

Dot your i's and cross your t's to get a change in bylaws approved



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

Article 15 of the *Constitution* says 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.”

Previous rulings have established that “suitable notification” within the meaning of Article 15 is any notice that is reasonably designed to inform all members about the substance of the proposed amendment and the time and place of the vote. Such notice may be provided by mailings to members or by publication in a branch newsletter sent out to members. While posting a notice on a station bulletin board is a good way to inform members of bylaw amendment votes, it is insufficient by itself to provide adequate notice, as there is no guarantee that every member of a branch, particularly retirees, will see it.

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.

NALC has a form to make it convenient for branches and state associations to submit bylaw changes. You can find the form and instructions on the NALC website at nalc.org.

Once on the home page, click “Union Administration,” then click on the “Assistant Secretary-Treasurer” page. There will be a link for “Branch Bylaw Changes.” Click this link and you will find links for the bylaw form that NALC has made available. The PDF form will allow you to fill out the form and print it out. You also can 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 help, there is an instruction page.

The more words written on the form the smaller the font becomes to accommodate the space. Sometimes the font can become too small to read; in that case, please attach a separate sheet in a larger font to the form 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 dates of the first reading and 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.

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; mail the forms and copies 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/state association is attached for review by the assistant secretary-treasurer, who makes a recommendation to the Committee of Laws. The current members of the Committee of Laws are Manuel Peralta Jr., Myra Warren and me (chairperson).

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

A common problem with the process involves forms that 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 words to be used.)

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 we have a record of the change or can notify you of any problems that may exist with the language.

The goal is to assist branches and state associations that are altering or rescinding bylaws.

Happy Father's Day!