

**CONSTITUTION FOR THE UNIVERSITY PROFESSIONAL AND TECHNICAL EMPLOYEES,
LOCAL 9119 OF THE COMMUNICATIONS WORKERS OF AMERICA**
(amended June, 2023)

ARTICLE I: NAME

Section 1. The name of this organization shall be University Professional and Technical Employees CWA Local 9119 (UPTE CWA 9119).

Section 2. The headquarters for this organization shall be in California.

ARTICLE II: AFFILIATIONS

Section 1. This organization shall be affiliated with the Communications Workers of America per the affiliation agreement signed April 18, 1993.

Section 2. This organization shall be affiliated with the California Federation of Labor, AFL-CIO.

ARTICLE III: OBJECTIVES

The objectives of this organization are:

- a. to organize and unite employees in the University of California system, for whom UPTE is the exclusive representative and who are non-exclusively represented, in order to secure better wages and working conditions; to obtain participation in making decisions affecting our working lives; and for our mutual welfare, protection and advancement;
- b. to better the welfare of the membership and provide members in the University of California system a voice in the determination of their terms and conditions of employment through the exercise of employee rights under HEERA and through legislative and political action;
- c. to foster cooperation among University of California labor unions;
- d. to provide research, educational and organizational services and activities designed to assist members and affiliates and to encourage non members to exercise their right of membership; and
- e. to work with other labor organizations, other segments of our society, and people everywhere to improve conditions for working men and women in particular and society in general;
- f. to promote activities and policies which recognize and support University employees' talents, experience, and diversity to provide an exceptional educational and research facility.
- g. The specific and primary purpose of the organization is to operate a labor organization within the meaning of Section 23701A of the California Revenue and Tax Code. The organization does not contemplate pecuniary gain or profit to its members and is organized for nonprofit purposes.
- h. Notwithstanding any of the above statements of purpose and powers, this organization shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the specific purposes of the organization.

ARTICLE IV: MEMBERSHIP AND DUES

- Section 1. The jurisdiction of UPTE CWA 9119 shall be the University of California, including its campuses, hospitals, laboratories, and contingent faculty of Mt. San Jacinto College, Butte College, and College of Sequoias, and any privatized portion of the University of California, including those for whom UPTE CWA 9119 is the exclusive bargaining representative and all non-exclusively represented employees outside of the University of California's executive compensation program. All such employees are eligible for membership in UPTE CWA 9119. Contingent faculty of Mt. San Jacinto College, Butte College, and College of Sequoias who have taught within the last rolling year are eligible for membership
- Section 2. All employees in UPTE CWA 9119's jurisdiction, and all members who leave their place of employment to work for UPTE CWA 9119 or CWA, are eligible for membership in UPTE CWA 9119. Anyone who has left University or community college employment as a member in good standing to work for UPTE CWA 9119 or CWA, and leaves UPTE CWA 9119 or CWA employment shall not be eligible for membership. Members who have left UC or community college employment and work for CWA shall not be eligible to run for or hold elected office.
- Section 3. This organization shall not discriminate against any person because of race; color; religion; political affiliation; marital status; national origin; ancestry; sex; sexual orientation; gender; physical or mental handicap; medical condition; status as a Vietnam-era veteran, disabled veteran, or veteran; age; or citizenship.
- Section 4. The monthly membership dues shall be:
- a. For members without a contract: 1.15% of gross monthly salary to a maximum of \$22 per month. Members without a contract who are affiliated with the Lawrence Livermore National Laboratory local may elect to adopt a different dues rate but it shall not be less than the dues for other UPTE members without a contract.
 - b. For members with a contract: 1.30% of gross monthly salary with the following maximums:
 - i. The maximum as of January 14, 2018 shall be \$75 for the RX/TX units, \$80 for HX unit, \$65 for Lawrence Berkeley National Laboratory, or \$60 in the case of the Lawrence Livermore Skilled Trades.
 - ii. The maximum shall increase by \$10 on the first full pay period of the following month if represented employees received at least a 2% pay increase until the 1.3% of gross monthly salary is reached. The increase provision of Lawrence Berkeley National Laboratory shall be in effect on January 1, 2019. The increase for Lawrence Livermore Skilled Trades shall remain at \$5 until the January 1 following the conclusion of Skilled Trades contract bargaining that is scheduled to begin July 1, 2019.
- Section 5. UPTE CWA 9119 shall remit to CWA International all per capita payments due and owing each month.
- Section 6. All dues payable by members shall be paid directly to UPTE CWA 9119, through payroll deduction or by check.

Section 7. Dues are payable monthly in advance and shall be paid by the 15th of the month. Any member who fails to pay dues by the 15th day of the month in which they become due shall be considered delinquent and, upon failure to pay dues for two consecutive months, shall, ten days after written notification, stand suspended. Any person who is paying his or her dues through a system of regular payroll dues deduction shall, for so long as he or she continues to pay through such deduction method, be considered in good standing.

Section 8. Any member suspended under the above section shall be reinstated to membership in the organization on payment of a reinstatement fee equal to two months dues plus the current month's dues.

Section 9. In the event that a member is involuntarily separated by their employer, that member may remain in good standing for the duration of the internal grievance process, and dues payments shall be waived for that period.

Section 10. Any member who holds an elected office in UPTE CWA 9119 and whose employment is terminated may finish out the term of that office.

Section 11. All elected offices in UPTE CWA 9119 shall be held by members who are currently employed in its jurisdiction, except those covered under Sections 9 and 10 of this article.

Section 12. Any UC employee on preferential rehire status who is rehired at UC during the preference period shall, upon re-joining UPTE CWA 9119, be reinstated to full member status.

Section 13. Systemwide Executive Board will not impose unreasonable restrictions on local's ability to spend their share of UPTE dues. Subject to the provisions of the constitution and by-laws, locals will determine how best to provide for the needs of their campus.

ARTICLE V: MEETINGS AND CONVENTIONS

Section 1. UPTE CWA 9119 shall hold an annual convention at a time and place established by the UPTE CWA 9119 Executive Board. Conventions will be held at least every sixteen months.

Section 2. A special convention of this organization may be called by a two-thirds vote of the executive board, or by the President with the approval of a majority of the executive board. One-third of the Chapters affiliated with UPTE CWA 9119 may, at any time, require a special convention by filing a petition therefore with the UPTE CWA 9119 President and Secretary, which petition shall specify the subject or subjects to be considered at the convention. In such an event, the Secretary shall issue a call for the special convention to be held at a time and place determined by the Executive Board. Such special convention shall be held no sooner than sixty days and no later than ninety days after the filing of the petition. The convention call shall specify those subjects included in the petition and any additional matters added to the agenda by the Executive Board, and no other subjects may be acted upon by the special convention.

Section 3. All sovereign powers of this organization shall be vested in the convention when it is in session. A convention call and credentials to the convention shall be mailed and e-mailed to the Executive Board at least ninety (90) days prior to the convention.

Section 4. The basis of representation at the convention shall be based on the average number of members in each chapter for the twelve month period ending with the fifth full month prior to the opening of the convention. In the case of any chapter organized or affiliated after the beginning of the twelve month period, the basis of representation shall be the average number of members for the full number of months for which per capita tax has been paid.

Section 5. Chapters shall be entitled to delegates on the basis of membership, as follows:

For 25 members of fewer	1 delegate
More than 25 but not exceeding 50 members	2 delegates
More than 50 but not exceeding 75 members	3 delegates
More than 75 but not exceeding 100 members	4 delegates
More than 100 but not exceeding 125 members	5 delegates
More than 125 members	one additional delegate for each 100 members or fraction thereof

Chapters may elect one alternate delegate for each delegate.

Section 6. Regardless of the number of delegates, chapters shall be entitled to vote on the basis of one vote for each member or fraction thereof. Chapters entitled to more than one delegate may send fewer than their quota of delegates, and the delegates present may cast the entire vote of the chapter on all recorded votes and elections coming before the convention. The number of votes shall be divided equally among the delegates with any remaining votes to be cast by the chairperson of the delegation, as designated by the chapter. No fractional votes shall be permitted.

Section 7. To vote, delegates must be on the convention floor when a vote is taken. Voting by proxy shall not be permitted.

Section 8. A delegate representing a chapter must be a member in good standing and must either be currently employed on such campus of facility or an active retired member of said local.

Section 9. Prior to each convention, the President, subject to the approval of the Executive Board, shall appoint committees as are considered necessary and appropriate, and shall designate one or more members of each committee to serve as chairperson of such committee. The President shall notify chapters and delegates in advance of such appointments, and of the meeting times and locations of the initial committee meetings.

ARTICLE VI: OFFICERS AND ELECTIONS

Section 1. The officers of UPTE-CWA 9119 shall be a President, an Executive Vice President, a Vice-President, a Secretary, and a Treasurer. Elections for these officers shall be conducted by a secret mail ballot of all UPTE CWA 9119 members-in-good-standing. These officers, together with the Executive Board members elected in accordance with the provisions of Section 2 of this Article shall constitute the UPTE-CWA 9119 Executive Board. In addition, there shall be elected three members who shall serve as trustees. The trustees shall be elected to three-year staggered terms of office.

An alternate trustee shall be elected at each annual UPTE-CWA 9119 convention to serve one year or until the next convention in years that do not have a convention. If multiple vacancies occur at a single convention, multiple trustees shall be elected to terms of staggered length of 1, 2, or 3 years. All other officers shall be elected for a term of three years.

Section 2. Each chapter shall be entitled to one Executive Board member, plus one additional Executive Board member per campus for every one-thousand (1,000) members of such chapter to be elected as follows:

- a. Executive Board members shall be selected from among the eligible members employed on such campus or facility and elected in accordance with Appendix B of this Constitution.
- b. Beginning with the 2023 UPTE CWA 9119 election, Executive Board members will serve three (3) year terms and will be elected by members of their chapter in the same election as UPTE CWA 9119 Officers, regardless of the date of their most recent election, except as provided in Subsection d. below.
- c. Beginning with the 2022 UPTE CWA 9119 Convention, the number of additional Executive Board members each Chapter is entitled to, if any, will be adjusted at the time of the UPTE CWA 9119 Convention, based on such chapter's membership as calculated for the purposes of representation at such Convention, per Article V Section 5.
- d. If a chapter becomes entitled to an additional Executive Board member a year or more from the next regularly scheduled UPTE CWA 9119 election, the initial election process for any additional Executive Board members will begin within 60 days. These members will serve an abbreviated term that will last until the next regularly scheduled UPTE CWA 9119 election.
- e. If a chapter becomes entitled to an additional Executive Board member less than a year from the next regularly scheduled UPTE CWA 9119 election, such additional Executive Board member will be elected in the next regularly scheduled UPTE CWA 9119 election.
- f. If a chapter's Executive Board member entitlement is reduced based on the number of members in such chapter per Subsection c. above, all current Executive Board members for such chapter shall serve the remainder of their terms.

g. For chapters with more than one Executive Board member, candidates for Executive Board member will be ranked in order of the highest votes to the lowest, with the winners being those candidates with the highest number of votes.

Section 3. The Executive Board shall appoint an Election Committee.

Section 4. A vacancy in office shall be filled for the remainder of the unexpired term as follows:

- a. A vacancy in the office of President, Executive Vice President, Vice-President, Secretary, or Treasurer shall be filled as follows:
 - i. If the vacancy occurs more than 120 days before the end of the term, such vacancy shall be filled by secret ballot in accordance with Section 3 of this article.
 - ii. If the vacancy occurs less than 120 days prior to the end of the term of office, such office shall remain unfilled for the remainder of the term.
- b. A vacancy in the office of Executive Board member shall be filled as follows:
 - i. If the vacancy occurs more than 120 days before the end of the term, such vacancy shall be filled by secret ballot in accordance with Section 2 of this article.
 - ii. If the vacancy occurs less than 120 days prior to the end of the term of office, such office shall remain unfilled for the remainder of the term.

Section 5. Eligibility for elected office in this organization shall be as follows: A nominee must have been, for one year preceding the election, a member in good standing and must remain a member in good standing throughout the term of office, except specified under Article IV, section 9. No Executive Board member may continue in office if such Executive Board member becomes ineligible for such office.

Section 6. Each member of the Executive Board is obligated to attend all regularly scheduled Executive Board meetings. The UPTE CWA 9119 Executive Board shall have the authority to declare vacant the position held by any Executive Board member who fails to attend two consecutive meetings or three meetings in that board member's term of office. Prior to the action taking place, the member shall be notified and be given the opportunity to demonstrate that this action should not take place. If, according to policies established by the UPTE CWA 9119 Executive Board, the Board determines that the absences should be unexcused, the position shall be declared vacant and filled in accordance with Article VI, Section 4.

Section 7. The UPTE-CWA 9119 President shall be a delegate to the CWA national convention as part of the officer's duties. UPTE CWA 9119 shall elect other delegate(s) to the CWA national convention by a vote of every member. Such election shall be consistent with the CWA constitution and with the UPTE-CWA 9119 elections code (Appendix B of this constitution).

ARTICLE VII: DUTIES OF OFFICERS AND EXECUTIVE BOARD

Section 1. The UPTE CWA 9119 President shall:

- a. preside at all meetings of the Executive Board and at all meetings of the convention;
- b. be a member ex-officio of all convention or Board committees except the Election Committee;
- c. appoint all standing and special committees of the organization, with the approval of the Executive Board;
- d. sign all authorized orders of the treasurer and countersign all checks drawn against the funds of the organization, provided that the UPTE CWA 9119 Vice-President, Executive Vice President, and Secretary may, with the approval of the Executive Board, act as alternative signatories on checks to the President and Treasurer;
- e. serve as a delegate to CWA national conventions; and
- f. submit a report to the delegates at each UPTE-CWA 9119 convention regarding the progress and standing of the organization and regarding the President's official acts.

Section 2. The Executive Vice President:

- a. shall carry out the policies and decisions of the President and Executive Board;
- b. shall coordinate statewide activities, including organizing, negotiations, and political activity, as the President and/or Executive Board decides.

Section 3. The Vice-President shall:

- a. assist the President in the performance of the President's duties; and
- b. in the absence or inability to serve of the President, preside at all meetings and perform all duties otherwise performed by the President.

Section 4. The Secretary shall:

- a. keep or cause to be kept a record of the proceedings of all conventions and Executive Board meetings. The Secretary shall send Executive Board members a copy of the Executive Board agenda prior to each Executive Board meetings and a copy of the minutes of each Executive Board meeting after the Board meeting;
- b. send a record of all conventions to all delegates and Executive Board members no later than 60 days after the conclusion of such convention; and
- c. perform such other duties as the Executive Board or the convention may direct or as are required by this Constitution.
- d. make the minutes available to all members upon request within 10 working days.

Section 5. The Treasurer shall:

- a. receive and take charge of all money and property of UPTE CWA 9119;
- b. deposit all money of UPTE CWA 9119 in a bank selected by the Executive Board. Money so deposited shall be withdrawn only by checks signed in accordance with this Constitution;
- c. cause the payment of proper bills and expenses of the union, when evidenced by satisfactory statements or vouchers, by checks countersigned by the President, Executive Vice-President or Vice-President. Prepare and sign checks for such purposes as are required by the Constitution or authorized by the convention or the Executive Board, provided that the Vice President and Secretary may, with the approval of the Executive Board, act as alternate signatories to either the President, Executive Vice-President or Treasurer;
- d. keep, or cause to be kept, an accurate record of receipts and disbursements and render a report thereon at each meeting of the Executive Board; and
- e. report fully on the financial standing of UPTE CWA 9119 to the Executive Board at least quarterly.

Section 6. The Executive Board shall be the governing body of this organization when the convention is not in session. All matters affecting the policies, aims and means of accomplishing the purpose of this organization not specifically provided for in this Constitution or by action of the delegates at a regular or special convention shall be decided by the Executive Board. The Executive Board shall meet at least quarterly at the call of the President. Special meetings may be called by the President or by a majority of the members of the Executive Board. A report on all actions of the Executive Board shall be made at each convention. A majority of the members of the Executive Board shall be required for a quorum.

Section 7. The Executive Board shall be responsible for the development of a proposed annual budget, which shall be presented to the annual convention.

Section 8. The Executive Board may establish a system for the bonding of staff and officers subject to law.

Section 9. The trustees shall make or cause to be made at least annually an audit of the organization's finances, and shall report to the membership on the results of such audit. They shall hold no other office. Audits shall be held within ninety days after the end of the fiscal year.

ARTICLE VIII: CHAPTERS AND REPRESENTATIVE COUNCILS

- Section 1. As of June 12, 2023, existing chartered campus locals shall instead be considered Chapters of UPTE. Any references to “Local” in this Constitution refer to UPTE as a Local of CWA. The Executive Board shall have the authority to establish additional Chapters or consolidate, reorganize, or abolish Chapters.
- Section 2. Each Chapter shall have a single Chair or multiple Co-Chairs, who shall be responsible for building and supporting Unit and Workplace Representative Councils at that Chapter.
- Section 3. Unit and Workplace Representatives shall be empowered to organize the employees in their respective areas and shall meet together regularly as a Council.
- Section 4. Members of each chapter with 1,500 or fewer represented employees shall elect a Chapter Chair. Members of each Chapter with more than 1,500 represented employees shall elect a Co-Chair for each 1,000 represented employees or major portion thereof (eg. 2 co-chairs for 1,501-2,500 represented, 3 co-chairs for 2,501-3,500 represented, etc). The number of Co-Chairs shall be determined by the number of represented employees reported by the employer 6 full months prior to the opening of nominations.
- Section 5. Chairs and Co-Chairs shall be elected from among the eligible Chapter members employed on such campus or facility, in the same election as the Executive Board. Co-Chairs shall be nominated and elected only as a complete slate, not as individuals. As of June 12, 2023 existing Chapter/Local Presidents shall act as Chair until the next regular UPTE election.
- Section 6. Chairs and Co-Chairs shall serve 3-year terms. In the case of a vacancy in the office of Chair or Co-Chair, the President shall appoint a replacement to serve the remainder of the term.
- Section 7. The Executive Board shall allocate funds for expenditure by each chapter. The Executive Board may establish provisions and standards for expenditures in order to comply with fiduciary and legal standards.

ARTICLE IX: CONTRACT NEGOTIATIONS

- Section 1. A Bargaining Committee shall be established for each bargaining unit for which UPTE CWA 9119 is the certified bargaining representative. Members shall elect their bargaining committee directly.
- Section 2. Members shall communicate their priorities for contract negotiations directly, through the use of a bargaining survey or similar tools.
- Section 3. The Chief Negotiator shall be appointed by the Executive Board and subject to confirmation by the bargaining committee.
- Section 4. Bargaining committees shall generate, receive, and act on matters concerning the bargaining process and other matters of direct concern to the particular group of members represented in accordance with the priorities established by the membership and parameters set by the Executive Board.
- Section 5. The bargaining committee shall report to the Executive Board at all regularly scheduled meetings and any other special meetings with bargaining issues on the agenda. The bargaining committee report shall include possible substantive changes in the contract. The Executive Board may set parameters on issues that impact the union as a whole. A tentative agreement shall not include substantive changes that have not been previously presented to the Executive Board or its designees. The Executive Board or its designees shall be required to sign off on a tentative agreement prior to it being accepted as a final agreement with the employer. This signature is only for the purpose of confirming that all substantive changes have been previously presented to the Executive Board.
- Section 6. The Executive Board shall ensure that adequate contract mobilization resources are allocated and shall set up all necessary means of communications between mobilizers, bargainers, and union officers.
- Section 7. As soon as possible after the achievement of a tentative agreement on a final employer offer, a vote shall be conducted among the members covered by such bargaining. The membership will be informed of the bargaining committee's recommendation of either acceptance or rejection. Written and electronic copies of the results of the bargaining process shall be made accessible to the membership covered by such bargaining before any ratification vote. UPTE-CWA local 9119 shall not put forward for ratification by members any tentatively negotiated agreement that is not a final offer from the employer.
- Section 8. Ratification requires a simple majority of those voting in each bargaining unit. UPTE-CWA Local 9119 shall not put forward for ratification by members any tentatively negotiated agreement that is not a final offer from the employer. In the case that the ratification vote covers more than one (1) unit, the votes shall be tallied across all units together resulting in either ratification or rejection for all units.

ARTICLE X: STRIKES

Section 1: Strike Authorization

- a. **Strike Authorization:** A strike vote authorization shall be held upon motion of the Executive Board. The Executive Board shall consider a recommendation of the majority of the members of a bargaining committee to take a strike authorization vote. Notice will be mailed to all union members of the affected unit if a majority of the Executive Board approves.
- b. **Notice of a Strike Authorization:** Notice will be mailed to all union members in the affected unit at least 10 days before balloting on the issue of whether to strike. The notice will include the announcement schedules for balloting, vote counts, and scheduled meetings.
- c. A motion for strike authorization will be voted on by union members in the affected unit/units. Balloting will be in person at meetings by secret ballot. A majority of those voting shall be required for the motion to pass.
- d. A strike may be called by a majority of the elected officers and the chair of the affected bargaining unit team.
- e. **Ending the Strike:** A decision to end the strike shall be made by the body described in section d.

Section 2: Strike Fund

- a. UPTE-CWA will place 50 cents per member and feepayer in the UPTE-CWA strike fund each month. This amount will be deducted from the total dues UPTE receives.
- b. Funds in the UPTE-CWA strike fund will only be used for strike gifts unless the delegates of the UPTE-CWA convention authorize otherwise. The UPTE treasurer shall provide at least quarterly reports on the status of the strike fund.
- c. Strike gifts shall be \$60 for each day on strike.
- d. The Executive Board shall establish procedures for eligibility for and implementation of strike gifts.

ARTICLE XI: REFERENDUM

- Section 1. By petition signed by at least 10% of the membership of at least two-thirds of UPTE CWA 9119 chapters, a member may require the Executive Board to conduct a referendum vote on a proposed constitutional change. The petition shall contain the exact wording of the proposed change and shall be submitted to the President of UPTE CWA 9119. No petition shall be accepted if it is submitted to the President seventy-five days or less in advance of a regularly scheduled UPTE CWA 9119 convention.
- Section 2. Within 15 days of the receipt of a referendum petition, the President shall send a copy of the petition to the Executive Board. Within 30 days of the receipt of the petition, the Executive Board shall verify petition signatures. Within 45 days of the receipt of the petition, the Executive Board shall mail to each UPTE CWA 9119 member, at his/her home address, a ballot.
- Section 3. The vote shall be by secret mail ballot. The ballot shall contain the proposed constitutional change, the name of the proposer, the names and chapter affiliations of all signers of the referendum petition, all arguments for or against by members, limited to 500 words each, a copy of this Article, and balloting instructions. Members shall have a minimum of 15 days and a maximum of 30 days to return ballots.
- Section 4. Ballots shall be counted within five days of the voting deadline by the President or designee and the proposer or designee, each of whom may be accompanied by observers.
- Section 5. A majority vote shall be required for the adoption of the constitutional change. If adopted, the change shall take effect 30 days after the vote count.

ARTICLE XII: RETIRED MEMBERS

- Section 1. Eligibility. Members of UPTE CWA 9119 who are or may be retired for any reason may elect to be full retiree members.
- Section 2. Dues.
- a. Active retiree members who wish to maintain full membership in UPTE-CWA 9119 shall pay monthly dues in the amount of \$15 to the Systemwide office.
 - b. There shall be a onetime fee of \$25 for enrollment in the CWA Retired Members Council, due at time of enrollment.
 - c. Retiree members who wish to remain active members of CWA shall pay an additional dues payment equal to the current monthly UPTE Retiree dues rate. These dues shall be remitted directly to CWA.
- Section 3. UPTE-CWA 9119 Retirees Association
- a. The UPTE-CWA 9119 Retirees Association shall be a systemwide organization of UPTE-CWA Local 9119.
 - b. The UPTE-CWA 9119 Retirees Association shall conduct elections of an Executive Board that shall include a President, Vice President, Treasurer, Recording Secretary and three (3) Members-at-Large. The Retired Members Association shall also elect one (1) Trustee. The terms of all offices will be 3 years.

ARTICLE XIII: MISCELLANEOUS PROVISIONS

Section 1. Except to the extent specified in this Constitution, no officer of this organization shall have the power to act as agent for or otherwise bind this organization in any way whatsoever. No member or group of members or other person or persons shall have the power to act on behalf of or otherwise bind this organization except to the extent specifically authorized in writing by the President or the Executive Board of this organization.

Section 2. Robert's Rules of Order, Newly Revised, shall be the guide in all cases to which they are applicable and in which they are not inconsistent with this Constitution and special rules of this organization.

Section 3. In cases of investigation and discipline, Members will be afforded full Due Process and shall be further protect by Robert's Rules of Order, Newly Revised.

ARTICLE XIV: AMENDMENTS

Section 1. This Constitution may be amended by either of the following methods:

- a. Proposed amendments to this Constitution shall be submitted in writing to the Executive Board at least sixty (60) days prior to the regular or special convention at which a vote is to be taken. The proposed amendments and the recommendations of the Executive Board shall be submitted to the convention. A majority vote of the delegates present and voting at the convention shall be necessary for adoption.
- b. A proposed amendment which is not submitted to the Executive Board at least sixty (60) days prior to the convening of a regular or special convention may be initiated on the floor of the convention upon the consent of a majority of the delegates present at the convention. Such an amendment, however, shall require a two-thirds vote of the delegates present and voting for adoption.
- c. Proposed amendments may also be voted on by referendum vote consistent with Article XI (Referendum).

ARTICLE XV: BY-LAWS

Section 1. The UPTE CWA 9119 Executive Board may adopt By-Laws to specify regulations that bind its own functioning. Such By-Laws can in no way supersede or be inconsistent with this Constitution. In case of any question or conflict, this Constitution always takes precedence.

Section 2. All By-Law amendments shall be presented to the UPTE CWA 9119 Executive Board. No decision on acceptance or rejection of By-Law changes may take place until the Executive Board meeting following the meeting at which such amendments are presented. There must be a minimum of one month's time between the meeting at which the amendments are presented and the meeting at which a decision is taken with regards to them.

Section 3. Amendments to the By-Laws may themselves be amended without requiring that a decision be postponed until a subsequent UPTE CWA 9119 Executive Board meeting as long as such amendments do not substantially change the content of the original amendment.

Section 4. The UPTE CWA 9119 Executive Board shall be empowered to make decisions of interpretation and application of the By-Laws. Any such decision may be appealed to the UPTE CWA 9119 annual convention, which is the highest decision making body of UPTE CWA 9119.