



Federal Laboratory Consortium
for Technology Transfer

2020 FLC BYLAWS VOTING GUIDE

Download, vote and email the ballot to
elections@federallabs.org

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Dear Voting Members of the FLC:

In this guide, you will find information on the proposed changes to the Bylaws proposed by the Executive Board to facilitate the use of electronic voting and to clarify the use of virtual National Meetings.

COVID-19 has disrupted how we vote and host the National Meeting. Even though we postponed the National Meeting and rescheduled it for August 31 to September 3rd in a virtual format, we didn't slow down the election process. We held elections in May and a runoff election in June. This entire process was conducted in a virtual format with emailed ballots.

I would like to thank everyone who voted in that election, in which significant proposed changes to the Bylaws overwhelmingly passed, as well as the people who stepped up to serve as elected members of the FLC.

Now we are asking for your votes regarding a different (and much less extensive) set of changes to the Bylaws.

Our Bylaws currently allow only in-person written votes and mailed or faxed ballots. Given the national emergency, our legal review concluded that email was a reasonable definition of the term "mail," but your Executive Board feels this should be clarified in the Bylaws, in case issues arise in the future. The proposed changes also address virtual meetings. This is not the first time we have needed to hold our premier event in a virtual format. In 2012, we shifted to a virtual format based on very tight travel restrictions for federal employees that year. While it is great to get together, it is clear that it is not always possible.

We are very excited about moving the FLC forward to achieve our strategic goals. We have started out strong and continue to press forward to build our organization to better serve federal labs. Your votes will help us get there.

Sincerely,



John Dement
Chair, FLC Executive Board

Election Committee

The 2020 FLC National Meeting was postponed due to the outbreak of COVID-19 and altered the traditional in-person voting process. Therefore, the election process will be virtual, and every ballot will be received by email.

All votes will be received, managed and approved by the FLC Election Committee:



John Eisemann
Mid-Continent Regional Coordinator
USDA National Wildlife Research Center (NWRC)
E: John.D.Eisemann@aphis.usda.gov
P: (970) 266-6158



Chuck Na
Host Agency Representative
National Institute of Standards and Technology (NIST)
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Marianne Lynch
Legal Issues Committee Chair
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Proposed FLC Bylaw Changes

This has been a very unusual year in so many ways. A global pandemic has forced everyone to rethink how we do business, and the FLC is no exception. Travel restrictions and social distancing have become part of our lives. Concern for our members forced the FLC to postpone our premier event, the National Meeting, and eventually cancel the in-person meeting completely and shift to a virtual format.

However, this is not the first time the FLC has been forced to hold a virtual National Meeting. Following some problems with hosting government meetings, a fairly restrictive travel policy meant we could not meet in 2012. Then, as now, we were able to meet the basic requirements for our members virtually, and also accomplish the expectations for a National Meeting as described in our Bylaws.

Reflecting on the current environment and the potential demands placed on our members, it is proposed that the Bylaws be updated to formally recognize the reality that we will occasionally not be able to meet in person.

Along with the concept of a virtual meeting, the idea of how we conduct our voting process has also proven to be out of date. The FLC Legal Committee Chair at the time, reviewed the Bylaws to make the determination that email met the definition of “mail” in the Bylaws. This determination was also coordinated with NIST, as the FLC host agency, to see if there were any legal objections to this determination.

To avoid this problem in future years, the members are asked to update the Bylaws to accept electronic methods of collecting ballots. The Executive Board did not want to limit the potential process to strictly email, as secure and well-validated electronic voting systems are available and could be used by the FLC. The use of these systems should improve access and ease the effort to count and certify ballots. It is recognized that any electronic system must properly account for the needs of ensuring that only those who are eligible to vote are casting a proper ballot and that the results can be validated.

Ballot Submission:

To minimize exposure during the global pandemic, only email ballots will be used for this vote.

Electronic Mail: elections@federallabs.org

Election Voting Requirements

Designated Consortium Agency Representatives and Laboratory Representatives whose memberships are registered with the FLC Recording Secretary are eligible to vote. (Bylaws, Article VI Section 2 (d)). If you are uncertain if you are eligible to vote, please contact Stephanie Pearson at elections@federallabs.org.

Proposed Bylaw Amendments

The following text changes are being proposed to the FLC Bylaws. Changes are indicated in redline and bold.

ARTICLE III MEMBERS

Section 1. Definitions

k.) "Mail" shall include electronic mail or other electronic means of communication, which may include an electronic voting system.

ARTICLE VIII MEETINGS

Section 1. National Meeting

a.) Frequency

The Consortium shall hold at least one national meeting during the calendar year. This meeting shall provide time to conduct the organizational business of the Consortium. **In circumstances in which it is impossible or impractical to conduct a national meeting in person, such as in the case of a national emergency, the Executive Board shall be authorized to take actions to provide for an alternative way to conduct the business functions of the meeting.**

Frequently Asked Questions

1. Why is the FLC making these changes to the Bylaws?

The FLC is making these changes to the bylaws to modernize the Consortium by allowing for more nimble practices as we move to a more strategic rather than an operational practice. These changes must follow the process described in the Bylaws to be approved by the members before they can be implemented.

2. Is the Board going to update all of the bylaws in the future or are only these items getting changed?

The current Bylaw amendments are all that are being considered at this election. Article XI of the FLC Bylaws describes the process for amendments. Amendments to the Bylaws happen regularly following these procedures.

3. How do these changes impact me as a member?

As a member of the FLC, you should anticipate an easier and more modern process to cast, collect, and review votes. You should also expect that the FLC will be better prepared to implement a virtual meeting in circumstances where an in-person session is not feasible.

4. What amount of votes are required to approve the changes?

The FLC Bylaws allow for a simple majority of votes to carry for elections or amendments, provided that a quorum of at least 25% of eligible voters cast a ballot.

National Bylaw Amendment Ballot- Electronic Voting

Name _____
(Note: All ballots will be compared to list of eligible voters)

I am a(n) (please check box):

- Agency Representative
- Laboratory Representative

Please provide your:

Agency: _____

Laboratory: _____

Location: _____

(Please check box to indicate vote)

Proposed Amendment:

ARTICLE III MEMBERS
Section 1. Definitions

k.) "Mail" shall include electronic mail or other electronic means of communication which may include an electronic voting system.

- Approve (Bylaw amendments will be made)
- Disapprove (Bylaws remain as written)

National Bylaw Amendment Ballot- Virtual Meetings

Name _____

(Note: All ballots will be compared to list of eligible voters)

I am a(n) *(please check box)*:

- Agency Representative
- Laboratory Representative

Please provide your:

Agency: _____

Laboratory: _____

Location: _____

(Please check box to indicate vote)

Proposed Amendment:

ARTICLE VIII MEETINGS

Section 1. National Meeting

a.) Frequency

The Consortium shall hold at least one national meeting during the calendar year. This meeting shall provide time to conduct the organizational business of the Consortium. **In circumstances in which it is impossible or impractical to conduct a national meeting in person, such as in the case of a national emergency, the Executive Board shall be authorized to take actions to provide for an alternative way to conduct the business functions of the meeting.**

- Approve (Bylaw amendments will be made)
- Disapprove (Bylaws remain as written)