

# The process of changing or accessing branch/state bylaws



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**A**rticle 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 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. The following addresses questions routinely asked by branches and state associations.

**What is the process for addressing the provisions that are found by the Committee of Laws**

to be in conflict with the *NALC Constitution*; do branches or state associations have to go through the entire process again if the language needs to be changed?

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*. This would require the branch or state association to go through the entire process again to address those items found to be in conflict by the Committee of Laws.

**The committee also is asked on occasion to interpret branch or state association bylaws.** However, 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.

**The committee occasionally is asked to provide branches or state associations with copies of its bylaws.** More than a year ago, NALC developed an electronic bylaw submission method accessed through the Members Only portal on the NALC website. This

database will also begin the process of creating an electronic library of branch and state association bylaw submissions and the resulting rulings by the Committee of Laws that will be accessible to branches and state associations. Although NALC has entered more recent bylaw submissions in the database, older submissions are still maintained in hard-copy format at NALC Headquarters. If the branch or state association has not submitted changes in recent years, you may need to contact the Committee of Laws to retrieve the latest bylaw submission.

To access the bylaws database, branch and state association presidents, secretaries and treasurers can go to the NALC website at [nalc.org](http://nalc.org) and log on to the Members Only portal. Once logged on to Members Only, click the "By-Laws" button, which will access the "Maintain By-Laws" 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. A PDF copy of current bylaws can be submitted by using drag and drop into the database. After the file has been successfully uploaded, a "File Uploaded Complete" verification 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 bylaws is uploaded into the portal. A detailed PDF tutorial is available for download at every step of the "Maintain By-Laws" application.

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

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*.