

# FAQs about bylaws and the *NALC Constitution*



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**A**s chairwoman of the Committee of Laws, my office routinely fields questions concerning bylaws and the *NALC Constitution*. A portion of this article is a repeat from March 2016. Based on some recent submissions, the Committee of Laws would like to remind branches of the following items.

**What is the process for addressing the provisions that are found by the committee to be in conflict, and do we have to go through the entire process again if the language needs to be changed?**

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*.

**Can the committee interpret branch or state association bylaws?**

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 vote to clarify the meaning of the bylaw. 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.

**Can the committee provide branches or state associations with copies of their 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*.

## Article 15 of the *NALC Constitution*

Last month, I wrote about the suitable notification portion of Article 15 of the *NALC Constitution*. This month, I'd like to mention a common problem that the Committee of Laws sees when reviewing proposed bylaws. Some submissions fail to include the date that the proposed bylaws were presented to the membership and the date the membership voted to approve the proposed changes.

I'd like to remind branches and state associations that an online bylaw form is available for use when submitting proposed bylaw changes to the NALC Committee of Laws. Access to the online forms for submitting proposed bylaw changes can be found on the Assistant Secretary-Treasurer page at [nalc.org](http://nalc.org). These forms can only be used once a proposed bylaw change has been voted on and approved and the forms must be signed by a branch officer. Article 15 of the *NALC Constitution* sets forth rules that branches and state associations must follow to approve a change in their bylaws.

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The instructions for submitting branch or state bylaw changes to the Committee of Laws are also available on the website as an attachment to the forms. These forms were created to make the submission of bylaw changes easier for branches and state associations. The uniformity of the forms also assists the Committee of Laws when it reviews proposed bylaw changes for approval or disapproval, making the process more efficient. However, the forms are not mandatory.

If you choose not to use the forms, please provide the following information: the date the proposed bylaws and/or amendments were presented to the membership; the date the vote was taken and passed; and the name of the officer to contact with phone number should the committee have any questions. All of this information will expedite the process.

I hope this assists the branches when deciding whether to propose bylaw changes.