

Proposed By-Laws

SECTION ON EMPLOYMENT DISCRIMINATION LAW

Association of American Law Schools

ARTICLE I: NAME, SCOPE AND PURPOSE

Section 1. Name: This Section shall be known as the "Section on Employment Discrimination Law" ("Section"). It shall be a section of the Association of American Law Schools ("Association").

Section 2. Scope: "Employment Discrimination Law" involves the law regulating invidious discrimination in the work-place, particularly employer and union discrimination on the basis of race, sex (including preference and orientation), national origin, religion, age, and handicap. It does not include "Labor Relations Law," that is, the law which governs the collective relationship between employees, their representatives, and the employer. It does not include statutory work-place legislation such as wage-hour laws and occupational safety.

Section 3. Purposes: The Section on Employment Discrimination Law has as its primary purposes the following: (a) Communication of ideas, research and scholarship on the law of employment discrimination. (b) Communication and exchange of ideas relating to teaching of employment discrimination law. (c) Recommending improvements in the law that regulates invidious discrimination in the work-place.

ARTICLE II: MEMBERSHIP

Section 1. Membership:

- a. Membership in the Section is open to any faculty member of a law school that is a member of the Association.

- b. Associate membership is open to any other person who is concerned with employment discrimination law or the research and teaching of employment discrimination law, or the improvement of the law that regulates invidious discrimination in the work-place.

Section 2. Privileges of Members:

- a. Members may participate in programs, meetings and activities of the Section. They may vote in person at any Section meeting. They are eligible to hold office in the Section.
- b. Associate members may participate in programs, activities and meetings of the Section, but may not vote or hold office in the Section.

ARTICLE III: OFFICERS AND COMMITTEES

Section 1. Officers: The Section shall have the following officers: Chair, Chair-Elect, and Secretary-Treasurer.

Section 2. Executive Committee: The Section shall have an Executive Committee. The Executive Committee shall consist of the chair, the chair-elect, the secretary-treasurer and four other persons.

Section 3. Nominating Committee: The Section shall have a Nominating Committee. Members of the Nominating Committee shall be named by the Chair. The Nominating Committee shall include at least three persons, one of which shall be a past Chair of the Section. The Nominating Committee shall be responsible for nominating a slate for officers and the Executive Committee for the next following year.

Section 4. Other Committees: The Executive Committee may create specific standing, or special committees and appoint the membership thereof from among members of the Section.

ARTICLE IV: NOMINATIONS AND ELECTIONS

Section 1. Elections: The vacant Chair-elect position shall be filled by election at the Section meeting held at each annual meeting of the Association. The Chair-elect shall succeed to the office of Chair at the close of the next annual meeting of the Association. The Chair shall succeed to membership on the Executive Committee at the close of the next annual meeting of the Association. The Secretary-Treasurer and three positions on the Executive Committee shall be elected annually at the Section meeting held at the annual meeting of the Association.

Section 2. Qualifications: Officers and members of the Executive Committee shall serve until a successor has been elected and qualified. All members of the Section are eligible for office. The Secretary-Treasurer and members of the Executive Committee are eligible for re-election. The Chair shall not be eligible for election to Chair-elect or Secretary-Treasurer.

Section 3. Nominations: The Nominating Committee shall receive and consider suggestions of persons to serve as officers and executive committee members. The Nominating Committee shall report a slate of nominees for vacant positions at the business meeting of the Section at the annual meeting of the Association. Any member of the Section may nominate from the floor any other Section member for any vacant position.

Section 4. Election: The officers and executive committee members shall be elected from the persons nominated at the business meeting of the Section at the annual meeting of the Association. Election to the vacant position shall be by majority of those members voting at the Section meeting. Elections may be by voice vote or by secret ballot as the Chair deems appropriate.

Section 5. Filling Vacancies: If an officer or other member of the Executive Committee resigns, becomes ineligible to serve or dies, the position shall be promptly filled. If the position of chairperson becomes vacant, the chairperson-elect becomes the chairperson. If the position of chairperson-elect becomes vacant, the chairperson, with the advice and consent of the other members of the Executive Committee, shall appoint a person to serve as chairperson-elect until the next annual meeting of AALS at which time both a chairperson and a chairperson-elect shall be elected. If the position of a member of the Executive Committee becomes vacant, the chairperson, with the advice and consent of the other members of the Executive Committee, shall appoint the person to the position to serve until the next annual meeting of the AALS.

ARTICLE V: DUTIES OF OFFICERS AND EXECUTIVE COMMITTEE

Section 1. Chair: The Chair of the Section shall have the following duties:

- a. Serve as presiding officer of all meetings of the Section and meetings of the Executive Committee.
- b. Present at the annual meeting of the Association a report of the activities of the Section for the prior year.

- c. Serve as liaison officer between the Section and the Association.
- d. Plan and coordinate all activities of the Section including, but not limited to, the program at the annual meeting of the Association.
- e. Perform duties as assigned by the Executive Committee.

Section 2. Chair-Elect: The Chair-Elect of the Section shall have the following duties:

- a. Assist the Chair in performance of the duties of the Chair, as the Chair might from time to time request.
- b. Assume and perform the duties of the Chair during the absence or disability of the Chair.
- c. Assume the office of Chair if the Chair becomes vacant.

Section 3. Secretary-Treasurer: The Secretary-Treasurer of the Section shall have the following duties:

- a. Assist the Chair in the performance of the duties of the Chair, as the Chair might from time to time request.
- b. Take, keep and preserve minutes and records of Section meetings, meetings of the Executive Committee and all activities of the Section.
- c. In addition to the purposes described in Association Executive Committee Regulation 12.6(d), section dues and other section income may be spent for a reception for section members at an Association annual meeting, workshop or teaching conference, any deficiency in a meal guarantee, section survey, section directory, and enhanced newsletter. Before the activity is undertaken, the section's Executive Committee

must authorize the expenditure of dues or other income for the activity. In approving payment of an expenditure the Secretary-Treasurer must determine that the particular expenditure was for the activity authorized by the Executive Committee of the section and is consistent with the section's bylaws and Association policies. The chairperson shall notify the Association's National Office one month before the activity of the Section's Executive Committee decision to authorize the expenditure.

Section 4. Executive Committee: The Executive Committee is the general policy-making body for the Section. It shall advise and direct the Chair and the Secretary-Treasurer. It shall recommend and participate in the planning of any programs, activities, or publications sponsored by the Section. It may create standing or special committees and appoint the membership thereof. It may report to the Section and ask for resolutions or actions by vote of the Section. Individual members of the Executive Committee shall undertake any assignments which the Chair, from time to time, may make concerning the business or activity of the Section.

ARTICLE VI: ACTIVITY OF THE SECTION

Section 1. Annual Meeting: At each annual meeting of the Association the Section shall hold, at the time and place designated by the Association, a subject matter program and a business meeting. The Chair shall preside.

Section 2. Communications: The Section shall promote and foster information about and among teachers of employment discrimination law.

The Section shall promote a dialogue between teachers of employment discrimination law and other related disciplines. To this end the Section may publish a general informational newsletter announcing activity of the Section and its members. In accord with the regulations of the Association of American Law Schools the Section may communicate statements of position on matters affecting Section concerns to members of the Section, and to faculty members of schools accredited by the American Bar Association, provided that the communication has a disclaimer indicating that the statement is that of the Section and not the Association. Provided further, the Section may not communicate to a member school the Section's views concerning the school's compliance with rules of membership in the Association, or concerning the quality or characteristics of the school's education program or institutional policies.

Section 3. Teaching: The Section shall promote the effective teaching of employment discrimination law and the integration of this subject into legal education. To this end the Section may sponsor or participate in programs or workshops designed to aid the development of teaching skills.

Section 4. Public Policy Statements: The Section may submit to the Association its Executive Committee recommendations that the Association take a stated position. Statements of policy adopted by the Section will not otherwise be made public without the expressed prior approval of the Association given in accordance with the regulations of the Association.

Section 5. Generally: The Section is authorized to undertake any other activity within the scope of these by-laws and consistent

with the regulations of the Association.

ARTICLE VII: AMENDMENTS

Section 1. Amendments: These bylaws may be amended at an annual meeting of the Section by a majority vote of the members present and voting. Such amendments will take effect only when approved pursuant to regulations of the Association.

Section 2. Conflicts: In the event these bylaws now or hereafter conflict with regulations of the Association, the regulations of the Association shall be given effect. The bylaws shall be construed in a way that avoids such conflicts.

Approved

Jan. 7, 1985

Mark C. Pledge
Chair