories: *quid pro quo* and *hostile work environment*.

Quid pro quo, which means "this for that," is any unwanted conduct or sexual behavior by someone who is in a position of power or authority over another that requires submission from a worker as a condition of their employment. An example of quid pro quo harassment would be a supervisor threatening to fire an employee if he or she does not have sex with the supervisor.

Hostile work environment harassment refers to any unwanted conduct that interferes with the employee's ability to perform their job or creates intimidating, hostile, or offensive working conditions. Hostile work environments must be so severe and pervasive that a reasonable person would consider the working conditions abusive.

The EEOC and courts have determined that:

- A complainant does not have to prove they experienced psychological damage to prove that sexually offensive conduct created a hostile work environment.
- The employer is at fault if the harassment was severe and pervasive, and the employer knew or should have known and failed to take proper action to stop and remedy the harassment.
- An employer is strictly liable (automatically responsible) for a supervisor's conduct if the harasser was the victim's supervisor, and the harassment also culminated in a "tangible employment action," such as termination, a demotion, or a cut in pay or benefits.
- Women entering nontraditional jobs should not have to be subjected to an abusive work environment where rough language, dirty jokes, and hazing are pervasive. Courts have ruled that such gender-based harassment is illegal

Why Does Harassment Occur?

The most common motivation for sexual harassment is power, not sexual desire. Sexual harassment is caused by a desire to control another person or group of people by humiliating and demeaning them. As a result, most harassment victims are those who have the most to fear from losing their job or job benefits. Often, the most likely targets of harassment are working women who are still clustered in job positions at the lower end of the pay scale, where they are less likely to feel comfortable about coming forward with complaints.

Most sexual harassment goes unreported because victims are made to feel ashamed about what has happened to them. They are afraid of what others will say or that they will not be believed if they report the conduct. Even when the employer has a policy prohibiting sexual harassment, they may be afraid of being branded as "troublemakers" or facing retaliation. **Retaliatory harassment** is prohibited under federal law, whether it is in response to individuals filing a discrimination charge, for testifying or participating in an investigation, proceeding, or lawsuit; or for opposing employment practices that they reasonably believe discriminate against individuals. Yet, many victims either quit, take sick leave, or try to move to a different job rather than reporting the misconduct.

How to Handle a Sexual Harassment Complaint

You may have to confront sexual harassment in the workplace — either as a representative for members — or as an officer overseeing other officers and stewards. Employers must take steps to create a work environment where employees feel comfortable coming forward with sexual harassment complaints. We must take steps to ensure that when members come to CWA, they feel confident we can handle the situation with sensitivity and respect.

As a CWA officer, you must represent the complainant fairly, regardless of who the harasser may be. Harassers can be managers, coworkers, or customers. Either way, you must be prepared to take the situation seriously and know exactly how to handle the complaint.

If a member approaches you with a harassment complaint, you should:

1. Get the facts. Be objective and impartial. Find out the specific behavior of the harasser, if the member has complained to the supervisor or another representative of management, or if the member has filed a complaint according to company policy Get the time and places the harassment occurred, how long the problem has been going on and names of witnesses if any.

Find out if the member told the harasser the behavior was unwanted or complained to management. Federal law requires employers to have an anti-harassment policy that includes a process for filing complaints and effective remedies and guarantees against retaliation. Keep in mind that if the employer has a formal complaint process, the member should first make a complaint through the proper channels. Failure to make a complaint can be used as evidence to exempt the employer from liability.

2. It was probably difficult for the member to come to you with the problem, so your response will have a big effect on how comfortable they feel about getting it resolved. Ask questions, but be careful to watch your tone and how you ask them. For example, "Betty, I'm glad you came to me with this, I want to help you, but I need to ask you some questions and get some facts." Please do not say anything that suggests you do not believe them or think the situation is their fault.

Avoid asking questions like:

- Are you sure this really happened?
- What were you wearing?
- Are you sure you aren't overreacting or taking this too seriously?

Make sure they understand that you're only asking questions for clarity, context, and factual purposes.

- 3. Reassure the member this is not their fault, and they are not to blame. Explain that sexual harassment is a power play and an attempt to control or dominate another person. Power and aggression, not physical attraction or sexual desire, are the most common motivations for sexual harassment.
- 4. Advise the person to start keeping a diary or log of each occurrence. Include direct quotes, date, time, witnesses, descriptions of sexual pictures, etc. Make sure they keep the diary in a safe place.
- 5. Start an investigation into the complaint. It's important to try to gather sufficient facts to warrant presenting the complaint to management and/or filing a grievance on behalf of the employee.
- 6. Regardless of who is doing the harassing, management is responsible for providing a harassment-free work environment. Once you have all the facts, try to resolve the problem with management. Have an informal meeting with management to inform them of what is going on and demand the conduct stop immediately.

If you cannot resolve the problem informally, then promptly file a grievance. The contract article you should cite in the grievance is the non-discrimination clause (check your bargaining agreement for specific article number).

During the grievance meeting, explain to management that the member is bothered by this behavior, that it must stop, and as a union, we will not tolerate sexual harassment. If the harasser denies any intent, remember, sexual harassment is not about the harasser's intent, it is about how the conduct makes the other person feel. What matters is that the behavior affected the member, whether emotionally, mentally, physically, or financially and the harasser's actions must stop.

What About a Sexual Harassment Complaint Between Members?

In many instances, the harasser is a supervisor, and the complainant is a member. However, there are situations where the harasser or harassers are other union members.

If a fellow union member has perpetrated the harassment, the union must also represent that person to ensure that discipline was handled in accordance with the contract. In these cases, the steward may feel "caught in the middle," but there are appropriate ways to deal with the situation.

- If you observe any type of harassment, try to stop the conduct whether or not the member has complained. If this is unsuccessful, do not do or say anything that could be interpreted as condoning the harasser's behavior.
- If the member being harassed comes to you for help, ask them what a satisfactory remedy would be and try to resolve the complaint by talking to the harasser.
- If you cannot resolve the complaint, file a grievance and/or put management on notice about what is going on. Don't forget that the employer is responsible for providing a harassment-free environment.
- When the union also represents the harasser, make sure their rights under the collective bargaining agreement are protected. Use two stewards one to deal with each party.
- As an officer, you may want to designate specific stewards to take care of sexual harassment grievances. You should provide these stewards with additional training and let the members know they are available for sexual harassment complaints.
- If the complaint is between two local officers, do not hesitate to ask for assistance from your Staff Representative.

Other Common Forms of Harassment

Because many different characteristics identify us, harassment often intersects with other forms of discrimination based on race or ethnicity, sexual orientation, age, or disability. Intersectional harassment, which affects our most marginalized members, is exacerbated by racism and discrimination. For example, African American women experience harassment based on race and gender, and Mexican Americans are discriminated against based on the assumption of their legal status.

Unions are one of the best ways for working women and men to conquer harassment and discrimination from their workplaces. At CWA, one of the fundamental goals we strive for is respect and dignity for all individuals. To reach this goal, we must honor one another's inherent differences and strive for the inclusion of all people — regardless of race, color, sex, religion, age, marital/ parental status, sexual orientation, or national origin. We must also be proactive in fighting against this abuse and work diligently to eradicate all forms of harassment, including institutional and personal patterns that directly or indirectly cripple our ability to build worker power. Our goals and objectives seek to protect members and empower them to achieve a higher standard of living in all areas of their lives: social, intellectual, and moral. Our union grows stronger when we consciously work to welcome and include all members who represent our union's diversity.

Racial: Racial harassment is a form of discrimination that violates Title VII of the Civil Rights Act of 1964. The harassment involves unwelcome behavior such as verbal or physical conduct based on someone's race, color, or national origin. Employers cannot treat employees differently because of their racial or ethnic heritage, nor can they allow coworkers associated with the employee to do so. Racial harassment in the workplace is unlawful when the offensive conduct becomes a condition of continued employment or when the behavior is so severe or pervasive that a person would consider their workplace intimidating, hostile, or abusive.

Religion: Religious discrimination involves treating someone differently because of their religious beliefs and practices and/or requests for accommodation due to their religious beliefs and practices. It also includes treating someone differently because of their *lack* of religious belief or practice. Title VII of the Civil Rights Act of 1964 (Title VII) and the Religious Freedom Restoration Act of 1993 (RFRA) prohibit employers from engaging in religious discrimination in the workplace. These laws protect not only people who belong to religions or faiths like Christianity, Muslim, or Jewish but people of all faiths and religions.

Disability: The Americans with Disabilities Act (ADA) prohibits employers from discriminating against employees or applicants with disabilities in all aspects of employment, including hiring, wages, promotion, or termination. The ADA also prohibits employers from discriminating against an employee who has an immediate family member with a disability. Additionally, the ADA requires employers to provide reasonable accommodations to workers with disabilities. Some examples of disability discrimination include refusing to provide an accommodation to employees with a physical or mental disability, asking job applicants questions about their past or current medical conditions, and creating or maintaining a workplace that limits the movement of people with physical disabilities.

Age: Employers sometimes have negative attitudes towards older workers because of their age. The Age Discrimination in Employment Act (ADEA) prohibits employers from harassing or discriminating against individuals 40 years of age or older. Age discrimination persists even though older workers are not necessarily less healthy, less educated, less skillful, or productive than their younger counterparts. Older women often face intersectional harassment in employment because of their race, sex, and age.

Gender*: Gender discrimination involves treating someone unfavorably because of their gender. Please note that while most people use gender and sex interchangeably, sex refers to a person's anatomy, while gender is based on a range of characteristics that exclude anatomy. Examples of gender discrimination include being held to different or

higher standards, being evaluated harshly because of gender, or being treated differently because someone doesn't act or present themselves in a way that conforms to traditional ideas of femininity or masculinity.

*While gender is not a protected identity under federal law, as CWA leaders, it is our moral responsibility to protect the rights of every human being.

What Can You Do to Stop Harassment?

Harassment is dehumanizing and divisive, and as CWA leaders, we are committed to eliminating all forms of harassment from the workplace. Our strength is in our ability to band together and rebalance the power dynamic for working people. We have to promote a harassment-free environment both at the workplace and within the union.

CWA officers should:

- Educate members about harassment. Ensure they know their rights on the job and how to submit a harassment claim with the employer.
- Be knowledgeable of the employer's anti-harassment policy. If the employer does not have a harassment policy, meet with management to ensure the employer develops a policy and communicates it effectively to employees.
- Establish an anti-harassment policy in your local and distribute it to job stewards and the membership
- When sexual harassment does occur, act to protect members by offering support and investigating and processing appropriate grievances.
- Assist members if they wish to file a complaint with the Equal Employment Opportunities Commission (EEOC)
- Partner with broader social movements for gender, racial, and economic justice. Local women's rights groups and other community organizations with specialized knowledge and training can help you to develop safe spaces for members to discuss and address the issue.

CHAPTER 27: The Union Operating Procedures Manual (UOPM)



Young CWAer on the picket line

The Union Operating Procedures Manual (UOPM)

The CWA Union Operating Procedures Manual (UOPM) contains information critical to running a local union. The UOPM contains information on local office operations, charters, bylaws, federal reports, CWA publications, local trials, appeals, jurisdiction disputes and much more.

The UOPM is available online at <u>www.cwa-union.org/uopm</u> and all topics are searchable. The UOPM is updated periodically, we are printing the current index here for your reference.

MAJOR SECTIONS

Part I. CWA

Part II. Local Officers
Part III. Organizing
Part IV. Local Finances
Part V. Federal Reporting
Part VI. Record Retention

Part VII. Local Meetings

Part VIII. Membership Database and Dues Processing System

Part IX. Membership Dues
Part X. Local Elections
Part XI. Bond Coverage

Part XII. Local Charters/Jurisdiction

Part XIII. Local Bylaws

Part XIV. CWA Local Forms

Part XV. Local Trials and Appeals; Internal Appeal Procedures; Reinstatement

Procedure; and Member Discipline

Part XVI. Retirees

Part XVII. Union Security Agreements and Agency Fee Objections

Part XVIII. Strike Manual

Part XIX. Members' Relief Fund, Strategic Industry Fund and Growth Fund

Part XX. CWA Materials Website
Part XXI. CWA Logo and Union Label



Standing for justice at Wells Fargo

CHAPTER 28: CWA Forms



Flight attendants fight for federal relief during the COVID-19 pandemic



IUE-CWA members fight back against layoffs

CWA Forms

Forms

Form:		Form Number: Mail To:	
1.	Deduction of per capita and defense fund for make-up dues paid directly to local	MLO-80	 International Union c/o CWA Membership & Finance
2.	Request deduction of per capita dues for workers who pay dues directly to local on ongoing basis	MLO-81	 International Union c/o CWA Membership & Finance
3.	NABET-CWA Outgoing Members	MLO-91	International Union c/o CWA Membership & Finance
4.	NABET-CWA Transfer Request Form	MLO-99	International Union c/o CWA Membership & Finance
5.	Report changes to Local Bylaws	MLO-110	 International Union District Office Bureau of Labor Management Reports IRS with LM Report
6.	Request new or change in dues or initiation fee to employer	MLO-111	District Office (Form must be approved by CWA Staff)
7.	Apply for a new or revised Local Charter	MLO-112	District Office (Form must be approved by District Vice President)

Form:

Form Number: Mail To:

8.	Waive Local jurisdiction over a group because: Decertification, employer went out of business, inability to secure contract Turning over group to another local. Local is going to merge with another local.		District Office (Form must be approved by District Vice President)
9.	Expand its assigned jurisdiction in order to: Take in a group not presently assigned to another local or newly organized unit. Take portion of the jurisdiction waived by another local. Merge with another local that is waiving their entire jurisdiction.	MLO-114	District Office (Form must be approved by District Vice President)
10.	NABET-CWA Incoming Members	MLO-118	 International Union c/o CWA Membership & Finance
11.	Member Status Change Notification Member to Non-Member/ Agency Fee Payer	MLO-120	 International Union c/o CWA Membership & Finance
12.	Report local discrepancies in Membership Dues Report involving jurisdiction only.	MLO-121	District Dues Coordinator
13.	Request or cancel specific deductions from monthly dues remittance check for CWA projects/programs. For example, State political councils, etc.	MLO-124	 International Union c/o CWA Membership & Finance
14.	Set up a Direct Deposit Authorization for Local Dues Remittance	MLO-125	 International Union c/o CWA Membership & Finance
15.	Request a Dues Split Change	MLO-126	• District Office (Form must be approved Sector office)

Form: Form Number: Mail To: 16. IUE-CWA Administrative Option for MLO-127 IUE Sector Office Flat Rate Dues Structure (Form must be approved Sector office) 17. Supply a small employer with a MLO-504 Employer standard reporting form. 18. Organizing New Project Notice Form 2 Local/District Organizer 19. Organizing Project Dropped Notice Form 3 Local/District Organizer 20. Organizing Progress Report Form 4 Local/District Organizer 21. Request for Organizing Funds Form 8 Local/District Organizer 22. Project Completion Notice Form 9 International Union c/o CWA Membership & Finance International Union 23. Organizing Change/Deletion Notice Form 9A c/o CWA Membership & Finance 24. Organizing Decertification Form 10 Local/District Organizer **Quarterly Report** 25. Organizing Representation Form 0-100 Local/District Organizer **Authorization Card** 26. CWA Members' Relief Fund DFR-1 District Fund Agent **Authorization Card** 27. CWA Members' Relief Fund DFR-2 District Fund Agent Reimbursement and Reporting Form 28. Striker's Assistance Record DFR-4 Local internal use

DFR-5-1

29. Strikers' Application for Assistance

Local internal use

Form Number: Mail To:

30.	CWA Strike Counsellors' Data and Recommendations	DFR-5-2	• Local internal use
31.	Local Expense Voucher	H-100	• Local internal use
32.	Monthly Credit Card Expense Report	H-101	• Local internal use
33.	Retired Members' Council Lifetime Membership Application	RMC-01	• International Union c/o Retired Members Council
34.	Retired Members' Council RMC Lifetime Membership Gifted & Retiree Chapter Membership Application	RMC-02	International Union c/o Retired Members Council
35.	Retired Members' Council Chapter Membership Updates	RMC-03	• International Union c/o Retired Members Council
36.	Labor Organization Bond Coverage Request for Retired Members' Chapters	RMC-04	 International Union c/o Compliance Department
37.	Retired Members' Council Request for Information	RMC-05	• International Union c/o Retired Members Council
38.	Retired Members' Card Program	RMC-06	 International Union c/o CWA Office of Special Programs
39.	Application for Charter CWA Retired Members' Council	RMC-07	• International Union c/o Retired Members Council
40.	CWA Retired Members' Chapter Officer Update	RMC-08	• International Union c/o Retired Members Council
41.	Local authorization for dues remittance	10.1.5A	International Union
42.	Request for dues split UOPM section	10.1.1A	• International Union

For these, and all other forms, visit the CWA website at <u>cwa-union.org/for-locals/forms</u>.

CHAPTER 29: Checklist of Federal Government Required Forms and Reports



District 4 members hold AT&T Mobility accountable

Checklist of Federal Government Required Forms and Reports

REPORT/FORM	WHO MUST FILE	LOCAL OFFICER Responsible	GOVERNMENT FILING DEADLINE
Form LM-1	All newly chartered labor organizations	Treasurer	90 days from date of charter (NOT 3 months)
Report LM-1A	Any labor organization with changes in either their Constitution and Bylaws and/or practices and procedures	Secretary and President	Attached to and filed with LM-2 or LM-3
Report LM-2	Labor organizations with total receipts \$250,000 or more per year. Must attach Bylaw amendments.	Treasurer and President	Within 90 days after the end of the fiscal year (NOT 3 months)
Report LM-3	Labor organizations with total receipts under \$250,000 per year and more. \$10,000. Must attach Bylaw Amendments.	Treasurer and President	Same as Above
Report LM-4	Labor organizations with total annual receipts of less than \$10,000	Treasurer and President	Same as Above
Form 940 Federal Unemployment Tax Return	Labor organizations with full-time or part-time employees or paying lost time	Treasurer	Form 940 must be filed by the following January 31 Taxes will be paid using Form 8109
Form 941 Employer's Federal Tax Return	Locals with full-time or part-time employees or paying lost wages	Treasurer	Due quarterly: April 30, July 31, October 31, January 31

REPORT/FORM	WHO MUST FILE	LOCAL OFFICER Responsible	GOVERNMENT FILING DEADLINE
Form 990 Return of Organizations Exempt From Income Tax	All Locals with either 1) gross receipts greater than or equal to \$200,000 OR 2) total assets greater than or equal to \$500,000	Treasurer	On or before the 15th day of the 5th month following the close of the Local's fiscal year
Form 990-EZ	Locals may choose to file Form 990-EZ if the Local's gross receipts are less than \$200,000 AND total assets at the end of the tax year are less then \$500,000	Treasurer	On or before the 15th day of the 5th month following the close of the Local's fiscal year
Form 990-N	Locals that normally has gross receipts of \$50,000 or less.	Treasurer	On or before the 15th day of the 5th month following the close of the Local's fiscal year
Form 990-T	Any Local with unrelated business or trade income of \$1,000 or more. For example: rental income.	Treasurer	15th day of the 5th month after the end of the tax year
Form 1094-C Transmittal Employer- Provided Health Insurance and Coverage Information Returns	All Locals with 50 or more full-time employees (including full-time equivalent employees) in the previous year	Treasurer	February 28th or March 31st if filling electronically
Form 1095-C Employer Provided Health Insurance Offer and Coverage	All locals with 50 or more full-time employees (including full-time equivalent employees) in the previous year	Treasurer	Due to employees by January 31 Due to IRS by February 28
Form 1096	Used solely for purpose of transmitting Form 1099 to the IRS	Treasurer	Date Due to IRS February 28

REPORT/FORM	WHO MUST FILE	LOCAL OFFICER Responsible	GOVERNMENT FILING DEADLINE
Form 1099 Statement for Recipients of Miscellaneous Income	Payments (including strike benefits) for services performed for a trade or business by people not treated as its employees.	Treasurer	Must give form to individual by January 31
Form 1120-POL*	Any Local with a Political Action Committee with taxable income after taking the \$100 specific deductions for taxable year.	Treasurer	File by the 15th day of the 3rd month after the end of the tax year
Form I-9 Employment Verification	All new employees must complete at time of hiring.		Retain I-9 form for three years from date of hiring or one year after date of termination, whichever is later
Form W-2 Wage and Tax Statement	All Locals who have paid wages within the calendar year.		Due to employees by January 31 Due to the Social Security Administration by February 28
Form W-3 Transmittal of Income Tax Statement	All Locals required to file W-2.		February 28
Form W-4 Employee's Withholding Certificate	All employees.		Retain unless employee claims more than 10 Federal exemptions or, if an employee claims exemption from all Federal taxes and can be expected to earn more than \$200 per week, then a copy of the W-4 must be filed with the next quarter's Form 941

 $^{^{\}star}$ Transfers to CWA-COPE or CWA-COPE PCC do not qualify as a political contribution and are exempt from consideration of this tax.



Newly organized members of the NewsGuild at the Chicago Tribune

CHAPTER 30: Online Communications for Locals



Young CWA activists marching

Online Communications for Locals

Email, text messages, social media, websites and other online tools are a critical part of the way we communicate with each other. Members expect to be able to reach their local online and to receive important information digitally.

Our *Communications During Collective Bargaining* guide, available for download at <u>cwa.org/guides</u>, provides information on how to set up an effective online communications structure for mobilization and bargaining.

To support this important work, CWA offers free online communications tools to all locals for creating and hosting websites, sending blast emails and text, creating online advocacy campaigns, and more.

UnionHall: Free Website Creation and Hosting

- Simple user interface for posting content.
- Integrated with Action Network (see below).
- Mobile-friendly.
- No advertising developed by AFL-CIO.
- No tech skills required to maintain website.
- Free training and support.

Signup for your free UnionHall local website at <u>CWA.org/localtools</u>







ActionNetwork: Free Email, Mobile Messaging, Actions and Events Tool

- Manage member and supporter lists.
- Send email newsletters, announcements and bargaining updates.
- Send out text blasts.
- Create online actions like petitions and letter campaigns to elected officials, company executives and other decision-makers.
- Build signup forms.
- Collect event RSVPs.
- Free training and support.



Signup for your free Action Network account at

CWA.org/localtools

Social Media

Social media is a powerful tool to reach members and get our message in front of more people.

If you want guidance on using social media, please feel free to reach out to commshelp@cwa-union.org

Follow CWA on Social Media

Facebook: facebook.com/cwaunion **Twitter/X:** twitter.com/cwaunion

YouTube: youtube.com/user/cwaunion Instagram: instagram.com/cwaunion

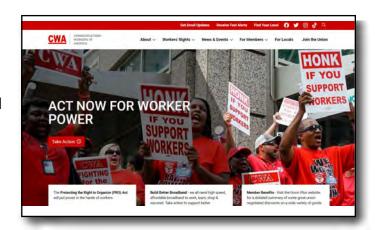
TikTok: tiktok.com/@cwaunion

Connect with CWA

CWA provides several ways for members, leaders and coalition partners to stay up-todate with the latest news and information.

CWA Website

CWA.org is our hub for news and information about CWA. The website includes the latest news as well as resources for local officers, forms, and documents like the CWA Constitution. To learn how to display the most recent stories from the CWA website on your local website, visit CWA.org/localtools.



CWA e-Newsletter (weekly)

Published every Thursday, the CWA e-Newsletter highlights the latest information important to CWA members and activists. Visit *CWA.org/enewsletter* to subscribe. All activists and stewards should subscribe to the e-Newsletter.



Rapid Response Text List

Receive CWA action alerts via text message by texting **CWAAction** to 49484 or enter your mobile phone number and name on our form at **CWA.org/connect-phone**.

Recurring messages. Reply STOP to cancel. Message and data rates may apply. DO NOT USE YOUR COMPANY CELL PHONE. See our Terms and Conditions (cwa.org/termsandconditions) and Privacy Policy (cwa.org/privacy).

CWA STRONG Mobile App

Stay CWA STRONG with our mobile app!
Get news and alerts from CWA, keep track of events near you and check out photos from other CWA members. Get more information and download the app at *CWA.org/app-info*.



CHAPTER 31: CWA/NETT Academy

Your professional training and personal enrichment center

CWA Online Training For The Union...By The Union

Workplace change is constant, especially in communications and media fields. That's why your union created CWA/NETT — to help strengthen CWA members' job security and spur career advancement through the best technical training around.

It's the only program designed exclusively for CWA members and their families and operated on a not-for-profit basis. That means more courses for your CWA-negotiated training dollars than you would get from money-making vendors.

CWA/NETT is a comprehensive learning experience, offering everything from individual skill classes to career-building certifications, test preparation, even an Associates' Degree program. And no other program can boast a partnership with the world's leader in IT network development and training, Cisco Systems.

In addition, free access to a vast library of video tutorials helps you and your whole family learn about the array of software that constitutes the "new literacy" of today's digital world.

Through CWA/NETT, members have discovered the convenience of distance learning — online instruction that lets you learn at your own pace. At the same time, you get even more personalized support from CWA/NETT's professional training staff than you would get from on-site "cram course" instruction from an outside commercial program. CWA/NETT instructors are always available by

email, text or phone — both during training and as a followup if you

have questions down the road.

www.cwanett.org

CWA Members Really Like Our Instructors!

"A group of us sought additional Fiber Optic training that would expand on our company's training, which was not really sufficient for field work.

The course from CWA/NETT greatly increased our knowledge far beyond what we learned in the Company's program. We use that knowledge almost on a daily basis, and it has been highly beneficial to me.

Couldn't be more pleased with the course and our instructor. Our group is now signed up to start more advanced courses at CWA/NETT."

MIKE DICKERSON

Local 2007

Frontier, Summersville, WV



What sets CWA/NETT Academy apart

First of all, CWA/NETT Academy is the only education and training program developed by CWA and designed specifically for the needs of our members and their families.

Unlike competing training programs, which are money-making ventures, CWA/NETT Academy is a non-profit program supported by CWA to help keep instruction costs low — about one-third the cost of commercial courses.

What does that mean? Your negotiated training dollars would probably cover only one course per year with one of the for-profit vendors. You get more training for the money — whether from negotiated training benefits or from your own pocket — with CWA/NETT Academy. And you don't sacrifice quality — in fact, quite the opposite.

CWA/NETT instructors are experienced professional educators located at the campus of Bismarck State College. Their hands-on and virtual labs, online degree programs and classes, state-of-the-art computer labs and the e-book revolution ensure that BSC provides the technologies you'll need to thrive.

By contrast, one of the largest commercial training competitors to CWA/NETT solicits its non-professional instructors from its website and qualifies them as instructors after merely a 2-day "train-the-trainer" workshop.

Learn at your own pace — with personalized support

Instead of attending brief group-training "cram courses," with CWA/NETT you have the convenience of online distance learning. You pursue your instruction in your free time, at your own speed, using well designed, success-proven training modules. Even lab work is done in a "virtual" online mode — no need to travel to brick-and-mortar lab sites.

And you actually get more one-to-one support and feedback from CWA/NETT instructors than you would in an intense couple-days classroom program. The instruction professionals at Bismarck State are available by phone and email to answer your questions and offer their guidance whenever you need it.

New Skills for the 'New Literacy' - Lynda.com



It's widely recognized today that there's a new definition of literacy for the digital age. The "3R's" alone aren't enough to succeed in school or the workplace anymore — or even to move confidently through daily life in a tech-driven world. (Do you speak Excel, PowerPoint and Quicken? Can you use a smart phone and post videos to YouTube?)

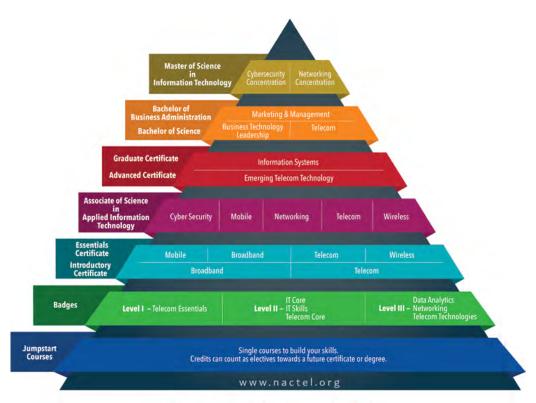
Registering with CWA/NETT can immediately help your whole family learn the skills for the "new literacy." Besides CWA/NETT's career-building technical courses and certifications, the program also offers free access to an extensive library of video tutorials covering computer basics and popular home and office software.

At the CWA/NETT website, you can register and begin viewing teaching videos right away at the acclaimed online learning site, <u>Lynda.com</u>. While a subscription to <u>Lynda.com</u> usually costs at least \$250 a year, through a special arrangement with CWA/NETT there's no charge for CWA members.

Lynda.com has something for people of all ages and levels of computer experience among the more than 5,000 videos and 600 courses offered.

Whether you just want to learn the basics of using social networking sites like Twitter and Facebook, or whether you want to delve in-depth into website design or video editing or advanced Photoshop techniques, it's all there.

You can watch one video at a time, or a whole course. As you view the videos, you can play, pause and rewind — learn at your own comfortable pace.







CHAPTER 32: Training Reaction Form



Members at NABET rally against corporate greed

Training Reaction Form

CWA Officer's Participation Reaction Form

Location of Prog	ram _										
Dates of Progran	n										
Local Position _											
Please complete reaction that bes training needs of Thank you.	t desc	cribes	how	you fe	eel. Yo						
1. How val	uabl	le wa	s th	e off	icer'	's tra	inin	g for	you	?	
not valuable	1	2	3	4	5	6	7	8	9	10	very valuable
2. Did you	find	the	"Loc	cal O	ffice	ers' F	Reso	urce	Maı	nual"	useful?
not valuable	1	2	3	4	5	6	7	8	9	10	very valuable

Primary Roles of Local Officers	Understanding Arbitration
CWA STRONG	Local President
CWA Organization	Treasurer
CWA Constitution	Local Secretary
The Role Local Bylaws Play	Enforcing Union Security
Financial Responsibilities of Local Officers	Agreements and Agency Fee Objections
Setting Goals/Budget	Retiree Activism
Running Effective Meetings &	Preventing Decertification
Using Parliamentary Procedure	Members' Relief Fund
Workplace Stewards	Sexual Harassment
CWA Human Rights Program	The Uniform Operating Practices Manual (UOPM)
Occupational Safety and HealthLegislation and Politics	CWA Forms
Legislation and Politics Collective Bargaining	Checklist of Federal Government Required Forms and Reports
Local Union Committees	Online Communications for Locals
Organizing	CWA/NETT Academy
Internal Organizing	Training Reaction Form
Welcoming New Workers	Training Neaction Form
Vhat additional topics would you	like to see added to this training?

5.	What suggestions do you have to make this training better?
) .	What are your impressions and feelings now that you have completed this training?

APPENDIX: Model Contract Language

Appendix: Model Contract Language

- 1. The Company shall furnish the Union a monthly statement within ten days of the close of the calendar month. The statement will be sent in electronic format, including the following information for all employees in the bargaining unit on file:
 - First name, last name, and middle initial (when applicable)
 - · Amount of dues or fees deducted
 - · Payroll ID or other unique identifier that is consistent across all data requests
 - Rate of Pay
 - Job classification or title
 - Regular Work location
 - Reporting Location
 - Shift
 - Mailing address, including City, State and ZIP
 - NCS or hire date
 - Local Union number (If there are multiple locals under the contract)
 - Personal Email Address
 - Personal Home and Cell Phone Number
 - Birthdate
 - Status (Active, FMLA, Leave of Absence, Resignations, retirements, deaths, other revisions, etc.) with a notation of members who have left the unit due to terminations, transfers, or promotions.

In addition, the statement will include Bargaining Unit employees for whom the Company has not made a dues or fees deduction with an appropriate explanation (i.e., "on leave," "no shifts worked," etc.). The statement will note or explain changes such as new hires, pay increases, leaves of absence, returns from leave, change of address, termination of employment, etc.

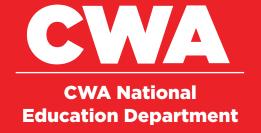
Appendix: Model Contract Language

- 2. Within one week after the hiring of a new employee, the Company shall furnish the Union in writing with the data specified in Section 1 for each new employee.
- 3. The Union and the Company shall keep each other currently informed of their respective duly authorized representative and shall promptly notify each other of any change in such representatives.
- 4. The information listed above will be taken from Company records or databases, including but not limited to supervisory and Human Resources forms and databases and will be furnished on a timely basis; however, the Union recognizes that errors and delays may and will occur and in using the information provided, assumes all risks associated in addition to that.
- 5. The Union agrees to notify the Company of mass changes of deduction amount 90 days or more before the month in which such changes are to occur.

Political Action Fund contributions

- 1. The company and the union shall provide for a program and procedure whereby eligible Employees of the Company may make voluntary contributions through payroll deductions to CWA's Political Action Fund (PAF), a separately segregated political action committee sponsored by the union.
- 2. Eligibility to participate in contribution to PAF through the payroll deduction program is restricted to those employees of the Company who are certified by the Union as eligible to participate under applicable federal and state laws.
- Participation by any such employees shall be voluntary, and employees shall be informed by the person soliciting their participation on behalf of the Union. The Union shall notify the Company promptly when any such employee is no longer eligible to participate.

Notes



COMMUNICATIONS WORKERS OF AMERICA

501 3RD ST NW, WASHINGTON, DC 20001 WWW.CWA-UNION.ORG