

Approved by the Board of Governors on June 21, 2024.

BYLAWS OF THE
SECTION OF LABOR AND EMPLOYMENT LAW
OF THE
PENNSYLVANIA BAR ASSOCIATION
(last amended 05/2024)

ARTICLE I

NAME AND PURPOSE

Section 1. The name of this Section shall be SECTION OF LABOR AND EMPLOYMENT LAW.

Section 2. The purposes of this Section shall be:

(a) To promote a more thorough understanding among members of the Bar of the legal problems encountered in the field of labor, employment and industrial relations within the Commonwealth;

(b) To provide to members of the Bar, particularly those interested in labor-management and employee relations, a means whereby that interest may be shared with others in programs of study and discussion or by means of reports, articles or conferences;

(c) To conceive and implement studies, programs, conferences and seminars in cooperation with local Bar Associations, employer associations, union organizations and educational institutions or other interested groups;

(d) To provide for the establishment of regular or special committees to report on legislative or administrative matters dealing with the labor and industrial relations field within the Commonwealth;

(e) To undertake such other activities as the Section may decide upon to further its basic purposes.

ARTICLE II

MEMBERSHIP

Section 1. Any member of the Pennsylvania Bar Association, upon request to the Secretary of the Association, and upon payment of the dues for the current year, shall be enrolled as a

member of this section. Members so enrolled, whose dues are paid, shall constitute the membership of this Section.

Section 2. The enrolled members of the Section shall be required to pay annual Section dues in the amount established by the council and approved by the PBA Board of Governors.

ARTICLE III

OFFICERS

Section 1. The officers of this Section shall be a Chairperson, a Vice-Chairperson, Secretary, and Treasurer.

Section 2. There shall be a Council of this Section which shall consist of the Chairperson, the Vice-Chairperson, the Secretary, the Treasurer, the last retiring Chairperson of the Section, and up to fifteen (15) at large Council members all of whom have been nominated by the Chairperson and approved by a majority vote of the membership at any meeting.

ARTICLE IV

NOMINATION AND ELECTION OF OFFICERS AND COUNCIL MEMBERS

Section 1. At least thirty days prior to the first session of each annual meeting of this Section, the Chairperson shall appoint a nominating committee of three members of the Section, one member of which shall not be an officer or member of the Council, which committee shall make and report nominations to the Section for the offices of Chairperson, Vice-Chairperson, Treasurer, and Secretary, and members of the Council to succeed those whose terms will expire at the close of the then annual meeting, and to fill vacancies then existing for unexpired terms. Other nominations for the same office may be made from the floor of the section meeting to which the committee reports.

Section 2. The first elected Council after approval of this amendment by the Pennsylvania Bar Association, shall serve

staggering one-, two-, and three-year terms, so that the terms of Council do not expire at the same time. Thereafter, members of Council will be elected for a term of three years.

Section 3. Officers and council members shall be elected by majority vote of section members present at the annual meeting of the section.

ARTICLE V

DUTIES OF OFFICERS

Section 1. The Chairperson shall preside at all meetings of the Section and the Council. The Chairperson shall formulate and present at each annual meeting of the Pennsylvania Bar Association a report of the work of the Section for the past year. The Chairperson shall be responsible for the program of the Section in connection with the annual meeting of the Pennsylvania Bar Association, and shall have the same prepared in cooperation with the other officers of the Section. The Chairperson shall perform such duties or acts as usually pertain to the Chairperson's office.

Section 2. The Vice-Chairperson shall chair the Mid-Year Program Committee and shall perform such other duties as assigned by the Chairperson.

Section 3. The Secretary shall keep a true record of proceedings of all meetings of the Section and the Council. The Secretary shall perform such other duties as may be requested of them by the Chairperson of the Section and shall, in cooperation with the chairperson, draft for publication in the annual report of the Pennsylvania Bar Association a summary or digest of the proceedings of the Section of the annual meetings.

Section 4. The Treasurer shall keep financial records of all Section receipts and disbursements. The Treasurer shall in cooperation with the Chairperson or, in the event of the absence or unavailability of the Chairperson, by their own authority make requisitions for disbursements of Section funds.

Section 5. The immediate past chair of the section shall serve as the Section delegate to the PBA House of Delegates. In the event the immediate past chair shall be unable or unwilling to serve, the council of the section shall by majority vote, designate any section member to serve as the Section delegate.

The immediate past chair of the section shall also be the chair of the nominating committee.

ARTICLE VI
DUTIES OF COUNCIL

Section 1. The Council shall have general supervision and control of the affairs of the Section subject to the provisions of the Constitution and By-Laws of the Pennsylvania Bar Association and the By-Laws of this Section. It shall authorize all commitments or contracts which entail the payment of money as well as all financial expenditures on behalf of the Section. It shall not, however, authorize commitments or contracts which shall entail the payment of more money during any fiscal year than the amounts collected in dues and previously appropriated to the Section for such fiscal year.

Section 2. The Council may authorize the Chairperson to appoint committees from Section members to perform such duties and exercise such powers as the Council may direct, subject to the limitations of these By-Laws and the By-Laws of the Pennsylvania Bar Association. The following committees shall be standing committees of the Section, the size of which shall be determined by the Chairperson:

- (a) Annual Meeting Program Committee
- (b) Mid-Year meeting Program Committee
- (c) Legislative Committee
- (d) Publications Committee

Section 3. The Council, during the interim between annual meetings of the Section, may fill vacancies in its own membership or in the offices of Chairperson, Vice-Chairperson, and Secretary. Members of the Council and officers so selected shall serve until the close of the next annual meeting of the section.

Section 4. All binding action of the Council shall be by a majority vote of the Council members voting in accordance with Sections 5 and 6, below.

Section 5. Members of the Council when present at a meeting of the Council shall vote in person, but when absent may communicate their vote electronically, in writing or by telephone, upon any proposition, to the Secretary and have it

counted, with the same effect as if cast personally at such meeting.

Section 6. The Chairperson of the Section may, and upon the request of any three members of the Council shall submit or cause to be submitted in writing, to each of the members of the Council, any proposition upon which the Council may be authorized to act, and the members of the Council may vote upon such proposition or propositions so submitted, by communicating their vote thereon in writing electronically, or by telephone to the Secretary, who shall record in the minutes each proposition so submitted, when, how, at whose request same was submitted, and the vote of each member of the Council thereon, and keep on file such votes. If the votes of a majority of the members of Council so recorded shall be in favor of such proposition or if such majority shall be against such proposition, such majority vote shall constitute the binding action of the Council.

ARTICLE VII

MEETINGS

Section 1. The annual meeting of the Section shall be held in-person during the annual meeting of the Pennsylvania Bar Association, or as a virtual meeting at some point during that same calendar week, with such time, location, program, and order of business as may be arranged by the Council. Every effort shall be made to ensure the annual meeting of the Section not interfere with other scheduled PBA-related events or meetings.

Section 2. The mid-year meeting of the Section may be called by the Chairperson upon approval of a majority of the Council, at such time and place as the Council may determine.

Section 3. The members of the Section present at any meeting shall constitute a quorum for the transaction of business.

Section 4. All binding action of the Section shall be by a majority vote of the members present.

ARTICLE VIII

MISCELLANEOUS

Section 1. The fiscal year of the Section shall be the same as that of the Pennsylvania Bar Association.

Section 2. All bills incurred by the Section, before being forwarded to the Secretary of the Pennsylvania Bar Association for payment, shall be approved by the Chairperson or the Secretary, or if the Council so shall direct, by both of them.

Section 3. No salary or compensation shall be paid to any officer or member of the Council

Section 4. Any action by this Section must be approved by the Pennsylvania Bar Association before the same becomes effective as the action of the Pennsylvania Bar Association. Any resolution adopted or action taken by this Section may, on request of the section, be reported by the Chairperson of the Section to any meeting of the Pennsylvania Bar Association for the Association's action thereon.

ARTICLE IX

AMENDMENTS

These by-laws may be amended at any annual meeting of the Section by a majority vote of the members of the Section present and voting, provided such proposed amendment shall first have been approved by a majority of the Council and provided, further, that no amendment so adopted shall become effective until approved by the Pennsylvania Bar Association.