

The *Constitution* and branch officers



**Mack I.
Julion**

I will start this month by commending all the men and women whom we celebrate on Veterans Day. The freedom and democracy we enjoy comes at a price, and as the saying goes, freedom isn't free. Whether they serve during war time or not, they volunteered with the understanding that they may have to pay the ultimate price: their lives. So, it's only appropriate that we salute them and show our appreciation for their service to our country and for defending the democracy that we all too often take for granted. To all our veterans: Thank you and happy Veterans Day!

By the time you read this column, our national election likely will finally be over. Whatever the outcome, many of us will be glad that it has come to an end. I hope that everyone exercised their right to vote by participating in the election process—not because it is a presidential election year, but because it is our civic duty. Our vote is our voice, and if you don't express yourself at the ballot box, then you really can't complain. Likewise, it is important for us to participate in our union and local branch elections. It is the members who make our union strong, and your vote is your voice.

Although our civic elections are over, many locals are deep into their branch elections. That makes this a good time to talk about “whom” we are electing within our branches. Probably the most common error we see with bylaw changes submitted for approval involves the listed officers of the branch. Any time I receive calls from members inquiring whether the national union has a copy of their bylaws, because the local branch doesn't have any, I ask them how the branch knows what positions are up for election. I do so because all the officers of the branch should be listed in the branch bylaws, along with the “when, where and how” the branch has an election.

Article 5 of the *Constitution for the Government of Subordinate and Federal Branches (CGSFB)* covers the election process, along with the green pamphlet, *NALC Regulations Governing Branch Elections Procedures*. Both of them can guide you through the election process. But Article 4 of the *CGSFB* provides who will be elected and for

how long. Section 1 of Article 4 reads as follows:

The officers of the Branch **shall** be a President, Vice President, Recording Secretary, Financial Secretary, Treasurer, Sergeant -At-Arms, MBA Representative, a Health Benefits Representative, and a Board of Trustees composed of either three or five members. The Branch may provide for additional elective offices in its by-laws. Branches may provide in their by-laws for the inclusion of Stewards on the executive board.

Those offices listed above must be accounted for in every branch; hence, I bolded the word **shall**. It is not by happenstance that your branch has certain officers, but rather by design. Many branches have an executive vice president, a director of retirees or even auditors, but if they don't have the required positions then they are in conflict with the *NALC Constitution*. Branches may choose to combine positions for whatever reason, but the duties attributed to those positions by the *Constitution* needs to be identified. Often, we see the financial secretary and the treasurer positions combined, or the MBA and HBR representatives. There could be any other combination, depending on the preference of the branch and the size. Smaller branches usually combine positions out of necessity. Any position of the branch can be combined with another, except for that of the president. The president's position can be combined only if the branch has fewer than 10 members. The bylaws must also *explicitly* state which positions are combined.

If any position is not filled after an election, then the president would either fill the vacancy by appointment or assign the duties to an elected officer. Those duties, as listed in the *Constitution*, must go to an elected officer. Branches also can choose to have some, or all, of their elected branch positions as automatic delegates to the convention. It just needs to be stipulated in the bylaws and included in the notification to the membership prior to the election.

As for the stewards, branches have the option of deciding whether their stewards are elected or appointed, and whether it is done so by individual section or by the branch. If a branch has an executive board, then only those officers elected branch-wide can have an active role on the executive board in making decisions for the entire branch. Anyone on the executive board must be elected by the branch. For officers who are in appointed positions, or elected by their station or unit, they can only serve on the executive board in an advisory capacity. I hope this information is helpful as you participate in your local branch elections!

To all I wish a happy and blessed Thanksgiving!