

Amending bylaws



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This month we have officers training in Boston, and one of the many topics we will cover is amending state association or branch bylaws. If you didn't secure a spot early, you would likely have to wait until the next training, but I thought it would be good if I shared some key points about submitting bylaw changes. I have written several articles in the past on bylaw submissions, so I will cover some of the information provided in those articles that should be helpful if you are currently in the process of submitting changes. First, it all starts with the requirements set forth in Article 15 of the *NALC Constitution*. It provides

guidelines for making, altering or rescinding bylaws.

Some branches may have additional requirements for amending bylaws, but the following is required per Article 15:

- The amendment must be submitted in writing at the previous regular branch meeting prior to the vote.
- Suitable notification must be provided to all members at least 10 days prior to the regular meeting at which the vote will take place.
- Submission to the chairperson of the Committee of Laws for approval by the committee before the bylaws take effect. (Except for bylaws and amendments fixing the amount of initiation fees, dues and reinstatement fees, or time and place of meetings. Those become effective at the time determined by the branch or state association and need not be submitted to the committee for approval.)

Note that this is the same process required for "rescinding" or deleting bylaws. It must go before the membership per Article 15 and be submitted to the committee for approval. Often when we render a decision that includes denials that are in conflict with the *NALC Constitution*, branches or state associations think they can just delete or erase the provision; but the process must be followed.

As for submissions, they can either be mailed directly to me as the chair of the Committee of Laws, or they can be uploaded into the portal in the Members Only section of the NALC website. This can be accessed only by

the president or the secretary; that's why it's important to notify the NALC Membership Department when there is a change in leadership with the state association or branch. Those that are mailed in should be done using the template provided on the assistant secretary-treasurer's page on the NALC website. When using that template, just like the feature in the portal, all information requested must be provided. That includes the date of first notification (meeting that members were notified of) and the date the members voted on the amendment.

Both the portal in the Members Only section and the template require the article and section of the bylaw change, as well as the current and proposed language. It is important that this be completed correctly, because we sometimes receive proposals with the minutes of the meeting in which the vote occurred, or an explanation for the change. Neither is required or needed. The section for current language should include only the current provision by each article and section, and the proposed language by each article and section, just as it would appear in the bylaws. Anything else can create unnecessary confusion and delay the approval process and our return of the requested changes.

We also require a complete copy of the current state or branch bylaws with the changes submitted for approval. This allows us to make sure there are no other provisions of the current bylaws that conflict with the *NALC Constitution*. The copy of the bylaws should be mailed in with the changes or provided as requested in the portal. Sometimes we receive the PDF copy of the template in the portal, and that's OK, but you must include the attached bylaws as one file with the proposals. Failure to provide the bylaws will produce delays in receiving your decision.

As for the content of your bylaws, I always refer to the *NALC Constitution*. In it you will find five constitutions: the national *Constitution*, the *Constitution for the Government of Subordinate and Federal Branches (CGFSB)*, the *Constitution for the Government of State Associations (CGSA)*, and the constitutions for the Mutual Benefit Association and Health Benefit Plan.

The *CGFSB* should be used as a template for what is required for branches, while the *CGSA* should be used as a template or guideline for state associations. Branches or state associations may have additional provisions and officers other than those cited in the *Constitution*; they just cannot conflict with the *Constitution*.

For assistance prior to or after submission, I am always willing to help. Just email me at ajulion@nalc.org, or give me a call directly at 202-662-2865.