

New Mexico State University Graduate Workers United
United Electrical, Radio and Machine Workers of America (UE) Local 1498
Bylaws and Constitution

Adopted.....March 20, 2023

As Amended.....

PREAMBLE

We, the Electrical, Radio and Machine Workers realize that the struggle to better our working and living conditions is in vain unless we are united to protect ourselves collectively against the organized forces of the employers.

Realizing that the old craft form of trade union organization is unable to defend effectively the interests and improve the conditions of the wage earners, WE, THE ELECTRICAL, RADIO AND MACHINE WORKERS, form an organization which unites all workers in our industry on an industrial basis, and rank and file control, regardless of craft, age, sex, nationality, race, creed or political beliefs, and pursue at all times a policy of aggressive struggle to improve our conditions.

We pledge ourselves to labor unitedly for the principles herein set forth, to perpetuate our union and work concretely with other labor organizations to bring about a higher standard of living of the workers.

DEFINITIONS

The Union - Graduate Student Union or Local 1498

Bargaining Unit - Members of the Graduate Student Union at NMSU or UE Local 1498

Executive Board - Refers to the local executive board.

Bond - Refers to insurance against financial losses provided through the national union.

Good Standing (member): A member with no outstanding dues

ARTICLE 1

NAME

Section 1. This organization shall be known as United Electrical, Radio and Machine Workers of America (UE) Local 1498.

ARTICLE 2

AFFILIATION

Section 1. Local 1498 shall be affiliated with the United Electrical, Radio and Machine Workers of America, National Union, and Western Regional Council, United Electrical, Radio and Machine Workers of America (UE).

ARTICLE 3

OBJECT

Section 1. It shall be the object of this Local to protect, maintain and advance the interests of the workers; to organize the unorganized in conformity with its jurisdiction; and provide for the advancement of the interests of the workers.

ARTICLE 4

MEMBERSHIP ELIGIBILITY

Section 1. All persons who meet the following criteria are eligible to membership in this Local, regardless of age, skill, craft, sex, gender identity, nationality, color, religious, or political beliefs or affiliation, sexual orientation, disability or immigration status: Every currently enrolled graduate student at New Mexico State University who is currently working as a graduate assistant or has held an assistantship at any point within the previous calendar year.

ARTICLE 5

OBLIGATIONS OF MEMBERS

Section 1. As employees of New Mexico State University and graduate students, we insist on the right of all students to democratic participation in university governance, and we commit ourselves to fighting for higher education that is accessible to all, regardless of class or income; race or ethnicity; sexual orientation; gender; HIV, immigration, or disability status; national origin; age; and religious or political beliefs or affiliation. We call for renewed public commitment to creating the conditions necessary to quality education: respect and material support for all academic workers, class sizes which foster the meaningful exchange of ideas, and uncompromising dedication to academic freedom.

ARTICLE 6

DUTIES OF THE LOCAL EXECUTIVE BOARD

Section 1. Details regarding the duties of the local Executive Board are as follows:

- A. All decisions of the Executive Board shall be by a majority vote of the members present.
- B. 51% of members of the current Executive Council shall constitute a quorum.
- C. The Executive Board shall perform all duties necessary to properly administer the affairs of the Local Union consistent with the Local, Regional Council, and National Constitutions.
- D. The Executive Board shall act in cases of emergency which may arise between meetings of the Local.
- E. The Executive Board shall determine the financial arrangements and budget necessary to ensure that the Union's business functions properly.
- F. Review grievances and decide on the advancement of any unresolved grievances as often as necessary to ensure timely advancement of grievances. In the case of an advancement of a grievance to arbitration, recommend a vote on the advancement to General Membership.

G. Executive Board meetings will occur at least once a month, with more if necessary.

ARTICLE 7

OFFICERS

Section 1. Executive Board

- A. The Executive Board is comprised of the following officers: President, Vice President Treasurer, Secretary, Domestic Chief Steward, International Chief Steward, Political Action Chair, Communications Chair, and all Bargaining Committee members.
- B. The executive members shall be elected by a majority of the bargaining unit.
- C. The term of any elected official is one year, beginning on the day the election is verified and published by the Elections Committee

ARTICLE 8

RESPONSIBILITIES OF OFFICERS

Section 1. The President shall

- A. Preside at all regular and special meetings of the Local and Local Executive Board.
- B. Be a member of the Labor Management Committee (LMC) and/or designate a representative to the LMC.
- C. Be a member of the Local Executive Board.
- D. Preserve order and enforce the Constitution and By-Laws of the Union.
- E. Serve as a liaison between NMSU Administration and the GWU.
- F. Be an ex-officio member of all committees, but shall have no vote at the meetings at which they preside, except in case of a tie.
- G. Appoint, subject to the approval of the membership, all special committees, when an election of same is not called for.
- H. Sign checks jointly with the Treasurer.
- I. Give bond in the amount required by the National Union.
- J. Be at all times responsible to the Executive Board.
- K. Be a delegate to any National Convention or Regional Council meeting to which the local sends delegates.
- L.

Section 2. The Vice President shall:

- A. Assist the President in performing all duties and acting in the President's absence.
- B. Be a member of the Local Executive Council.
- C. Be an alternate signer of checks if the President or Treasurer is unable.
- D. Lead organizing and recruitment and preside over the Organizing Committee meeting

- E. Give bond in the amount required by the National Union.

Section 3. The Treasurer shall

- A. Receive, receipt, and account for all money paid to the Local.
- B. Pay all bills authorized by the Local.
- C. Furnish all supplies pertaining to the Local.
- D. Give account of all receipts and expenditures.
- E. Furnish a monthly Financial Report to the Local.
- F. Furnish a monthly report on per capita to the Regional Council.
- G. Furnish a monthly report on per capita to the National Union.
- H. Sign checks and per capita reports jointly with the President.
- I. Give bond in the amount required by the National Union.
- J. Be a member of the Local Executive Board.
- K. Perform such other duties with the approval of the Local Executive Board as may be necessary to the proper and effective administration of the Local.
- L.

Section 4. The Secretary shall

- A. Be responsible for keeping all records and minutes of the meetings and report on the previous meeting's minutes; can designate other note-takers if needed.
- B. Conduct all correspondence of the Local Union and of the Local Executive Board.
- C. Be Chair of Labor Management Committee
- D. Be a member of the Local Executive Board.
- E. Maintain a current list of member contact information.
- F. Email announcements and meeting agendas
- G. Perform such other duties, with the approval of the Local Executive board, as may be necessary to proper and effective administration of the affairs the Local.
- H.

Section 5. The Domestic Chief Steward shall

- A. Assist the president as a liaison between NMSU Administration and the GWU.
- B. Assist, aid, and instruct stewards in the proper handling of their duties.
- C. Keep records of all complaints and grievances, verbal and written, and their outcome for future reference and presentation to the membership.
- D. Conduct special and regular annual stewards' elections.
- E. Assist International Chief Steward for organizing and recruitment of international students.
- F. Shall be a member of the negotiating committee.
- G. Shall be a member of the Local Executive Board.

H. Be a member of the Stewards Council.

Section 6. The International Chief Steward shall

- A. Assist the president as a liaison between NMSU Administration and the GWU.
- B. Assist, aid, and instruct stewards in the proper handling of their duties.
- C. Keep records of all complaints and grievances, verbal and written, and their outcome for future reference and presentation to the membership.
- D. Conduct special and regular annual stewards' elections.
- E. Shall be a member of the negotiating committee.
- F. Shall be a member of the Local Executive Board.
- G. Be a member of the Stewards Council.
- H.

Section 7. Department Stewards shall

- A. Assist and guide members with grievance procedures.
- B. Lead local organizing and recruitment duties for their department.
- C. Serve as a conduit of information to and from the membership
- D. Be a member of the Stewards Council.
- E.

Section 8. The Communications Chair shall

- A. Communicate with the press.
- B. Check the Local Union email account.
- C. Oversee communications such as email blasts, newsletters, and social media.
- D. Form a subcommittee as needed.
- E. Shall be a member of the Local Executive Board.
- F.

Section 9. Political Actions Chair

- A. Be a member of the Local Executive Council.
- B. Lead and convene a committee as needed.
- C. Act as a liaison between the Local and other unions.
- D. Understand and advocate for the popular will and opinion of membership regarding relevant laws, elected officials, elections, and similar political matters.
- E. Understand, advocate, and organize the membership to take actions to defend the interests of working people in society, the local, and the national union.
- F. Organize the membership to take action to defend the interests of working people.
- G. Shall be a member of the Local Executive Board.

COMMITTEES

Section 1. Committees may be formed as needed per the responsibilities of the officers.

Section 2. The Bargaining and Grievances Committee shall:

- A. Be comprised of the President, the Vice President, the chief steward(s) and at least five (5) additional bargaining committee members elected by the union membership. Bargaining Committee members shall be elected as follows:
 - a. (1) BC member enrolled in the College of Arts & Sciences
 - b. (1) BC member enrolled in ACES
 - c. (1) BC member enrolled in CHEST
 - d. (1) BC member enrolled in the College of Engineering
 - e. (1) BC member at large enrolled in any School or College
 - f. (1) BC member representing international student interests enrolled in any school or college.
- B. Review grievances and decide on the advancement of any unresolved grievances as often as necessary to ensure timely advancement of grievances. In the case of an advancement of a grievance to arbitration, recommend a vote on the advancement to General Membership.
- C. File all necessary notices of intent to bargain as stipulated in the Collective Bargaining Agreement (CBA).
- D. Meet upon their election to identify all preparatory work needed and identify a Chief Negotiator.
- E. Carry out all necessary preparatory research such as holding a vote of membership bargaining priorities, reviewing current CBA and employer policy, reviewing filed grievances, and similar.
- F. Seek training in negotiation strategies and tactics from UE Regional or National staff.
- G. Represent the best interests of membership during negotiations.

Section 3. The Stewards Council

- A. The Stewards' Council will be composed of Chief Stewards and Department Stewards elected by a popular vote of members in good standing enrolled within the department in which they are also enrolled.
 - a. Stewards are elected from within their departments by a vote of that departments' members in elections run by Chief Stewards in their department.
 - b. Departments have the ability to recall their stewards and in doing so, trigger a special election for stewards in their department.
- B. Administration
 - a. The Stewards' Council shall:
 - i. Meet at least once per month. Can combine meetings with the Organizing Committee as needed.
 - ii. Stewards' Council meetings shall be open to all membership.

- iii. Handle business pertaining to Local member organizing and contract enforcement:
 1. The execution of membership surveys.
 2. The timely addressing of grievances in accordance with the Collective Bargaining Agreement (CBA).

Section 4. Organizing Committee

- A. The Organizing Committee (OC) meeting will serve as a space for interested bargaining unit members to get involved with the union, plan social events, and plan actions.
- B. The Organizing Committee (OC) meeting will be held at once per month. Can be combined with Steward Council meetings as needed.

Article 10

ELECTION PROCEDURES

Section 1. Elections of Executive Board shall:

- A. Occur at least 4 weeks before the end of every spring semester for terms that begin immediately.
- B. Be held in accordance with all federal and local labor laws.
- C. Be at least three weeks in length with:
 - a. at least one (1) day before the nomination period begins, the membership will elect 3 members who are not themselves running for office to serve as the elections committee.
 - b. a nomination period which shall begin at least one (1) week before the election period begins.
 - c. The voting period will last at least four (4) days, at least two (2) of which must be working days.
 - d. results of the election announced publicly within at most three (3) days of the close of the election period.
- D. Elections of Executive Board members and delegates to Regional Council and National Convention must be elected by secret ballot.
- E. Only members in good standing shall be eligible for office.
- F. No member may be a candidate for more than one office.

ARTICLE 11

VACANCIES IN OFFICE

Section 1. Vacancies in office shall be filled by nominations and elections at the next regular meeting of the Local after the vacancy occurs upon at least 15 days written notice to the membership. Such election shall be by secret ballot. Vacancies filled will last until the end of the term.

ARTICLE 12

RECALL OF OFFICERS

Section 1. The process for recall of officers is as follows:

- A. Any member in good standing may initiate a petition for the recall of any general officer by the following procedure. The member initiating the petition must first receive official endorsement from members comprising not less than twenty-five percent (25%) of the total membership as determined by the paid per capita on the average of the three previous months, before submitting petition to the General Membership Meeting. Recall elections will be determined by vote of the membership.
- B. The National organization will be notified within one (1) week of the recall.

ARTICLE 13

AMENDMENT PROCEDURES

Section 1. The process for amending these bylaws is as follows:

- A. Any member in good standing of the Local, may, with the written endorsement of 25 members in good standing of the Local, submit proposed amendments to this Constitution, which amendments shall be submitted in writing to the Local Executive Board. Amendments may also be initiated by majority vote of the Executive Board.
- B. The member submitting the amendment must state the Article and Section of the Constitution sought to be amended.
- C. The Local Executive Board shall report the proposed amendment to the regular Local meeting within thirty (30) days after the proposed amendment has been received. The Executive Board shall make its recommendations on the proposed amendment to the membership. At least 7 days prior to the meeting on the voting of the proposed amendment, the Secretary shall send to the membership copies of the proposed amendment. The proposed amendment shall become part of this Constitution by a majority vote in favor of the proposed amendment of the members present at the meeting, provided such amendment does not conflict with the Constitution of the Regional Council or the National Union.

ARTICLE 14

MEETING PROCEDURES

Section 1. The meeting procedures are as follows:

- A. The General Membership meeting will be held once a month during the academic year. It will serve as a space for members to make decisions about the work of the Local.
- B. The Organizing Committee will hold polls to find times for the OC and General meetings each semester.
- C. Notice of special meetings shall be given to the membership by the Secretary at least 24 hours prior to the special meeting.

ARTICLE 15

DUES

Section 1.

- A. Dues shall be established in accordance with the UE constitution .
- B. Any member who fails to pay their current month's dues shall not be in good standing and shall be notified of such standing by the Treasurer. If such members fail to pay required dues within thirty (30) days after such notice, their good standing shall be suspended.
- C. Any members suspended for nonpayment may be reinstated by paying their current month's dues.
- D. Allocation of dues remaining after payment to the Regional and the National shall be voted on by General Membership.
- E. Dues will be adjusted in accordance with the Collective Bargaining Agreement and the UE national constitution.

ARTICLE 16
TRIALS AND APPEALS

Section 1.

- A. The Local shall have the right to discipline by suspension or by expulsion any member of the Local who may be found guilty, after a hearing as hereinafter provided, of violation of the Constitution and By-Laws, or the general good and welfare, of the Local, the Regional Council, or the National Union.

Section 2.

- A. If a member of the Local commits an offense against the Constitution and By-Laws, or the good and welfare of the Local, Regional Council or National Union, they shall be given an impartial trial by the Local. The offense for which they are charged shall be presented in writing to the Local by a member in good standing in the United Electrical, Radio and Machine Workers of America. The Local Secretary shall give a copy of such charges to the accused member.
- B. A Trial Committee of [5] members shall be elected by the members present at the next regular membership meeting of the Local following the submission of the charges. The Trial Committee shall record the testimony and make recommendations as to the disposition of the case to the next regular membership meeting of the Local which shall vote on the recommendations.
- C. The member preferring the charges and the accused shall have the right to appeal to the Regional Council, and then to the General Executive Board of the United Electrical, Radio and Machine Workers of America, and from that body to the ensuing National Convention. The respective decisions of the Local, the Regional Council and the General Executive Board shall be final until otherwise decided by the higher body.
- D. If a member of the Local commits the offense of engaging in raiding or secession activities, the

following procedure shall be followed notwithstanding any other provisions of the National Constitution, or the Region Constitution, or this Local Constitution. They shall be given an impartial trial by their Local Union. Such charges must be presented in writing by the member making the charges to the Local of which the accused is a member. The member making the charges must be a UE member in good standing. A copy of said charges is to be given to the accused by the Local Secretary . A decision on such charges shall be made by the Local not later than ten (10) days after receipt of the charges by the Local. Either the member preferring the charges or the accused shall have the right to appeal to the Regional Council, which Regional Council shall have the power to elect from its body a committee to investigate the facts and hold hearings as deemed necessary. A decision of the Regional Council or of the Regional Executive Board between meetings of the Council shall be rendered to the appellant not later than seven days from the receipt of the appeal by the Regional Council. Appeals can further be taken to the UE General Executive Board and from that body to the ensuing convention. The decision of any lower body shall be final until otherwise decided by a higher body. If a Local does not comply with the provisions of this Section, the General Executive Board shall have the power to assume jurisdiction on such charges of raiding or secession pending before any such Local.

ARTICLE 17

STRIKES

Section 1.

- A. No strike shall be called by the Local without the General President, or the representative of the General President, having made an effort to adjust the dispute.
- B. Any strike must be approved by a secret ballot vote of the membership. No representative of the UE shall negotiate alone with the employer.
- C. For strike votes, only members currently employed by NMSU may vote.