

Bylaws of the California Federation of Interpreters Local 39000 of The NewsGuild-CWA

The California Federation of Interpreters (CFI) shall be governed by the NewsGuild-CWA constitutions and shall adopt policies consistent with the International Convention and these bylaws.

Article I. Name

The name of the organization shall be the California Federation of Interpreters Local 39000 of The NewsGuild-CWA, hereafter "Local 39000" or "CFI."

Article II. Organizational Mission

The mission of CFI Local 39000 is to:

- Improve employment, labor and wage conditions for members;
- Represent the members of the court interpreter bargaining units in matters of employment before the courts, government entities, and private sector agencies;
- Forge a cohesive labor organization dedicated to language access;
- Advocate for the court interpreting and translating professions;
- Foster professional excellence through continuing education activities;
- Promote ethical and legal compliance;
- Initiate and execute policies, activities and legislation to further the professional interests of interpreters and translators; and
- Address equal-access challenges before professional, community, and governmental organizations and the public.

Article III. Organizational Structure

Section One: Membership

CFI shall have three membership categories: Bargaining Unit, Freelance and Associate Membership.

Bargaining Unit Members shall be those individuals represented under a collective bargaining agreement within the charter jurisdiction of CFI Local 39000 who have applied and been accepted into membership, in accordance with the NewsGuild-CWA Constitutions. Members in good standing, as defined in the NewsGuild-CWA Constitutions, shall have full voting rights.

Freelance Membership shall be reserved for any applicant who does not meet the qualification for bargaining unit membership but who is:

- a. Certified by the California Judicial Council as a Court Interpreter, or is a Certified Administrative Hearing Interpreter or Certified Medical Interpreter; or
- b. Certified as a Federal Court Interpreter; or
- c. Certified as a Court Interpreter by the Consortium of the National Center for State Courts; or
- d. Registered with the California Judicial Council as a court-qualified interpreter whose language has not been designated for certification by the California Judicial Council; or

- e. Accredited as a translator by the American Translators' Association.

CFI Local 39000 shall not represent freelance members under a collective bargaining agreement. Freelance members shall have voting rights only on the operation and officers of the Freelance unit. Freelance members shall have voice but not vote at membership meetings.

Associate Membership shall be reserved for any applicant who does not meet the criteria for either Bargaining Unit or Freelance Membership, and shall include retirees with lapsed interpreter credentials, students and others who support the mission and goals of CFI Local 39000. Associate members shall not have voting rights.

Members shall be the supreme authority of CFI Local 39000 and shall exercise their authority through meetings and referenda. Between membership meetings, the Executive Board shall be the governing body of CFI Local 39000 and shall administer the affairs of the organization and decide all matters affecting the policies, aims and means of accomplishing its purpose unless specifically provided for in these bylaws or by action of the membership. A report on all actions of the Executive Board shall be made at each membership meeting.

Section Two: Exceptions to Membership

Based on factors deemed to conflict with the best interests of the membership or its purposes as set forth in these bylaws, the Executive Board may deny membership to any applicant at the time of application or following conviction of charges in accordance with the CWA Constitution, by means of a simple majority vote. The applicant will be afforded an explanation of the reasons for denial and an opportunity to appeal the decision to the NewsGuild Executive Council.

No one expelled from membership shall be readmitted without the approval of the CWA Executive Board.

Section Three: Executive Board

The Executive Board shall consist of three (3) Titled Officers (President, Vice President, and Secretary-Treasurer), one Representative from each of the four (4) Regional Bargaining Units and one (1) non-voting Freelance Representative. The members of any newly affiliated unit shall elect a unit representative to join the Executive Board.

The Executive Board shall authorize spending of all CFI Local 39000 funds except for payments of a routine nature. Checks shall be valid only when signed by the Secretary-Treasurer and another Titled Officer.

The Executive Board shall not delegate its financial authority to an individual officer or group of officers.

The Executive Board shall:

- a. Approve the hiring and firing of staff;
- b. Direct staff in all matters;
- c. Set standards and criteria for collective bargaining and coordination among regional bargaining committees or within units;

- d. Approve and subject to member ratification, or reject tentative agreements reached by the elected bargaining committees;
- e. Appoint stewards.

The President, Vice president, and Secretary-Treasurer shall automatically be delegates to the CWA Convention and the TNG Sector Conference. In the event the local is not entitled three delegates, or chooses to send fewer than three delegates, the delegates shall be selected in the order listed in this section.

Section Four: Meetings of the Executive Board

- a. Executive Board meetings shall be open to members in good standing, with the exception of executive sessions called to discuss litigation, legal and bargaining strategies, and personnel matters. Notice of date, time, and location of meetings shall be posted on the CFI website no fewer than five (5) days prior to the meeting. Minutes of all such meetings shall be made available to members upon request.
- b. The Executive Board shall convene at least four (4) times a year.
- c. Fifty percent (50%) of Executive Board members shall constitute a quorum for any meeting of the Executive Board, and shall include at least one Titled Officer.
- d. Telephonic meetings: Meetings of the Executive Board and Advisory Committee may be held through telephonic conference or similar means as long as all participating members can communicate with one another. Participating members shall be deemed present in person at such meetings.

Section Five: Titled Officers

The Titled Officers of CFI Local 39000 shall be the President, Vice President, and Secretary-Treasurer.

The President shall:

- a. Coordinate the activities of all Local 39000 employees;
- b. Preside over all Executive Board and General Membership meetings;
- c. Appoint, with Executive Board approval, the chairpersons of all committees;
- d. Be an ex-officio member of all committees with the exception of the Nominations and Election Committees;
- e. Hire and terminate employees with Executive Board approval;
- f. Direct staff;
- g. Perform the required duties of office and delegate authority to staff or officers as needed.

The Vice President shall assume the powers, duties, and responsibilities of the President in the latter's absence, resignation or demise, until the vacancy is filled in accordance with the bylaws.

The Secretary-Treasurer shall:

- a. Record and distribute the minutes of all CFI Local 39000 meetings;
- b. Be the teller at all Executive Board meetings;
- c. Post notice of all Executive Board meetings on the CFI website;
- d. Provide administrative support to the CFI Local 39000 Election Committee;
- e. Delegate temporary duties to staff or officers as needed.

- f. Be responsible for all financial records, reports and funds, with Executive Board oversight;
- g. Sign and prepare all tax returns and reports required by state and federal law;
- h. Maintain a record of all Local 39000 income and expenditures, safeguarding any and all receipts for income and expenditures incurred;
- i. Pay or cause to be paid all bills incurred in the ordinary course of Local 39000 business;
- j. Present quarterly Treasurer's reports to the Executive Board and yearly reports to the membership at the annual meeting;
- k. Serve as an ex-officio member of the Budget Committee and assist in the preparation of the annual budget.

Section Six: Unit Representatives

The Representatives of each of the Regional Bargaining Units shall:

- a. Represent the interests of their respective regions on the Executive Board;
- b. Serve as advisory members to the regional bargaining committees;
- c. Engage in statewide issues to foster collaboration and coordination;
- d. Encourage region-wide communication among the membership.

The Freelance Unit Representative shall:

- a. Represent the interests of freelance members on the Executive Board;
- b. Lobby for equitable pay and working conditions and safe professional standards;
- c. Provide member guidance on private sector practices;
- d. Promote the shared interests of freelance and represented members;
- e. Have voice but no vote.

Section Seven: Professional Development Program

CFI Local 39000 shall maintain a Professional Development Program to provide for member training and career development. Conference and training fees shall contribute to the Professional Development Program's offerings.

Section Eight: Organizational Units

Units shall constitute the basic organizational element of CFI Local 39000. The membership of each certified bargaining region shall constitute a unit. Freelance members shall constitute a unit. The members of any newly affiliated unit shall elect a unit representative to join the Executive Board.

Section Nine: Union Stewards

The Executive Board shall appoint stewards in close consultation with the membership. A call for nominations shall be made to the membership of each represented unit at least 15 days prior to appointment of a steward. The members will be noticed through the CFI Local 39000 website. The Executive Board shall determine the number of stewards for each unit based on location, need and the availability of motivated and qualified members.

In consultation with the members, staff representatives and officers of CFI Local 39000, union stewards shall act as volunteer representatives in order to:

- a. Represent members' employment interests;

- b. Monitor enforcement of collective bargaining agreements;
- c. Relay information among the union, the membership and the employer;
- d. Promote collective workplace values;
- e. Organize and mobilize members.

Failure to fulfill the duties of stewardship as set forth in these bylaws may result in removal by a simple majority vote of the Executive Board.

Article IV. Bargaining Committees

The members of each of the four (4) bargaining regions of the State of California shall elect Regional Bargaining Committees. The size of the committees shall be determined by the Executive Board and shall not be fewer than three members.

- a. Duties: The Regional Bargaining Committees shall negotiate tentative collective bargaining agreements, operating in close consultation with the Executive Board in order to carry out duties concomitant to the contract negotiation process.
- b. Eligibility: All Regional Bargaining Committee candidates must be bargaining unit members in good standing at the time of nomination and must be elected by the membership of their region in duly held elections.
- c. Coordination: The Executive Board may appoint additional members to bargaining committees from other regions selecting from members of the Executive Board or other regional bargaining committees. The Executive Board shall post a call for nominations on the CFI website and by email at least two weeks prior to making any such appointment.
- d. Changes to bargaining committee composition: Based on statutory or other changes to the bargaining structure, the Executive Board may call for alternative, statewide bargaining committee(s) to facilitate statewide or multi-regional collective bargaining. Any such committee shall be constituted by the members of the existing regional committees or be elected by the membership in duly held elections and include provisions to ensure geographically balanced representation, as determined by the Executive Board.
- e. Every collective bargaining unit newly affiliated with or organized by Local 39000 shall elect its bargaining committee for the purpose of contract negotiations and shall be subject to the provisions in this section.

Tentative agreements must be approved by the Executive Board and NewsGuild-CWA before being submitted to the unit membership for ratification.

Article V. Advisory Committee

The Executive Board shall appoint three (3) members to comprise the Advisory Committee, which shall include Northern and Southern Professional Development Directors and, a Legislative Policy Director. To be eligible, the appointees shall be bargaining unit members in good standing at the time of nomination. The Advisory Committee shall:

- a. Develop and implement the legislative, political, and educational agenda of CFI subject to the approval of the Executive Board;
- b. Pursue projects that promote language access and the interests of the profession;
- c. Attend all Executive Board and General Membership meetings.

The Northern Professional Development Director shall oversee Regions 2 and 3 and the Southern Professional Development Director shall oversee Regions 1 and 4.

The Professional Development Directors shall:

- a. Promote language access and the profession;
- b. Plan and produce educational workshops, programs and materials for interpreters, attorneys, the judiciary and the public on language access;
- c. Enter into contracts in furtherance of the Professional Development Program;
- d. Serve as standing members of the Continuing Education Committee;
- e. Send notice of all Professional Development meetings to the membership.

The Legislative Policy Director shall monitor and respond to legislative, regulatory, legal and political activities impacting language access. Working closely with the CFI lobbyist, staff and officers, the Legislative Policy Director shall:

- a. Serve as the primary contact on legislative and political issues;
- b. Monitor the language access bills, resolutions, agendas and activities of the California Courts;
- c. Articulate language access policy positions and identify efforts to advance the legislative and political agenda of CFI Local 39000;
- d. Offer language access guidance to the judiciary, legislators and affinity groups;
- e. Subject to Executive Board approval, plan activities to increase membership engagement in the legislative process.

Article VI: Local 39000 Staff

The President shall hire and terminate staff with Executive Board approval. The President shall direct staff to carry out the duties and responsibilities of CFI's mission and goals. Local 39000 officers and members may be appointed to staff positions at the discretion of the Executive Board on a temporary, lost-time basis.

Through the end of December 2019, Ed Venegas shall serve as local administrator with no reduction in pay or benefits. The local administrator shall report to the Executive Board and be responsible for the day-to-day operation of the local.

No one who has been expelled from membership may be hired as an employee or consultant.

No attorney, consultant or contractor who has assisted efforts to disaffiliate from the CWA shall be hired or paid by the local.

Article VII. Dues and Assessments

Section One: Fees and Dues

Bargaining Unit Members: Members represented under collective bargaining agreements within CFI's charter jurisdiction shall pay dues in accordance with the NewsGuild Constitution. Dues increases shall be submitted to the membership for ratification by a secret ballot vote.

Freelance Unit Members: Annual fees for freelance membership shall be set by the Executive Board. Fee increases shall be submitted to freelance unit members for ratification by a secret ballot vote. Fees shall be paid upon presentation of the membership application or the renewal date and shall cover the following twelve months. Membership shall enter lapsed status upon ninety (90) days of its expiration. Reinstatement fees may be incurred following membership lapse. Freelance dues shall be payable annually in January. Freelance members who join after January shall pay a pro-rated amount for their first year's payment.

Associate Members: Annual fees for associate membership shall be set by the Executive Board. Fees shall be paid upon presentation of the membership application or the renewal date and shall cover the following twelve months. Associate membership shall enter lapsed status upon ninety (90) days of its expiration. Reinstatement fees may be incurred following membership lapse.

Section Two: Good Standing

A member in good standing shall be one who has made an affirmative request for membership and has been accepted into membership, or one who has been reinstated to membership. A member in good standing must have made timely payments of the membership dues, assessment, and levies, if any, in accordance with these bylaws.

Article VIII. Elections, Terms of Office and Vacancies

Section One: Elections and Appointments

All elections shall be duly held by secret ballots cast by eligible members in good standing. Regional Bargaining Unit Representatives, Bargaining Committee members and delegates to the NewsGuild Sector Conference and CWA Convention shall be elected by bargaining unit members. Titled Officers shall be elected by bargaining unit members. The Freelance Unit Representative shall be elected by freelance members. Advisory Committee members, union stewards and staff shall be appointed by the Executive Board and serve at will.

Section Two: Election Procedures

- a. The election of Executive Board members shall be held before the beginning of the calendar year in which they will serve.
- b. At least six months in advance of a regular election, the Executive Board shall appoint an Elections Committee (EC) of three or more members. No current officeholder or candidate for office shall serve on the EC. The EC members shall serve a one-year term and shall be responsible for the conduct of any CFI Local 39000 election or referendum.
- c. The nominations process will be carried out in a manner that affords members a reasonable opportunity to submit nominations. Notice of nominations the period and procedure shall be posted on the CFI website and all eligible members will be formally notified in accordance with legal requirements no fewer than fifteen (15) days prior to the nomination period. All candidates must accept the nomination in writing within five days of the close of nomination, further they must agree to attend officer training to be conducted by the CWA at a time and a place of CWA's choosing within 3 months of taking office.

- d. If, at the closing of nominations, not more than one person is nominated for any of the vacant seats, the Nominations Committee may determine without further action that the person nominated is qualified and thereby elected by acclamation.
- e. If more than one person is nominated for a position, elections shall take place in a manner that allows all candidates a reasonable opportunity to solicit votes and qualified members a reasonable opportunity to choose among candidates.
- f. The elections of all union officers shall be carried out by the legally required method. All eligible members shall be notified of the election no fewer than thirty-one (31) days prior to the ballot-return date.

Section Three: Terms of Office

The members of the Executive Board shall serve two-year terms.

Section Four: Assumption of Office

Newly elected Executive Board members shall assume office on January 1st following the elections. Executive Board officers elected in 2019 shall serve until Dec. 31, 2021.

Section Five: Vacancies

Whenever a vacancy occurs in an elected office, a special election shall be called except when fewer than six (6) months remain in the term of office, in which case the position shall remain vacant.

Section Six: Removal of a Union Officer for Cause

Elected officers may be recalled in accordance with the provisions of the CWA Constitution.

Article IX. Meetings, Quorum and Conduct

Section One: General Membership Meetings

- a. Notice of meeting dates, times, locations and proposed agendas (subject to amendment) shall be posted on the CFI website no fewer than five (5) days prior to the meeting date.
- b. General meetings: At least four (4) general membership meetings shall be scheduled during the fiscal year for general business and any other matters placed on the agenda. General membership meetings shall alternate between the Northern and Southern regions. The year's final general membership meeting shall be held in the last quarter of the fiscal year to report on the year's business and to discuss any other matters that may be on the agenda. A written notice of the meeting shall be sent to all members twenty-one (21) days prior to the meeting.
- c. Special Meetings: A special meeting may be called by the President, Executive Board or by written request of not fewer than ten percent (10%) of the membership. Written notice of the meeting must be sent to all members ten (10) days prior to the meeting. When an urgent situation arises, the Executive Board may, by unanimous vote, approve notification by telephone.

Section Two: Quorum for Membership Meetings

Quorum for membership meetings: Five percent (5%) of members in good standing shall constitute a quorum for any general or special meeting.

Conduct of general meetings without quorum: Any membership meeting called by the Executive Board for which there is no quorum shall become informational in nature. Without a quorum, no action shall be taken on any item placed on the agenda that requires membership approval.

Article X. Local Committees

Standing and Special Committees shall consist of at least two (2) members in good standing. With Executive Board approval, the President shall appoint committee chairpersons, who may nominate additional committee members.

The Standing Committees:

- a. The Continuing Education Committee shall implement continuing education programs and seek approval of credits through the California Judicial Council;
- b. The Budget Committee shall prepare and submit for Executive Board approval the proposed annual budget with the assistance of the Secretary-Treasurer.
- c. The Communications Committee shall: publish and distribute communications to the membership, including newsletters, email broadcasts, and bulletins; maintain the CFI website; and promote communications with other interpreter and translator organizations.

Special committees may be formed at the request of Executive Board members with majority approval of the Executive Board.

Article XI. Amendments

Section One: A proposal to amend these bylaws may be initiated by motion of the Executive Board or a petition signed by not fewer than thirty-three percent (33%) of members in good standing.

Section Two: The proposed amendments and any subsequent revisions must be reviewed and approved by the CWA prior to being submitted to the membership for consideration. The proposed amendment must then be considered at a membership meeting. The proposal shall be sent to members in good standing not fewer than fifteen (15) days before the membership meeting at which it is to be considered, together with the date, time and place of the meeting.

Section Three: Following the membership meeting, the proposed amendment shall then be submitted to a referendum by secret ballot and decided by a majority of voting members.

Article XII. Fiscal Year

The fiscal year shall be January 1st to December 31st.

Article XII. Referenda

Any Local 39000 matter or policy to be decided that falls within Executive Board jurisdiction may be referred to a vote of the membership in one of two ways: by means of a voice vote of members in good standing present at a general or properly called meeting, provided there is a quorum; or by means of a petition signed by twenty percent (20%) of members in good standing.

Referenda shall be conducted by secret vote through electronic or mail-in ballots issued to eligible members no fewer than twenty-one (21) days prior to the ballot-return date. A simple majority of the ballots cast shall determine the vote, unless otherwise stated herein. All members shall be given fifteen (15) days written notice of any referendum.

No matter shall be voted on that is in conflict with the CWA or TNG-CWA Constitutions.

Article XIV. Parliamentary Authority

Any Parliamentary procedure not covered in these bylaws or in any provisions of law shall be referred to the latest edition of Robert's Rules of Order, Newly Revised.