

Current NMG By-Laws, as amended by ratification vote, certified on 07/05/17

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**B Y - L A W S of the NEWS MEDIA GUILD,
Local 31222 of THE NEWSGUILD-CWA**

The local of The NewsGuild shall be known as the News Media Guild, Local 31222 and shall be governed by the Constitutions of The NewsGuild and the Communications Workers of America, their policies as adopted in TNG's Sector Conference and the CWA Convention, and the following by-laws, supplementary thereto.

**ARTICLE 1
Structure**

SECTION 1. The membership of the Local, acting by referendum, shall be the supreme authority of the Local.

SECTION 2. The Representative Assembly shall be the governing body of the Local, subject to the referendum provisions of these by-laws.

SECTION 3. The administrative body of the Local shall be the Executive Committee. The EC shall propose policy and action to the RA and shall be responsible for carrying into effect decisions of the membership and/or the RA.

ARTICLE 2

Representative Assembly

SECTION 1. The Representative Assembly shall be the legislative and policy making body of the Local.

SECTION 2.

(a) All members of the EC and the RA shall serve for concurrent three-year terms of office.

(b) Delegates and alternates to the RA shall be elected by districts. When an elected delegate is unable to serve, the alternate from the same district shall be seated. Before the RA is constituted for action, those delegates certified by the EC as duly elected under NMG by-laws shall constitute themselves as a credentials committee which shall have authority to act in seating any delegate for an unrepresented district and to decide any challenge of the EC's delegate certification. The RA may vote to seat delegates from unrepresented areas and will decide any challenge of the EC's delegate certification.

(c) Effective with the 2017 elections one delegate shall be elected by each of the following districts:- AP South, AP East, AP Central, AP West, AP Washington (including Broadcast News Center) and AP New York with at-large seats (one each) from AP photographers, AP Television-Video, Technology Unit, EFE, UPI and the Guardian-US.

Members working as photographers, for AP Television, or at the Broadcast News Center shall only cast ballots for their respective at-large delegates, but may nominate candidates for the geographic district in which they work. Additional districts may be created as provided for in Article 7 of these by-laws.

(d) Effective with the 2017 elections, The RA districts are as follows:

AP Central: AP editorial unit members Arkansas, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Wisconsin and Texas.

AP New York City: All AP unit members working in New York City.

AP East: AP editorial unit members working in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island and Vermont.

AP Photographers: At-large seat representing all AP member photographers. To hold office, a member representing this district must be employed by Associated Press as a photographer. However, any AP editorial unit member may nominate a photographer for this post.

AP South: AP editorial unit members working in Alabama, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, Virginia and West Virginia.

AP Television: At-large seat representing all members working for AP Television. To hold office, a member representing this district must be employed by Associated Press in Television or Video departments. However, any AP editorial unit member may nominate a television worker for this post.

AP Washington: AP editorial unit members working in the District of Columbia, the Broadcast News Center.

AP West: AP editorial unit members working in Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah and Washington.

AP Technology: At large seat covering all AP Technology Unit members regardless of location.

EFE News Service: At-large seat representing all members working for the EFE News Service.

Guardian-US: At-large seat representing all members working for Guardian-US.

United Press International: At-large seat representing all members working for United Press International.

SECTION 3. RA districts shall be reapportioned triennially by the EC in conformance with Section 2 of this Article. Such reapportionment shall be subject to review by the RA which meets prior to the first RA to which it shall apply.

SECTION 4. The RA shall meet annually and shall set the time and the place of the next meeting. A majority of its members shall constitute a quorum.

SECTION 5. The RA shall set the Local's annual budget.

SECTION 6. Voting of the RA shall be by voice or by show of hands, with a majority of those voting deciding any question; except that, on request of any four RA members, a roll call shall be taken. On such a call each RA member shall cast one vote plus one vote for each 50 members, or fraction of more than 25, in his or her district. Within three months prior to any RA meeting, membership in good standing shall be listed by districts, and the apportionment of votes shall be based on this list. Robert's Rules of Order shall govern the conduct of meetings, except where they conflict with these by-laws or the Constitutions of The Newspaper Guild and the Communications Workers of America, in which case the latter shall prevail.

SECTION 7. The RA shall meet for a period of not more than two consecutive days, except in emergencies when this period may be extended. Lost time shall be paid in accordance with the Financial Policies of the Local. The RA may meet in special session by telephone or video conference to consider appeals and other matters referred to it by the Executive Committee, or upon written request of a majority of RA members.

SECTION 8.

(a) The EC shall sit with the RA. An EC member shall have a voice but not a vote.

(b) EC members shall receive lost time for those days required before and after the RA meeting for its own contiguous sessions, and for any day for which RA members receive lost time.

SECTION 9. The RA shall elect the following standing committees of at least three members each: Finance; Organizing/Mobilization; Collective Bargaining and Contract Enforcement; and Research-Education-Information-

SECTION 10. No EC member shall be permitted to simultaneously hold office as an RA delegate.

ARTICLE 3

Executive Committee

SECTION 1. EC Composition

(a) The Executive Committee officers shall be President, First Vice President, Secretary-Treasurer, Second Vice President, and Third Vice President, with such additions as provided for in Article 7 of these bylaws.

(b) The Representative Assembly chairperson, who shall be elected annually by the RA, shall sit with the Executive Committee. The representative shall have a voice but not a vote. The representative shall be consulted on any EC action taken between regular meetings. The representative shall receive lost-time and expenses on the same basis as EC members.

In the event the Representative Assembly chairperson cannot attend an Executive Committee meeting as specified in the preceding paragraph, the vice chairperson shall attend.

(c) All officers of the Executive Committee shall run for concurrent triennial terms of office.

(d) The EC shall appoint an Administrator, who shall sit with the EC but without a vote.

SECTION 2. EC Meetings

(a) The EC shall meet at least three times a year and may meet by telephone or video conference. Dates and places of its meetings shall be set by the EC, except that not less than two and not more than six months shall elapse between the EC's regular meetings.

(b) Emergency EC meetings shall be called by the President, or by the Secretary-Treasurer in the absence of the President, upon written request of three EC members.

SECTION 3. EC Quorum

A quorum at any EC meeting shall consist of not fewer than a majority of its members. Decision on any question submitted to vote at such meeting shall be by a majority of those present and voting.

SECTION 4. Telephonic, Mail, and E-Mail Voting

When the EC is not in session, a question permitted by the rules of the Committee may be submitted to mail, e-mail, or telephonic vote of the EC. Decision on such votes shall be by a majority of those voting within the prescribed time limit set by rules of procedure established by the EC, provided that at least a majority of its members replies are received. Such rules shall be kept on file by the Secretary-Treasurer and the Administrator.

SECTION 5.

(a) The EC shall supervise the handling of all funds of the Local and shall prepare the proposed annual budget for RA action.

(b) The EC shall have general direction over all local officers.

(c) Only the RA, and, for interim operations, the EC, shall be empowered to authorize expenditure of Local funds. The Local shall recompense EC members, Representative Assembly members, and other authorized representatives for pay lost on Guild business, when authorized in advance, and shall pay per diem and other expenses incurred on such approved Guild business at rates fixed by the EC. Costs of Local committees and, sectional conferences shall be borne by the Local, subject to approval of the EC.

(d) The EC shall set up a fiscal system for the Local and provide for audits at least annually: All officers authorized to sign checks upon Local funds, and employees handling Local moneys, shall be bonded in amounts and in a manner designated by the EC.

ARTICLE 4

Duties of Officers

SECTION 1. The President, or in his or her absence, the First Vice President, shall preside at RA and EC meetings. He or she shall supervise the interim operations of the Local, including such voting as may be required, and supervise all officers in the exercise of their respective duties. The President shall issue all membership cards.

SECTION 2. Except as otherwise provided in these by-laws, the First Vice President shall perform the duties of the President in his or her unavailability.

SECTION 3. The Secretary-Treasurer shall be responsible for the custody of all funds of the Local under the direction of the EC.

(b) The Secretary-Treasurer shall report on the Local finances to the RA at its meetings and to the membership quarterly or whenever called upon by the EC or the membership. He or she shall be responsible for the application in the Local of the financial provisions of TNG Sector Constitution, the CWA Constitution and these by-laws. She or he shall have membership cards issued to members admitted to membership, as well as dues and assessment stamps where required.

(c) The Secretary-Treasurer shall be responsible for the keeping of accurate minutes of EC and RA meetings.

(d) Specific routine duties of the Secretary-Treasurer may be assigned by the EC, upon recommendation of the Secretary-Treasurer, to the Administrator.

ARTICLE 5

Administrator

SECTION 1. The Administrator and deputy administrator(s) shall be appointed by the EC and shall be paid a salary fixed by the EC. They shall sit with the EC but shall have no vote in EC decisions. The Administrator shall be responsible to the EC and shall carry out the directives of the EC, the RA and the membership.

ARTICLE 6

Standing Committees

SECTION 1. The President, with the consent of the EC, shall appoint a Standing Committee on Human Rights and shall also appoint a Human Rights Coordinator, who shall be chair of the committee. The term of office of the committee shall be for one year.

SECTION 2. The President, with the consent of the EC, shall appoint a Standing Committee on Health and Safety, and shall also appoint a Health and Safety Coordinator, who shall be chair of the committee. The term of office of the committee shall be for one year.

SECTION 3. The President, with the consent of the EC, shall appoint a Standing Committee on Professional Activities. The committee shall name its own chair. The term of office shall be for one year.

SECTION 4. Divisional Committees

(a) National Technology Division. There shall be a Standing National Technology Committee comprised of the Technology Unit Representative Assembly delegates and alternates. The committee shall elect its own chair. The term of office shall be the same as that of RA offices.

The NTC shall meet twice annually, by telephone or video conference. In meetings of the NTC only, alternates shall have voting rights

(b) The Divisional Committees of the AP Editorial, AP Technology, EFE News Service, the Guardian-US and UPI Divisions shall consist of the RA Delegates and Alternates elected from those Divisions. The term of office shall be the same as that of RA offices.

Section 5. Special Committees

The President, with the consent of the EC, may from time to time appoint members to special committees for the good and welfare of the union. The term of office shall be not more than one year.

ARTICLE 7

New Divisions

SECTION 1.

(a) When the Local undertakes to organize employees of an employer not already covered by a collective bargaining agreement with this Local, the members there shall constitute a "New Division."

(b) Collective bargaining negotiations with New Division employers shall be conducted in accord with Article 11, Sections 1 and 2 of these Bylaws.

(c) If the Executive Committee, upon the recommendation of the Representative Assembly, determines that a strike authorization vote is appropriate, the authorization shall be decided by a vote of the members of the New Division.

SECTION 2. Committee

(a) New Division members shall have all the rights and responsibilities of other members with regard to seeking and holding elected positions in The News Media Guild.

(b) Prior to obtaining a collective bargaining agreement covering employees of the New Division employer, the membership at that New Division employer shall be entitled to select one of its members to participate with voice but no vote at proceedings of the Executive Committee and shall be entitled to select two of its members to sit with voice but no vote at the Representative Assembly.

(c) After the ratification of an initial contract, a New Division shall nominate and elect one delegate to the Representative Assembly for the first fifty (50) or fewer members, and one RA delegate for each additional increment of fifty (50) members above the first fifty (50) members.

(d) After the ratification of an initial contract, a New Division of at least two hundred fifty (250) members shall nominate and elect one Vice President to the Executive Committee.

(e) The Executive Committee shall have the power to set appropriate districts and election procedures for new RA Delegates and EC Vice Presidents, subject to review by the RA at its next regular meeting.

ARTICLE 8 Elections

SECTION 1.

(a) The EC and RA shall be elected triennially.

(b) EC members shall be nominated between September 10 and October 5. The Elections Committee shall mail a reminder of the nominating deadline and names of candidates filed to date on September 25 and a complete list of qualified candidates immediately after October 10. Ballots shall be mailed to members by October 31. Marked ballots shall be returned by mail to a designated Post Office Box. To be valid, such ballots must be received not later than November 20, and found by the Elections Committee in the designated Post Office Box or delivered by the Post Office to the Elections Committee as provided by Article 8, Section 9 (b) and the published Election Rules.

(c) Vice-Presidents shall be nominated and elected in individual and separate contests, as provided by the Election Rules.

SECTION 2.

(a) RA members shall be elected for three-year terms, with nominations and elections to be held at the time and in the manner prescribed for the nomination and election of Executive Committee members.

(b) The RA districts are described in Article 2.

SECTION 3. Convention Delegates

(a) The number of delegates to the TNG Sector Conference and the CWA Convention shall be determined on an annual basis by the Executive Committee in accordance with the TNG and CWA Constitutions. The local shall pay registration fees for all delegates and other expenses not to exceed the budget item established by the Representative Assembly, including the cost of registration fees.

(b) Delegates and alternates to TNG Sector Conference shall also serve as delegates to the Communications Workers of America Convention. Delegates shall be the elected Local Officers who will be elected as delegates and alternates to Sector Conference and CWA Convention simultaneously with their election to their respective offices in the Local in the following order: President and first delegate, First Vice President and second delegate, Secretary-Treasurer and third delegate, Second Vice President and fourth delegate, and Third Vice President and fifth delegate

(c) The EC may schedule a membership election if it determines additional delegates or alternates are needed.

SECTION 4.

(a) Nominations for the EC and RA may be made by petition of three (3) qualified members. .

(b) The President, First Vice President, Secretary-Treasurer, Vice Presidents and RA delegates may be nominated by Guild members and shall be elected by vote of the membership of the Local.

SECTION 5. Majority Vote: Runoffs

(a) In the event that at the time of election there is only one candidate for any post, his or her name shall be left off the ballot and he or she be declared elected without vote. In the event there are two or more candidates, a majority of those voting shall be required to elect.

(b) In the event that no candidate receives a majority of votes for any EC or RA post, the Executive Committee immediately shall call a run-off election between the two candidates who received the greatest number of votes for that post. Such a run-off election shall be called to start within Fifteen (15) days after the announcement of the results of the original vote: and written notice of the new election is mailed to eligible voting members. Balloting shall be completed within fifteen (15) days.

SECTION 6. EC and RA members shall assume their duties on Feb. 22 following their election. EC and RA members elected in a Special Election to fill a vacancy shall be seated immediately after the Elections Committee reports the results.

SECTION 7. Vacancies

(a) Elections to fill a vacancy in the EC or RA position shall be called within sixty (60) days after the vacancy is created unless fewer than 120 days remain between creation of the vacancy and expiration of the term.

(b) An RA member who is transferred from the District in which she or he was elected but who remains in the service of the same employer shall continue to serve on the RA until the expiration of the term to which he or she was elected.

SECTION 8. No candidate shall be declared a nominee unless she or he declares in writing her or his willingness to serve. Such acceptance must be received by the Elections Committee within five (5) working days after nominations close.

SECTION 9. Voting Procedures

(a) All Local voting for the EC, RA, referenda and, when required, TNG Sector Conference and CWA Convention delegates shall be by secret direct mail ballot under direction of the Executive Committee. The EC shall appoint a non-partisan Elections Committee.

(b) Rules for the conduct of elections shall be drawn by the Executive Committee, subject to review by the RA, or distributed by first class mail to the last known address of all members. Alternatively, publication on the NMG's Web site shall fulfill the requirements of this section.

(c) In the event of violations of election rules by a candidate, the Elections Committee may at its discretion declare an election null and void and call for new nominations.

(d) The Executive Committee may provide by the Election Rules for the provision of a privileged ballot to a member in good standing who reports to the Guild office within 15 days of the mailing of ballots that he or she did not receive the original ballot. The determination of the validity of any privileged ballots shall be made by the Elections Committee.

(e) Internet voting may be provided by the Election Rules as allowed by the TNG and CWA Constitutions.

(g) Consistent with Article 11, Collective Bargaining, Grievances and Arbitrations, Section 2, any agreement reached in negotiations shall be submitted to the membership of the division or divisions concerned for approval. Before signing, it also shall require ratification of the EC.

ARTICLE 9
Sectional Conferences

SECTION 1. Sectional conferences shall be held as directed by the RA. Sections shall be outlined by the EC and appropriate representation allotted by the EC to each city or area.

SECTION 2. Each sectional conference shall submit at least one copy of its minutes to each of the other conferences and to the EC.

ARTICLE 10

Membership

SECTION 1. Final action upon application for membership shall be by the EC, subject to appeal as provided in TNG-CWA Constitution. The Administrator shall mail at least monthly to all EC members a list of applications, with available comment.

SECTION 2. Good standing requirements of TNG-CWA Sector Constitution and the Communications Workers of America Constitution in respect to dues shall apply equally to initiation fee payments under Article 13, Section 2 of these by-laws.

SECTION 3. Reinstatement fees shall be set by the EC.

SECTION 4.

(a) Persons shall be eligible for Associate or Retired Membership as provided by the TNG and CWA Constitutions.

(b) Associate and Retired members shall have the right to attend and to speak at Guild sessions but shall not have the right to make or second motions, to vote, or to hold office, except in the conduct of activities of Associate or Retired units.

(c) Associate and Retired members shall not be subject to the disciplinary provisions of these By-Laws, but their membership shall be revocable by the EC, subject to appeal to the RA and the appeal procedures specified by the TNG and CWA Constitutions.

(d) The RA may form Associate and Retired units. The chair of any such unit or units shall sit with the RA, but shall not have the right to make or second motions or to vote. Delegates from Associate and Retired units may be appointed as observer members of NMG committees.

(e) The Local shall strive, to the extent possible, to make union members-only benefit and discount programs available to Associate and Retired Members.

(f) Dues for Associate and Retired Members shall be set by the RA.

ARTICLE 11

Collective Bargaining, Grievances and Arbitrations

SECTION 1. Negotiations on behalf of the Local or any of its divisions or units shall be conducted under the supervision of the Administrator, or such other person as may be designated by the EC, assisted by a minimum of three (3) negotiators employed by the company under negotiations or such other persons designated by the EC after recommendation by the respective Divisional Committee.

In the case of negotiations for the AP Technology Unit, the National Technology Committee shall select members of the Technology Unit Bargaining Committee, subject to approval of the EC. At least one Technology Unit member shall attend all TU bargaining sessions.

The Negotiating Committee shall be responsible to the membership and the EC for the conduct of negotiations.

SECTION 2. Any agreement reached in negotiations shall be submitted to the membership of the division or divisions concerned for approval. Before signing, it also shall require ratification of the EC.

SECTION 3. (a) The EC, in consultation with the Representative Assembly, shall appoint a National Grievance Committee, which shall be available for processing grievances on the national level. Grievances raised on the bureau level shall be initiated by Stewards or initiated by the RA or its designee.

(b) Recommendations of the National Grievance Committee to close or not arbitrate a grievance shall be promptly reviewed the EC. Decisions of the EC to close or not arbitrate a grievance shall be appealable to the RA if a grievant submits written notice of appeal to the NMG Administrator within 30 days after notice of the decision is provided to the grievant, provided that there is an applicable tolling agreement with the employer. In the absence of such agreement, notice of appeal must be filed within seven (7) calendar days after notice of the decision is provided to the grievant.

(c) The decision of the RA shall be final and binding, the provisions of Articles 14 and 16 of these By-Laws notwithstanding.

(d) The EC may adopt rules of procedure for all appeals, including but not limited to requirements for written submissions and requests to appear before the EC and RA.

ARTICLE 12

Discipline

SECTION 1. Discipline under these by-laws shall be governed by TNG Sector Constitution and the CWA Constitution.

ARTICLE 13

Dues

SECTION 1.

(a) Dues shall be paid monthly in accordance with the wages of members at a scale of six percent (6%) of one week's pay plus \$1.00 per month (*which shall be allocated to the Organizing Fund*) with a minimum conforming with TNG Constitution, plus a sum equal to the amount by which a member's wages are increased pursuant to a general wage increase provided by a collective bargaining agreement, provided however such additional dues shall be only for one week of such general wage increase, the timing of such "single-dip" deduction to be set by the EC.

(b) One-half of one percent (0.5 percent) of one week's pay per month shall be added to the monthly dues schedule as defined in subsection (a) and the entire receipts from said one-half of one percent (0.5 percent) shall be earmarked to the Defense Fund.

(c) For unemployed members dues shall be ten cents (10) a month.

(d) For members working in a shop or area not under Guild contract earning \$30 a week or more, dues shall be not less than \$1.80 per month. The Local shall pay any special assessment for such members.

(e) For retired members not otherwise employed, dues shall be not less than twenty cents (20) a month.

(f) For members who assume public office, elective or appointive, dues shall be not less than \$2 per month. The Local shall pay any assessment for such members.

SECTION 2. Each applicant admitted to membership shall pay an initiation fee of \$2 if his or her salary is \$100 or more per week and \$1 if his or her salary is less than \$100 per week.

SECTION 3.

(a) The Local may, by vote of the membership, levy an assessment of not more than 10 per cent of one week's pay per month, with the maximum not to exceed 10 per cent of the highest minimum in NMG contracts. Notice of the proposed assessment shall be given to members of the Local at least fifteen (15) days before the start of balloting. The EC may direct it be paid in up to four equal installments.

(b) In the event of an emergency, the Executive Committee may levy on each employed member an assessment not to exceed 10 per cent of the highest wage minimum in NMG contracts. The EC may direct it be paid in up to four equal installments.

SECTION 4. All moneys collected on behalf of or in the name of the Local, except those collected for TNG-CWA or another branch of TNG-CWA shall be the property of the Local.

ARTICLE-14

Referendum

SECTION 1. Any matter may be submitted to the Local membership for referendum vote by (1) RA or EC decision; or (2) on petition of 100 members from at least five (5) cities.

SECTION 2. Provisions for holding a referendum shall be made at the direction of the EC. No ballot shall be mailed to a member not in good standing at the time of mailing of ballots. The membership shall be given fifteen (15) days' notice in advance of any referendum.

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ARTICLE 15

Amendments

These by-laws may be amended by membership referendum upon submission of the proposed amendment by the RA or by the EC or by a referendum upon petition signed by not less than 10 percent of the membership in good standing. Notice of such proposed amendment shall be mailed to the membership not less than fifteen (15) days prior to the balloting with notice of time limits for voting.

ARTICLE-16

Interpretations

These by-laws shall be interpreted by the EC, subject to appeal to the RA, to the membership, to the Sector Executive Council and to the next TNG Sector Conference and CWA Convention.