

Bylaws denied?



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In the past I have written about the process of submitting bylaws. What is required, the timeline for response and even those common items that we receive that are denied. I realize now that some might not have understood exactly what should be done when your submission has been rejected by the Committee of Laws.

Generally, when we receive multiple submissions, there may be one or more proposals that are in conflict with the *NALC Constitution*. The decision that is returned will reflect that they are “approved with exception.” It’s basically pointing out that your proposed amendments are good except for

a submission that has been denied. You will also receive that response when everything you submit is approved, but there is something in your current bylaws that is now in conflict with the *Constitution*. You may say, “How can that be when they were previously approved by the Committee of Laws?” Well, that’s a good question, and I am glad you asked!

Quite simply, things change. It may be a constitutional change at a convention and/or a presidential ruling. Just as it is the responsibility of the local president to make sure we are adhering to the branch or state bylaws, our national president often makes rulings and applies interpretations that may affect something previously approved. This is why we teach and encourage those who are creating or amending bylaws to be as transparent as possible with their intent. The less ambiguity the better. That way there is no misunderstanding about the original intent. Either way, it can affect your bylaws to the extent that they will need to be amended, which means following the full process outlined in Article 15 of the *NALC Constitution*. To be clear, some things denied might not have to be amended.

If the proposed change is to a provision that is good, your bylaws will remain with the original language. There is no need to change what already existed. Although it may be the desire of the branch and approved by the members, it cannot be implemented because of the noted conflict.

Now, if it is something that was previously approved but now is in conflict, it needs to be changed. It can either be reworded to comply, or it can be completely deleted if it is not required. There have been occasions when none of the pro-

posals is approved, and they are completely denied. Other times, there are denials on both the items that are being amended and those that have been previously approved. Corrections should be made based on what is required. That brings us back to Article 15, which states in relevant part:

[B]y-law must be submitted in duplicate to the Chairperson of the Committee of Laws and shall not become effective until approved by the Committee of Laws as provided in Article 11 Sec. 3, of this *Constitution*.

We have recently noticed that when bylaws are returned, corrections sometimes are made based on our letter, without following the amendment process. Whether it’s a matter of removing by deletion or correcting that which requires it, the process must be followed and re-submitted for approval. I know this can be confusing, especially when trying to adhere to the will of your members without violating the *Constitution*, so I am always willing to assist when I can. Remember, even making corrections is not good unless approved by the Committee of Laws!

My buddy Pete—I would be remiss if I didn’t acknowledge the passing of a longtime friend, branch officer



and strong union advocate: Peter J. Skrzypczynski. Pete served our branch for more than 40 years as an officer under five presidents. Positions

served included auditor, trustee, health benefits representative, scribe and editor of the *Branch 11 News*, director of retirees, and as my full-time recording secretary. I often joked with him about also serving unofficially as my “consigliere” during my tenure as president. He was just that, too: a trusted advisor and confidant! In the picture above, we were protesting with the 99 percent and we were sitting on a bridge in downtown Chicago. Pete was vigilant about assessing the situation and, despite several warnings from the police, he noticed when they practically had us surrounded and many were now on horseback and about to move in. He whispered to me that we had about 10 minutes to get up and out before being arrested. Needless to say, we were not arrested that day. On behalf of all the members of Branch 11—thanks, Pete, and rest well, my brother!