



APPROVED AS AMENDED*

by the Committee on Constitution and Bylaws, acting for the Council of the American Chemical Society, under authority of Bylaws III, VII, and VIII.

Paul Lewis
Secretary of the Council

***BYLAWS OF THE
DIVISION OF CHEMICAL HEALTH AND SAFETY, INC.,
OF THE
AMERICAN CHEMICAL SOCIETY**

**BYLAW I
Name**

Section 1. The name of this organization shall be the Division of Chemical Health and Safety, Inc., (hereinafter referred to as “the Division”) of the AMERICAN CHEMICAL SOCIETY (hereinafter referred to as “the SOCIETY”).

**BYLAW II
Objects**

Section 1. The objects of the Division shall be those of the SOCIETY as stated in the Constitution of the SOCIETY.

Section 2. Nothing in these bylaws shall be inconsistent with the Charter, Constitution, and Bylaws of the SOCIETY.

Section 3. In particular, the objects of the Division shall be to:

(a) focus information on the properties of chemicals that affect humans directly or through the environment;

(b) monitor the technical aspects of the above;

(c) develop symposia and general sessions on topics related to the above at national, regional, divisional, and other meetings of the SOCIETY;

(d) foster publication and other modes of dissemination of information pertaining to the above; and,

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(e) provide expertise in chemical health and safety to the SOCIETY and, in the public interest, to others as specified in the Charter of the SOCIETY.

BYLAW III Members and Affiliates

Section 1. Membership in the Division is open to all members of the SOCIETY. Any member of the SOCIETY may join the Division by enrolling with the Division and paying the established annual dues.

ASSOCIATE MEMBERS may hold elective positions, other than Councilor or Alternate Councilor.

Section 2. A Society Affiliate of the SOCIETY may become a Society Affiliate of the Division, provided that divisional dues established for Society Affiliates are paid. A Society Affiliate shall have all the privileges of membership in the Division, as provided in the Division bylaws except those of voting for or of holding an elective position in the Division, voting on articles of incorporation and bylaws, or serving as a member of the Division Executive Committee or equivalent policy-making body.

Section 3. A person who is not a member of the SOCIETY, but who wishes to participate in the activities of the Division, may become a Division Affiliate provided that application, in writing, is made to the Secretary and provided that dues established for Division Affiliates are paid. A Division Affiliate shall have all the privileges of membership in the Division, as provided in the Division bylaws, except that of holding an elective position in the Division, voting on articles of incorporation and bylaws, serving as a member of the Division Executive Committee or equivalent policy-making body, or voting for Councilor(s) or Alternate Councilor(s) of the Division. Division Affiliates may serve as chair of any committee except the Executive Committee or equivalent policy-making body.

Section 4. Privileges of membership in the Division shall include but are not limited to:

(a) receiving access to the Division information where news and programming resources can be found.

(b) receiving a subscription to the divisional publication *Journal of Chemical Health & Safety* at a reduced rate.

(c) purchasing abstracts of national meetings of the SOCIETY at reduced rates as provided by the SOCIETY Office of Meetings and Expositions.

(d) purchasing various texts at discount, as accorded to members and affiliates, by diverse publishers.

Section 5. A member may resign from membership in the Division by submitting a resignation, in writing, to the Secretary of the Division during a year in which dues are paid.

(a) A member of the Division who is in arrears of dues for one (1) year shall be stricken from the rolls.

(b) Persons whose names have been stricken from the rolls and who wish to be reinstated shall request reinstatement by writing to the Secretary and paying their dues in arrears plus the current dues for the appropriate membership category applied for. Such payment shall be considered to be payment of the annual dues for that year.

(c) Division Affiliates and Society Affiliates of the Division shall retain affiliate status only so long as payment is made of Division dues.

BYLAW IV

Officers

Section 1. The officers of the Division shall consist of the Chair, Chair-Elect, Secretary, Treasurer, two Members-at-Large, Councilors and Alternate Councilors.

Section 2. The duties of the officers shall be those normally associated with their respective offices, other duties delegated to them by the Executive Committee, the specific duties stated in this section, and other duties stated elsewhere in these bylaws or the Constitution and Bylaws of the SOCIETY. The officers of the Division shall be the Directors of the Corporation.

(a) It shall be the duty of the Chair to preside at meetings of the Executive and Interim Committees, to carry out the decisions of those committee(s), to preside at meetings of the Division and with counsel of the Executive Committee to appoint the members and chairs of the Program, Standing, and Other Committees.

(b) It shall be the duty of the Chair-Elect to act in the place of the Chair in the Chair's absence or inability to act.

(c) It shall be the duty of the Secretary to keep a record of the proceedings of the meetings of the Division and of the Executive Committee, to maintain a list of members and affiliates in good standing, to send to members and affiliates such notices as the business of the Division may require, to arrange for the distribution, recovery, and counting of ballots for elected offices (except as noted elsewhere in this bylaw), to report a summary of the Division's annual activities to the Division at its annual business meeting, and to send to each member or affiliate in good standing at least two weeks before the national meeting of the SOCIETY, abstracts of papers to be presented before the Division at that national meeting.

(d) It shall also be the duty of the Secretary to submit an annual report of the Division, including an itemized statement of receipts and expenditures and investments of its funds. This report is to be submitted each year to the Council Committee on Divisional Activities through the Executive Director of the SOCIETY in accord with provisions of the SOCIETY governing documents.

(e) By April 1 of each year, the Secretary of the Division shall send the Executive Director of the SOCIETY a complete list of the members and Society Affiliates of that Division for checking and verification.

(f) It shall be the duty of the Treasurer to care for the funds of the Division, to collect dues, fees, and assessments, to propose an annual budget to the Executive Committee, to receive funds from other sources, to make disbursements within the limits of the approved annual budget and/or as may be directed by the Executive Committee or by the Chair acting in the name of the Executive Committee, to provide a financial report at the annual business meeting of the Division, to count the ballots for elective offices on those occasions when the Secretary is a candidate named on the ballot, to submit the annual Treasurer's report of the Division for inclusion in the annual report as required by Division bylaw IV,2(d), to prepare tax reports in a timely manner, and to oversee the financial activities of other Chemical Health and Safety Division's affiliated groups.

(g) It shall be the duty of the Members-at-Large to represent the members and affiliates in discussion at meetings of the Executive Committee; the Members-at-Large shall undertake to inform themselves of issues and concerns of interest to the members and affiliates of the Division, particularly those that might not otherwise be known to the Executive Committee.

(h) It shall be the duty of the Councilor(s) to represent the Division at meetings of the Council of the SOCIETY. In the absence of Councilor(s), and when certified by the Secretary, Alternate Councilor(s) shall act in place of Councilor(s) at such Council meetings. Both Councilor(s) and Alternate Councilor(s) shall report at meetings of the Executive Committee on matters pertinent to the Division.

Section 3. The terms of office of Chair and Chair-Elect shall commence on January 1 of the year following election. Terms of office for the other officers are noted below.

(a) The Chair and Chair-Elect of the Division shall serve for one year or until their duly elected successor takes office.

(b) In the event of a vacancy in the office of Chair, the Chair-Elect shall assume the added duties of the Chair for the unexpired term. All other vacancies 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. In the event the office of Chair-Elect is filled by such interim appointment, the Division shall elect both a Chair and a Chair-Elect at its next annual election.

(c) The term of office of the Secretary shall be three years.

(d) The term of office of the Treasurer shall be three years.

(e) The terms of office for Councilors and Alternate Councilors shall be three years, except that a partial term of one or two years shall be used whenever necessary to establish or to restore three-year terms of Councilors and Alternate Councilors.

(f) The term of office for Members-at-Large shall be three years, except that a partial term of one or two years shall be used whenever necessary to establish or to restore three-year terms.

Section 4. Officers shall be elected by ballot distributed by the Secretary to all members on or before May 5 of each year and received and counted by the Secretary (or by the Treasurer if the Secretary is a candidate) within six weeks after the distribution or before June 17, whichever date is later. On or before July 1, the Secretary (or the Treasurer) shall notify the Chair of the results who shall, in turn, notify the candidates of the results.

(a) For all elective offices for which incumbents' terms will expire at the end of the calendar year, the Nomination Committee shall, by February 15 of each year, transmit to the Chair for reporting to the Executive Committee, a slate consisting of nominees for offices to be vacated at the end of the year. The slate shall consist of at least one nominee for each office except that the slate for Councilors and Alternate Councilors shall not designate either office and shall consist of at least one more nominee than the total of vacancies in the office of Councilor and Alternate Councilor. The names of the nominees shall appear on the ballot sent to members.

(b) Members of the Division may nominate candidates for office to be vacant by providing to the Secretary, by March 15 of any year, a nominating petition containing the name of the petition nominee, the signatures of at least 25 members, not affiliates, of the Division, with no more than ten petitioning members from a single District of the SOCIETY. The names of such nominees shall appear on the election ballot sent to the members.

(c) Separate petitions are required for different offices and for different nominees for the same office.

(d) Ballots received by the Secretary (or Treasurer) after the deadline for receipt shall not be counted. The applicable latest date for receipt shall be prominently displayed on each ballot.

(e) Except for Councilors and Alternate Councilors, the candidate for an elective office receiving the higher number of votes on valid ballots shall be declared elected. For Councilor and Alternate Councilor positions to be filled nominees receiving the greatest number of votes shall be declared elected until Councilor positions are filled; then the next similarly until Alternate Councilor positions are filled. In case of ties, the Executive Committee shall determine the winner.

(f) Except as provided in Section 5 below, no member may hold more than one elective office in the Division simultaneously.

Section 5. Except as provided elsewhere in this bylaw for vacancies in the office of Chair and as provided below for the offices of Councilor and Chair-Elect, vacancies in any office occurring before the end of a term of office shall be filled by Executive Committee action.

(a) The incumbent so selected may be a member of the Executive Committee but need not be, except for vacancies in the office of Councilor. The selected incumbent shall serve until a replacement to fill the remaining term of office can be elected at the next regular election.

(b) In case of a vacancy in the office of Councilor, the longest serving current Alternate Councilor shall fill that vacancy.

Section 6. 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.

(a) 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. In the event the Chair is the official in question, the Vice-Chair or 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.

(b) The Chair 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 notify the members of the Executive Committee and call a special meeting within thirty (30) days.

(1) The Executive Committee shall promptly continue the removal 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 of the decision of the Executive Committee.

(2) If the proceedings continue, the Chair shall assign the duties of the official to another qualified member of the Division until the issue is resolved.

(3) If the proceedings continue, the official shall be offered an opportunity to answer the allegations in the petition before the Executive Committee.

Every reasonable effort shall be made to contact the official throughout this procedure. That effort shall include a certified letter to the last known address on the official SOCIETY membership rolls. Upon notification, the official shall have thirty (30) days to make a written response to the allegations. The Executive Committee shall decide whether to proceed after studying the official's response. The Chair shall inform the official and the petitioners of the decision of the Executive Committee. If no contact with the official can be made after a reasonable effort, the Executive Committee may remove the official in question with a two-thirds (2/3) vote of the remaining members.

(4) If the proceedings continue, the official in question shall choose one of the following options:

(i) The official may resign.

(ii) The official 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, of the issues

involved with the recall vote. Both statements shall be given to the voting membership before the vote is taken.

(iii) The official 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.

(iv) The official may choose not to respond and thus forfeit the position.

(c) 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 the recall process and the replacement of the official.

BYLAW V

Committees and Liaison Representatives

Section 1. The Division shall have an Executive Committee, an Interim Committee, a Program Committee, five standing committee(s), and such other committee(s) as may be necessary. Except as otherwise provided in these bylaws, these Committees shall meet at least once a year at the time of the national meetings of the SOCIETY.

For the Executive Committee and the Interim Committee a quorum for the conduct of business shall be 49% of the committee members. For all other Division committee(s) the quorum shall be the committee chair and one other committee member.

Section 2. The names of the Standing Committee(s) shall be the Nominations Committee, the Membership Committee, the Long Range Planning Committee, the Awards Committee, and the CHAS Publications Committee.

Section 3. Other Committees shall be established as deemed necessary and given their charge by the Executive Committee. Other Committee names shall identify their function, such as: Auditing Committee, Social Events Committee, Publicity Committee, Public Affairs Committee, Bylaws Committee, and so on.

(a) The lifetime of an Other Committee shall not exceed ten years, subject to renewal, and stated as part of the charge to the Other Committee at the time it is established or renewed.

Section 4. The composition, duties and responsibilities of the Executive, Interim, Program, and Standing Committee(s), and CHAS Publications Committee shall be as follows:

(a) Executive Committee:

(1) Composition: The officers and the immediate Past Chair of the Division, and the Chairs of the Program and all Standing and Other Committees of the Division.

(i) The Chair of the Subdivision shall be an ex-officio voting member of the Executive Committee of the Division.

(ii) Society Affiliates who are Committee Chairs may not be voting members of the Executive Committee.

(2) Duties and responsibilities include:

(i) To hold regular meetings at national meetings of the SOCIETY.

(ii) To manage the affairs of the Division.

(iii) To review, affirm or set aside, and supervise the activities of the Interim, Program, and all Standing and Other Committees.

(iv) To appoint the Editor/Chair of the CHAS Publications Committee.

(v) To set annual dues for members and affiliates.

(vi) To speak for and in the name of the Division, subject to the limitations in the Constitution and Bylaws of the SOCIETY.

(b) Interim Committee:

(1) Composition: The Chair, Chair-Elect, Secretary, and two other officers named by the Chair with concurrence of the Executive Committee.

(2) Duties and responsibilities include: To act for the Executive Committee on business requiring early decisions in periods between regular meetings of the Executive Committee. The Interim Committee may meet in person, or by telephone or other means of remote communication when convened by the Chair of the Division.

(c) Program Committee:

(1) Composition: At least three Division members or affiliates, one of whom is designated as the Chair of the Program Committee and another who is designated as the anticipated successor of that Chair. Terms of service on the Program Committee shall be for at least three years but not more than five years; no person shall serve more than two consecutive terms as Chair of this committee, except by vote of the Executive Committee.

(2) Duties and responsibilities include administering the programs and symposia of the Division at national and other meetings of the SOCIETY; and administering other similar participation at other meetings. The Program Committee shall have authority to accept or reject papers submitted for presentation, subject to the limitations of the Constitution and Bylaws of the SOCIETY.

(d) The composition of each Standing Committee(s), except the CHAS Publications Committee, shall be at least two Division members or affiliates, one of whom is designated as Chair. Members and Chairs of Standing Committee(s) serve at the pleasure of the Chair of the

Division; service on a Standing Committee(s) may be renewed if desired by successive Division Chairs but consecutive service shall not exceed five years, except by vote of the Executive Committee.

(e) CHAS Publications Committee:

(1) The compositions of the CHAS Publications Committee shall be the Editor, Board of Editors, Program Chair and other Division members as appropriate.

(2) Board of Editors

(i) The Board of Editors shall be comprised of a minimum of six members in addition to the Editor and the Associate Editor (see iii below).

(ii) The appointment of the Editor/Chair of the Publications Committee is described elsewhere in this bylaw.

(iii) An Associate Editor may be appointed by and shall serve at the pleasure of the Editor. The Editor shall consult with the Executive Committee on the selection of an Associate Editor.

(iv) The Editor, with the approval of the Executive Committee, shall appoint the Board of Editors.

(v) The Editor shall serve a term of three years, which is renewable by action of the Executive Committee on or before September 1.

(vi) Membership on the Board of Editors shall be for a three-year appointment, renewable at the discretion of the Editor.

(vii) The Board of Editors shall oversee all Division publications and shall prepare and submit an operating budget annually.

(f) The duties of the Standing Committee(s) shall include the following, respectively:

(1) Nominations Committee: As described elsewhere in these bylaws, preparing a slate of candidates for office.

(2) Membership Committee: Soliciting new members and affiliates for the Division and encouraging members and affiliates to renew their association with the Division.

(3) Long Range Planning Committee: Making recommendations to the Executive Committee for policies and decisions that will promote the vitality of the Division, consistent with the objects of the Division.

(4) Awards Committee: Administering such awards programs as may be established from time to time by the Executive Committee.

(5) CHAS Publications Committee: As described elsewhere in this bylaw.

Section 5. The Division shall have liaison representations to other units of the SOCIETY and to other organizations with shared interests, subject to the approval of such affiliation in accordance with the Constitution and Bylaws of the SOCIETY. Liaison representatives shall be appointed by the Chair with the advice of the Executive Committee for terms not to exceed one year; such appointments may be renewed.

BYLAW VI

Dues

Section 1. Members and affiliates shall pay annual dues, the amount to be decided annually by the Executive Committee.

Section 2. Dues are payable in advance. Members who have not paid their dues for a current year shall at the end of that year be in arrears unless, during that year, they have resigned by notification in writing to the Secretary. Affiliates shall retain their affiliate status only so long as they pay the appropriate affiliate dues.

Section 3. Emeritus members shall pay no Division dues.

Section 4. A Division Affiliate shall retain affiliate status only so long as payment is made of Division dues of not less than two dollars (\$2.00) per annum, except that a regularly matriculated student specializing in a chemical science may be accepted as a Division Affiliate on payment of one dollar (\$1.00) per annum.

BYLAW VII

Meetings

Section 1. The Division shall meet to conduct such business as may be necessary at the annual business meeting which shall be held during the fall national meeting of the SOCIETY. The Division may meet and conduct business at other national meetings of the SOCIETY or at other times and places as authorized in Section 3 of this bylaw.

Section 2. Division business requiring a vote of the membership shall be conducted only at the meetings authorized in Section 1 of this bylaw or at special meetings authorized by Section 3 of this bylaw.

Section 3. Special meetings of the Division may be called by the Executive Committee if two-months advance notice is sent to the members or by publication in the official organ of the SOCIETY at least two months in advance. If business is to be conducted at a special meeting, the notice of the meeting shall state the exact nature of the business to be considered. No other business shall be transacted at that special meeting.

(a) Registration fees for a special meeting, if any, shall be decided by the Executive Committee in accordance with these bylaws and the Bylaws of the SOCIETY.

Section 4. The members present at a meeting of the Division shall constitute a quorum for the conduct of business.

BYLAW VIII Subdivisions

Section 1. Composition and Purpose.

For the purpose of enhancing the variety and utility of Division programs at national meetings of the AMERICAN CHEMICAL SOCIETY, and for other related purposes, the Division may sponsor Subdivisions devoted to specialized fields within the areas of Divisional interest. Membership in the Division shall be a requirement for membership in a Subdivision.

Section 2. Formation or discontinuance of a Subdivision shall be at the discretion of the Executive Committee of the Division. Steps to initiate a Subdivision may be made by a petition of a group of at least 1% of Division members to the Executive Committee.

Section 3. (a) Officers.

Upon approval of the formation of a Subdivision, the Executive Committee of the Division shall appoint a Chair, Chair-designate, and Secretary for the Subdivision with one-year terms of office. The Chair-designate shall assume the office of Chair after one year. In succeeding years, the Subdivision shall elect, at the annual meeting of the Division, a Chair-designate and a Secretary. These three officers shall constitute a Steering Committee for the Subdivision.

(b) Responsibilities of the Steering Committee.

Through the Chair of the Subdivision, the Steering Committee shall report, at least annually at the spring meeting of the Executive Committee to the Executive Committee. The Steering Committee of the Subdivision shall be responsible to the Executive Committee of the Division. Upon petition of a group of Division members, the Executive Committee may remove from office any member of the Steering Committee. The Chair of the Subdivision shall be an ex-officio voting member of the Executive Committee of the Division.

Section 4. Funds.

There shall be no Subdivision dues. No funds shall be tendered by the Division to the control of the Subdivisions. The necessary expenses for a Subdivision shall be authorized by the Executive Committee of the Division from Divisional funds and shall be paid by the Treasurer of the Division upon the usual authentication in accordance with normal accounting practices.

BYLAW IX Amendments

Section 1. Any petition for amendment of these bylaws and the reasons therefore shall be submitted in writing to the Secretary over the signatures of not less than 3 members of the

Executive Committee or not less than 15 members of the Division. The petition may include a recommended effective date.

Section 2. A petition for amendment of these bylaws shall be discussed as Division business at a meeting of the Division, as specified elsewhere in these bylaws, before it is presented to the members for a vote.

Section 3. The Secretary shall send copies of the proposed amendments to these bylaws to the members, together with a ballot that is to be returned to the Secretary, the reasons for the amendments as described by the petitioners, a summary of any supporting or opposing discussions from the meeting of the Division at which the petition was discussed, and the deadline date for receipt of valid ballots.

Section 4. A two-thirds favorable vote of all valid ballots received by the Secretary within six weeks after distribution to the members shall be required for adoption of an amendment to these bylaws.

Section 5. An amendment to these bylaws shall become effective upon approval by the Committee on Constitution and Bylaws of the SOCIETY, acting for the Council of the SOCIETY, unless a later date is specified in the amendments.

BYLAW X

Dissolution

Upon the dissolution of this Division, any assets of the Division remaining thereafter shall be conveyed by action of the governing body of the Division at the time of dissolution to such organization then existent that is dedicated to objects similar to those of this Division and of the AMERICAN CHEMICAL SOCIETY, or to the AMERICAN CHEMICAL SOCIETY, provided that the organization 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 dissolution of the Division.