

- I N S T R U C T I O N S -

MERGER APPLICATION

1. Read Constitutional requirements which follow:

Article II, Section 3. Mergers of Branches may be effected only in accordance with the following rules and regulations:

- (a) Each Branch proposing to merge shall within a period of ninety (90) days, have a regular or special meeting. Such meeting shall be held for the purpose of considering a resolution calling for merger after at least thirty (30) days' notice of said meeting to each member, which notice shall set forth the details of the proposed merger;
- (b) when a merger is formally voted upon and put into effect, it will be final and binding;
- (c) the identity and geographic area covered by the Branch which will emerge from, or the name and number of the Branch which will survive, the merger or absorption, shall be specified;
- (d) any agreement or agreements between the applying Branches concerning, bylaws, dues structure, terms and identity of officers, disposition of assets, assumption of liabilities, if any, and proposed effective date of the merger or absorption;
- (e) a majority affirmative vote of all regular members in good standing, present and voting, of each Branch proposing to merge, shall be necessary to authorize application for merger;
- (f) an application to the President of the NALC signed by the President and Secretary of each Branch proposing to merge containing the following:
 - a copy of the resolution adopted by each Branch;
 - a certification by each Branch Secretary of the vote of his/her Branch, including the date and place of its meeting,
 - the number of its eligible voters, and the number of affirmative votes cast;
 - a statement of the reasons for desiring the merger;
- (g) upon receipt by the President of an application for merger on appropriate form from two or more Branches, the President of the NALC shall issue a charter forthwith;

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(h) merger applications will be considered in the light of the following criteria, among others:

- all mergers will be on a voluntary basis
- a merger may not cross the geographic boundary lines of a State, unless a consolidation of post offices across State lines puts the Branches under one installation head; and

(i) if a substantial complaint is raised following Branch merger voting, documentation and supporting evidence of the charge or charges must be submitted to the National President, within thirty (30) days after such voting, who will in turn have the authority upon review, to order a new vote to be taken among all members in each respective Branch, seeking merger in accordance with the voting procedures as contained in the By-Laws of each respective Branch and the National Constitution.

2. Both Branches must complete the Merger Application Form. Incomplete forms will be returned.
3. Attach any agreements, by-laws, dues structure, terms and identity of officers, disposition of assets, assumption of liabilities and resolutions.
4. Include statement of reason(s) from each branch for requesting the merger. (Sample enclosed)
5. Include a copy of the resolution adopted by each branch. (Sample enclosed)
6. Mail to the National President at NALC headquarters.

TERMINAL REPORT UPON COMPLETION OF MERGER

When the requirements for a branch merger have been completed, the president/secretary-treasurer of the gaining branch will be notified in writing of the merger effective date. **The losing branch must file a Terminal Report within 30 days with the U.S. Department of Labor** after the effective date of the merge. Furthermore, the Terminal Report, Forms LM-2, LM-3, or LM-4, must be signed by the president and treasurer or corresponding principal officers who were serving at the time of termination.

This report must contain a detailed statement of the circumstances and effective date of the merge. It must report the name, address, and file number of the union into which it has been merged. The Terminal Report must reflect the union's financial condition at the time of the merge, must describe plans for the disposition of the branch's cash and other assets, and must cover the period from the beginning of the fiscal year through the date of termination.