



**CONSTITUTION &
BYLAWS
2023**

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Article 1 - Name & Headquarters

Section 1. This organization shall be known as the **Congressional Workers Union (CWU)**.

Section 2. The principal office of CWU shall be determined by the Executive Board. The Executive Board may change the location of the principal office. The Executive Board may also establish and maintain other offices at other locations.

Article 2 - Jurisdiction

CWU shall embrace in its jurisdiction all employees of the U.S. Congress who are not supervisors or managers, including but not limited to employees of Members of Congress, Senator, Committee, and Leadership offices for the purpose of representing them in collective bargaining and otherwise improving their economic status and conditions of employment.

Article 3 - Purpose

The purpose of this organization shall be:

Section 1. To secure full trade union rights, including the rights to exclusive representation and collective bargaining, for all employees who are eligible for membership.

Section 2. To advance democracy in the workplace and economic, social, and political justice.

Section 3. To promote the improvement of standards in the employment situation of the membership.

Section 4. To encourage solidarity among the membership.

Section 5. To promote the interests of the communities who are served by the membership.

Section 6. To promote the effectiveness and quality of institutions in which our members work.

Section 7. To promote democracy, equality, freedom of association, and independent trade unionism in the society at large.

Article 4 - Membership

Section 1. All employees of the U.S. Congress who are not supervisors or managers are eligible for membership in this organization, including but not limited to employees of Members of Congress, Committee, and Leadership offices.

Section 2. No person shall be denied membership, nor shall this organization ever discriminate against individual members or applicants for membership on the basis of race, color, national origin, creed, age, sex, gender, sexuality, disability, religion, faith, incarceration history, marital status, citizenship, or social, political, or economic status.

Section 3. Responsibilities of Members of the Union.

- a. Members must abide by the CWU Constitution, and the laws, rules, regulations, policies, lawful orders and decisions of the Union.
- b. Members shall refrain from conduct that would interfere with the performance of the CWU's lawful and contractual obligations.
- c. Members shall comply with and honor the provisions of contracts entered into between the CWU and the Employer.
- d. Members shall observe proper decorum in attending and participating in meetings and functions of the CWU in accordance with such reasonable rules established by the CWU.
- e. No member shall engage in discrimination against a member or any other person having business with the union based on race color, national origin, creed, age, sex, gender, sexuality, disability, religion, faith, incarceration history, marital status, citizenship, or social, political, or economic status.
- f. No member shall attempt to cause secession by CWU; join an organization or Union antagonistic to the ideals of the CWU; circulate false reports or gross and willful misrepresentations about the honesty of officers of CWU; advocate or commit or incite an act or series of acts which would injure the best interests of the CWU.
- g. Members shall not abuse or destroy CWU property.

Section 4. Discipline of Members.

- a. A member may be disciplined by the organization for actions contrary to this Constitution or to the interests of the union or its membership. Reasons for discipline include:
 - i. Violation of any specific provisions of this Constitution and By-Laws or the failure to perform any of the duties specified hereunder.
 - ii. Violation of the responsibilities of members of this organization as an institution.
 - iii. Violation of the oath of office or membership.
 - iv. Gross disloyalty or conduct unbecoming a member.
 - v. Gross negligence, inefficiency, nonfeasance, misfeasance, or malfeasance, which shall or threaten to hinder or impair the interests of the CWU.
 - vi. Misappropriation of union funds or property.
 - vii. Scandalous, libelous, profane or vulgar abuse of a fellow member or officer by written or oral communication.
 - viii. Abuse of a fellow member or officer in a union meeting place.
 - ix. Engaging in conduct or promoting activity which interferes with the CWU's enforcement of its lawful contractual obligations.
 - x. Engaging in conduct which interferes with the proper conduct of business of the CWU.
 - xi. Failing to observe proper decorum in attending and participating in union meetings or functions in violation of reasonable rules established by the union.
 - xii. Committing an act or series of acts which would injure the best interests of the CWU.
- b. Such action may only be initiated by the bringing of written and signed charges to the Executive Board by two or more members of the union; these charges must include a specific and detailed accounting, including any documentation, of the allegations against a member.
- c. Upon receipt of such charges, the Executive Board shall cause a preliminary investigation to be conducted in order to determine whether the charges against the member have merit. In addition, at this time, the Executive Board shall give a copy of the charges to the accused member.
- d. Following the preliminary investigation, the Executive Board shall vote on the question of whether a disciplinary hearing should be held. If a majority of the Executive Board votes to hold a hearing, the member shall be given at least ten (10) days written notice of the hearing.
- e. At a disciplinary hearing, the accused member shall have the right to be represented by a person of his or her choice, and shall have the right to question the chargers and present evidence and witnesses to support their defense. At the

conclusion of the hearing, a two-thirds ($\frac{2}{3}$) vote of the Executive Board shall be required for discipline. If (a) member(s) of the Executive Board has(/have) brought the charges against the member, that(/those) Board member(s) shall recuse themselves from the vote. If (a) member(s) of the Executive Board is the person charged and/or (2) if a member of the Executive Board is a witness testifying for or against the accused member, that(/those) Board member(s) shall recuse themselves from the vote.

- f. A disciplined member may appeal the decision of the Executive Board to the membership by requesting a vote at the next regular meeting. A simple majority of the members voting shall be sufficient to overrule the decision of the Executive Board to discipline.

Section 5. The responsibilities and discipline of Members are not intended to preclude Members from participating in any deliberations in an orderly manner, nor to meet and assemble freely with other members and to express any views, arguments or opinions; provided that such activities do not violate the responsibility of a member to the Union and the member's conduct does not interfere with the performance by the union of its legal and contractual obligations.

Section 6. Beginning September 1, 2023, a member in good standing is defined as a member who is in a certified bargaining unit and is current in payment of dues to the organization. Beginning September 1, 2023, a member who is more than 60 days behind in dues payment shall be considered to be a member in bad standing, and shall be promptly notified of such status. Beginning September 1, 2023, a member shall be removed from full membership in this organization, with notice, following three months of dues nonpayment, unless a plan to pay back dues is made and approved by both the Executive Board and the member.

Prior to September 1, 2023, a member in good standing for the purposes of voting in union elections is defined as a member of a certified bargaining unit, unit awaiting or in the process of completing an OCWR conference, and/or which has secured or is in the process of securing a Voluntary Election Agreement.

Prior to September 1, 2023, a member in good standing for the purposes of running for office in union elections is defined as a member of a certified bargaining unit, unit awaiting or in the process of completing an OCWR conference, and/or which has secured or is in the process of securing a Voluntary Election Agreement who has paid at least one month of dues to the organization prior to their nomination.

Section 7. CWU may grant the right to allow members of the organization who have resigned from employment in a CWU bargaining unit or a Congressional office that is subject to CWU's jurisdiction, or who may have been promoted to positions exercising supervisory authority, the right to maintain their membership without voice or vote as Associate Members.

Associate Members:

- a. Shall be subject to the approval by the majority of the Executive Board;
- b. Shall not be entitled to vote, hold office, access restricted member communications, or serve on committees;
- c. Shall be persons not eligible for full membership in any other CWU affiliate.
- d. May be removed from Associate Membership for just cause determined by the Executive Board.

Section 8. The Executive Board may establish additional guidelines for retiree membership, dues, and participating in the union in the form of a retiree chapter.

Article 5 - Election of Officers

Section 1. Elections shall be conducted in accordance with this Constitution and the standards set out by the Labor-Management Reporting and Disclosure Act (LMRDA).

Section 2. Officers shall be elected in April of odd years. Terms of office shall be two years. The organization will elect the following officers:

- a. President
- b. Vice President of Member Services
- c. Vice President of Organizing
- d. Vice President of Bargaining
- e. Vice President of Communications
- f. Vice President of Outreach
- g. Secretary
- h. Treasurer
- i. (7) At-Large Representatives

Section 3.

- a. Beginning September 1, 2023, to be eligible for office a person must be a member in good standing of the organization for a period of at least three months prior to the date of the election.

- b. To be or remain an officer, a person must be a dues-paying member in good standing.

Section 4. The Elections Committee shall conduct all general and special elections and referenda of the organization.

- a. Beginning September 1, 2023, the Elections Committee shall consist of three members in good standing appointed by the President with approval from a majority of the Executive Board. Prior to September 1, 2023, the Elections Committee shall consist of three members in good standing or Interim Executive Board members appointed by the President with approval from a majority of the Executive Board. The Elections Committee shall elect its chair.
- b. Any member of the Elections Committee nominated for or seeking an office listed in Section 2 must vacate their position and be replaced by a member nominated by the President and approved by the Executive Board.

Section 5. In any election required by this section which is to be held by secret ballot a reasonable opportunity shall be given for the nomination of candidates. The Elections Committee shall notify all members of the opening of nominations for officers, the offices to be filled and of the date of the election by a number of methods including but not limited to: mailing a notice to the last known home address of each member, timely publishing a notice in the union's online newsletter, by email where Members have opted into email communications, or other methods reasonably calculated to inform all members in good standing.

Section 6. The nomination of candidates for office shall be conducted as follows:

- a. Beginning September 1, 2023, to be nominated a candidate must submit to the Elections Committee a petition containing the signatures of ten (10) percent of the membership, or ten (10) members, whichever is less. Said petitions must be submitted no later than thirty (30) days following the notice of opening of nominations. Prior to September 1, 2023, to be nominated, a candidate must submit their name and the position they are running for to the Election Committee, no later than a date set by the Election Committee.
- b. The Election Committee shall determine whether the nominations were timely and if the nominees are eligible for office.

Section 7. At least fifteen (15) days prior to the election, the Election Committee shall notify all members of the election date and the candidates for offices, by first class U.S.

Mail to the members' last known home address and by email where Members have opted into email communications.

Section 8. Elections shall be by secret ballot among the members who are eligible to vote and the balloting shall be held in such a way and at such times as may be determined by the Election Committee. Voting will occur electronically or by procedures approved by the Election Committee and in compliance with these bylaws. Ballots are to be counted following the conclusion of the final election day. Such correspondence shall notify members of the date ballots must be received by the Elections Committee, which will be the date the ballots are to be counted.

Section 9. In absence of a majority, the Elections Committee shall conduct a run-off election as soon as is practicable between the two candidates who have received the most votes for the office in question. In doing so, the Elections Committee shall establish procedures for conducting this run-off election.

Section 10. The Elections Committee shall arrange for any counting of ballots to be available for viewing by the membership of the union through an electronic video platform.

Section 11. Challenges and objections to the election must be submitted in writing, with a statement of supporting reasons that includes specific facts as well as any documentation, to the Elections Committee within five (5) days of the count. The Elections Committee shall issue its written opinion regarding the objections no later than ten (10) days after receipt of such objections.

Section 12. The election results will be published and distributed to the membership within ten (10) days) days of the count. All election materials, including the ballots, will be kept in a secure location for one (1) year.

Section 13. Successful candidates shall assume office within ten (10) days of the conclusion of the election.

Section 14. With the exception of the President, or in case of a recall, the Executive Board, by a majority vote, will have the power to fill vacancies in its membership until the next general election of officers.

Section 15. A petition signed by forty-five percent (45%) of the membership, and alleging constitutional violations, fiduciary breaches or acts clearly detrimental to the union, shall be sufficient to require the Executive Board to vote on whether to conduct a

recall election of the officer identified in the petition. The officer subject to recall and any Executive Board member signing the petition shall not vote on the question of a recall election. If a majority of the voting members of the Executive Board approves a recall election, the Elections Committee shall supervise the recall election.

Article 6 - Duties of Officers

Section 1. The President shall:

- a. Be the presiding officer at all meetings of the membership and the Executive Board;
- b. Be an ex-officio member of all standing committees except the Elections Committee;
- c. Appoint, with the approval of a majority of the Executive Board, the chairs of all standing and special committees except the Elections Committee;
- d. Be the principal executive officer of the organization;
- e. Receive, report and respond to correspondence of the organization;
- f. Supervise all employees of the organization;
- g. Be one of the responsible financial officers of the organization and shall be authorized to co-sign financial instruments and make regular and usual disbursement of funds;
- h. Oversee the work of and receive regular reports from Committees of the Union;
- i. Represent the organization before bodies of the employer;
- j. Represent the organization before the public, community organizations, and the news media;
- k. Be, by office, a delegate to the convention of CWU and meetings or conventions of its affiliated bodies;
- l. Make an annual report to the organization's membership; and
- m. Be able to delegate the responsibilities of the office except where otherwise specified by the Constitution.

Section 2. The Vice President of Member Services shall:

- a. Assume the duties of the President in the event of the absence, illness, or death of the President;
- b. Lead the development and planning of a strategy for internal engagement, member support, and conflict resolution;
- c. Regularly update, communicate with, and educate members on union activity and facilitate coordination between Members and the Executive Board;

- d. Oversee the work of and receive regular reports from the Member units and the Grievance and Education and Training Committees;
- e. Perform other duties as delegated by the President or assigned by the Executive Board; and
- f. Co-sign financial instruments in the absence of the President or Treasurer.

Section 3. The Vice President of Organizing shall:

- a. Oversee the work of and receive regular reports from the Organizing Committee;
- b. Lead the development of a proactive organizing strategy and plan for expanding unionization in Congress;
- c. Perform other duties as delegated by the President or assigned by the Executive Board; and
- d. Co-sign financial instruments in the absence of the President or Treasurer.

Section 4. The Vice President of Bargaining shall:

- a. Oversee the work of and receive regular reports from the Bargaining Committee;
- b. Lead the development of a proactive bargaining strategy, unit coordination and best practices at the bargaining table;
- c. Perform other duties as delegated by the President or assigned by the Executive Board; and
- d. Co-Sign financial instruments in the absence of the President or Treasurer.

Section 5. The Vice President of Communications shall:

- a. Lead the development of the communications strategy of the Union, including press, social media and the website;
- b. Work with the Vice President of Member Services on internal communications to membership;
- c. Oversee the work of the Communication Committees;
- d. Perform other duties as delegated by the President or assigned by the Executive Board; and
- e. Co-sign financial instruments in the absence of the President or Treasurer.

Section 6. The Vice President of Outreach shall:

- a. Lead the partnership and solidarity building with other unions and the broader labor community alongside the President;
- b. Oversee the work of the Solidarity committee;
- c. Perform other duties as delegated by the President or Assigned by the Executive Board; and

- d. Co-sign financial instruments in the absence of the President of Treasurer.

Section 7. The Secretary shall:

- a. Maintain the non-financial files and records of the organization;
- b. Be the custodian of the seal and charter of the organization;
- c. Record and keep accurate minutes of meetings of the membership and the Executive Board or delegate these responsibilities;
- d. Handle the correspondence of the organization with the President, including managing the CWU email account;
- e. Oversee the work of, and receive and certify the reports of, the Elections Committee;
- f. Perform other duties as delegated by the President, or assigned by the Executive Board;
- g. Perform duties of the office as required by the Labor-Management Reporting and Disclosure Act, including retaining knowledge and informing the Executive Board about the rules and procedures CWU must abide by;
- h. Be the first point of contact to consult to ensure the organization is not in violation of the constitution or bylaws; and
- i. Co-sign financial instruments in the absence of the President or Treasurer.

Section 8. The Treasurer shall:

- a. Receive, record and deposit all dues monies and other income in the name of the organization;
- b. Maintain accurate membership records;
- c. Issue membership cards and notices of delinquency;
- d. Be one of the responsible financial officers of the organization and be authorized to co-sign financial instruments and make regular and usual disbursement of funds in accordance with these By-Laws and pursuant to the direction or resolution of the general membership or the Executive Board;
- e. Maintain all financial records of the organization;
- f. Arrange for an independent audit of the finances of the organization annually and make same available to Executive Board and membership;
- g. Oversee the work of and receive reports from the Finance Committee;
- h. Perform other duties as delegated by the President or assigned by the Executive Board; and
- i. Perform duties of the office as required by the Labor-Management Reporting and Disclosure Act, and the guidelines developed by CWU.

Section 9. At-large officers elected by the general membership of the organization shall serve as members of the Executive Board.

Article 7 - Executive Board

Section 1. The Executive Board shall meet monthly, or at the call of the President, or the call of two (2) or more of its members, for the purpose of initiating, overseeing or revising the program of the organization and to conduct other business of the organization that is within its authority. A quorum for the Executive Board shall be one-half of its members.

Section 2. The Executive Board shall determine the agenda for all Membership Meetings.

Section 3. The Executive Board shall employ all professional, technical, clerical and support staff of the organization.

Section 4. The Executive Board shall establish the salary, benefits, and expense guidelines of any general officer who is employed by the organization.

Section 5. The Executive Board shall be empowered to make contracts and incur liabilities including the purchase of services, equipment and real property, to borrow money, to secure such obligations by mortgage or other instrument, and to otherwise engage in financial transactions to the extent permitted by applicable law or statute. The Executive Board shall have the power to sue, complain and defend on behalf of membership.

Section 6. The Executive Board shall approve the chairperson and membership of all standing and special committees of the organization, except the Elections Committee, and receive regular reports from such committees.

Section 7. The Executive Board shall be responsible for adherence to and enforcement of the Constitution and By-Laws of the Organization.

Section 8. The Executive Board shall issue regular reports, including an annual report, to the membership.

Section 9. Three unexcused absences from an Executive Board Meeting within a year, counted from the date of assumption of office, shall be grounds for an Executive Board member's suspension and/or replacement.

Section 10. Officers who are required to be bonded shall have the expense of such bond borne by the Union.

Article 8 - Committees

Section 1. The standing committees of the organization shall be:

- a. Elections
- b. Organizing
- c. Solidarity
- d. Bargaining
- e. Communications
- f. Education and Training
- g. Grievance
- h. Finance

Section 2. The Executive Board, either on its own initiative, or at the direction of the Membership Meeting, may establish special committees.

Section 3. The President, with the approval of the Executive Board, shall appoint all committee chairs and committee members.

Section 4. Each Committee shall present its annual program of action to the Executive Board and the Membership Meeting.

Section 5. The Elections Committee shall conduct and supervise all elections of the organization in accordance with the procedures established by this Constitution and all applicable laws and regulations.

Section 6. The Organizing Committee shall develop programs and activities that shall cause all eligible persons to join and participate in the organization.

Section 7. The Solidarity Committee shall conduct activities that promote the social well-being of the membership, are attractive to potential members and promote community among organized labor and the society at large.

Section 8. The Bargaining Committee shall facilitate coordination between unit representatives in contract negotiations, including best practices and strategies in bargaining.

Section 9. The Communications Committee shall design, produce and distribute a regular communications to the membership; a regular newsletter for officers and committee chairs; and other material for the organization as necessary.

Section 10. The Education and Training Committee shall identify the professional and work-related educational and training needs of the membership and develop programs and activities that meet said needs, taking into consideration the resources of the organization. The Education and Training Committee shall also educate members on issues of importance to the organization, its membership, and clients.

Section 11. The Grievance Committee shall work with the officers in the resolution of contractual and non-contractual disputes in the workplace; shall maintain records of grievances and their disposition; and shall be responsible for the processing of grievances and disputes beyond the immediate work location. The grievant may appeal these last decisions to the Executive Board. The Executive Board shall develop and adopt a policy that governs how it shall approach grievances not referred to arbitration, as well as other litigation and/or administrative appeals. The Grievance Committee shall follow this policy.

Section 12. The Finance Committee shall work with the Treasurer to establish and develop financial aspects of the organization, including additional membership benefits, and other responsibilities as established by the Treasurer.

Article 9 - Membership Meetings

Section 1. The legislative power of the organization shall be vested in the Membership Meeting. Unless otherwise stipulated in the Constitution, action items and elections shall require a simple majority of votes cast in the Membership Meeting. The Membership Meeting shall approve the annual budget; shall receive and approve committee reports, including the required annual financial report of audit; and shall develop and vote on resolutions to guide the policy of the organization.

Section 2. The Membership Meeting shall meet biannually at a predetermined time and place, or more or less often as approved by the majority vote of assembled members in the regularly constituted Membership Meeting.

Section 3. Quorum for Membership Meeting shall be one-third or thirty-three percent (33%) of total membership of the organization.

Section 4. Special meetings may be called by the President (or acting President), by a majority of the Executive Board or by petition to the Executive Board of fifteen percent (15%) of the members in good standing. The notice of the special meeting and the agenda shall be circulated to all members at least seven (7) days in advance of the meeting. Items not included on the agenda for the special meeting will not be addressed. All special meetings shall be adequately advertised and conducted according to the provisions of this Constitution.

Article 10 - Finances

Section 1. The dues of this organization for members shall be 1.5% of gross salary.

Section 2. Associate Members' Dues

The dues of this organization for associate members shall be \$25 per month.

Section 3. Special assessments for specific purposes may be levied by the Executive Board provided that the actions required for a referendum have not been initiated within thirty (30) days of the decision of the Executive Board.

Section 4. CWU will be responsible for collecting an agency fee and shall adopt procedures consistent with local, state, and federal law and the CWU Constitution. CWU will bargain for dues checkoff to the extent possible.

Section 5. Upon dissolution of the Union, the Treasurer shall arrange for the timely payment of any and all outstanding bills and debt obligations due and owing by the Union. Should any funds remain in the treasury after the satisfaction of all outstanding bills and debt obligations, all such remaining assets shall be donated to a bona fide charity chosen by the members.

Article 11 - Rules of Order

Robert's Rules of Order, Newly Revised shall guide this organization and all of its subordinate bodies in all matters not expressly covered by this Constitution or the By-Laws of this organization.

Article 12 - Amendment

Section 1. Thirty percent (30%) of the membership may present, by petition, a proposed amendment to this Constitution to the Secretary, who shall notify the membership of the proposed amendment no later than thirty (30) days prior to the next Membership Meeting. Alternatively, a majority of the Executive Board may vote to present a proposed amendment to the members at the next Membership Meeting. A copy of the proposed amendment, along with an explanation of said amendment, shall be distributed to all members a reasonable time prior to Membership Meeting at which the amendment will be introduced and discussed.

Section 2. A quorum for any meeting at which constitutional amendments are to be considered and adopted shall consist of forty (40) percent of the membership of the organization.

Section 3. The membership shall vote on all amendments to the Constitution.

- a. Following the membership meeting at which the proposed amendment was introduced, the Election Committee will hold a (secret ballot) vote on the amendment at the next Membership Meeting.
- b. In the alternative, following the membership meeting at which the proposed amendment was introduced, a special membership meeting for the purpose of voting on the proposed amendment may be called by the Executive Board. The special meeting shall be conducted in accordance with the terms of Article VIII, Section 4.
- c. The Elections Committee will tally the results. Two-thirds ($\frac{2}{3}$) of the membership present at the meeting shall be required for passage of the amendment.

Article 13 - Authorizing Bargaining Demands and Ratification

Section 1. Each bargaining unit will elect Shop Stewards by majority vote of the bargaining unit to serve as bargaining leads for the unit. Negotiation demands shall be decided by the members of the unit with the approval of the Vice President of Bargaining.

Section 2. No collective bargaining agreement may go into effect and be binding on the Union and its members absent a ratification vote at the workplace affected by a showing of support by a majority of the bargaining unit members affected by the Agreement. No collective bargaining agreement may go into effect upon such ratification without being signed by the President or by the Vice President of Bargaining.

Article 14 - Availability of Constitution

Section 1. Three copies of this Constitution and all subsequent amendments shall be on file at the office of the Secretary of CWU.

Section 2. The Secretary shall make available upon request a copy to any member of the organization.

Leadership Provision Antecedent to Initial Representation Election

In the period immediately preceding the Certification of the first Officer Election concerning the CONGRESSIONAL WORKERS UNION, the following provision applies:

Interim Leadership, the Acting Executive Board, shall be appointed by the active membership as of July 11, 2022. Executive Board positions shall be accessible to candidates, and any members appointed to these positions shall hold office until the conclusion of the first Officer Election held by the Union in April 2023. Any vacancies in officer positions before April 2023 shall be filled by appointment by the majority of the Executive Board.

This Constitution was adopted by the Membership on **July 14, 2022**.

(and last amended on **March 16, 2023**).

Congressional Workers Union

Signed: 

(President)

Attest: 

(Secretary)