

Submitting bylaw changes



**Paul
Barner**

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

Almost a year ago, NALC developed an electronic bylaw submission method, available via the Members Only portal on the NALC website. This database is also in the beginning stages of creating an electronic library of bylaw submissions and the resulting rulings by the Committee of Laws, accessible to the branches and state associations.

To access the bylaws database, branch and state association presidents, secretaries and treasurers can go to the NALC website and log on to the Members Only portal. Once logged on, click the “Bylaws” button to access the “Maintain Bylaws” page of the database. From there, bylaws can be created or amended and submitted to the Committee of Laws for action. Bylaw proposal language can be typed directly into the program or copied and pasted, or a PDF of current bylaws can be dragged and dropped into the database. After the file has been successfully uploaded, a “File Uploaded Complete” verification notice will appear. Files can be reviewed by clicking the “View Your Uploaded File” tab. Before submitting requests, please ensure that the correct branch information is provided, article and section identifiers are entered for the corresponding bylaw provision or proposed change, and a complete copy of the latest version of the bylaws is uploaded to the portal. A detailed PDF tutorial is available for download at every step of the application.

Once the Committee of Laws renders its decision, the portal will be updated with the decision(s) of the Committee. A hard copy of the Committee’s decision also will be mailed to the address of record of the submitting branch or state association.

Branches and state associations may continue to submit bylaw proposals by mail. Regardless of the submission method, the historical library of bylaw submissions and corresponding decisions from the Committee of Laws will be available for viewing. Branches and state associations will not be able to view other branch or state association bylaw proposals, or those corresponding decisions from the Committee of Laws.

In addition to the electronic format, NALC will continue to make a mail-in form available. The forms and instructions can be found on the NALC website. Once on the homepage, click on “Union Administration,” then click on the “Assistant secretary-treasurer” page. There will be a link for “Branch bylaw changes.” Click this link to find the bylaw form. The PDF form is executable, allowing it to be completed online and printed out. Another version

of the form, linked beneath the first, can be printed and completed manually. Both forms can be used on any operating system.

The text space on the form used for entering current and proposed bylaws is not very big. Sometimes, a very small font is required in order to accommodate the required verbiage. When this occurs, please attach a separate sheet in a larger font to the form so that 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 or state association. 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, and 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 uploaded into the database, and previous correspondence between the Committee of Laws and 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., James Yates and me as chairperson.

The Committee of Laws has three possible decisions that can be rendered 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 the bylaws, the entire process must be completed again (submitting, notification, voting and mailing to the Committee of Laws).

A common problem with the process is that the forms are not filled out correctly. The Committee needs precise wording 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 amount of initiation fees, dues and reinstatement fees, or the time and place of meetings. They become effective at the time determined by the branch or state association. It is recommended to send a copy to the Committee so that we have a record of the change and can inform branches of any problems with the language. Hopefully, this can assist branches and state associations when altering or rescinding bylaws.