

Bylaw 2018-01 Passed Unanimously

### **Bylaws Resolution Voting Clarification**

Rationale: To clarify in the bylaws when members officially vote on resolutions, the Resolution Committee requests two short additions to Article 10, Section 3. One addition clarifies that at the convention membership meeting, resolution votes there are non-binding, and secondly, that the official resolution voting takes place as described as in Article 7 (Elections) of the bylaws.

Article 10, Section 3. Voting.

All Members, including both Full Members and Associate Members, shall be entitled to speak to resolutions presented before the Annual Convention. All Members, including both Full Members and Associate Members, shall be entitled to one **non-binding** vote on resolutions. Only Full Members may vote on bylaw amendments. The procedure for voting for both resolutions and bylaws changes will take place in the same manner and time as the elections for the Board of Directors **as described in Article 7 (Elections) of the bylaws.**

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**Bylaw 2018-02****ARTICLE XII. CHAPTERS****Section 4. Chapter Dues**

Chapters may assess **reasonable** dues ~~but such dues are voluntary and optional, and do not replace national dues. Failure to pay Chapter dues may not be used to deny membership in a Chapter, or membership activities, to Full members for membership in the Chapter. A Chapter may set rules and guidelines for the waiver of Chapter dues. Dues must be structured so that no one is excluded from membership in the Chapter based on inability to pay.~~

**Rationale:**

The proposed amendment essentially restores the language of Section 4. Chapter Dues to what it had been for many years prior to its being changed two years ago. It eliminates the language about dues being voluntary, a contradiction in terms. Dues are mandatory, donations are voluntary. It eliminates "optional" because it is redundant given that chapters may assess dues. They don't have to. The insertion of "reasonable" and the additional sentence pertaining to ability to pay are added to assure fairness and equity. Further, we maintain that chapter dues, as described here, have nothing to do with "excluding" National VFP members. (Please see related Article XII, Section 5 proposed amendment.)

The matter of chapter membership, dues and governance (election of officers) may not be important to small chapters that handle these things informally. But large chapters with many members, organizational requirements and significant fundraising obligations, such as Chapter 9, must take these matters seriously.

The membership of Chapter 9 is made up of both current and lapsed National VFP Veteran and Associate members. We also have veteran and associate members who, much as we encourage it, are not (yet) members of National VFP. Payment of annual dues is a requirement for membership in our chapter, the Smedley Butler Brigade.

We average about 85 paid up members per year, and the proceeds from dues constitute around one-third or more of our annual income depending on our success in soliciting donations. Since donations are voluntary, they are less predictable. Dues provide a floor for budgeting purposes. We are an active chapter with considerable expenses. We rely in part on Article XII, Section 9. Raise Funds. "Chapters shall have the power to raise funds as a (sic) necessary to their operations." Membership dues are a necessary component of our fundraising.

For a broader perspective this is what former VFP Board President, Barry Ladendorf, had to say in an August 21, 2016 email to the Board: “ Our policy manual gives Chapters autonomous powers and authority. According to our Policy and Procedures Manual page 5. ‘Chapters are the basic structural component for VFP and the foundation of the organization. All Chapters must adhere to a common set of guiding principles (our Statement of Purpose), but are **authorized to operate autonomously.**’ (emphasis added).” In other words, any chapter that elects to assess dues as a condition of membership in the chapter has the authority to do so.

Lastly, the current Section 4 bylaw is an impediment to compliance with Section 6., Rules of Governance, which states in part that “chapters are encouraged to rely on elections for succession of officers and Chapter Directors. This section may be of little importance to small, more informal, chapters. But a large chapter such as Chapter 9 relies on its dues requirement to determine who is eligible to vote for officers and motions.

For both principled and practical reasons we believe VFP’s bylaws and its Policy and Procedures Manual establish the right and the authority of chapters to assess reasonable dues, if they so choose.

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**Bylaw 2018-03****Article XII, Chapters****Section 5. Not exclude Full members.**

Chapters may not exclude Full members who live within their geographical area. **If chapters elect to charge reasonable dues for membership this is not considered exclusionary.**

Rationale:

The meaning and purpose of “exclusion” as it applies to VFP and its chapters needs elaboration and clarification. It’s a term that has been misused by one occasional member of our chapter to sabotage our right to collect mandatory dues. (Please see our proposed amendment to Article XII, Section 4.) In another instance this same person tried, unsuccessfully, to use the term to deny our authority to expel a member from the chapter (not VFP) for cause. Our proposed amendment is an attempt to insert some clarity with respect to dues. We believe the Board as well VFP members in general should give serious consideration to further expanding the definition of what exactly constitutes exclusion.

When the bylaws were amended two years ago to prohibit chapters from charging mandatory dues it was asserted by the person referenced above that payment of National’s annual dues automatically satisfies any dues requirement of a local chapter, and, therefore, mandatory dues for chapter membership are prohibited because they “exclude” those VFP members who refuse to pay. First of all, prior to two years ago, there was nothing in VFP’s bylaws stating that payment of National’s dues had anything to do with chapter dues. The change prohibiting mandatory dues was sold using an entirely false premise. Moreover, dues related “exclusion” is absurd on its face because chapter dues are, or should be, structured such no one is excluded from membership based on inability to pay.

Equally important is the matter of fairness and equity. When members pay National’s dues they receive certain tangible benefits along with voting and other rights. That’s fair – value received. What chapters provide their members by way of benefits is quite different. Along with camaraderie, organizing efforts at the local level confer power and meaning in the daily lives of chapter members. It’s also where we meet prospective new members. Especially active chapters, such as ours, pour a lot of resources, financial and otherwise, into these organizing efforts. Mandatory dues help cover a significant portion of the expenses involved. It is not fair that National’s bylaws deprive us of this source of income based on a tortured definition of exclusion. And in terms of equity, doing so is akin to the recent Supreme Court decision that permits freeloading by forbidding unions from collecting mandatory dues. Our members recognize the value

received and do not object to paying chapter dues (except for one member).  
National's bylaws should not stand in the way.

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