



A Guide to Establishing or Amending Local Bylaws

Some things you should be aware of before getting started

Because Local bylaws are connected to the Local's finances and spending, they must be approved by the Local in accordance with the two-meeting process found in the SMART Constitution's Article Twenty-One B (21B), Section 48 – Local Funds, as follows:

“No change in Local dues, the daily rate or salary established for Local officers or Legislative Representatives, or the levying of a special assessment, may be considered by a Local until notice of such proposition has been read at one (1) regular or special meeting and all members have been notified of the proposition and date on which the proposition will be considered. Any proposition... [as mentioned above] ...must be approved by a majority vote of the members, voting by secret ballot, in attendance when the proposition is considered.”

Before getting started, it's a good idea to examine the Local bylaws templates attached to this document. Downloadable versions in Microsoft Word format may also be obtained by visiting our website at www.smart-union.org, or by e-mailing President_TD@smart-union.org and requesting copies. Please note the differing language in Section VI regarding Local election procedures.

Choosing the Appropriate Provisions for Inclusion

Local bylaws should contain the following:

- Meeting dates, time, and location.
- Salaries of Local Officers and Legislative Representatives.
- Local dues amount and initiation fee (if applicable).
- Election method for regularly scheduled elections.
- Election method to fill permanent vacancies.
- Spending limitation on contributions in honor of deceased members (aka “flower fund”).
- Other provisions pertaining to the Local, as deemed appropriate.
- Questions? Contact the SMART-TD President's department by calling (216) 228-9400 or by e-mail to:

President_TD@smart-union.org

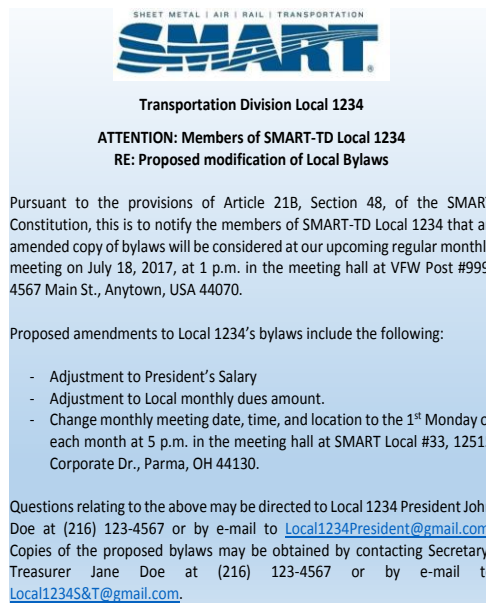
Local bylaws **MUST NOT** contain the following:

- Salaries of Local Committee of Adjustment (LCA) committeepersons.
- LCA, GCA, State Legislative, or International dues amounts.
- Reimbursements for mileage, office supplies, or any other expenses prior to the submission of proper documentation and/or receipts.
- Matters pertaining to grievance handling, pay claims, or any other on-property agreement(s).
- Rules for participation in carrier-sponsored safety and/or training programs.
- Vacation scheduling procedures.
- Charitable and social spending allowances.

The First Meeting

as required by Article 21B, Section 48, of the SMART Constitution

- At a regular or special meeting of the Local, the floor shall be opened for membership discussion on bylaws amendment(s). Each member's individual motion to add, remove, or modify a provision must be seconded, discussed, and voted on by secret ballot of all members in attendance at that meeting.
- When voting on amendments is complete, the resulting 'final draft' version of the proposed bylaws must be read aloud, then set aside pending a secret ballot vote at a future regular or special meeting as designated by the members in attendance (usually the next regularly scheduled monthly meeting).
- Between meetings, the Local Secretary must post notice at all on-duty locations to notify the members that a vote to amend bylaws will be taken. The notice must be posted a minimum of ten (10) days in advance and must be specific as to the proposed changes; and should specify the meeting time, date, and location which the bylaws will be considered. An example of such notice is as follows:



The Second Meeting

as required by Article 21B, Section 48, of the SMART Constitution

- A copy of the proposed bylaws must be read to all members in attendance. The President shall then open the floor for discussion relating thereto.
- **PLEASE NOTE: IT IS NOT PERMISSIBLE TO AMEND ANY PORTION OF THE PROPOSED BYLAWS AT THE SECOND MEETING.**
- A secret ballot must be circulated to all members in attendance, with the proposition to either approve or disapprove the proposed bylaws document in its entirety.
- **If the bylaws are not approved**, the two-meeting process must be repeated (note: the floor may be immediately opened for discussion/amendments and will serve as the first of two meetings).
- **If the bylaws are approved**, they must be submitted for final review and approval to the following:

Attn: SMART-TD President
24950 Country Club Blvd., Suite 340
North Olmsted, OH 44070-5333

Bylaws may also be submitted by e-mail to President_TD@smart-union.org, or by FAX to (216) 228-5755



TRANSPORTATION DIVISION BYLAWS

LOCAL NO. _____

SECTION I – MEETING TIME, LOCATION, AND ORDER OF BUSINESS

This Local shall be known as SMART Transportation Division (SMART-TD) Local No. _____

Regular meetings shall be held on the _____ of each month at _____ a.m./p.m. in the Meeting Hall at _____, subject to change as provided in Article 21B, Section 55, of the SMART Constitution.

The order of business shall be as set forth in Article 21B, Section 77, of the SMART Constitution.

SECTION II – LOCAL DUES AND INITIATION FEE

Local dues of in-service members shall be \$_____ per month, subject to change as provided in Article 21B, Section 48, of the SMART Constitution. The one-time initiation fee for new members shall be \$_____ (\$25.00 maximum).

SECTION III – SALARIES

The President of the Local shall be paid a monthly salary of \$_____.

The Secretary and Treasurer of the Local shall be paid a monthly salary of \$_____.

The Board of Trustees shall be allowed one (1) day's pay at the daily rate applicable to the class of service in which regularly assigned, for the performance of his/her duties as specified in Article 21B, Section 67, of the SMART Constitution.

The provisions of this Article are subject to change as provided in Article 21B, Section 48, of the SMART Constitution.

SECTION IV – 'FLOWER FUND'

The Secretary shall arrange for flowers or for a contribution to a designated charitable research or fraternal organization, in honor of deceased members at a cost not to exceed \$_____. If the Secretary is not available, another officer of the Local shall assume this duty.

Charitable and social spending not covered under this Section will be handled in accordance with the policies set by SMART-TD. Inquiries may be made by calling (216) 228-9400 or e-mail to President_TD@smart-union.org.

SECTION V – DISBURSEMENTS

All disbursements from the Local fund shall be made by check signed by the Treasurer and countersigned by the President. The use of EFT, credit or debit cards, or any other form of electronic disbursement is strictly prohibited, except when required by State or Federal law. Disbursements, except as provided in these bylaws, must be approved by the Local before disbursement is made.

No expense will be allowed for attending Regional Meetings, seminars, or other similar meetings unless attendance is approved by the Local prior to such meeting.

SECTION VI – ELECTIONS AND PERMANENT VACANCIES

Regular election for officers and committeepersons shall be by secret ballot of the eligible members present at a regular or special meeting, except the Alternate Delegate shall be elected by secret ballot of the eligible members present at a regular or special meeting following the election of the Delegate.

Permanent vacancies, except as provided in Article 21B, Section 57, of the SMART Constitution, shall be filled by secret ballot of the eligible members present at a regular or special meeting.

All elections shall be conducted in accordance with the provisions of Article 21B, Section 57, of the SMART Constitution and special instructions from the SMART Transportation Division.

SECTION VII – AMENDMENTS AND APPROVAL

After giving a minimum of ten (10) days notice to all eligible voters, these bylaws will be read at two (2) regular meetings and, if approved by a majority of the members present at each meeting voting by secret ballot, shall become effective and supersede any existing bylaws on the first day of the month following the approval of the General Secretary-Treasurer and SMART-TD President. Amendments to these bylaws shall be handled in the same manner.

Approved _____

Date _____



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SECTION VI – ELECTIONS AND PERMANENT VACANCIES

Regular election for officers and committeepersons shall be by secret mail referendum ballot, except the Alternate Delegate shall be elected by secret ballot at a regular or special meeting after the referendum election is completed.

Permanent vacancies, except as provided in Article 21B, Section 57, of the SMART Constitution, shall be filled by secret ballot of the eligible members present at a regular or special meeting.

All elections shall be conducted in accordance with the provisions of Article 21B, Section 57, of the SMART Constitution and special instructions from the SMART Transportation Division.

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Date _____