

## Revising Bylaws after National Update

Recommended Form of Bylaws<sup>1</sup>  
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.

Miscellaneous Changes

Significant Changes

Relocation Changes

Optional Changes

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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.

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**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

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**Section 4 - Representation on the Board of Directors** - When members located as to require the creating of Divisions as described in Section 1 of provisions of Article V, Section 2, of these Bylaws for determining the number of Directors elected to serve on the Chapter's Board of Directors are irrelevant. Said Board of Directors shall be composed of members nominated and elected from 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.

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## Which Members have Voting Privileges?

**Section 8 - Good Standing:**—~~See. 8.-~~ In order to maintain good standing in this Chapter, a member must not at any time be more than ninety (90) days in arrears in the payment of dues or service charges, and must be represented at not less than fifty percent of all Chapter/Division meetings in the previous 12 months.

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## Associate/Alternate Board Member?

**Section 2 - Number of Directors:**—~~See. 2.-~~ The number of members to be elected 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, with each Division or sub-Division represented by at least three members. The Immediate Past President and the Chapter's member of the Board of Governors shall also be members of the Chapter's Board of Directors. Each Division of the chapter shall elect an associate board member from its members and this associate board member shall be empowered to act in the absence of any chapter board member who is not in attendance at a board meeting. This associate board member shall be in addition to the aforementioned number of board member ratio and shall be elected at the same time as the Directors of that Division. ~~(rev. 2/18)~~

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## Term Limits on Board or Governor?

### ARTICLE XVII Representative on NECA's Board of Governors

**Section 1 - Board of Governors Representation** - 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 Board of Directors shall, at the first quarterly Board of Directors meeting of each odd 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.

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