



# GUIDELINES FOR DRAFTING RESOLUTIONS FOR NYSNA CONVENTION

**Deadline for submission: Sept. 23, 2023**

NYSNA Convention delegates from across the state will come together Oct. 23-24, 2023, at NYSNA's annual business meeting to examine and meet the challenges facing our profession, our union and our communities. Convention delegates will discuss and debate strategies to build our union's power and chart our course forward by presenting resolutions during voting body sessions.

Our union's strength depends upon members being engaged in driving our priorities and strategies. These guidelines are intended to help Convention delegates be successful in the important role they have in leading the way to carry out our mission and vision.

- **What is a resolution?**

- A resolution is a written statement proposing a policy position or course of action that the individuals submitting the resolution want NYSNA to take. Resolutions can address a range of topics from nursing practice issues to workplace issues to legislative priorities to organizing initiatives. At the convention, delegates present and vote on resolutions.

- **Who can submit a resolution?**

- Only Convention delegates can submit resolutions.
- Submissions must name an additional delegate who will second the resolution or be submitted on behalf of a committee.

- **How and when can I submit a resolution?**

- You must submit resolutions in writing to [info@nysna.org](mailto:info@nysna.org) at least 30 days prior to the Convention — by **Sept. 23, 2023**. Please put "Resolution" in the subject line of the email.
- We encourage you to submit resolutions well before the deadline!
- Resolutions submitted after the 30-day deadline will only be considered if approved during the Convention Voting Body meeting by a two-thirds vote of the delegates, without debate, after the body has considered all timely submitted resolutions.

- **Is there a preferred format for resolutions?**

- You can use the attached NYSNA Resolution Template and Sample Resolution to help you to format your resolution.
- Resolutions should have a title, the name(s) and local bargaining unit (LBU) (or membership category if not represented for collective bargaining), name or names seconding the resolution (or committee)

and the contact information of the drafter(s) or point person(s), at least one “Whereas” clause and at least one “Resolved” clause.

- **“Whereas”**: In a “Whereas” clause, you should explain why you want NYSNA to take the action or explain the position that you are proposing.
  - You can use a “Whereas” clause to provide background and history concerning the issue that you are seeking to address.
  - The “Whereas” clause is your opportunity to frame the problem that your resolution seeks to solve.
  - “Whereas” clauses are informational and provide context for the “Resolved” clause. delegates do not vote on the “Whereas” clauses.
- **“Therefore, be it resolved that NYSNA will”**: The “Resolved” clause is where you state what you want NYSNA to do (e.g., take a particular policy position or course of action).
  - The “Resolved” clause should be clear, specific and concise.
  - The “Resolved” clause is the part of the resolution that the delegates at the Convention will actually vote on, so it should be able to stand alone. A reader should be able to understand a “Resolved” clause without looking at the “Whereas” statements or any other “Resolved” clauses.
  - Some examples of verbs to use in a “Resolved” clause include “affirm,” “approve,” “adopt,” “call upon,” “support,” “urge,” “take steps,” “encourage,” “seek,” “recommend,” “request,” “reaffirm,” “consider,” “oppose,” “declare” and “confirm.”

## • What are some common pitfalls to avoid when drafting a resolution?

- **Duplication of Existing Policy**:
  - Resolutions should not simply duplicate existing policy.
  - If NYSNA already has a policy but you would like to encourage prioritization of this policy, make sure you make this clear in your resolution.
- **Lack of Specificity**:
  - Each resolution should address only one topic.
  - Make sure to limit each resolution you submit to one topic rather than trying to address a range of topics in one resolution.
- **Interference With LBU Autonomy**:
  - Resolutions cannot not interfere with or limit LBUs’ autonomy. See NYSNA Bylaws, Article IV, Section 3 and Appendix 1.
  - A resolution that directs LBUs or NYSNA to take a particular position in contract bargaining will be considered out of order. Rather than making specific contract demands, resolutions should outline general collective bargaining goals or direct NYSNA to support LBUs in specific campaign efforts.
- **Interference With Board of Director Functions**:

- The NYSNA Bylaws delegate certain functions, like adopting an annual budget and appointing members to committees, to the Board of Directors. See NYSNA Bylaws, Article IV, Section 3.
- NYSNA is a not-for-profit corporation and a labor organization. Under the New York Not-for-Profit Corporation Law and Section 501 of the Labor-Management Reporting and Disclosure Act, the Board of Directors hold certain fiduciary responsibilities concerning the organization's finances. The Board of Directors must ensure that the organization's funds are spent only for the benefit of NYSNA and its membership as a whole.
- For this reason, resolutions cannot mandate NYSNA or the Board of Directors to take actions that fall within the Board of Directors' functions. Resolutions that involve areas within the Board of Directors' functions will be deemed advisory to the Board of Directors.
- For example, a resolution could not direct NYSNA to change its fiscal year because establishing NYSNA's fiscal year falls within the Board of Directors' functions. Instead, a proper resolution could recommend that the Board of Directors consider changing its fiscal year.
- This rule is important to keep in mind whenever a resolution might involve spending money. Resolutions can recommend but not require NYSNA to spend money, because setting NYSNA's annual budget falls within the Board of Directors' functions and fiduciary responsibilities.
- **Conflict With a Current Bylaw:**
  - A resolution cannot conflict with an existing NYSNA bylaw. The proper procedure to change an existing bylaw is through a bylaw amendment.
  - Article XVI of the NYSNA Bylaws discusses bylaw amendments.
- **Conflict With Federal, State or Local Law:**
  - Resolutions must conform with all federal, state and local laws. Because NYSNA is a not-for-profit corporation, it is subject to the New York Not-for-Profit Corporation Law. As a labor organization, NYSNA must adhere to federal labor laws including the Labor-Management Reporting and Disclosure Act and its corresponding regulations. Additionally, Article XIV of the NYSNA Bylaws provides that all NYSNA meetings are governed by Robert's Rules of Order.
  - If a resolution conflicts with a federal, state or local law or Robert's Rules, it will either be returned to the drafter to be revised or ruled not in order.
  - Although a resolution cannot direct NYSNA to take an action that would conflict with current law, a resolution could encourage NYSNA to advocate for a change to current law or the adoption of certain legislation.

## • What happens after I submit a resolution?

- You will receive an email confirming receipt of your resolution at the address you specify.
- The Resolutions Committee reviews all resolutions to make sure they conform with all requirements and are in order for the Convention.
- Check your email! After this review, you'll receive a second email indicating the resolution is "in order," or suggestions on how you could revise your resolution if it is unclear or does not meet the requirements.

- Your resolution will be posted on the delegate Convention page at [www.nysna.org](http://www.nysna.org) and printed in the Convention Voting Body Program.
- Be sure to register to attend the Convention (Oct. 23-24, 2023), and prepare to speak about your resolution to the Convention delegates! When your resolution comes up on the agenda with the Voting Body, be ready to speak at one of the microphones. The Chair will read the “resolved” clauses of your resolution and call on you first to speak for two minutes in support of your resolution.
- The Chair will open the floor, and at the conclusion of debate, the Convention delegates will vote on your resolution.

### **Suggested NYSNA Resolution Template**

#### **Title**

*Submitted by:* [Name], [LBU or Membership Category], [ Name(s) of seconder or Committee if Applicable]

*Contact Information:* [Name], [Phone Number], [Personal Email Address]

**Whereas,** \_\_\_\_\_;

**Whereas,** \_\_\_\_\_;

**Therefore, be it resolved that NYSNA will:**

1. \_\_\_\_\_
2. \_\_\_\_\_

### **Sample Resolution**

#### **Help I Need Somebody — A Theme Song for NYSNA**

*Submitted by:* Ringo Suture, Strawberry Fields Medical Center

*Contact Information:* Ringo Suture, 917-867-5309, ringo.suture@gmail.com

**Whereas,** theme songs help bring people together;

**Whereas,** NYSNA does not currently have a theme song;

**Whereas,** everyone loves the Beatles;

**Whereas,** “Help” by the Beatles is a song about needing help, and nurses help people;

**Therefore, be it resolved that NYSNA will:**

1. Adopt “Help” by the Beatles as NYSNA’s official theme song; and
2. Encourage NYSNA members to play “Help” by the Beatles at the beginning of all NYSNA meetings.