

Basic bylaw provisions



**Judy
Willoughby**

This month's article will provide branches with a few basic bylaw provisions that should 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 (e.g., 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.

Quorum—Article 3, Section 4 of the *CGSFB* states: “The Branch shall be called to order at the time prescribed in the by-laws if a quorum be present.” On occasion, the committee receives language that eliminates the requirement of a quorum. This is a conflict. Unless a quorum is present, a branch meeting may not come to order and conduct business. Another problem the Committee of Laws encounters is proposed language that requires a branch quorum to consist of a certain number of officers before a meeting can be called to order. The *Constitution* does not authorize a branch to invalidate a branch meeting because no officer bothered to attend. When this occurs, any member in good standing may be elected by a majority of those present to preside at a meeting. (See Article 3, Section 5 of the *CGSFB*.)

Officers—The committee sometimes receives bylaws that fail to list the offices 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 opted 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 sufficient 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. Remember, delegates to both state and national conventions must be elected by the general membership and not appointed.

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 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 *CGSFB* as a guide, which begins on page 66 of the *NALC Constitution*. For more information concerning branch elections, please consult the *NALC Regulations Governing Branch Election Procedures*. Copies of both the *NALC Constitution* and the *NALC Regulations* can be found on the NALC website or can be ordered from the NALC Supply Department.

March is Women's Month

I want to recognize all women around the world who stand up for fairness and equality and thank all my union sisters who are members of this great union. Your hard work and dedication are exhibited at all levels. Also, thank you to all my union brothers who support the women in this union. Together, we remain strong.