

**BYLAWS OF THE
COMMUNICATIONS WORKERS OF AMERICA
LOCAL 7476**

ARTICLE I – NAME

This Local shall be known as Local 7476, Communications Workers of America. The term “Union”, as used in these bylaws, shall mean the Communications Workers of America and shall be identified by the initials C.W.A.

ARTICLE II – JURISDICTION

Jurisdiction of this Local shall be the jurisdiction assigned by the Union and appearing on the face of the Local charter, which is as follows:

“Over all work performed by employees eligible for Union membership who are employed by: Midwest Energy and Black Hills Gas Distribution, L.L.C.; and such other jurisdiction as may be assigned by the Executive Board of the Union.”

ARTICLE III – OBJECTS

The objects of Local 7476 shall be to represent and serve the workers within its jurisdiction in accordance with the bylaws and rules of the Local and the Constitution and policies of the Union.

ARTICLE IV – LOCAL STRUCTURE

The structure of the Local shall consist of the following:

- (a) The Membership
- (b) Stewards
- (c) The General Policy Committee
- (d) Committees
- (e) Executive Board
- (f) The Officers

ARTICLE V – GOVERNING AUTHORITY

The affairs of this Local shall be governed by its membership in accordance with the bylaws of this Local, and the Constitution and policies of the Union in the following manner:

- (a) Through action taken by the General Policy Committee.
- (b) Through action of the Executive Board exercising the authority of the General Policy Committee between meetings of the General Policy Committee in accordance with the bylaws of the Local.
- (c) Through action of the President as principal executive officer of the Local who shall have the authority to carry out the policies of the Local in accordance with the mandates of the General Policy Committee and the Executive Board.
- (d) All actions and decisions of the General Policy Committee, the Executive Board, the Officers, or the Committees of the Local are subject to appeal by the membership.

ARTICLE VI – MEMBERSHIP

Section 1: Eligibility

Any person eligible to membership in the Communications Workers of America, as defined in Article V, Section 1, of the Constitution, shall be eligible for membership in this Local if performing work within the Local’s assigned jurisdiction, or if employed on a part-time or full-time basis by the Union.

Section 2: Application

Membership in the Local shall be obtained after payment of the Local initiation fee of \$2.00 and upon the approval of any Membership Committee authorized to accept or reject membership on behalf of the Local.

Section 3: Transfers

The transfer of membership from this Local to the jurisdiction of another Local and from another Local to the jurisdiction of this Local shall be made in accordance with Article V, Section 3, of the Constitution.

Section 4: Termination

Termination shall be in accordance with Article V, Section 4, of the Constitution.

ARTICLE VII – LOCAL DUES, FINES AND ASSESSMENTS

Section 1: Local Membership Dues

Each member of the Local shall pay membership dues in the amount of one and five-tenths percent (1.5%) per month of their total wages or a minimum of two (2) hours pay per month, whichever amount is larger.

Membership dues may be changed by:

- (a) A majority of those voting on the question by secret ballot referendum, or
- (b) By a majority secret ballot vote in a meeting where a quorum is present if the question has been advertised on bulletin boards at least seven (7) days in advance of the meeting, or by notice mailed postage prepaid to each member at least seven (7) days in advance of the meeting.

Section 2: Local Special Assessments

The membership of the Local may levy a special assessment in the same manner as provided for changing Local dues. However, any special assessments levied shall be in compliance with Article VI, Section 3, of the Constitution.

ARTICLE VIII – MEETINGS

Section 1: General Membership Meetings

- (a) Group meetings of this Local shall be held at least every four (4) months.
- (b) Group meetings may be held at one or more locations within the area of the Local's jurisdiction, provided each location so designated meets with the approval of that part of the Local membership who would attend the meetings at that location.
- (c) Meetings of each designated location may be held at different times of the day and as many times during the day as may be appropriate or desirable for each location.
- (d) A general membership meeting of this Local shall be considered held when group meetings have been completed at all designated locations. The result of voting at all locations on any question shall have the same effect as if the total members present at the various locations were present at one meeting.

Section 2: Special General Membership Meetings

Special general membership meetings may be called by a majority vote of the Executive Board, and must be called upon the receipt of a proper petition signed by ten percent (10%) of the Local members. Upon receipt of a proper petition, the President shall call a special general membership meeting within fifteen (15) days to convene at one time at one central location within the Local's jurisdiction to transact the business or review the matters set forth in the petition.

Section 3: Executive Board Meetings

The Executive Board shall meet at least once every three (3) months, or as directed by the Executive Board or as deemed necessary by the President.

Section 4: General Policy Committee Meetings

Meetings of the General Policy Committee will be held at least once a year, or as deemed necessary by the Executive Board or the General Policy Committee.

Section 5: Group Meetings (Territorial, Stewards, Departmental, etc.)

Group meetings may be called and held by any group in any locality at such intervals as members may desire. These meetings may be conducted by a Steward or member to discuss any question pertinent to the group, member, locality, or of a general nature. These group meetings shall not decide Local policy but may form and forward resolutions and motions to be acted upon by the General Policy Committee.

ARTICLE IX – CONDUCT OF MEETINGS AND QUORUM

Section 1:

General Policy Committee meetings and membership meetings of this Local shall be conducted under these bylaws and rules of the Local and in conformity with the Constitution. On questions where the Local bylaws, the Local rules or the Constitution do not clearly apply, Robert’s Rules of Order shall govern.

Section 2:

The number constituting a quorum for general membership or special general membership or group membership meetings shall be the members of the group involved in attendance at the meeting.

Section 3:

The number constituting a quorum for the General Policy Committee meetings shall be a majority of the Representative. Each General Policy Committee Representative shall have one (1) vote except on a roll call vote. A roll call vote of the General Policy Committee must be held upon request of twenty percent (20%) of the Representatives present. Each Representative shall vote the number of members he represents on a roll call vote.

Section 4:

A majority of the Executive Board or a majority of the members of a committee, or trial court, shall constitute a quorum for these bodies.

ARTICLE X – ORDER OF BUSINESS

Section 1:

The order of business of a General Policy Committee meeting and a general membership, or special general membership meeting shall be as follows:

- (a) Call to order
- (b) Roll Call (optional)
- (c) Reading and action on minutes of previous meeting
- (d) Report of Officers
- (e) Report of Committees
- (f) Unfinished business
- (g) New business
- (h) Adjournment

Section 2:

The order of business may be suspended by a two-thirds (2/3) vote of the members present.

ARTICLE XI – REFERENDUM OF THE LOCAL

Section 1:

The Election Committee shall submit any question to a referendum of the membership when directed to do so by the General Policy Committee or a general membership or a special general membership meeting.

Section 2:

Propositions submitted to referendum shall be determined by a majority of those voting on the question.

ARTICLE XII – CHARGES, TRIALS AND APPEALS

Section 1: Charges

Members and Officers of this Local may be fined, suspended or expelled for any of the acts enumerated in Article XIX of the Constitution.

Section 2: Trials

Any accused person shall be tried under the provisions of Article XXI of the Constitution.

Section 3: Appeals

A member or Officer of the Local, upon being found guilty by a Local Trial Court, may appeal as provided in Article XXI, Section 4, of the Constitution.

Section 4: Local Trial Court

- (a) A trial court of this Local shall be composed of five (5) persons who shall be members of the Local and not parties to the proceedings.
- (b) Members of the trial court shall be selected by the President, with the approval of the Executive Board of the Local, and subject to approval of the membership of the Local.

ARTICLE XIII – DUTIES OF GENERAL POLICY COMMITTEE, EXECUTIVE BOARD AND STEWARDS

Section 1: Duties of General Policy Committee

- (a) Act on all motions and resolutions
- (b) Amend bylaws or submit bylaw changes to the Local
- (c) Establish rules for the Local
- (d) Review and recommend bargaining issues
- (e) Advise on finances
- (f) Such other duties necessary for the operation of the Local

Section 2: Duties of the Executive Board

- (a) Be present at all meetings of the General Policy Committee
- (b) Call meetings of the General Policy Committee
- (c) Execute the mandates of the General Policy Committee
- (d) Act on all matters between the meetings of the General Policy Committee

Section 3: Duties of Officers, Executive Board Members & General Policy Committee Representatives

- (a) President – The President shall:
 - (1) Preside at the Executive Board meetings, General Policy Committee and general membership or special general membership meetings of the Local, and shall be responsible for the conduct of the affairs of the Local, including the prosecution and appeal of grievances, and the supervision of all committees of the Local except the General Policy Committee;
 - (2) Be bonded and approve all bills to be paid by the Treasurer, or Secretary Treasurer, and countersign checks drawn on the treasury of the Local;

- (3) Have such additional duties as assigned by the General Policy Committee, the Executive Board, or required by the Constitution or policies of the Union;
 - (4) Be a member of the Executive Board;
 - (5) Have the authority to act on any manner on which a policy has not been established by the General Policy Committee or the Executive Board;
 - (6) Be a delegate, and Chairman of the delegation to CWA conventions.
- (b) Executive Vice President – The Executive Vice President shall:
- (1) Work under the direction of the President and shall perform all duties assigned by the President, the General Policy Committee, or the Executive Board;
 - (2) Be a member of the Executive Board;
 - (3) Be a delegate to CWA conventions.
- (c) Vice Presidents – The Vice Presidents shall:
- (1) Work under the direction of the President and shall perform all duties assigned by the President, the General Policy Committee, or the Executive Board;
 - (2) Be a member of the Executive Board.
- (d) Secretary – The Secretary shall:
- (1) Maintain a record of the Local membership and a record of the minutes of all general membership, special general membership, Executive Board, and General Policy Committee meetings;
 - (2) Furnish both the District Vice President and Secretary-Treasurer of the Union with two (2) copies of any changes in the Local bylaws within ten (10) days after such changes are made;
 - (3) Be responsible for furnishing the Secretary-Treasurer of the Union with all the proper forms signed by Local officers which are required by State and Federal laws upon their execution;
 - (4) Keep all ballots for one (1) year when they may be destroyed unless a member, or group of members, has challenged the results of any election or balloting. If challenged, the ballots shall be kept until the challenge is resolved;
 - (5) Perform such other duties as assigned by the President, the General Policy Committee, or the Executive Board;
 - (6) Be a member of the Executive Board;
 - (7) Be a delegate to the CWA conventions.
- (e) Treasurer – The Treasurer shall:
- (1) Be bonded in accordance with the Constitution and any State or Federal law, and shall be custodian of all the assets of the Local, and furnish a monthly financial report to the Local officers, and an annual report to the membership. Any other person who handles Local funds or other property shall be bonded in accordance with the Constitution and any State or Federal law;
 - (2) Cause the payment of all bills approved by the President;
 - (3) Perform such other duties as assigned by the President, General Policy Committee, or the Executive Board;
 - (4) Be a delegate to the CWA conventions.
- (f) Secretary-Treasurer – The Secretary-Treasurer shall:
- (1) Perform those duties of the Secretary and the Treasurer, as listed herein, if these offices combined can most economically and efficiently perform these functions for the Local.
- (g) Executive Board Members shall:

- (1) Act under the direction of the President and perform such duties as may be assigned by the President or the Executive Board.
- (h) General Policy Committee Representatives shall:
 - (1) Act under the direction of his Executive Board Member.

Section 4: *Stewards of the Local and Their Duties*

- (a) This Local shall have as many Stewards as may be appointed by the President with approval of the force group involved.
- (b) The Stewards of the Local shall work under the direction of the President, the Executive Board Member, and the General Policy Committee Representative.

ARTICLE XIV – NOMINATIONS AND ELECTIONS

Section 1: *Nominations*

Nominations for President, Executive Vice President, Vice Presidents, Secretary, Treasurer, or Secretary-Treasurer, Executive Board Members and General Policy Committee Representatives shall be made during the months of September, October, November and December, by one of the following methods:

- (a) By secret ballot at a general membership meeting;
- (b) From the floor or a general membership meeting;
- (c) By a referendum of the membership;
- (d) By a Nominating Committee appointed by the President, subject to the approval of the Executive Board. The report of the Nominating Committee shall be presented to a general membership meeting where it may be amended by nominations on the floor.
- (e) By electronic means.

Section 2: *Elections*

- (a) Election of the President, Executive Vice President, Vice Presidents, Secretary, Treasurer, or Secretary-Treasurer, and Executive Board Members, shall be by secret ballot in every third year. The order of elections will be:
 - (1) President, Executive Vice President, Vice Presidents, Secretary, Treasurer, or Secretary-Treasurer, in the year 1981 and every three (3) years thereafter.
 - (2) Election of Executive Board Members will be for one (1) year in 1982 and commencing in 1983 will be every three (3) years thereafter.
 - (3) General Policy Committee Representatives will be for one (1) year in 1982 and commencing in 1983 will be every three (3) years thereafter.
- (b) The elections will be during the months of September, October, November, and December by one of the following methods:
 - (1) Balloting by U.S. Mail;
 - (2) Balloting by the use of established polling places (ballot boxes);
 - (3) By secret ballot cast in a general membership meeting; provided that the membership has been notified by U.S. Mail, postage prepaid, at least fifteen (15) days in advance of the meeting where elections will be held.
 - (4) By electronic means.
- (c) The ballot for the office of President, Executive Vice President, and Secretary-Treasurer shall indicate:

“The nomination of a person or a vote cast for the office of President, Executive Vice President, or Secretary-Treasurer shall also constitute the nomination or vote for the same person as a delegate to CWA conventions held during the term of office for which the election is being conducted.”

- (d) One Vice President shall be nominated and elected by each of the following divisions:
 - (1) A – Albion, Hastings, Holdrege
 - (2) B – Casper, Laramie, Scottsbluff, Sidney
 - (3) C – Midwest Energy, Inc (Colby, Phillipsburg)

Section 3: Executive Board Members

One (1) Executive Board Member shall be nominated and elected by each of the following groups:

- (a) Albion Division
- (b) Hastings Division
- (c) Holdrege Division
- (d) Scottsbluff Division
- (e) Sidney Division
- (f) Casper Division
- (g) Laramie Division
- (h) Colby Division
- (i) Phillipsburg Division

Section 4: General Policy Committee

The General Policy Committee Members shall be nominated and elected by each of the groups designated in the Local's Operating Practice #1. The Operating Practice may be amended by the Executive Board subject to approval of the General Policy Committee.

Section 5: General Provisions

- (a) The nominee in any election receiving the majority of the votes cast shall be declared elected. If no one nominee has a majority on the first ballot, the two (2) nominees having the greatest number of votes on the first ballot shall be nominees on the second ballot.
- (b) Only members of the Local in good standing shall be eligible to vote or hold office.
- (c) No elected officers of the Local shall be qualified to take office unless and until he meets the qualifications and requirements set forth in these bylaws, the Constitution, or any State or Federal law.

Section 6: Vacancies

A vacancy in the office of President shall be filled by the Executive Vice President. Vacancies in other offices of the Local, the General Policy Committee and the Executive Board shall be filled by an election within sixty (60) days after the vacancy occurs.

ARTICLE XV – INSTALLATION OF OFFICERS, EXECUTIVE BOARD AND GENERAL POLICY COMMITTEE

A person elected to the General Policy Committee, Executive Board, or an Officer of the Local, shall take the following oath:

"I (given name) hereby accept the office of (name of office) of Local 7476, Communications Workers of America, with full knowledge of the responsibilities and duties of such office.

"I promise to faithfully discharge my duties according to the bylaws and rules of the Local and the Constitution and policies of the Union

"I further promise to give my successor in office all books and records in my possession. I shall at all times endeavor to serve my Local and the Union to the best of my abilities, so help me God."

ARTICLE XVI – RECALL OF LOCAL OFFICERS

An elected Representative, Executive Board Member or Officer of the Local may be recalled in conformity with the provisions of Article XX and XXII of the Constitution.

ARTICLE XVII – LOCAL COMMITTEES

Section 1:

The Local shall have the following regular Committees:

- (a) Education Committee
- (b) Election Committee
- (c) Organizing Committee
- (d) Legislative Committee
- (e) Membership Committee
- (f) Strike Committee
- (g) Finance Committee
- (h) Community Services Committee
- (i) Building Committee

Section 2:

Members of all Committees, except the General Policy Committee, shall be appointed by the President, subject to the approval of the Executive Board.

Section 3: *Duties of Committees*

- (a) Education Committee shall assist in the developing the Local's education program and with the Local Executive Board be responsible for effectuating the Union's and Local's education program.
- (b) Election Committee shall conduct all nominations and elections which are by referenda of this Local. The Election Committee shall be in charge of all ballots received until they are counted and certified by a written report to the Secretary. The ballots shall be sealed and given to the Secretary. Candidates for any office shall not serve as members of the Election Committee.
- (c) Organizing Committee shall assist the Local Officers and Stewards in organizing all members within the Local's jurisdiction.
- (d) Legislative Committee shall assist in developing and pursuing the program of the Union and the Local in the legislative field. It shall be responsible for the Local's program to register each qualified voter.
- (e) Membership Committee shall accept and reject membership application in accordance with the bylaws and rules of this Local and the Constitution and policies of the Union.
- (f) Strike Committee shall serve under the direction and guidance of the Local Executive Board in compliance with the suggestions of the Union and rules of the Constitution.
- (g) Finance Committee shall review the financial affairs of the Local and recommend a budget as a guide to the expenditure of the Local's income.
- (h) Community Services Committee shall assist in developing all community services programs.
- (i) Building Committee shall be appointed by the President and confirmed by the Executive Board. It shall be composed of not less than five (5) members. The Building Committee shall manage and control under the direction of the membership and subject to the functions of the Secretary-Treasurer with respect to the making of disbursements connected therewith, any and all real estate which the Local may acquire for use as a Local headquarters or for the furtherance of any legitimate object of the Local. The members of the Building Committee for the time being, shall serve as trustees for the Local under direction of the membership for the purpose of acquiring and holding title to, managing, controlling, borrowing money upon, pledging by way of mortgage or deed of trust letting and conveying the fee simple or in any

lesser estate any and all real estate which may be acquired or otherwise dealt with for or on behalf of the Union.

The Executive Board shall have the full and irrevocable power to appoint a substitute trustee or trustees to be exercised at any time, from time to time, without notice and without specifying any reason therefore, the trustee or trustees so appointed to become fully vested with identically the same title and estate in and to the land, premises and property forming the subject matter of the trust, with all the rights, powers, trusts and duties of his or their predecessor in the trust, with like effect as if originally named as one of the trustees.

ARTICLE XVIII – BARGAINING COMMITTEE

The Local Bargaining Committee shall be composed of at least two (2) members; the President and one (1) member appointed by the Executive Board. There shall be one (1) or more alternate members appointed by the Executive Board to assist during Contract negotiations.

ARTICLE XIX – STRIKES

The calling, conduct, and termination of strikes shall at all times be carried on in compliance with the rules prescribed by the C.W.A. A strike called by and affecting only this Local may be terminated either upon:

- (a) The approval of a majority of the Executive Board with advice of the General Policy Committee;
- (b) By a majority vote of the members present in a general membership or special general membership meeting of the bargaining unit involved; or
- (c) Upon direction of the Executive Board of the Union.

ARTICLE XX – LOCAL DELEGATES TO UNION CONVENTION

Section 1:

The Local President, Executive Vice President, and Secretary-Treasurer shall be delegates to the Union Convention and the President will serve as Chairman of the delegation. If the Local is entitled to additional delegates they shall be elected by the membership, provided a majority of the members approve the sending of additional delegates to the Convention.

Section 2:

In an election of delegates to the Convention, the nominee(s) having the highest number of votes shall be the delegate(s), and the nominee(s) having the next highest number of votes shall be the alternate(s).

Section 3:

Voting strength of the delegates shall be divided as equally as possible, the Chairman having the remaining votes.

Section 4:

It shall be the duty of the Secretary of the Local to certify the Local delegates and alternates to the Union Convention to the Secretary-Treasurer of the Union within the time limits specified in the Union Constitution.

Section 5:

The Chairman shall give an oral report at a general membership meeting. Each delegate shall file a written report with the Secretary of the Local.

ARTICLE XXI – FISCAL YEAR AND AUDIT

Section 1:

The fiscal year of this Local shall be from October 1 to and including September 30 of the succeeding year.

Section 2:

The financial records of this Local shall be audited at the end of each fiscal year. The results of such audit shall be available for the inspection of any member of the Local.

ARTICLE XXII – AMENDMENTS TO LOCAL BYLAWS

These bylaws may be amended by one of the following methods:

- (a) By a majority vote of the General Policy Committee voting on the proposed amendment at a General Policy Committee meeting, if the proposed amendment has been advertised to the membership by use of bulletin boards and Local publication at least thirty (30) days in advance of the General Policy Committee meeting.

When a proposed amendment is passed by a majority vote of the General Policy Committee, it shall again be advertised to the membership by use of bulletin boards and Local publication. If there is an objection by the Local membership, upon receipt of a proper petition signed by ten percent (10%) of the Local members within sixty (60) days, the Election Committee shall submit the proposed amendment or amendments to a referendum of the membership.

- (b) By a majority vote of the members present in a general membership meeting if the proposed amendment has been introduced at a previous membership meeting or has been advertised to the membership by use of bulletin boards or U.S. Mail, postage prepaid, at least seven (7) days in advance of the meeting.
- (c) By referendum of the membership.

Adopted: January, 1969

Amended: September, 1974

Amended: August, 1981

Amended: August, 1982

Amended: December, 1983

Amended: May, 1985

Amended: April, 1988

Amended: August, 1998

Amended: June, 2011