

How to submit bylaw changes to the Committee of Laws



Judy Willoughby

Article 15 of the *NALC Constitution* sets forth rules that branches and state associations must follow to approve a change in their bylaws. Branch or state association bylaws may contain additional guidelines.

Article 15 of the *NALC Constitution* provides that branch bylaws “may be amended at any regular meeting of the branch, provided the amendment has been submitted in writing at the last previous regular branch meeting, and suitable notification to members shall be made at least ten (10) days before the regular meeting at which the vote is to be taken.” Previously, rulings have established that “suitable notification” within the meaning of Article

15 is any notice which, under the facts and circumstances, is reasonably designed to inform all members of the substance of the proposed amendment and the time and place of the vote. Such notice may be provided by a mailing or by publication in a branch newsletter mailed to the members. While posting a notice on a station bulletin board is a good method of informing members of bylaw amendment votes, it is insufficient by itself to provide adequate notice where there is no guarantee that every member of the branch, particularly retirees, will see the bulletin board display.

After the proposed bylaws have been approved by the branch or state association, the proposed changes must be submitted to the Committee of Laws for approval. The NALC has a form to make it convenient for branches and state associations when submitting. You can find the form and instructions on the NALC website at nalc.org. Once on the homepage, click “Union Administration,” then click on the “Assistant Secretary-Treasurer” page. Click on the link for “Branch By-Law changes,” and you will find links for the bylaw form that the NALC has made available. The PDF form is executable, so this will allow you to fill out the form and just print it out. You can also click on the second form link and print a blank form that can be filled out manually. Both forms can be used on any operating system (PC, Mac, Linux, etc.). To assist, there is also an instruction page.

The space on the form is not very big. At times, in order to have space for everything, a very small font is used. When this occurs, please attach a separate sheet to the form in a larger font so it can be more easily read, or use multiple forms for the same section.

All parts of the form must be completed, including the

date of the first reading, notification, the date of the vote, and the signature of a branch officer. Please make sure to include a contact phone number in case the Committee of Laws needs more information. This form also can be used by state associations.

The exact wording of the prior language must be included, along with exact wording of the new language. A general description of the intended change is not adequate. If the prior language has been deleted, write “deleted” in the new language box. If the proposed language is new, write “new” in the current language box. Submit the form along with two copies of your current bylaws. Then mail the forms and two copies of the current bylaws to: Assistant Secretary-Treasurer, NALC, 100 Indiana Ave. NW, Washington, DC 20001-2144.

Once received, the bylaws are date-stamped, and previous correspondence from the Committee of Laws to the branch or state association is attached for review by the assistant secretary-treasurer, who makes a recommendation to the Committee of Laws. The members of the Committee of Laws are: Director of Safety and Health Manuel Peralta Jr., Director of Life Insurance Myra Warren and myself as chairperson.

The Committee of Laws has three outcomes to assign when reviewing proposed changes. They are: “Approved,” “Approved with exception(s)” and “In conflict with the *National Constitution*.” Approved with exception means the items listed as exceptions are in conflict and not approved. In order to remedy the exceptions and amend bylaws, the entire process contained in Article 15 of the *NALC Constitution* must be completed again. (This means submitting, notification, voting and mailing to the Committee of Laws.)

A common problem with the process is that forms are not filled out correctly. The Committee needs exact language for both the old and new language. Each section where there is a word change needs to be listed. If, for example, you are changing every reference from vice president to executive vice president, it isn’t proper to write your intention to change every reference. You must list each reference with the old and new language. (It is helpful if you bold only the new language changes.)

Provisions in bylaws may not be implemented without the approval of the Committee of Laws, pursuant to Article 15. Exceptions are bylaws fixing the time and place of meetings and dues. They become effective at the time determined by the branch or state. However, it is recommended that you send a copy to the Committee so that we have a record of the change or can notify you of any problems that may exist with the language.

Hopefully, this will assist branches and state associations when altering or rescinding bylaws.