

Bylaw basics



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Each year, the Committee of Laws rules on approximately 200 submissions from branches and state associations for proposed changes to their bylaws. A majority of the submissions the committee receives are approved, indicating that the proposed changes do not conflict with the *National Association of Letter Carriers Constitution*.

The remainder are typically approved with exceptions, indicating that some of the proposed changes were in conflict with the *NALC Constitution*. In those instances, the committee will explain in a detailed letter to the branch or state association why it ruled the provision to be

impermissible. When possible, the committee also suggests how the branch or state association might achieve its objectives without violating the *NALC Constitution*.

As chairman of the Committee of Laws, it is my job to review the proposed bylaws and then make a recommendation to the full committee on how we should rule. Director of Safety and Health Manuel L. Peralta Jr. and Director of Life Insurance Myra Warren also serve on the Committee of Laws.

I am often asked by branch and state officers: What is the process for addressing the provisions that are found by the committee to be in conflict? Do we have to go through the entire process again if the language needs to be changed?

The answer is yes: Any proposed change in a branch's or state association's bylaws—whether involving deletion of old language, addition of new language, or both—constitutes an amendment of the bylaws and would be subject to the requirements of Article 15 of the *NALC Constitution*.

The committee also is asked on occasion to interpret branch or state association bylaws. However, branches and state associations should be aware that the committee is not authorized to interpret branch or state bylaws. Its charter extends only to reviewing proposed bylaws for compliance with the *NALC Constitution*. If the branch or state association is unsure of the meaning of a bylaw, the branch or state association should clarify the meaning of the bylaw by a vote. The committee also hopes that branches and state associations will take care in drafting proposed bylaws to make the meaning as clear as possible, recognizing that the bylaw may be in effect long after its author is available to explain it.

The committee occasionally is asked to provide branches or state associations with copies of its bylaws. We will be

happy to review our files upon request to see whether the branch or state association has sent a copy of its bylaws to the committee recently. However, please be advised that the committee does not maintain an updated copy of the bylaws of each branch or state, but rather, pursuant to Article 11, Section 3 of the *NALC Constitution*, only a chronological record of all approved bylaw amendments. It is the duty of each branch and state association to maintain a complete and current set of its bylaws.

If a branch cannot locate its bylaws, the committee recommends that the branch prepare a new set of bylaws, which should be submitted to the Committee of Laws for approval after they have been voted on by the branch following the procedures set forth in Article 15 of the *NALC Constitution*. The *Constitution for the Government of Subordinate and Federal Branches*, which is contained in the *NALC Constitution* booklet, is a useful guide for preparing bylaw provisions. State associations should refer to the *Constitution for the Government of State Associations*, also found in the *NALC Constitution*.

In addition, as chairman of the committee, my office routinely fields questions concerning bylaws and the *NALC Constitution*. I am happy to assist where I can. Please be advised, however, that typically I will ask that you put your question in writing. The reason for this policy is so that 1) the question is clear, and 2) the question can be researched and a determination made on whether the Committee may answer it or whether the question involves an interpretation of the *NALC Constitution* and must be forwarded to the office of the president for a response.

The NALC website contains online forms for submitting proposed bylaw changes. These forms can be used only once a proposed bylaw change has been voted on and approved, and the forms must be signed by an officer. The forms were created to make submission of bylaw changes easier for branches and state associations. The forms also assist the committee when it reviews proposed changes.

The form is available in both .exe and PDF format. The PDF can be opened from the website and contains fields in which you can type or paste information directly using your computer. The form also can be downloaded. The instructions for submitting branch or state bylaw changes to the committee also is available on the website as an attachment to the form.

The *NALC Constitution* can be found on the NALC website as well. It is one of the QuickLinks on the front of the newly designed NALC website. The online bylaw form now can be found on the Assistant Secretary-Treasurer page. To navigate there, simply click on the "Union Administration" tab at the top of homepage at nalc.org and then click on the link to "Assistant Secretary-Treasurer."