Bylaws: What’s missing?

As chairperson of the Committee of Laws, it is my job to review submissions from branches for proposed changes to their bylaws. When reviewing hundreds of submissions each year, recurring issues with branch bylaws become apparent.

This month, I want to share with you some problems the Committee sees on what is missing from branch bylaws. Here are a few examples of language that must be contained in branch bylaws:

Meetings—Article 3, Section 1 of the Constitution for the Government of Subordinate and Federal Branches (CGSFB) states that regular meetings of the branch shall be held “at such time and place as may be designated in the Branch bylaws.” Presidential rulings have consistently held that this language clearly requires that both the date and the hour of the meetings be fixed in the bylaws (i.e., the second Tuesday of each month at 7 p.m.) It is impermissible for branches to leave the date and the time of the meeting in doubt.

Officers—The Committee sometimes receives bylaws that fail to list the officers of the branch. While the list of branch offices set forth in Article 4 of the CGSFB would govern in the absence of specific provision in the bylaws, it would be preferable to list those offices directly in the bylaws because it is important that the membership know readily what the branch offices are. In addition, the Constitution allows the branch board of trustees to consist of three or five members. The bylaws should specify the number of trustees.

Term of office—Article 4, Section 2 of the CGSFB states: “All officers shall be elected for a term of one (1), two (2), or three (3) years, at the option of the Branch, or until their successors are duly elected and installed.” The bylaws should specify which term of office the branch officer for.

Elections—Article 5, Section 4 of the CGSFB states: “Election of officers shall take place at a time prescribed by the Branch bylaws.” The Constitution requires that the branch bylaws specify the exact date of the elections. If the election is by mail, the date on which ballots are due should be set forth. It would be insufficient to indicate that the election will be held at a branch meeting. In addition, the bylaws should state when nominations will take place. (Article 5, Section 5 (b) of the CGSFB requires that nominations be held at a regular or special meeting of the branch not less than four weeks before the date of the election, but not less than 10 days after the notice of nomination and election has been sent out.)

Delegate elections—Article 5, Section 4 of the CGSFB states: “Election of delegates and alternate delegates to the National and State Association Convention shall be made no later than December of the year preceding the convention year.” Again, the date, place and manner for nomination and election should be stated in the branch bylaws.

Stewards—Article 4, Section 5 of the CGSFB states: “Branches having members in two or more stations may make provisions in their bylaws for station delegates, representatives or shop stewards to be appointed or elected, within the respective stations as the Branch may be determined....” The branch bylaws should specify how the branch has decided to choose its stewards—election by the general membership, election by station or by appointment.

Dues—Article 7, Section 1 of the CGSFB provides: “Initiation fees and dues shall be fixed in the bylaws and payable in advance, provided that regular members with 50 years’ membership shall be exempt from the payment of dues, fines and assessments.” Branch bylaws must specify the amount of branch dues. If the branch dues are the same as the minimum dues required by Article 7, Section 2 of the NALC National Constitution (not the CGSFB), it would be sufficient to so indicate. But the branch dues must be listed in the bylaws.

Again, these are just a few examples of language that must be included in all branch bylaws. To assist branches that may be considering revising their bylaws, the Committee recommends that branches refer to the Constitution for the Government of Subordinate and Federal Branches as a guide. The CGSFB begins on page 66 of the NALC Constitution. The NALC Constitution can be found on the NALC website. The link is at the bottom of the homepage at nalc.org under “Member Resources.” The NALC Constitution’s link is “NALC Publications.” NALC Constitutions also may be purchased from the NALC Supply Department.

For more information concerning branch elections, please consult the NALC Regulations Governing Branch Election Procedures. A copy of the regulations also is found on the NALC website. From the homepage, click the link to the bylaw changes form under “Member Resources.” A link to “Election Information” can be found on the same page; you must scroll up to find it on the right-hand side.