



Labor Relations Best Practices

FROM THE NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION

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Taking Minutes

Meetings serve as key forums for discussions, and more importantly, for decision making. Central to the effectiveness of these decisions is the accurate and comprehensive recording of proceedings through meeting minutes. Typically falling under the responsibility of the meeting Secretary or Recorder, minutes are a permanent and formal record of business conducted and resolutions adopted at a meeting. Once mutually accepted upon time, the minutes become an official representation of the previous meeting and can be used as *prima facie* evidence in legal matters.

Meeting minutes implications

Not only are minutes an important record of what happens at a meeting, as per the IRS Section 501(c)(6), which many NECA Chapters are organized under, it is a requirement to disclose whether an organization, “contemporaneously documents the meetings held or written actions undertaken during the year by the following:

- The governing body
- Each committee with authority to act on behalf of the governing body:
 - a. JATC Committee
 - b. Labor-Management Meeting
 - c. Negotiating Committee
 - d. Safety Committee
 - e. Other Committee’s as necessary

Failure to maintain proper meeting minutes can have several consequences, including:

- Compliance issues: can result in penalties or sanctions imposed by regulatory authorities.
- Legal challenges: the absence or inadequacy of meeting minutes can undermine the credibility of an organization’s actions or decisions. Well-documented minutes serve as a defense against legal challenges by providing a clear record of events.
- Loss of trust: lacking or inaccurate meeting minutes can erode confidence amongst those reading potentially incorrect information. The inability to accept minutes is a key indicator of stress on an effective, functional working relationship.

What should minutes contain?

To ensure the effectiveness and reliability of minutes, it is essential that certain guidelines and best practices are followed. At a minimum, meeting minutes should:

Capture essential information:

- The kind of meeting; regular or special and provide the name or title of the meeting or committee.
- Record the date and start time of the meeting, along with the names of the Chairperson and Secretary, and a list of attendees and absentees.
- Location of the meeting.
- Document the approval status of the previous meeting's minutes, including any amendments or additional actions taken.

Record actions and decisions:

- Detail all motions made during the meetings, along with the results of voting. Indicate whether motions were unanimously approved, rejected, or passed/failed with a record of the vote numbers.
- Avoid overly detailed descriptions of discussions and debates, focusing instead on summarizing key points and decisions. Minutes are not a verbatim transcript.
- Provide a clear record of action items assigned during the meeting, including responsible parties and deadlines.
- If new negotiated language is adopted, if not perfectly clear, the recording of the intent of new language is helpful for interpretations and intents.

Maintain objectivity and clarity:

- Refrain from including personal opinions, commentary, or subjective interpretations in the minutes.
- Use clear and concise language to ensure that the minutes are easily understood by all stakeholders.
 - For example, phrasing such as “management asked if...” instead of “to management” or “John Doe said..”
- Avoid verbatim quotes and unnecessary details that do not contribute to the understanding of the meeting proceedings.

Review and approval process:

- Circulate draft minutes to meeting participants for review and feedback to ensure accuracy and completeness, ideally timely prior to the next meeting.
- Obtain formal approval of the minutes at the subsequent meeting to confirm their status as an official record of proceedings.
- Once approved, distribute the final minutes to all relevant stakeholders and maintain them in a secure and accessible manner.
- If this is a “final” meeting, draft and approve the minutes with signatures before leaving the meeting.

What should minutes not contain?

- Personal opinions, commentary, or subjective interpretations.
- Verbatim quotes from participants unless explicitly relevant and approved.
- Detailed descriptions of discussions and debates that do not contribute to the understanding of the decisions made.
- Any information that could be considered confidential or sensitive unless explicitly approved for inclusion.

Adhering to these best practices ensures that meeting minutes are a reliable, objective, and legally compliant record of proceedings, supporting transparency and accountability within the organization.

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