

Recommended Form of Bylaws¹
for use by Chapters of
National Electrical Contractors Association, Inc.

BYLAWS OF THE
_____ CHAPTER, Inc.
National Electrical Contractors Association, Inc.

PREAMBLE

Whereas: The members of this Chapter desire to conduct the business of the Chapter in a lawful manner and in conformity with the principles promulgated by the National Electrical Contractors Association, Inc., (the National Association) but may from time to time, through mistake, take or decide upon action which may be considered illegal or improper, now therefore be it.

Resolved: That any and every resolution hereafter adopted or motion hereafter carried by this Chapter or a committee hereof, which is contrary to the Bylaws or tenets of the National Electrical Contractors Association, Inc., or in the opinion of counsel, is contrary to law, shall be for all purposes treated as null and void, and any and all action taken under any resolution or motion shall be also for all purposes treated as null and void.

ARTICLE I - Name

This chapter shall be known as the _____ Chapter, Inc., National Electrical Contractors Association, Inc., and it shall be incorporated under that name as a non-profit organization in accordance with the laws of the state in which its headquarters office is located.

ARTICLE II - Location

Section 1 - Jurisdiction - The jurisdiction of this Chapter shall be (list Counties, Cities, etc. that describe the jurisdiction).

(The jurisdiction of the chapter in terms of geographic territory and class of business may be changed at any time pursuant to Section 6.3 of the National Bylaws.)

Section 2 - Headquarters Office - The Headquarters Office of this Chapter shall be located in the city of _____.

¹An electronic file is available at <http://www.necanet.org/about/about-neca/governance/> to help you customize your own set of Bylaws.

ARTICLE III - Objects and Purposes

This Chapter shall be conducted not-for-profit and such forms as may be required to establish that fact shall be filed with the appropriate Director of the Internal Revenue Service. The objects for which this Chapter is formed are:

- (1) To arrange for and promote meetings of Electrical Contractors who are engaged in business in this area and provide them with an effective agency through which to express their collective voice.
- (2) To promote harmonious labor relations on the basis of labor and management cooperation in the public interest.
- (3) To promote and join in the operation of programs of practical training and related instruction for apprentices, and advanced training for journeymen in the electrical trade in this area.
- (4) To distribute among the members and assist them in the use of the fullest information obtainable in regard to all matters affecting the business of electrical contracting.
- (5) To increase public acceptance for the services of electrical contractors in this area, by improving the standards of the industry both as to personnel and performance.
- (6) To cultivate a cooperative spirit among its members, and encourage respect for the rights of others, with proper regard for the laws and rules governing fair competition.
- (7) To collect in cooperation with the National Association, business data from members and other sources in order that the economic value of the electrical contracting industry may be accurately presented to Governmental Agencies as well as other appropriate bodies.
- (8) To establish and maintain friendly relations in the area between electrical contractors and all other branches of the electrical and construction industries.
- (9) To support the National Electrical Code and all recognized electrical installation standards which have been or may be established for this area.
- (10) To increase and stabilize the membership of National Electrical Contractors Association, Inc., and to cooperate in general with said National Association, conducting all activities in accord with its Bylaws.

ARTICLE IV - Membership

Section 1 - Members - Members of this Chapter shall be classified as Regular Members, Temporary Members, or Associate Members.

Section 2 - Regular Members - Regular members of this Chapter shall be those “members” (as defined in the National Bylaws) in good standing of the National Electrical Contractors

Association, Inc., who have a permanently established place of business in the jurisdiction of this Chapter, and who shall have applied for and been accepted in due form to membership in this Chapter subject to the provisions of the Bylaws hereinafter set forth.

Section 3 - Temporary Members - Temporary members, as described in Section 4.1(a)(1) of the National Bylaws are those firms or corporations who meet the requirements of regular members in every respect except that they do not maintain a permanent place of business in the jurisdiction of this Chapter, but who are temporarily executing electrical work in this jurisdiction. Temporary members shall be required to pay to the Chapter granting or making available temporary membership privileges all Chapter temporary membership dues, fees and service charges on the same basis as regular members, including their service charge to the National Association on the electrical work executed in the jurisdiction of this Chapter. However, such charges, in any event, shall not be in excess of an amount equal to one (1%) percent of the productive electrical labor payroll, observing the maximum limitations set forth in the National Bylaws. Temporary Members shall not be eligible to participate in the election of chapter officers either by voting or accepting nomination for office, nor shall they be eligible to vote on matters pertaining to labor agreement negotiations. Otherwise, they shall be accorded the same services, benefits and privileges as regular members while their temporary membership is in effect.

Section 4 - Associate Members - Associate members of this Chapter shall be any person, firm or corporation who provides goods and/or services to electrical contractors. Entrance requirements, rights and rules will be set by the Chapter. Associate members shall not vote nor hold office in the Chapter and are not eligible for membership in the National Association nor entitled to National membership services.

Section 5 - Application for Membership - A candidate for regular membership shall make application in writing to the Chapter on a form provided by the Chapter. Each application shall be referred to the Board of Directors for approval or rejection.

Section 6 - Chapter Entrance Requirement - An entrance requirement for firms or corporations proposing to become regular members of this Chapter shall be satisfactory evidence of application to the National Association and of pending approval of the National Association or that the applicant is a member in good standing of the National Association.

Section 7 - Members' Representatives - Membership shall stand in the name of the person, firm or corporation engaged in electrical contracting. Each member of the Chapter shall designate, in writing for the files of the Chapter, one individual who shall represent the member at all Chapter meetings and be responsible to the Chapter in all matters. Such individual shall be known as the member's "Accredited Representative" and shall be the owner, a partner or officer, or occupy a responsible position with the member. An "Accredited Representative" may send a substitute to act for him/her, provided that he/she furnishes him/her with a letter of authorization, and provided that the Board of Directors approves of such substitute. Any action taken at any regular or special meeting shall be binding upon all members whether represented or not, provided that the meeting has been called in accordance with these Bylaws. (The term

“MEMBER” when used in these Bylaws to designate an individual or firm refers to the “Accredited Representative”.)

Section 8 - Good Standing - In order to maintain good standing in the Chapter, a member must not be more than thirty days in arrears in the payment of dues or service charge, and must be represented at not less than fifty percent of all Chapter meetings in any one-year period.

Section 9 - Resignation - Any member may resign from the Chapter by giving thirty days’ notice to the Executive Director in writing of their intention to do so. The Board of Directors shall pass on all resignations and none shall be accepted until the member’s obligations to the Chapter have been paid in full. The Executive Director shall acknowledge the acceptance of a resignation in writing.

Section 10 - Arrearage - A member in arrears on the books of the Chapter for over thirty days shall not have a vote or any other privileges of membership until the account is paid, and if in arrears ninety days, shall be dropped from the rolls without any further action by the Board of Directors of the Chapter, and can only be reinstated when all arrears have been paid and by affirmative vote of the Board of Directors.

Section 11 - Contractual Relationship of Members - It is understood and agreed that the Bylaws of this Chapter constitute a contractual relationship by, between, and among the members. Each member upon being accepted as such, shall sign, or be deemed to have signed a copy of these Bylaws and shall further sign or be deemed to have signed a copy of any and all subsequent amendments to these Bylaws duly adopted in accordance with Article XVI hereof. Each member, upon becoming a member, agrees to be bound by each and every provision of the National Bylaws and of these Bylaws, as well as all resolutions passed or agreements made by the Chapter, its Board of Directors, or duly authorized committees, pursuant to these Bylaws.

Section 12 - Delegation of Bargaining Rights to the Chapter - When the Chapter does not have divisions as described in Article XIII hereof, the authority to negotiate agreements, effective within the jurisdiction of this Chapter with labor organizations encompassing wages, hours, working and other conditions affecting employees is expressly and exclusively delegated to the Chapter. No regular or temporary member of this Chapter shall independently enter into any such agreement with a labor organization. Agreements on these subjects negotiated by the Chapter shall be binding upon all regular and temporary members of this Chapter.

Section 13 - Charges and Penalties - By a two-thirds vote of the regular members present at a meeting designated for such action, a member may be expelled from membership in this Chapter for any cause, other than arrears; providing, however, that such a member is given an opportunity to be heard before the membership in a regular meeting. Charges against any member, together with evidence supporting the charges, shall be filed in writing with the board of Directors prior to the meeting at which action is taken, and one of the Directors shall be named to prefer the charges in said meeting. Neither this Director nor the member (or members) named in the charges shall be entitled to vote on the question of such expulsion.

Section 14 - Right of Appeal - Any member withdrawing from this Chapter either by resignation or expulsion, shall cease to be a member of the National Association, unless waiver is granted by the Chapter, but such individual may appeal to the Executive Committee of the National Association for investigation of the causes for such withdrawal as affecting the forfeiture of their National membership.

ARTICLE V - Board of Directors' Duties

Section 1 - Board of Directors' Duties - The direction and administration of the affairs and funds of this Chapter shall be vested in a Board of Directors, elected as hereinafter provided. The Board of Directors shall have authority to act in all matters, subject to such instructions as may be given by resolution or motion passed by a two-thirds vote of the members present at any meeting of the Chapter.

Section 2 - Number of Directors - When the Chapter does not have Divisions as described in Article XIII hereof, then the number of members to be elected by the membership to serve on the Board of Directors for any term shall be determined in accordance with the total number of members in the Chapter in the following ratio; one Director for the first three members and one additional Director for each additional five members. However, the minimum number of Directors shall be three*.

*Recommend: Five

Section 3 - Nomination and Election - The annual election of members of the Board of Directors shall be held prior to the first meeting in each calendar year. Any regular member in good standing may be nominated for membership on the Board of Directors. Nominations shall be made from the floor and the election shall be by secret ballot.

Section 3 - Nomination and Election (Optional) - The annual election of members of the Board of Directors shall be held prior to the first meeting in each calendar year. The President shall, at least 30 days before the date of the election, appoint a nominating committee, not including an incumbent Director, who shall make nominations for Directors in writing and report the same to the Executive Director at least 15 days prior to the election. The Executive Director shall, at least 10 days prior to the election, mail a list of such nominations to each member in good standing. Any accredited representative of a regular member in good standing may be nominated for membership on the Board of Directors. Nominations may be made from the floor, and the election shall be by secret ballot.

Section 4 - Voting - Each member in good standing shall have the following number of votes in all Chapter, Division, and National matters where a ballot is called for:

1. One vote from one to the first 75,000 manhours;
2. One additional vote for any manhours in excess of 75,000 up to and including 150,000 manhours;
3. One additional vote for any manhours in excess of 150,000 manhours.

Note: Manhours will be based on the preceding calendar year's productive electrical payroll, as defined in the Section 4.4 of the National Bylaws.

Section 5 - Term - Members of the Board of Directors shall serve for a period of one year* or until their successors are elected. They shall serve without remuneration and shall be eligible for a re-election.

*Option: two years

Section 6 - Vacancies on Board - When a vacancy occurs on the Board of Directors, it shall be filled for the unexpired portion of the term at a special nomination and election held not later than the next regular meeting of the Chapter or Division representing the vacancy. An increase in the membership which increases the representation on the Board of Directors, as stated in this Article, shall be recognized as a vacancy. Decreases in membership shall not be recognized until the next regular election. When possible, the departing Director will serve until a successor is elected.

ARTICLE VI - Officers

Section 1 - Officers - The Officers of this Chapter shall be President, Vice President, Treasurer, and Executive Director, who shall also be the Secretary. With the exception of the Executive Director, all officers shall be appointed* by the Board of Directors from among the members of the Board for a term of one year. All officers are eligible to serve multiple terms if appointed/elected. The Executive Director shall be appointed by the Board of Directors and shall serve subject to the Board's approval. The Executive Director shall receive such compensation and allowances as the Board shall determine. He/She shall not be a member of the Chapter, shall not be engaged in the electrical contracting business, and shall not have any financial interest in any concern in the business of the Chapter or of an electrical contractor.

*Option: the Board may decide to have the officers elected by the full membership.

Section 2 - President - The President, or in his absence, the Vice President, shall preside at all meetings of the Chapter and of the Board of Directors.

Section 3 - Treasurer - The Treasurer shall have custody of all funds of the Chapter and shall make all disbursements as directed by the Board of Directors. He/She shall sign all checks after they have been prepared by the Executive Director with the approval of the Board of Directors.

Section 4 - Finance Policy - The Chapter shall adopt a finance policy to properly approve and account for payables and receipts.

Section 5 - Bonding - All persons authorized to sign checks shall furnish a bond in such amount as may be required by the Board, the premium for which shall be paid by the Chapter.

Section 6 - Vacancies-Officers - Any vacancy in the office of President, Vice President or Treasurer that may occur through resignation or otherwise, shall be filled by the Board of Directors from among the members of that Board for the unexpired portion of the term.

Section 7 - Reserve Funds (Optional) - The Board of Directors shall attempt to maintain a surplus in liquid funds in an amount equal to the sum of the regular operating expenses of the Chapter for the past years. *

*Option: two years.

ARTICLE VII - Representative on NECA's Board of Governors

Section 1 - Representative on NECA's Board of Governors - Pursuant to Section 8.1(c) of the National Bylaws, this Chapter shall select one of its members to represent the Chapter and serve on the Board of Governors of the National Electrical Contractors Association, Inc. Such selection will be held at the same time as the election of the Chapter Board of Directors. The Chapter shall, in January of each calendar year*, select one of its active members who may or may not be one of its officers, to serve as a member of the Board of Governors of the National Association for a term of two (2) years. There shall be no limit on the number of terms which an individual may serve as a member of the Board of Governors from a Chapter. The Chapter shall not select for Governor of the Chapter a person who is an Officer of the National Association.

*Odd or Even depending on the applicable Vice-Presidential District. (For example, chapters in District 1 will select a governor to serve beginning in an odd-numbered year.)

NOTE: The Chapter Governor is often considered to be on the Chapter Board of Directors.

Section 2 - Notification - As soon as possible following the selection, the National Secretary shall be notified as provided in Section 8.1(c) of the National Bylaws.

Section 3 - Accredited/Alternate Delegate - This Chapter's representative on NECA's Board of Governors shall be its accredited delegate authorized to cast the votes of all the Chapter's members at any annual or special meeting of the National Association. In the event that this representative is unable to attend any meeting, the Chapter shall select an alternate to represent it at that particular meeting and furnish the National Secretary with proper credentials of authorization.

Section 4 - Expenses - The member, or alternate, selected to serve on NECA's Board of Governors shall attend all meetings of that Board at the expense of the Chapter.

Section 5 - Unit Voting - At all meetings of the National Association, and on any matter submitted by it for mail ballot, this Chapter shall follow the unit system of voting and the votes of all of its members shall be cast as determined by the majority. In the absence of instructions on any matter, this Chapter's accredited delegate (member of NECA Board of Governors) shall cast a vote according to his/her own judgment.

ARTICLE VIII - Executive Director

Section 1 - Executive Director - The Executive Director shall be recognized as the fully selected business representative of the Chapter. However, the Executive Director shall not have any voting power in the business of the Chapter. The Executive Director's compensation and allowances shall be determined by the Board of Directors. The Executive Director shall, at the direction and expense of the Chapter, attend the annual, as well as such special, meetings of the National Association and its Executive Directors as may be held.

Section 2 - Executive Director's Duties - The Executive Director shall furnish bond in such amount as the Board of Directors may see fit to require, the premium for which shall be paid by the Chapter. The Executive Director shall manage the activities of the Chapter under the supervision of the Board of Directors, performing, in addition to the duties hereinafter set forth, such other duties as the Board of Directors may require. The Executive Director shall:

- (a) Record the minutes of all meetings of the Chapter and of the Board of Directors.
- (b) Cooperate with and be an Ex-Officio member of all Committees.
- (c) Handle all correspondence.
- (d) Send out timely notice of all meetings.
- (e) Keep the books of the Chapter.
- (f) Be responsible for the collection of all dues and assessments, and give receipts to members paying them.
- (g) Keep a correct account of all monies coming into his possession, and deposit the same as instructed by the Treasurer.
- (h) Prepare checks in payment of all bills after they have been ordered paid by the Board of Directors.
- (i) Be responsible for the management of the Chapter office and for the employment of such assistance as the Board may authorize.
- (j) Encourage members to make use of the various educational and business opportunities and materials provided by the National Association and this Chapter.
- (k) Adjust such grievances and disputes as far as possible as may arise between members or between a member and employees.
- (l) Promote and make effective the "OBJECTS" for which this Chapter is formed, as set forth in Article III of these Bylaws.
- (m) Maintain current Bylaws which have been approved by the National Association and provide a copy of the current Bylaws to all regular and temporary members of the Chapter.
- (n) Notify NECA National of approved membership applications and terminations.
- (o) Submit all Chapter and Division negotiated agreements or amendments to the National Association pursuant to Section 6.3 of the National Bylaws.

ARTICLE IX - Committees

Section 1 - Standing Committees - It shall be the duty of the Board of Directors* at the first meeting after the election of officers in each year to select from the membership of the Chapter individuals to serve as Chairmen of Standing Committees in charge of such of the following

matters as the Board deems essential. Subject to the approval of the Board, each Committee Chairman shall appoint at least two other members of the Chapter to serve.

- (a) Public Relations
- (b) Membership
- (c) Statistics
- (d) Standards & Safety
- (e) Labor Relations
- (f) Apprenticeship and Training
- (g) Legislation
- (h) Architects and Engineers
- (i) Marketing
- (j) LMCC
- (k) Foundation

*Option: Chapter President

NOTE: Committees should be established as the Board determines, but in no event omitting LMCC or apprenticeship and training.

Section 2 - Special Committees - The Board of Directors* may also appoint from time to time such special committee chairmen as needed and discharge the same when the need for them no longer exists.

*Option: Chapter President

Section 3 - Committee Jurisdiction - The jurisdiction and authority of all Committees shall be determined, announced and recorded at the time of their appointment, but it shall be the prerogative of the Board of Directors* to revise or withdraw such jurisdiction and authority at any time.

*Option: Chapter President

ARTICLE X - Meetings

Section 1 - Regular Meetings - Regular meetings of the Chapter shall be held_____. The time and place of the meeting shall be determined by the Board of Directors*.

*Option: Chapter President

Section 2 - Special Meetings - Special meetings shall be called by the President at the written request of a majority of the members of the Board of Directors, or upon the written request of_____ * members in good standing. Such requests may be made in electronic format.

*a percentage of members.

Section 3 - Chapter Meeting Quorum - Those members in good standing present at a Roll Call at any regular or special meeting of the Chapter, shall constitute a quorum for the transaction of

business. A majority of such quorum shall decide any question that may come before said meeting unless otherwise prescribed by law or elsewhere in these Bylaws.

Section 4 - Board of Director's Meetings - The Board of Directors shall meet regularly at least once each month (or at other agreed regular intervals), at a time and place determined by the President, and shall be subject to the call of the President for special meetings at any time, provided due notice be given. The minutes of all meetings of the Board of Directors shall be recorded by the Executive Director.

Section 5 - Board of Director's Meeting Quorum - A majority of the members of the Board of Directors shall be required to be present to constitute a quorum for the transaction of business at any regular or special meeting of the Board. A majority of such quorum shall decide any questions that may come before said meeting unless otherwise prescribed by law or elsewhere in these Bylaws.

Section 6 - Due Notice - A notice properly transmitted to the last known address or email of each member five* days prior to the holding of any regular or special meeting shall constitute due notice.

*Option: ten days

Option: The Chapter Newsletter is the official publication of this Chapter and meets this qualification of due notice.

Section 7 - Presiding Officer - The President, or in his absence the Vice President, shall preside at all meetings of the Chapter and of the Board of Directors and shall direct the reading of the minutes of the meetings, reports of committees, and other communications.

Section 8 - Temporary Chairman - In the absence of both the President and the Vice President at any meeting, a temporary chairman shall be appointed by the Board of Directors or selected by the assembled members.

Section 9 - Order of Business of Chapter Meetings - After a meeting of the Chapter has been called to order by the presiding officer, the following order of business shall may be observed:

1. Roll Call
2. Recognition of any Fellows of the Academy of Electrical Contracting, Electri'21 Council members and guests present.
3. Approval of minutes of previous meeting
4. PROGRAM
5. Communications
6. Reports of Officers
7. Reports of Committees and action thereon
8. Unfinished business
9. New business
10. Suggestions by members
11. Adjournment

The presiding officer may at his discretion place the PROGRAM (4) at any suitable point in the order of business of any meeting.

Section 10 - Meeting Procedures - The rules contained in the most recent edition of “Roberts Rules of Order” shall govern the conduct of all meetings of the Association when these Bylaws or Policies of this Association are silent regarding such matters.

ARTICLE XI - Dues and Service Charges

Section 1 - Payment of Annual Dues and Monthly Service Charges - This Chapter shall be responsible for collecting, remitting and reporting to the National Electrical Contractors Association, Inc., the annual dues of its regular members and the monthly service charges of both its regular and temporary members for all electrical contracting business transacted within the jurisdiction of this Chapter. The remittance to the said National Association shall be in accordance with the National Bylaws. The regular funds of this Chapter shall be raised as hereinafter set forth in this Article.

Section 2 - Member Monthly Payroll Reports - Each member shall file with the Executive Director of the Chapter a payroll report on or before the fifteenth (15) of each month in such form as may be prescribed by the Board of Directors, showing the member’s total “productive electrical labor payroll” and manhours worked for the preceding payroll period.

“Productive electrical labor payroll” is defined as the total wages (including overtime) paid with respect to all hours worked by all classes of electrical labor for which a rate is established in the prevailing labor agreement where the business is transacted.

It shall include:

1. Payroll or members and nonmembers of a labor union on the same basis.
2. Payroll paid or accrued, for the labor of a member of the Association working with the tools.

It shall exclude:

1. Twenty-Five (25%) of all productive electrical payroll in excess of 75,000 manhours paid for electrical work in any one-chapter area during any one calendar year, but not exceeding 150,000 manhours.
2. One Hundred (100%) percent of all productive electrical payroll in excess of 150,000 manhours paid for electrical work in any one-chapter area during any one calendar year.

NOTE: Any member paying less than the total service charge is not relieved of the obligation to pay the National Association 2/10 of 1% service charge.

Section 3 - Monthly Chapter Dues* - The member monthly payroll report shall be accompanied by remittance payable to the Chapter as dues and/or minimum service charge in the amount of \$_____.

*Option: Based on Chapter policies.

Section 4 - Monthly Chapter Service Charge - The member shall include in the monthly payroll report, or in a separate accompanying remittance, the Chapter's "SERVICE CHARGE" for the period covered by this report in an amount equal to _____ percent of the total productive electrical labor payroll shown thereon. The National Bylaws will prevail if there are any differences of the conditions.

Section 5 - Right of Accounting - In view of the fact that the filing of an incorrect report by any member is detrimental to the other members of the Chapter, the Board of Directors shall have the right to require an accounting of payroll records when, in their judgment, a question arises as to the report filed by any member.

Section 6 - Joint Ventures - A chapter member or members entering into a joint venture contract with one or more non-members shall be responsible to this Chapter for the full amount of all dues and/or service charges on the project determined as set forth in this Article.

Section 7 - Members Executing Work in the Jurisdiction of Other NECA Chapters - Regular members of this Chapter, when executing electrical work in the jurisdiction of another Chapter of the National Electrical Contractors Association, Inc., shall recognize that Chapter and comply with such industry conditions as have been established in that jurisdiction with the approval of the National Association. In all such cases, if the Chapter having jurisdiction has a provision for "Temporary Chapter Membership" approved by the National Association, application shall be made for such membership to that Chapter, and if accepted, payment shall be made to that Chapter for the Chapter service charges and fees on the business transacted in that jurisdiction. This includes the service charge to the National Association and shall not be in excess of the maximum limitations set forth in the National Bylaws.

Section 8 - Assessments - An assessment for any special or emergency purpose may be levied upon the regular members of this Chapter by the Board of Directors, provided that authority for such action has been granted by a two-thirds affirmative vote of the members present at any regular or special meeting.

ARTICLE XII - Dissolution

Section 1 - Dissolution - In case of dissolution, the assets of this Chapter are to be used as follows:

- (a) To pay all indebtedness of the Chapter.
- (b) To pay all expenses of liquidation.
- (c) The remaining assets to be distributed to a qualified non-profit organization whose purposes and objectives are similar to those of the National Electrical Contractors Association or to any other non-profit charitable or educational organization.

Section 2 - Terminated Member's Rights - In the event that the membership of any member shall terminate for any reason other than the dissolution of this Chapter, the interests of such member in the funds, investments, and other assets of the Chapter shall, ipso facto, immediately cease and terminate.

ARTICLE XIII - Chapter Divisions

Section 1 - Chapter Divisions - If at any time the jurisdiction served by this Chapter includes more than one recognized wage or trading area from which the Chapter has members, those members who maintain a permanently established place of business in any such area, including the area in which the Chapter Headquarters is located, shall be designated as a DIVISION of the Chapter. In each case, the word "DIVISION" shall be preceded by the name of the principal city in that particular wage or trading area.

Section 2 - Regular Division Members - Regular members of a Division shall be those members in good standing of the National Association and of this Chapter who have a permanently established place of business in the jurisdiction of the Division.

Section 3 - Temporary Division Members - Temporary members of a Division are those persons, firms or corporations who are regular or temporary members of this Chapter and who meet the requirements of Regular Division members in every respect except that they do not maintain a permanent place of business in the Division area, but who are temporarily executing electrical work in the Division area. Temporary members of Division shall be accorded the same service, benefits and privileges and shall be subject to the same obligations as regular members of the Division while the temporary membership therein is in effect.

Section 4 - Representation on the Board of Directors - When members of this Chapter are so located as to require the creating of Divisions as described in Section 1 of this Article, the provisions of Article V, Section 2, of these Bylaws for determining the number of members to be elected to serve on the Chapter's Board of Directors are irrelevant. Said Chapter Board of Directors shall be composed of members nominated and elected from each Division by the regular members thereof in the ratio of one Director for the first three regular members and one additional Director for each additional five regular members in the Division. However, each Division shall have at least one member on the Chapter's Board of Directors and the minimum membership of the Board shall be three*.

*Recommend: Five

Section 5 - Division Chairman - The Directors elected from each Division shall designate one person to be Chairman of the Division for his term as Director. The Chairman shall preside at all conferences of the members in the Division and shall cooperate with the Executive Director or his Assistant in the calling of such conferences.

Section 6 - Delegation of Bargaining Rights to the Division - The authority to negotiate agreements, effective within the Division jurisdiction, with labor organizations encompassing wages, hours, working and other conditions affecting employees is expressly and exclusively delegated to the Division. No regular or temporary member of a Division shall independently enter into any such agreement with a labor organization. Agreements on any of these subjects negotiated by the Division shall be binding upon regular and temporary members of the Division.

Section 7 - Division Labor Agreements - Each Division shall have the autonomous right to negotiate and enter into such labor agreements as it sees fit and such documents shall be signed by the Chairman of the Division and the Executive Director, and shall be assented to by the regular and temporary members of that Division. However, no Division shall have the right to contract for the expenditure of any funds of the Chapter until such expenditure has been approved by the Chapter Board of Directors.

ARTICLE XIV - Activities

Section 1 - Activities - The activities of this Chapter may be classified under two categories; namely, General Activities and Special Activities.

Section 2 - General Activities - General Activities shall include all of the Chapter's general activities and services, including the general administration of the Chapter and promotion of its objects.

Section 3 - Special Activities - Special Activities shall include any special activity authorized by the Chapter, the benefits of which accrue only to an identifiable group of the members of the Chapter who are engaged in a particular class of electrical contracting business.

Section 4 - Proposal and Ratification - Any identifiable group of members of the Chapter may propose a Special Activity, defining the scope of the activity and the basis of identification of members of the Chapter whose business falls within such scope, and shall submit the proposal to the Board of Directors for recommendation to the Chapter, and, if ratified by a 2/3 vote of the membership of the Chapter, such activity shall be designated as a Special Activity Section.

Section 5 - Scope - Every member of the Chapter whose business falls within the scope of any Special Activity regularly approved and established by this Chapter shall be registered as a member of the identified group of members sponsoring the Special Activity. Such identified group shall be known as a Special Activity Section and shall be bound by the provisions of these Bylaws relating to such Special Activity Section.

Section 6 - Administration - The identified group of members of this Chapter sponsoring a Special Activity shall elect a committee which shall select its own Chairman and Secretary to administer the Special Activity Section and work with the Chapter Executive Director and shall be subject to such operating rules and instructions as may be given the committee by vote of the members of the identified group in any meeting of the members.

Section 7 - Financing - A Special Activity Section shall be financed by appropriation from the general funds of the Chapter upon approval of the Chapter Board of Directors.

Section 8 - Budget - Upon ratification by the Chapter of any Special Activity Section, the Committee elected to administer the activity by the identified group of members sponsoring such activity shall each year determine the budget for its operation and submit the same in detail to the Chapter Board of Directors for approval.

Section 9 - Special Section Representation - The Chairman of any Special Activity Section of this Chapter, which may be established as provided for in this Article, shall by virtue of the office become a member of the Chapter's Board of Directors and shall serve on the Board in addition to the elected Directors for the term of the office as Chairman of the Section.

ARTICLE XV - Separability

Should any section of these Bylaws be declared illegal by any court of competent jurisdiction, such section shall immediately become null and void leaving the remaining sections in full force and effect.

ARTICLE XVI - Amendments to Bylaws

These Bylaws may be revised or amended by a two-thirds affirmative vote of the members in good standing present at a meeting designated for such action, provided that notice of such proposed action shall have been given to each member in good standing of the Chapter at least five days* prior to the date of said meeting. All amendments and changes shall be submitted in a timely manner to the National Secretary for approval in accordance with Section 6.3(f) of the National Bylaws.

*Option: ten days

We, the undersigned, having been admitted to membership in the _____ Chapter, National Electrical Contractors Association, Inc., hereby agree to be bound by each and every provision of the foregoing Bylaws as well as by all Agreements or Contracts made and entered in to by the duly authorized officer, directors, or committees of this Chapter pursuant to these Bylaws.

FIRM

INDIVIDUAL AND TITLE

DATE SIGNED
