

***BYLAWS OF THE
DIVISION OF CHEMICAL TECHNICIANS
OF THE
AMERICAN CHEMICAL SOCIETY**

**Bylaw I
Name**

The name of this organization shall be the Division of Chemical Technicians (hereinafter called the Division) of the AMERICAN CHEMICAL SOCIETY (hereinafter called the SOCIETY).

**Bylaw II
Objects**

Sec. 1. The objects of the Division shall be to increase the awareness of the important contributions that chemistry-based technicians make to the national economy and to society as a whole; to promote the technical, professional, and leadership development of chemistry-based technicians; and to advocate high standards of education, technical practice, and ethical conduct for members of the profession.

Sec. 2. The bylaws of the Division are subject to the Constitution and Bylaws of the SOCIETY, which supersede all motions, rules, and bylaws enacted by the Division that are in conflict therewith.

**Bylaw III
Members and Affiliates**

Sec. 1.

- a. Membership in this Division is open to all members of the SOCIETY who indicate their wish to join the Division and pay the annual dues.
- b. Members of the Division shall have privileges that include and shall not be limited to voting for and holding elective office, serving as a voting member of the Executive Committee, and voting on bylaw amendments and Articles of Incorporation.

***Effective August 6, 2008.** Approved, as amended, by the Committee on Constitution and Bylaws, acting for the Council of the American Chemical Society.

Sec. 2.

- a. A Society Affiliate of the SOCIETY may become a Society Affiliate of the Division, provided that Division dues established for Society Affiliates are paid.
- b. A Society Affiliate of the Division shall have all the privileges of the Division except those of voting for or holding an elective position, voting on Articles of Incorporation and bylaws, voting for Councilor(s) and Alternate Councilor(s), or serving as a voting member of the Executive Committee. A Society Affiliate of the Division may be an appointed committee chair.

Sec. 3.

- a. A person who is neither a member of the SOCIETY nor a Society Affiliate and who wishes to participate in the activities of the Division may become a Division Affiliate provided that dues established for Division Affiliates are paid.
- b. A Division Affiliate shall have all the privileges of membership in the Division as provided in the Division bylaws, except those of holding an elective position in the Division, serving as a member of the Division Executive Committee, or voting for Councilor(s) and Alternate Councilor(s) of the Division and on Articles of Incorporation and bylaws. Division Affiliates may vote for elective positions of the Division except those of Councilor and Alternate Councilor.
- c. Division Affiliates and Society Affiliates of the Division shall retain Division affiliate status only as long as payment of Division dues is made.

Sec. 4. Members and affiliates may resign from the Division by submitting a letter of resignation to the Division Secretary during the year for which dues are paid.

Sec. 5. A member of the Division who is in arrears in payment of dues for one year of their anniversary shall be stricken from the rolls. Any person who wishes to be reinstated must reapply for membership in the Division and pay dues established for Division membership.

Sec. 6. The anniversary date of Division members and Society Affiliates of the Division shall coincide with their anniversary dates in the SOCIETY.

Bylaw IV
Officers, Councilors and Alternate Councilors

Sec. 1. The officers of the Division shall be a Chair, a Chair-Elect, an Immediate Past Chair, a Secretary, and a Treasurer, all elected from the members of the Division.

Sec. 2. The Chair-Elect shall automatically succeed to the office of Chair. The Chair and Chair-Elect shall serve for one year or until their successors qualify. The Immediate Past Chair shall serve for one year, immediately following the term as Chair. The Secretary and the Treasurer shall be elected in alternate years and shall serve for two years or until their successors qualify.

Sec. 3. The Chair, Chair-Elect, and Immediate Past Chair shall assume the duties of their offices at the end of the fall meeting of the Division. The Secretary and Treasurer shall assume their duties on January 1 following their election.

Sec. 4.

- a. The duties of the officers shall be those assigned to them by the Constitution and Bylaws of the SOCIETY, those specified in the Division Procedures Manual, and such other duties as may be delegated to them by the Executive Committee.
- b. The duties of the Councilor(s) shall be to represent the Division at the Council meetings of the SOCIETY; to bring before the Council such matters as the Division officers may request; to report to the Executive Committee of the Division on matters that are of importance to the Division. Councilors shall assume their duties on January 1, following their elections.
- c. The duties of the Alternate Councilor(s) shall be to substitute for the Councilor(s) at the Council meetings of the SOCIETY when the Councilor(s) shall be unable to attend. In such cases, the Alternate Councilor is to bring before the Council such matters as the Division officers may request, to report to the Executive Committee of the Division on matters that are of importance to the Division. Alternate Councilors shall assume their duties on January 1, following their elections.
- d. The Alternate Councilor(s) shall assume additional duties, outside of their role as Alternate Councilor, as outlined within the Division Procedures Manual

Sec. 5. The Secretary shall submit to the Executive Director of the SOCIETY both the annual report of the Division and a complete list of the members and Society Affiliates of the Division for checking and verification.

Sec. 6. The Executive Committee shall consist of the officers of the Division, the Councilor(s) and Alternate Councilor(s), elected from the MEMBERS of the Division and such other members, up to four, as appointed by the Chair-Elect with the concurrence of the other officers. Appointed members shall serve one-year beginning immediately when the Chair-Elect assumes to office of Chair and shall also hold active leadership roles within the Division. Appointed Executive Committee Members are eligible for reappointment.

Sec. 7. The Executive Committee shall meet at each national meeting of the SOCIETY, unless the Executive Committee votes otherwise. A meeting may be called at any time by the Chair or at the request of three members of the Executive Committee. Five members of the Executive Committee shall constitute a quorum for the transaction of business.

Bylaw V Nominations and Elections

Sec. 1. Nominations

- a. The Nominations and Election Committee shall consist of the Chair-Elect, who will serve as the Chair of the Committee, and at least two Division members who are not

currently officers or candidates for office. The Teller Committee will be appointed by the Chair of the Division and will consist of at least two Division members.

- b. The Division will follow the guidelines of election as written in the Constitution and Bylaws of the SOCIETY in the running of annual elections.
- c. Schedule. At least 60 days before the spring meeting of the Division, the Committee Chair shall notify the members of the Division of the call for nominations for the offices to be filled. If the Committee Chair has not received at least two nominees for each of these offices 30 days prior to the spring meeting of the Division, there is to be a second notification to all Division members. It is the responsibility of the Nominations and Elections Committee to determine if the proposed nominee has employer support and is willing to accept the nomination. Employer support must be verified in writing (hard copy or electronic) to the Chair of the Nominations and Elections Committee within 28 days of the closing of the spring meeting of the Division. Every effort shall be made to identify two qualified nominees for each office. Nominations will be closed at the end of the spring meeting of the Division.
- d. If there are no nominations for any office up for election, the deadline for nominations may be extended by a majority vote of the Executive Committee as long as the schedule for elections can still be met. Members of the Division may nominate additional candidates for office by offering signed petitions for such candidacy, signed by ten percent (10%) of the full members of the Division by the deadline date for nominations. This deadline cannot be extended by the Executive Committee. If there are not two qualified nominees for each office at that time, the name of a single nominee for that office will be placed on the ballot. An option for a write-in candidate shall always be offered to members of the Division.

Sec. 4. Elections

- a. At least 60 days before the fall meeting of the Division, the election process is to begin. Election information, including the names of all the candidates for each office, a biography of each (if available) and an election ballot, shall be made available to all members of the Division and Division Affiliates. All names for each office shall appear under that office in alphabetical order by surname. Balloting shall be closed no later than 30 days before the fall meeting of the Division to be counted. Division Affiliates cannot vote for Councilor(s) and Alternate Councilor(s) or bylaw change proposals or Articles of Incorporation.
- b. An appointed Teller Committee shall count the ballots, and the results shall be reported to the members at the fall meeting of the SOCIETY. The winners shall be determined by a plurality of the valid ballots cast for the particular office. The position(s) of Councilor(s) shall be filled in the order of votes cast, with the next highest vote total electing the Alternate Councilor(s), except in the event there are specific candidates for the office of Alternate Councilor. A tie vote shall be broken by the Executive Committee, or failing this, by lot.

- c. Within 30 days of the determination of the election results, but not later than December 1 each year, the Secretary of the Division shall certify to the Executive Director of the SOCIETY the names, addresses and terms of the elected officers, including Councilors and Alternate Councilors, and all changes in offices of the Division for the ensuing year. For the Councilors, the name of the individual to be disqualified, if the Division's representation is reduced as a result of official determination of representation, shall also be certified.

Sec. 5. Vacancies

- a. Should a vacancy occur in the office of Chair, the Chair-Elect shall assume all duties and responsibilities of the office of Chair for the unexpired term as well as the term to which elected.
- b. In the event the office of Chair-Elect, the position is to be is filled by an interim appointment by the Executive Committee. The appointee shall be designated as Vice-Chair and shall not automatically succeed to the office of Chair. In this situation the Division shall elect both a Chair and a Chair-Elect at its next annual election.
- c. Vacancies in the offices of Secretary and Treasurer shall be filled by the Executive Committee by interim appointment for the period up to the next annual election, at which time the Division shall choose a member to fill out the unexpired term, if any.
- d. A vacancy in the office of Councilor shall be filled by the Alternate Councilor, who will serve as Councilor for the remainder of the unexpired term. Should the Alternate Councilor be unable to serve in that position, the Executive Committee shall appoint a MEMBER to serve as Councilor until the next general election, whereas the person elected to Council shall fill out the remaining term. Such changes in office are to be reported immediately to the Executive Director of the SOCIETY.
- e. A vacancy in the office of Alternate Councilor shall be filled by the Executive Committee and the appointed MEMBER shall serve as Alternate Councilor until the next general election, whereas the person elected to Council shall fill out the remaining term. Such changes in office are to be reported immediately to the Executive Director of the SOCIETY.

Bylaw VI Recall of Elected Officials

Sec. 1. The elected officials of the Division (officers or elected Executive Committee members) are subject to recall for neglect of duties or conduct injurious to the SOCIETY.

Sec. 2. The recall of an official shall be initiated when a signed petition, indicating in writing the specific charges and reasonable substantiating evidence, is submitted to the Chair from at least five (5) voting members of the Division (as determined by the return votes from the previous Division election and records kept by the Nominations and Elections Committee). In the event the Chair is the official in question, the Chair-Elect shall receive the petition and shall assume the duties of the office of Chair with respect to this issue until the issue is resolved.

Sec. 3.

- a. The Chair for this issue shall, without delay, determine that the petitioners are aware of the gravity of their actions and the procedures to be followed. The Chair shall seek an alternate resolution to the problem and a withdrawal of the petition at this time. In the absence of a resolution to the problem, the Chair shall present the issue to the Executive Committee as a new business item at the next Executive Committee meeting or at a special meeting of the Executive Committee.
- b. The Executive Committee shall promptly continue the recall process or dismiss the petition as ill founded or find an alternative solution to the problem. The Chair shall promptly inform the petitioners and the official in question of the decision of the Executive Committee.
- c. If the proceedings continue, the Chair shall assign the duties of the official in question to another qualified member of the Division until the issue is resolved.
- d. If the proceedings continue, the official in question shall be offered an opportunity to answer the allegations in the petition before the Executive Committee. The Executive Committee shall decide whether to proceed after studying response of the official in question. The Chair shall promptly inform the petitioners and the official in question of the decision of the Executive Committee.
- e. Should the official in question not respond to attempted contacts by the Chair and/or Executive Committee, the Executive Committee may remove the official in question with a two-thirds (2/3) vote of the remaining members.
- f. If the proceedings continue, the official in question shall choose one of the following options:
 - (1) The official in question may resign.
 - (2) The official in question may request a recall vote in the same manner as the original election, which must be consistent with the Division bylaws. The voting membership shall be informed, through brief written statements prepared by the Executive Committee and the official in question of the issues involved with the recall vote. Both statements shall be given to the voting membership before the vote is taken.
 - (3) The official in question may request a hearing and a recall vote by the remaining members of the Executive Committee. A two-thirds (2/3) vote of the remaining members of the Executive Committee shall be required to recall the official in question.
 - (4) The official in question may choose not to respond and thus forfeit the position.

Sec. 4. The vacancy provisions of these bylaws shall be used to fill a vacancy caused by a recall process. The membership of the Division and the Executive Director of the SOCIETY shall be informed of the results of any recall process and the replacement of the official in question.

Bylaw VII Committees

Sec. 1. The Chair shall appoint such committees as the Executive Committee deems necessary. The Executive Committee shall set the terms of office of the members of the committees.

Sec. 2. The duties of the committees shall be specified in the Division Procedures Manual.

Bylaw VIII Dues

Members of the Division, Society Affiliates of the Division, and Division Affiliates shall pay annual dues of not less than \$2.00, the amount to be set annually by the Executive Committee.

Bylaw IX Meetings

Sec. 1. Meetings of the Division shall include:

- a. Executive Committee Meetings
- b. Division Open Meetings
- c. Division Business Meeting
- d. Any other special meeting that may be called by the Chair or at the request of three members of the Executive Committee

Sec. 2. All meetings shall take place at each national meeting of the SOCIETY, unless the Executive Committee votes otherwise.

Sec. 3. Open Meetings of the Division

An Open meeting of the Division must be held once a year and shall be held at each National Meeting of the Society, unless the Executive Committee votes to hold the meeting at a different time and/or location. This meeting is to serve as an exchange among those who are interested in the professional involvement and development of technicians. The Executive Committee is to use this meeting to report on activities of the Division and to seek input and advice from those attending on matters of importance to technicians within and outside of the SOCIETY.

Bylaw X Division Procedures Manual

Sec. 1. The Division Procedures Manual shall be prepared under the direction of the Executive Committee. The Procedures Manual shall be the operating manual of the Division and, as such, shall explain the objectives and the duties of the officers and the committees and shall not be in conflict with these bylaws or with the Constitution or Bylaws of the SOCIETY.

Sec. 2. Amendments to the Division Procedures Manual can be made by a majority vote of the Executive Committee, provided that notification of the intention to amend is given at least 60 days prior to the vote.

Bylaw XI Papers and Publications

Sec. 1. The official organ of the Division shall be available to all members and affiliates of the Division.

Sec. 2. Any publications, other than the official organ of the Division, require prior approval of the Board of Directors of the SOCIETY and must comply with the SOCIETY's Constitution and Bylaws.

Sec. 3. A designated representative of the Executive Committee is empowered to approve or reject papers for presentation at the programs of the Division in accordance with SOCIETY documents.

Bylaw XII Subdivisions

Sec. 1. The Division may organize within itself one or more units known as Subdivisions, which shall be established to cover a specified portion of the general field of the Division. Each Subdivision shall operate in conformity with the bylaws of and shall be responsible to the parent Division. Membership or affiliation in the Division shall be a requirement for participation in a Subdivision. Members and affiliates of the Division may join the Subdivision by request to the Secretary-Treasurer of the Subdivision.

Sec. 2. Formation or discontinuance of a Subdivision shall be at the discretion of the Executive Committee or by petition of at least 50 members of the Division to the Executive Committee. The scope of the activities of a Subdivision shall be defined and monitored by the Executive Committee of the Division.

Sec. 3. Upon establishment of a Subdivision, the Executive Committee of the Division shall appoint a Chair, Chair-Elect, and Secretary-Treasurer, who are members and will be members of the Subdivision, and who shall serve for the organizational year or until the next regular election of the Division. Thereafter, the Chair-Elect shall succeed to the office of Chair, and the members of the Subdivision shall nominate and elect the remaining officers, who must be willing to serve in these positions. The officers, who shall be members of the Division, shall be elected in accordance with election procedures for Division officers, and their terms shall coincide with those of their counterparts at the Division level. The Chair of the Subdivision may appoint such committees as may be necessary to conduct the activities of the Subdivision. The Secretary-Treasurer of the Subdivision shall maintain a list of members and affiliates of the Subdivision and shall submit periodically, or as directed by the Executive Committee of the Division, an itemized statement of receipts and expenses to the Executive Committee of the Division.

Sec. 4. The necessary expenses of the Subdivision shall be authorized by the Executive Committee of the Division from Division funds and be paid to the Subdivision upon proper authorization and verification of expenses by the Subdivision officers. Funds earned or collected by the Subdivision, and expenditure thereof, shall be under the control of the Subdivision.

Bylaw XIII Amendments

Sec. 1.

- a. A proposed amendment of these bylaws must be submitted in writing to the Executive Committee. If the Executive Committee approves the proposal, an initial notification of proposed changes will be sent to the Committee on Constitution and Bylaws of the SOCIETY for an initial review. Once the proposed wording has been given an initial approval of the Committee on Constitution and Bylaws of the SOCIETY and has been approved by the Executive Committee of the Division, the proposed changes will be made available for members of the Division to review at least 60 days prior to the scheduled vote on the proposed changes by the Division membership.
- b. Bylaw amendment(s) will be approved by the membership by a two-thirds vote of the members voting.
- c. Once approved, all changes to the bylaws are to be sent to the Committee on Constitution and Bylaws of the SOCIETY.

Sec. 2. Any proposed amendment(s) not approved by the Executive Committee within 60 days from the time it is submitted thereto may be brought to a vote of the membership in the aforementioned manner by a petition signed by not less than fifteen percent (15%) of the members of the Division.

Sec. 3. An amendment to these bylaws, after adoption by the Division, shall become effective upon approval by the Committee on Constitution and Bylaws, acting for the Council of the SOCIETY, unless a later date is specified in the amendment.

Bylaw XIV Parliamentary Reference

The current edition of *Robert's Rules of Order, Newly Revised* shall be the parliamentary reference in all matters not specified in these bylaws.

Bylaw XV Dissolution

Upon the dissolution of the Division, any assets of the Division remaining thereafter shall be conveyed to such organization then existent as is dedicated to objects similar to those of the

Division and of the AMERICAN CHEMICAL SOCIETY, or to the AMERICAN CHEMICAL SOCIETY, so long as whichever organization is selected by the governing body of the Division at the time of dissolution shall be exempt under Section 501(c)(3) of the Internal Revenue Code of 1954 as amended or under such successor provision of the Code as may be in effect at the time of the Division's dissolution.