



# RULE BOOK

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# Rule 1

# Name

1. The name of the Union shall be the Communication Workers Union (CWU).
2. The name Communication Workers Union or the initials, or logo of the Union shall not be used in the title or description of any other organisation or publication without the authority of the National Executive Council (NEC).

# Rule 2

# Objectives

## 1. The objectives of the Union shall be:

1. To unite and organise all those entitled to be members. To protect and promote members' interests and maintain and improve their working lives;
2. To regulate the relations between members and their employers, and between members;
3. To secure the greatest possible measure of effective participation by the Union and its members in all decisions affecting their working lives as determined by these Rules;
4. To actively oppose all forms of discrimination based on race, creed, religion, age, political affiliation, disability, marital status, sex or sexual or gender orientation in industry, the Union and society in general. To this end the CWU shall actively oppose any organisation, political or otherwise, whose aims are racist or fascist;
5. To promote and encourage proportionality and fair representation of all members, in industry, the Union and society in general;
6. To actively identify any cause or barrier that prevents the Union being fully representative of its members. This shall include positive action in favour of women and race minorities until such time as the Union is satisfied that its structure reflects and supports the gender and racial balance of the members it represents;
7. To promote, organise and facilitate access to adult education to enable members to advance their skills for life;
8. To further these objects by political means, including, where appropriate by use of its Political Fund;
9. To affiliate to and participate in such organisations as General Conference or the NEC decide are in the interests of the members. NEC decisions shall be subject to ratification by the subsequent General Conference.

# Rule 3

# Membership

## 1. Membership

1. Union membership shall include:
  - a) All relevant persons in the wider communications, financial services, information technology and related industries and in all businesses where the Union has recognition;
  - b) Retired Members i.e. ex-members who have formally retired who will have the right to retain membership of the branch with whom they completed the greater part of their service.
  - c) Officers of the Union and groups or persons as the NEC may, from time to time, determine.

## 2. Admission

1. Each applicant for membership shall complete an application form, which shall then be forwarded, normally by the Branch, to the Head Office of the Union.
2. Members applying for retired membership must submit their application form within 26 weeks of retiring.
3. Each completed application form shall contain a declaration signed by the applicant that they accept the conditions of membership.
4. The acceptance of an application for membership by the NEC shall confer upon each member all the rights and privileges of the Union. However, no member shall be entitled to retrospective benefits or services.

## 3. Appointment of Assurer for Membership Records

1. In accordance with section 24 of the Trade Union and Labour Relations Consolidation Act 1992 (TULRCA) the union is required to appoint an Independent Assurer to examine the membership records of CWU. The Assurer shall not be removed from office except by a resolution passed at the Annual Conference of its members, or of delegates of its members.
2. The Assurer duly appointed should assess the membership records of the CWU and shall be re-appointed as assurer for the following accounting period, unless a resolution has been passed at the Annual Conference of the Union appointing a different assurer, or the Assurer has expressed that they shall not be re-appointed, or they have given notice to the Trade Union in writing of their unwillingness to be re-appointed, or they are ineligible for re-appointment, or they have ceased to act as an assurer by reasons of incapacity.

# Rule 4

## Members Entitlements and Obligations

### 1. Members of the Union are entitled to:

1. be treated with respect and courtesy by Union staff, officials and members;
2. seek local assistance and advice from their Branch on any work related problem and, where appropriate, to be represented by the Union before their employer and in agreed circumstances before external bodies;
3. have appropriate matters raised with the Union dealt with promptly and efficiently.
4. attend and take an active part in the Branch Annual General Meeting and all other appropriate membership meetings pertaining to their place of work;
5. stand for Union office in accordance with the Rules and Branch Constitution;
6. vote in all national and local elections in accordance with the Rules and Branch Constitution;
7. receive appropriate benefits and as negotiated by the Union either nationally or locally and appropriate legal services at the discretion of the NEC in accordance with published procedures;
8. apply for assistance from the National Welfare Fund and/or, where such exists, local Welfare Fund;
9. receive a copy of the Union journal;
10. receive a national certificate of recognition upon completion of twenty-five years continuous membership in accordance with published procedures;
11. receive a death benefit consisting of a payment to the spouse, next of kin, or other legal assignee, in the sum of £546 should the member die whilst in membership of the Union, and this to be increased each year on 1 October commencing in 1992 based on the average Retail Prices Index and Average Earnings Index, the averaged out increase to be applied, and it shall be the responsibility of the NEC that these provisions are implemented.

### 2. Members are obliged to:

1. treat Union staff, officials and members with respect and courtesy;
2. support and promote the Union's objectives;
3. promote the CWU's role in the workplace;

4. take an active part in the Union's decision making processes;
5. respect the Union's democratic processes and decisions;
6. inform the Union of changes to their membership details;
7. ensure their Union subscriptions are kept up to date.

### **3. Union Awards**

#### **1. Branch Honorary Membership**

- a) This may be conferred upon ex-Branch members no longer eligible for full membership who have rendered distinguished service to the Branch.
- b) It may also be conferred upon a National Officer of the Union provided such an Officer has been a member of and rendered distinguished service to the Branch.
- c) To secure election as a Branch Honorary Member, the nominee must receive a majority of two-thirds of those voting at a Branch meeting.

#### **2. Regional Honorary Membership**

- a) This may be conferred upon ex-members no longer eligible for full membership who have rendered distinguished service within the Region.
- b) It may also be conferred upon a National Officer of the Union provided such an Officer has been a member of and rendered distinguished service to the Regional Committee.
- c) To secure election as a Regional Honorary Member, the nominee must receive a majority of two-thirds of those voting at a Regional Committee meeting.

#### **3. National Honorary Membership**

- a) This may be conferred upon ex-members no longer eligible for full membership or others who have not been eligible for full membership who have rendered distinguished service to the trade union movement at national level over a period of years.
- b) Nominations may be made by a Branch or the NEC not later than 31 December. Nominations must be approved by a two thirds majority of the NEC members present.
- c) The names of approved nominees shall be submitted to the subsequent General Conference for endorsement.

4. Union Gold Badge

- a) A Branch may apply to the NEC for this award to a Branch member, enclosing the service record and supporting case.
- b) The NEC at its absolute discretion may make an award in recognition of exceptional, long and/or meritorious service to the Union.
- c) The NEC shall have the authority to award this to members of Head Office staff and honoured guests of the Union considered to have made a meritorious contribution to the well being of the trade union and labour movement either nationally or internationally.

5. These awards shall be governed by regulations issued by the NEC.

# Rule 5

# Structure

## 1. The Union shall consist of:

1. Members;
2. Branches;
3. Regional Committees;
4. Industrial co-ordinating structures;
5. NEC;
6. Industrial Executives;
7. Constituencies;
8. Officers and their staff.

# Rule 6

# Branches

## 1. General

1. The Union shall be divided into Branches constituted under the authority of the NEC and subject to the Branch Model Constitution. In exercising this authority the NEC shall have regard to local circumstances, members' wishes and the requirement for an efficient, financially viable organisation.
2. The objectives of each Branch shall be to:
  - a) comply with the Branch Model Constitution and authorised variations;
  - b) locally organise, recruit and maximise membership levels;
  - c) protect and promote the interests of members in accordance with the Objectives and Rules;
  - d) keep members informed on local and national matters;
  - e) effectively consult members on local issues affecting their work;
  - f) implement the policies and directives of the NEC and its Industrial Executives.
3. Where a Branch fails to fulfil its obligations in respect of organising and recruiting in any area, business or business division, the NEC may, either directly or via the Industrial Executives, consider allocating organising and recruiting rights, together with any existing members, to an alternative Branch.

## 2. Branch Members

1. Each member shall belong to a Branch. In the event of any dispute the NEC shall determine the appropriate Branch.
2. Each member is entitled to representation. Where a conflict of interests arises, the Branch shall inform the NEC and seek representation to resolve the conflict.

## 3. Branch Constitution

1. All Branches shall operate according to the Model Branch Constitution that shall set minimum standards for every Branch. The NEC shall be responsible for publishing the Model Branch Constitution and ensuring its adherence. The Model Branch Constitution shall be mandatory.
2. The Branch Constitution may be varied subject to agreement by the Branch and approval of the NEC.

3. The Model Branch Constitution shall be subject to amendment by motion to General Conference. Any such motion shall require a two-thirds majority to be carried.

#### **4. Branch Organisation**

1. Each Branch shall hold an Annual General Meeting (AGM) by no later than 31 March of each year.
2. Each Branch shall elect not less than eight Branch Officers and eight other Branch Committee members. The Branch Officers are;
  - Chair
  - Secretary
  - Treasurer
  - Equality Officer
  - Womens Officer
  - BAME Officer
  - Youth Officer
  - Political Officer

Branch Officers should, where possible, not hold more than one of these posts at any one time and the Womens Officer shall be a woman. The Branch Committee (Officers and Lay members) shall fulfil the roles and responsibilities detailed in the Branch constitution.

3. Between AGM's each Branch shall hold regular Branch Committee or membership meetings for the effective governance of the Branch.
4. A Branch shall not instruct or permit any Branch Officer to act in a manner contrary to the Rules and Objectives or prevent them from acting in accordance with the Rules and Objectives of the Union.
5. Each Branch shall maintain accurate and up-to-date membership records.
6. Each Branch may affiliate to and participate in the appropriate local Trade Union Councils, Labour Parties and other organisations to which the Union is affiliated nationally. However, a Branch shall not support or participate in any other organisation without prior consent of the NEC.
7. Branches may communicate directly with other Branches of the Union, but shall not directly communicate with lay members of another Branch.
8. Branches shall, when applicable, establish Retired Members' sections which shall be entitled to elect a Section Committee to deal with retired members' problems. The Branch shall appoint an Officer or Committee member of the Branch to service the retired members' section.

## **5. Equality**

1. Each Branch within its area shall ensure fair representation of all members, in terms of race, creed, religion, age, political affiliation, disability, marital status, sex or sexual or gender orientation.
2. Each Branch shall strive to ensure proportionality in Branch organisation and leadership.

## **6. Constituency Sections**

1. Where a Branch has members in more than one Constituency, as defined in the Rules, it shall establish Constituency Sections.
2. A Constituency Section shall have autonomy to deal with matters specific to the members of the Section.
3. A Constituency Section shall be officered by a Secretary and Chair elected by and taken from its members. The Secretary of a Constituency shall, as a minimum, be an Assistant Secretary of the Branch.
4. A Branch must ensure that each Constituency Section is granted a fair share of Branch resources and, where applicable, facilities. All Constituency Sections have the right to be represented at Annual Conference.
5. At every session of the Union's Conference, upon the determination of occupational and constitutional issues, a Branch with Constituency Sections may, where a common Branch policy cannot be agreed, divide its votes, including card votes, on a Constituency basis.
6. Single Constituency Branches and Constituencies within a Branch shall have authority to form such business and divisional sections as are required to meet occupational needs.

## **7. Branch Mergers**

1. The procedure to be followed when Branches wish to merge shall be as follows:
  - a) Branches shall notify each of their respective members of the intention to consider the matter at a specially convened meeting of the Branch;
  - b) Branches shall notify the General Secretary in writing of their intention;
  - c) The GS shall bring the matter to the attention of the NEC, which shall at its discretion authorise the following merger procedure to commence:

- i) Branches shall hold, in each Branch wishing to merge, an individual membership ballot on the question. All members of the Branches concerned shall be notified of the ballot, and timetable governing it, and shall be given the opportunity to vote;
- ii) The merger shall proceed if a majority of those participating in each Branch ballot vote in favour.

## **8. Branch Finance**

1. The Branch financial year shall be from 1 January to 31 December. Each Branch shall prepare annual balances, including a bank statement certifying the balance in hand of every account held by the Branch, which shall be submitted to CWU HQ Finance Department by no later than 28 February each year, unless CWU HQ gives notice of an alternative date. All financial vouchers shall be retained for at least two years from the date of the year-end concerned. Statements of account, bank statements and balance sheets shall be retained for at least seven years.
2. Every year each Branch shall produce a financial plan for the following year, which shall:
  - a) be agreed by the Branch Committee, published to members and lodged as a record at CWU HQ Finance Department;
  - b) show expected income based on membership figures at the time the plan is agreed by the Branch;
  - c) include detailed planned expenditure, following the principle that such expenditure shall not exceed income;
  - d) allocate sufficient funds to cover the provision of childcare costs where activists attend CWU meetings, training events, briefings etc.
  - e) allocate sufficient funds to ensure Branch representation and participation at Equality conferences and events.
  - f) identify the purpose of any annual surplus and the intention to use it on behalf of the members;
  - g) be reported on, against performance to date, to each Branch Committee meeting.
3. Separate and distinct accounts shall be kept for each scheme or fund for which the Branch is responsible e.g. General Account, Savings Account, Welfare Fund, Political Fund, etc.
4. Each Branch shall keep proper accounting records compatible with CWU HQ Finance Department systems.
5. Each Branch shall maintain a register of property and equipment showing cost and date of purchase, and retain all receipts for such until disposal of the property

- or equipment. All property purchased through the use of membership subscriptions shall remain the property of the CWU.
6. At least two signatures shall be required for withdrawals from any account held in the Branch name.
  7. A current statement of Branch accounts, including all relevant books and supporting vouchers, shall be presented for inspection and approval at each Branch Committee meeting and shall then be signed by the Branch Chair and Secretary.
  8. Branch Auditors
    - a) The Branch AGM shall elect two Branch Auditors who shall not be Branch Officers or Branch Committee members. Their names shall be circulated to members and notified to CWU HQ Finance Department upon their election.
    - b) The Auditors shall examine and audit all Branch Accounts to ensure accuracy and shall have the right to examine and question the Branch Finances, financial policy, income and expenditure on behalf of the lay membership. All vouchers, receipts, bank statements, documents, accounts books, remittance forms and ledgers shall be examined to verify accuracy or otherwise. Auditors shall also verify all cash at the bank and shall satisfy themselves that all Branch income and expenditure is accounted for.
    - c) The Branch Auditors shall produce a signed statement to Branch members and copy it to CWU HQ Finance Department declaring they have executed their responsibilities.
  9. CWU HQ Finance Department, on the advice of the CWU national chartered accountants, shall be responsible for and fund the annual auditing of as many Branch accounts as is deemed necessary.
  10. Branches shall not use chartered accountants unless authorised in writing by the SDGS; such accountants shall be appointed by CWU HQ Finance Department.
  11. The SDGS or appointed representative shall have the right to examine, on demand, all records of accounts and bank statements and attend Branch meetings to take part in any debate or discussion on the Branch Accounts.
  12. To ensure reimbursement Branch claims due to be met by CWU HQ must be forwarded within 3 months of the activity. CWU HQ shall notify all Branches of the year-end cut-off date for such claims.
  13. Each Branch may allocate up to 5% of rebate income for the remuneration of their officials. The individual amounts to be paid shall be determined by the AGM.
  14. Each Branch may establish a Welfare Fund by the transfer of not more than 5% of rebate income in each year. The Fund shall be used for giving financial and/or other assistance to members in appropriate circumstances. A Welfare Fund shall be administered by Trustees elected at the AGM in accordance with Regulations approved by the NEC.

15. When a Branch is closed all funds and financial documents shall be forwarded to the SDGS. All assets shall become the property of CWU HQ administered by the SDGS and no party shall have any claim on them unless determined by the NEC.
16. Each Branch shall make provision in its constitution to ensure compliance with these Rules.

# Rule 7

# Regional Structure

## 1. Regional Committees

### 1. General

1. There shall be 10 Regional Committees established. Regional Committee areas, and the allocation of Branches to them, shall be determined by General Conference. (Where the NEC and the Branches concerned agree, changes may be made without reference to General Conference. Where agreement cannot be reached a report shall be made to General Conference).

### 2. Regional Committee Constitutions

1. Regional Committees shall adopt and operate the Model Constitution approved by the NEC.
2. The Constitution of Regional Committees shall be subject to review and approval by the NEC from time to time as may be requisite and no Regional Committee shall amend or alter any terms of its Constitution without the approval of the NEC. No Regional Committee may adopt any by-law or standing order at variance with the Constitution approved by the NEC or at variance with these Rules.

### 3. Authority and Functions

1. The authority and functions of Regional Committees shall be incorporated within the Constitution of the Regional Committees.
2. Regional Committees may only exercise such powers, perform such functions and discharge such duties as may from time to time be delegated to them or each of them by the NEC or General Conference.
3. Regional Committees shall not instruct, authorise or permit an Officer of the Regional Committee to do any act which is contrary to these Rules, or to refrain from doing any act which he/she is required under the Rules to perform.
4. No Regional Committee shall have read to it any unauthorised circular or address relating to the conduct of the Union or its business or to the conduct of its Officers or members.
5. A Regional Committee shall on receipt of an unauthorised circular or address send both the envelope and the circular to the General Secretary immediately.
6. Regional Committees will have an entitlement to submit items for General and Rules Revision Conferences but this will be subject to a review after the first year by the NEC and anytime after that as required by the NEC.

#### 4. Regional Committee Officers

1. The Principle Officers of the Regional Committee shall be the Chair, Secretary, Assistant Secretary. At least one of these positions should be held by a woman.
2. Political Officers from the Regional Political Committees.
3. Women's Officer who shall be a woman and the Secretary of the Regional Women's Committee.
4. The duties of the Regional Officers shall be detailed within the Regional Committee Constitution.

#### 5. Election Procedures

1. All elections for the Principle Regional Committee Officer positions shall be conducted in strict accordance with CWU Rule 7.1.4.1.
2. Regional Secretary

The appropriate CWU department shall invite nominations from all Branches within the Region. The election period will be for two years. If an election is necessary a timetable shall be published and ballot papers issued and sent to home addresses of all members in the region. The timetable shall aim to conclude prior to the appropriate Annual General Meeting. To be elected to this position a candidate must receive a simple majority of the total votes cast.

3. Regional Chair

The election of the Chair shall take place at the AGM. The successful Regional Secretary's Constituency shall not be allowed to nominate or accept nominations for the position of Chair. If ballots are necessary the Regional Secretary shall act as the Returning Officer.

All branches shall be eligible to vote and shall be allocated a vote in accordance with membership size. The successful candidate will be the individual who receives a majority of overall votes, including a majority within their own constituency.

4. Assistant Secretary

The election of the Assistant Secretary shall take place at the appropriate AGM. If a ballot is necessary the Regional Secretary shall act as the Returning Officer. All branches shall be eligible to vote and shall be allocated a vote in accordance with membership size. Nominations for the post of Assistant Secretary shall be allowed from either constituency. The successful candidate will be the individual who receives a majority of overall votes, including a majority within their own constituency.

## 6. Meetings

1. The Regional Committee shall meet four times in each year. Additional meetings shall be held if authorised by the NEC in response to a written request from a Regional Committee to meet special circumstances or emergency developments.
2. Decisions of the meeting will be by consensus of those Branches in attendance. This will be subject to a review after the first year by the NEC and anytime thereafter as required by the NEC.

## 7. Composition

1. The Regional Committee shall be composed of Regional Chair, Regional Secretary, Assistant Secretary and delegates from Branches (the delegation strength of each Branch shall be detailed in each Regional Committee Constitution).

## 8. Conferences

1. Regional Secretaries when they are not Branch delegates shall attend General Conference and Industrial Conferences in an ex-officio capacity having the right to speak but not vote.
2. They may participate in the discussion at General Conference or Industrial Conferences on the specific request of their Regional Committee or of a Branch within that Committee.

## 9. Financial Arrangements

1. When attending meetings of the Regional Committee or engaged on other authorised Union business, the Chairs, Secretaries, Assistant Secretaries, Women's Officer, Political Officer, Regional Retired Members Secretary and Regional Youth Officer shall be paid travel and subsistence entitlements.
2. 1% of total Branch rebate shall be paid directly to a Regional Committee fund.
3. 0.25% of total Branch rebate shall be paid directly to a Regional Women's Committee fund.
4. 0.25% of the total Branch rebate shall be paid directly to a Regional Learning Committee fund.

## **2. Regional Women's Committees**

1. There shall be a cross Constituency Women's Committee in each Region.
2. Regional Women's Committees shall adopt and operate the Model Constitution approved by the NEC.
3. The purpose of Regional Women's Committees shall be:

- a) to encourage and promote the participation of women within the Union;
- b) to report to the Regional Committee on matters raised at the Regional Women's Committees;
- c) to work with the Regional Officers to promote and protect the interests of women within the Regions.

### **3. Retired Members Regional Committee**

1. There shall be Retired Members' Regional Committee based on the existing CWU Regional Committee Structure.
2. Delegates to the Retired Members' Regional Committee shall be retired members of their branch.
3. Each branch shall be entitled to send one delegate to the Retired Members' Regional Committee.
4. The Retired Members' Regional Committee will appoint a convenor as required.
5. The Retired Members' Regional Committee shall meet at least twice a year.
6. The Retired Members' Regional Committee shall be funded from the General Fund.
7. The Retired Members' Regional Committee shall send one delegate to the CWU Regional Committee.

### **4. Youth Members' Regional Committee**

1. There shall be Youth Members' Regional Committees based on the existing CWU Regional Committee Structure.
2. Delegates to the Youth Members' Regional Committee shall be youth members of their branch.
3. Each branch shall be entitled to send one delegate to the Youth Members' Regional Committee.
4. The Youth Members' Regional Committee will appoint a convenor as required.
5. The Youth Members' Regional Committee shall meet at least twice a year.
6. The Youth Members' Regional Committee shall be funded from the General Fund.
7. The Youth Members' Regional Committee shall send one delegate to the CWU Regional Committee.

## **5. Regional Political Committees (RPC)**

1. There shall be cross Constituency Political Committees in each Region.
2. The RPC shall adopt and operate the Model Constitution approved by the NEC.
3. The purpose of the Political Committee shall be to:
  - a. Encourage and promote political activity within the Region;
  - b. Report to the Regional Committee on matters raised at the RPC;
  - c. Work with the Regional Officers to promote the Union's political objectives.

## **6. Regional Equality Officers Committee**

1. There shall be a cross Constituency Equality Officers Committee in each region.
2. The Equality Officers Committee shall adopt and operate the model constitution approved by the NEC.
3. The purpose of the Equality Officers Committee shall be:
  - a. To encourage and promote diversity within the Union;
  - b. To report to the Regional Committee on matters raised at the Equality Officers Committee;
  - c. To work with the Regional Officers to promote the Union's diversity objectives within the Region.

## **7. Regional Learning Committee (RLC)**

1. There shall be RLC based on the existing regional structure.
2. The purpose of the RLC will be to promote and co-ordinate learning activities in the regions.
3. Delegates to the RLC shall be branch union learning representatives (or a nominated representative of the branch).
4. Each branch shall be entitled to send a minimum of one delegate to the RLC.
5. The RLC will elect a Secretary, Chair and other officers as required biennially.
6. The RLC shall meet at least quarterly.
7. The Secretary and Chair of the RLC shall be entitled to attend their Regional Committee as ex officio.

# Rule 8

# National Organisation

## 1. National Executive Council (NEC)

1. There shall be a NEC responsible for:
  - a) implementing the decisions of General and Special General Conferences;
  - b) the general management and control of the Union between Annual/Special Conferences during which periods it shall have supreme authority on all issues except those which are within the remit of the Industrial Executives;
  - c) the allocation of each member to one of the Constituencies, which shall be defined by both industry and grade, but where common grading systems exist, duties and industry shall be the criteria for allocation;
  - d) varying the composition of the Constituencies. Any such change requiring the support of two-thirds of the NEC including a simple majority within each of the Constituencies.
2. The NEC shall comprise 19 members:
  - a) President and Vice President, but their inclusion shall not increase the numbers from their originating Constituencies;
  - b) 11 lay members elected biennially by and from the Postal Constituency and 1 of whom shall be the Vice Chair;
  - c) 8 lay members elected biennially from the Telecom and Financial Services Constituency and 1 of whom shall be the Vice Chair.
3. The lay members of the NEC shall automatically be members of the respective Industrial Executives.
4. In order to ensure equitable distribution of resources within the Union the annual budget shall require a two thirds majority of the lay NEC members.
5. The NEC shall be responsible for allocating resources to sustain industrial action authorised in accordance with the Rules.
6. All decisions of the NEC shall be binding on all members of the NEC based on the general principle of collective responsibility.

## 2. President and Vice President

1. The Union shall have a President and Vice-President. These offices shall rotate annually between the Chairs of each Industrial Executive.

2. The President shall Chair the NEC and preside at General/Special Conference. The Vice-President shall deputise for the President.
3. The President is the principle lay-official of the Union and shall be responsible for ensuring the Union acts in accordance with its Rules.
4. The President may intervene and rule on the inclusion of any motion before General/Special Conference deemed to be outwith the Rules.
5. Where any ambiguity arises regarding the interpretation of the Union's rules, the President shall make a ruling. Subject to relevant standing orders, the President's ruling on any such matter shall be regarded as final.
6. The President shall be kept informed of any national discussions impinging upon the CWU's status as defined by the Rules.

### **3. Sub Committees**

#### **1. General**

The NEC shall set up such committees as it considers necessary for the efficient governance of the Union. The structure and procedures of sub-committees shall be contained in regulations agreed by a two-thirds majority of NEC members and shall be published to Branches. However, there shall be the following sub-committees; Finance, Discipline, Health, Safety and Environment.

#### **2. The Health, Safety and Environment Sub-Committee shall:**

- a) be the national focus for progressing those health, safety and environment issues impacting across more than one industry;
- b) ensure the Union's policies on health, safety and environment issues are implemented;
- c) make recommendations to the NEC and Industrial Executives on relevant health, safety and environment issues;
- d) promote and campaign on health, safety and environment issues;
- e) carry out the decisions of Annual Conference and the NEC on health, safety and environment issues.

#### **3. Co-ordinating Organisation**

The NEC shall be responsible for funding industry related co-ordinating machinery and for maintaining a coherent organisational structure subject to the full involvement of the Industrial Executives in determining and endorsing the operational arrangements.

#### **4. Industrial Executives**

1. There shall be: a Postal Executive; a Telecoms and Financial Services Executive.
2. Each Industrial Executive shall be responsible for:
  - a) implementing Industrial Conference decisions;
  - b) dealing with and implementing decisions on all occupational and conditions of service issues exclusively within its remit between Industrial Conferences;
  - c) ensuring appropriate organisation exists below national level to co-ordinate industrial activity;
  - d) ensuring the appointment/election of such Trustees to employee pension funds as required and shall seek endorsement by the appropriate Industrial Conference.
3. The Industrial Executives shall convene policy forums as appropriate. Regulations for policy forums shall be determined by the NEC.
4. The Industrial Executives shall be obliged to consult the membership affected by any major agreement. If a proposed major agreement concerning the terms and conditions of employment, including hours and pay, has not previously been approved by an Industry Conference, before such a proposed agreement is signed the Industrial Executive must consult the Branches or members concerned by either Branch or individual ballot, as appropriate, the result of which shall be binding on the Industrial Executive.

In the event of Branches or members deciding that a proposed agreement be rejected, the Industrial Executive shall, if it desires, place the matter before a Special Conference.

5. Industrial Executives may authorise industrial action in line with the Rules.

#### **5. Postal Executive (PE)**

1. The PE shall be responsible for occupational and conditions of service issues for all Postal and related employers where the Union is recognised and shall ensure appropriate business co-ordinating committees exist below national level in all Royal Mail and other postal businesses. Such organisation shall only be altered by decision of a Conference or ballot of the relevant membership.
2. Members of the PE shall deputise for the Assistant Secretaries Postal in their absence/unavailability in dealing with the employer within their remit.
3. a) The PE shall consist of 17 lay members elected biennially by and taken from the Postal Constituency of whom;
  - 1 shall be the Chair
  - 1 shall be the Vice Chair
  - 2 shall be from the PTS Grades

15 shall be from the Postal Grades

- b) The DGS(P) and the Assistant Secretaries who deal with postal issues, but without voting rights.
- 4. The Chair and Vice Chair of the PE shall be elected biennially by and taken from members of the Postal Constituency by a simple majority of those members entitled to vote.
- 5. Any member of the Postal Constituency shall be eligible for nomination to both the Chair and Vice Chair positions.
- 6. The positions of Chair and Vice Chair shall not increase the number of biennially elected members.

## **6. Telecoms and Financial Services Executive (T&FSE)**

- 1. The T&FSE shall be responsible for:
  - a) occupational and conditions of service issues for all telecommunications, information technology financial services and related employers where the Union is recognised.
- 2.
  - a) The T&FSE shall consist of 16 lay members elected biennially by and taken from members of the Telecoms and Financial Services Constituency;
  - b) The DGS (T&FS) and the Assistant Secretaries who deal with Telecoms and Financial Services issues, but without voting rights.
- 3. The Chair and Vice Chair of the T&FSE shall be elected biennially by and taken from members of the T&FS Constituency by a simple majority of those members entitled to vote.
- 4. Any member of the T&FS Constituency shall be eligible for nomination to both the Chair and Vice Chair positions.
- 5. The positions of Chair and Vice Chair shall not increase the number of biennially elected members.
- 6. The T&FSE shall be empowered to establish sub-committees as it considers necessary for the efficient conduct of its business.
- 7. The structure and the procedural rules of these other sub-committees shall be contained in regulations which shall be published to Branches.

## **7. Election Procedures for Biennially Contested Seats**

- 1. All elections shall be by secret ballot of those members entitled to vote. Retired members shall not vote. The candidates receiving the highest number of votes shall be declared elected.

2. Only members of the Union, except Retired Members, shall be entitled to stand.
3. The NEC shall determine and publish to Branches, procedures and regulations.
4. The method of recommending support for candidates to its own Branch members shall be a matter for each Branch. Notification of names of candidates and voting entitlement will be published to branches in advance of the despatch of ballot papers to assist branches in this matter.
5. The ballot paper shall list candidates in alphabetical order and shall indicate forenames, or the name by which they are commonly known, and surnames.
6. Asterisks or any other mark indicating existing Executive status shall not be included on the ballot paper.
7. Candidates may submit a personal statement of not more than 300 words to be circulated with their biographical details. The grade of the candidate shall be shown in the biographical details. The personal statement and biographical details of all candidates shall be circulated to all Branches of the CWU. Candidates who wish may also submit a personal photograph for publication with their biographical details and statement.
8. All candidates from the Postal Constituency must have the nomination of their own Branch. A properly constituted Branch meeting must have approved such nominations.
9. All candidates from the Telecoms and Financial Services Constituency must be nominated by a Branch or Branches having members in the Constituency. Branches shall be able to nominate as many candidates as there are seats. A properly constituted Branch meeting must have approved such nominations. Details of all Branch nominations shall be published to Branches and included with the candidates' election statement.

## **8. Vacancies**

1. If a NEC vacancy arises the General Secretary shall report to the NEC with a recommendation whether or not to hold an election, taking account of the date and financial implications.
2. If an Industrial Executive vacancy arises the NEC in conjunction with the relevant Industrial Executive shall determine whether the position should be filled, taking account of the date and financial implications.

## **9. Minutes**

Minutes taken at the NEC, T&FSE and PE, including recorded votes, shall be circulated to Branches.

## **10. Delegations**

The NEC shall publish regulations annually to deal with the size and election of delegations to TUC's, Labour Party etc.

CWU delegations and nominations for Irish Congress of Trade Union Conferences and Committees will be selected by the Northern Ireland Regional Committee. Should any impasse occur at Northern Ireland Regional Committee level in regard to the selection of any ICTU delegations or nominations the CWU NEC will rule on the matter and advise the Northern Ireland Regional Secretary accordingly.

## **11. Equal Opportunities Advisory Committees**

1. There shall be four Equal Opportunities Advisory Committees:
  - a) Women's;
  - b) Race;
  - c) Lesbian, Gay, Bisexual and Transgender;
  - d) Disability
2. The Advisory Committees shall be able to advise the NEC, in co-ordination with the Assistant Secretary (Equal Opportunities), on any issue relevant to the section of the membership they represent and within the remit of the NEC.
3. The Advisory Committees shall be able to advise the Industrial Executives (or their Sub-Committees), in co-ordination with the Assistant Secretary (Equal Opportunities), on any issue relevant to the section of the membership they represent and within the remit of the Industrial Executives (or their Sub-Committees).
4. The Advisory Committees shall have an integral campaign role on equal opportunities issues in partnership with the NEC and Industrial Executives.
5. Each of the four Equal Opportunities Advisory Committees shall comprise of seven lay members from the Postal Constituency and six lay members from the Telecoms and Financial Services Constituency and one member of the NEC from each constituency. Where possible the Advisory Committees shall include and reflect the gender and race origin of the relevant group of the Union.
6. The lay members of the Women's; Race Minorities; Lesbian, Gay, Bisexual and Transgender; and Disability Advisory Committees shall be elected biennially based on Branch voting strengths.
7. The four Equal Opportunities Advisory Committees shall elect a Chair and Vice Chair from amongst their lay members. The Chairs or Vice Chairs shall be entitled to attend the NEC in an ex-officio capacity.
8. The four Equal Opportunity Advisory Committees shall each meet a minimum of three times a year.

9. In addition to the meeting in Rule 8.11.8, there will be an annual joint meeting of the Equal Opportunities Advisory Committees.

## **12. Retired Members Advisory Committee**

1. There shall be a Retired Members Advisory Committee which shall consist of three members of the NEC, including the Vice President, and twelve Retired Members elected biennially from nominations which may be received from any Branch of the Union on the following basis; two from Wales, two from Northern Ireland, two from Scotland and six from England. If a vacancy arises during the year it shall be filled by the highest placed runner up in the most recent ballot.
2. The Committee shall meet at least three times per year and shall normally be chaired by the Vice President.
3. At its first meeting the Committee shall elect a member who shall attend the full NEC in an ex-officio capacity. The committee shall also elect a substitute member who shall deputise for the member at the NEC if necessary.
4. The Committee shall aim to protect the interests of pensioners and shall;
  - a) advise the NEC on any matters pertinent to Retired Members of the Union
  - b) select motions and delegates to National Pensioners Committees and Conferences.
5. Reports of the business of the Advisory Committee shall be submitted to General Conference and the NEC.

## **13. CWU Youth**

1. The CWU Youth Committee shall consist of two members of the NEC and 20 lay members elected biennially from nominations on the following basis: one from the TFS Constituency and one from the Postal Constituency from each of the 10 CWU regions. All candidates shall be aged 29 or under at the time of election.
2. At its first meeting the Committee shall elect a Chair and Vice-Chair. The CWU Youth Chair or their substitute shall attend the full NEC and relevant Sub-Committee meetings in an ex-officio capacity. The CWU Youth Chair or their substitute shall also attend the relevant Industrial Executive in an ex-officio capacity. The CWU Youth Vice Chair or their substitute shall not be of the same Industrial Executive remit as the Chair and shall attend the relevant Industrial Executive in an ex-officio capacity.
3. The Committee shall meet at least four times a year.
4. The Committee shall aim to protect and promote the interests of youth and shall:
  - a) advise the NEC, its sub-committees and the Industrial Executives on any matter pertinent to young people;

- b) select delegates and motions to affiliated youth bodies including the TUC Youth, Young Labour and International forums;
  - c) nominate candidates for national committees of affiliated youth bodies including the TUC Youth, Young Labour and International forums.
5. Reports of the CWU Youth Committee shall be submitted to the NEC and the Regional Committees and other appropriate bodies for information.

# Rule 9

# Officers

## 1. General

1. The terms of the appointment for each Officer shall be embodied in a written agreement with the Union and shall comply with appropriate trade union and employment legislation.
2. An Officer shall not serve as a Member of Parliament or in any other legislature and shall not undertake any ministerial or similar duties.
3. No permanent Officer shall submit their name to any political party for selection as a candidate for any parliamentary position without prior advice to the NEC.
4. Absence coverage for Officers shall be arranged as follows:
  - a) When an Officer is substituting the General Secretary (GS), Senior Deputy General Secretary (SDGS), Deputy General Secretary (Posts) DGS(P) or Deputy General Secretary (T&FS) DGS(T&FS) for a period of one week or more, they shall receive in those periods the rate of the General Officer concerned.
  - b) When a lay member of the NEC substitutes a General Officer for a period of one week or more, they shall receive in those periods the rate of pay of the General Officer concerned. They shall not, during such periods, be entitled to receive normal employment pay in addition to Officerial pay, nor shall they receive remuneration as a NEC member.
5. Whether permanent Officers are elected or appointed, they shall have the same role serving the whole Union, which dependent on the precise allocation of responsibilities to individuals according to the Rules, or by the GS shall include the following:
  - a) The right to correspond and negotiate directly with all tiers of management and to make representations to all external bodies as directed by the appropriate NEC or Industrial Executive;
  - b) The right to attend the NEC, the relevant Industrial Executive, and other relevant committees to deal with matters within the Officer's responsibility;
  - c) The right to attend and speak at Union Conferences, participate in Union schools, and visit all Union structures below national level and to contribute articles to the Union's or other publications as appropriate;
  - d) The right to correspond with and speak to Branches in order to deal with matters within the Officer's responsibility;

- e) The right to represent the Union when appropriate at national fora such as the Labour Party and the TUC, at international fora such as meetings convened by Union Network International and the European Commission, and on Union delegations abroad.
6. Officers responsible for negotiating and corresponding with management on behalf of the Industrial Executives shall keep Branches and other relevant Union bodies below national level informed about the progress of negotiations and shall, where appropriate, seek advice from these bodies on issues on which they have relevant specialist knowledge.

## **2. General Secretary**

- 1. Every five years the GS shall be subject to election by the entire membership.
- 2. The duties of the GS shall include:
  - a) chief negotiator and principal spokesperson of the Union;
  - b) responsibility to the NEC for the supervision and control of the administration of the Union and of the Officers and staff. However, any proposal for the creation of a new Officer post shall be subject to NEC endorsement;
  - c) convening and attending all Conferences of the Union and meetings of the NEC and its committees;
  - d) assigning duties and directing the work of all other Officers of the Union including directing the work of Business Co-ordinating Committees and Officers that do not call for Conference decisions. However, where this involves a reallocation of responsibilities affecting an Assistant Secretary it shall require the endorsement of the Industrial Executive or NEC as appropriate;
  - e) engaging such staff as may be necessary to conduct the work of the Union;
  - f) Placing before the NEC the decisions of General and Rules Revision Conferences and giving direction on these and other matters.
  - g) keeping the membership informed on all general matters and decisions including parliamentary, legal, political, industrial and official questions and keeping a record of such decisions;
  - h) keeping the records of the Union and collating statistical and general information for the purposes of the Union, also keeping the Union in touch with developments in the trade union movement;
  - i) supplying Conference Standing Orders Committee information as to what motions or amendments submitted for the Conference Agenda are already covered by Union policy and which are being actively pursued.

3. The GS shall ensure that the Union has a published employment practice. The employment practice shall be designed to avoid any possibility of discrimination or unfair treatment in the recruitment and selection process for employees and potential employees of the Union. The Union's employment practice shall be submitted initially, and periodically thereafter, to the relevant Equality Commissions.
4. The GS or the SDGS shall be the Union's principal representative on the TUC General Council.
5. When the GS is absent, or at other times when the duties need to be covered they shall be covered by the SDGS. In the absence of the SDGS they shall be covered either by the DGS(P) or the DGS(T&FS).

### **3. Senior Deputy General Secretary**

1. Every five years the SDGS shall be subject to election by the entire membership.
2. The duties of the SDGS shall include:
  - a) deputising for the GS as and when required;
  - b) assisting the GS in financial, administrative and strategic organisational matters.

### **4. Deputy General Secretary - Postal**

1. Every five years the DGS(P) shall be subject to election by the members of the Postal Constituency.
2. The DGS(P) shall be the principal Officer responsible for all issues solely within the remit of the PE.

### **5. Deputy General Secretary - Telecoms and Financial Services**

1. Every five years the DGS(T&FS) shall be subject to election by the members of the T&FS Constituency.
2. The DGS(T&FS) shall be the principal Officer responsible for all issues solely within the remit of the TFSE.

### **6. Assistant Secretaries and other Officers**

1. All Assistant Secretaries shall have equal status in the Union.
2. The responsibilities of all Assistant Secretaries shall be to carry out and discharge under the direction of the GS such Union duties as they may be required to perform.

3. The following Assistant Secretaries shall be subject to election every five years by all members:
  - a) An Assistant Secretary Legal Services;
  - b) An Assistant Secretary Health, Safety and Environment. Suitable professional qualifications shall not be a requirement of candidature, but the successful candidate shall be expected to attain such qualifications upon appointment;
  - c) An Assistant Secretary Equal Opportunities.
4. In addition there shall be the following Industrial Officers:
  - a) Three Assistant Secretaries elected every 5 years by the Postal Constituency and one appointed Assistant Secretary working in the Postal Industry;
  - b) The Assistant Secretaries to the T&FS Industry.

## **7. Nomination and Election Procedures**

1. All elections shall be by secret ballot of those members entitled to vote. Retired Members shall only vote for non-occupational positions. The candidate receiving the highest number of votes shall be declared elected.
2. Only members of the Union, except Retired Members, shall be entitled to stand.
3. The NEC shall determine and publish to Branches, procedures and regulations.
4. The method of recommending support for candidates to its own members shall be a matter for each Branch.
5. The ballot paper shall list candidates in alphabetical order and shall indicate forenames or the name by which they are commonly known and surnames.
6. Asterisks or any other mark indicating existing Officer status shall not be included on the ballot paper.
7. Candidates may submit a personal statement to be circulated with their biographical details. The length of such a statement shall be determined by the NEC and reported to Branches. Candidates may also submit a personal recent photograph for publication with their biographical details and statement.

# Rule 10

# Conferences

## 1. General

1. There shall be an Annual Conference of the Union held at a date determined by the NEC each year to debate and determine matters of policy.

The normal length of the Annual Conference shall be 5 days with 2 days allocated to General/Rules Conference and 3 days allocated to the Postal and Telecoms and Financial Services Conference.

2. The General Conference is the supreme authority of the Union on matters of common policy whilst it is in session. The main role of the NEC is to carry out the instructions of the General Conference. To this end the supreme authority is vested in the NEC between General Conferences. Decisions taken and policies determined by the NEC are ultimately subject to ratification by General Conference.
3. The procedures for promoting policy in the TUC, and the wider labour movement, and associated delegations will be the responsibility of the NEC.
4. There shall be the following Conferences held each year:
  - a) Annual (General and Industrial)
  - b) Womens
  - c) Black Workers
  - d) Lesbian, Gay, Bisexual and Transgender
  - e) Disability
  - f) Retired Members
  - g) Youth

## 2. Business of the General Conference

1. The business of the General Conference shall be to consider motions submitted by the NEC, Branches and Regional Committees and to receive a report from the Officers and the NEC. The audited statement of accounts of the Union funds will be contained within the report. The decisions of the General Conference shall be binding upon the NEC and all members.

## 3. General Conference Delegation

Branch representation at the General Conference shall be:

<b>Membership</b>	<b>Delegates</b>	<b>Membership</b>	<b>Delegates</b>
1-500	2	3001-4000	7
501-1000	3	4001-5000	8
1001-1500	4	5001-6000	9
1501-2000	5	6001 and above	10
2001-3000	6		

Representation shall be based on a count of Branch membership excluding retired members conducted as close to Conference as possible.

All Regional Secretaries and Business Based Field Officials shall attend in an ex-officio capacity. They may participate in discussion at the specific request of their respective parent Committee or of a Branch within that Committee, but shall not vote.

The Chairs of the four Advisory Equality Conferences shall attend in an ex-officio capacity. They may participate in discussion at the specific request of their respective Advisory Committee but shall not vote.

A Branch may vary its delegates within the total Branch delegation entitlement.

Each Branch shall strive to ensure proportionality in its delegation.

#### **4. Motions**

1. Branches and Regional Committees shall each be entitled to submit up to three motions to General Conference. One of the three Regional Committee motions shall be submitted by the Regional Women’s Committee.
2. The NEC shall also be entitled to submit motions as appropriate.
3. Each Regional Safety Forum shall be entitled to submit three motions to the Health and Safety section.
4. The Retired Members, Youth and the four Advisory Conferences shall each be entitled to submit two motions to General Conference.

#### **5. Voting Procedures**

Voting at the General Conference shall normally be by a show of hands.

A card vote may be called for either by the Chair of the General Conference or when thirty delegates are on their feet calling for such a vote.

When a card vote is taken it shall be based on the General Conference Branch Membership count excluding retired members.

A proposition shall be treated as carried if it obtains a simple majority of the votes cast.

## 6. Standing Orders Committee

1. There shall be Standing Orders Committees which shall be responsible for arranging the timetable and order of each session of the Conferences. The Committees shall prepare the standing orders for the Conferences which shall be published to Branches and adopted at the Conferences.
2. The General Conference SOC shall consist of eight members drawn from the Postal SOC and the Telecoms and Financial Services SOC. Four members to be elected annually by and from the Postal SOC and four members to be elected annually by and from the Telecom and Financial Services SOC.
3. The General SOC shall appoint a Chair and Vice Chair, one from among the Postal SOC members and one from among the Telecoms and Financial Services SOC to serve on an annual rotating basis.

### 4. Postal SOC

The Postal SOC shall consist of seven members elected biennially by and from the Postal Constituency.

### 5. Telecoms and Financial Services SOC

The Telecoms and Financial Services SOC shall consist of seven members elected biennially by and from the Telecoms and Financial Services Constituency.

### 6. The Standing Orders for the Conferences shall include provision that:

- i) the NEC, PEC and TFSE (as appropriate) shall indicate in an SOC document (published prior to Conference) the motions which they are prepared to accept. If this is agreed by the relevant Conference when the SOC document is adopted, those motions will not be debated and will be deemed to be carried. Branches will have the facility to register opposition to the acceptance and thus have a debate;
- ii) procedures for the calling of and conduct of card votes in accordance with the Rules;
- iii) the NEC, PEC, TFSE, Branches and Regional Committees shall be able to challenge the terms of the relevant SOC report and Conference Agendas, subject to having given prior notification to the appropriate Conference SOC under procedures to be determined by the SOC and published within the Standing Orders for the General and Industrial Conferences.

### 7. The Standing Orders Committee will give priority to motions in the following order:-

- a) Category A - Those motions which in the view of the SOC require a decision by Conference;

- b) Category B - Motions whose general point is to reverse policy decided at the previous year's conference;
- c) Category C - Those motions which in the view of the SOC seek only to confirm existing policy;
- d) Category D - Those motions which in the opinion of the SOC could be dealt with in correspondence;
- e) Category X - Those motions which in the opinion of the SOC are out of order. These shall be printed but shall not be admitted to the agenda.

## **7. Special General Conference**

1. A Special General Conference may be called by the NEC or at the request of Branches representing not less than 51% of the membership. Requests from Branches must be the result of a decision taken at a properly constituted Branch meeting.
2. A Special Conference shall only deal with the business for which it has been called.
3. The Standing Orders and procedures adopted for a Special Conference shall normally be in accord with those used for the General Conference.

## **8. Telecoms and Financial Services Conference**

1. The Telecoms and Financial Services (T&FS) Conference shall be divided into sessions as follows:
  - a) Joint Industry Based Conference for Telecoms and related industries, including an appropriate time slot for BT Fleet motions;
  - b) Financial Services;
2. Business of T&FS Conferences:
  - a) they shall consider motions submitted by the T&FSE and Branches;
  - b) they shall be the supreme authority on those occupational and conditions of service issues relevant to each particular Conference and within the remit of the T&FSE;
  - c) the T&FSE shall be responsible for allocating time to each session;
  - d) the T&FSE shall carry out all instructions arising out of motions affecting pay and conditions carried at the T&FS Conference.

3. Branch representation at the T&FS Conference shall be:

<b>Membership</b>	<b>Delegates</b>	<b>Membership</b>	<b>Delegates</b>
1-500	2	3001-4000	7
501-1000	3	4001-5000	8
1001-1500	4	5001-6000	9
1501-2000	5	6001 and above	10
2001-3000	6		

4. Representation shall be based on a count of Branch membership excluding retired members conducted as close to Conference as possible.

5. A Branch may vary its delegates within the total Branch delegation entitlement.

6. Each Branch shall strive to ensure proportionality in its delegation.

7. Motions:

a) Each Branch shall be entitled to submit up to four motions to each of the industry based conferences in which they have members. Branches that have members in other businesses outside of BT shall be entitled to submit up to two extra motions related to other businesses. Each branch with BT Fleet members shall be entitled to submit an additional motion on a matter pertaining to them.

b) The T&FSE shall be entitled to submit motions to each session.

8. Voting Procedures:

a) Voting shall normally be by a show of hands.

b) A card vote may be called by the Chair or by the number of delegates as specified in the Standing Orders rising to their feet. When a card vote is taken it shall be based on the Conference Branch membership count excluding retired members.

9. Special Conference (T&FS)

a) Subject to the endorsement of the NEC, the T&FSE shall have the authority to convene a Special T&FS Conference.

b) The T&FS Conference shall have the authority to call a Special T&FS Conference subject to ratification by General Conference.

c) A Special T&FS Conference may also be convened if called for by Branches representing at least 51% of the membership. Requests from Branches must be the result of a decision taken at a properly constituted Branch meeting.

d) A Special T&FS Conference shall only deal with the business for which the Conference has been called.

- e) The Standing Orders and procedures adopted for a Special T&FS Conference shall normally be in accord with those used for the T&FS Conference.

## **Postal Conference**

### **9. Business of the Postal Conference**

1. The business of the Postal Industry shall be to receive reports from the PEC and the Postal Standing Orders Committee, to deal with Motions submitted by the PEC, Branches and Business Co-ordinating Committees.
2. The Postal Conference shall be the supreme authority on those occupational and conditions of service issues within the remit of the PEC.
3. The PEC shall carry out all instructions of motions carried at Postal Conferences.

### **10. Motions**

1. Each Branch and each appropriate Business Co-ordinating Committee shall be entitled to submit up to 4 motions to each section of the Postal Industry Conference and 4 motions to each of the Sectional Conferences where they have members. Branches that have members in other businesses outside of the Post Office or Royal Mail Group shall be entitled to submit up to two extra motions related to other businesses.
2. The PEC shall be entitled to submit motions to each session of Conference.
3. Regional Safety Forums shall be entitled to submit up to two motions to the General Issues Section of the Postal Industry Conference.

### **11. Voting Procedures**

1. Voting shall normally be by a show of hands.
2. A card vote may be called by the Chair or by the number of delegates as specified in Standing Orders rising to their feet. When a card vote is taken it shall be based on the Conference Branch membership excluding retired members.
3. The Standing Orders Committee will be represented at the count and will counter sign the final result before handing the result to the Chair of the Conference.

### **12. Special Conference (Postal)**

1. Subject to the endorsement of the NEC, the PEC and the Postal Conference shall have the authority to convene a Special Postal Industry or Sectional Conference.

2. A Special Postal Conference may be called by the PEC or at the request of Branches representing at least 51% of the membership. Requests from Branches must be the result of a decision taken at a properly constituted Branch meeting.
3. A Special Conference shall only deal with the business for which it has been called.
4. The Standing Orders and procedures adopted for a Special Conference shall normally be in accord with those used for the Postal Conference.

### **13. Branches**

1. Representation will be based on a count of Branch membership excluding retired members conducted as close to Conference as possible.
2. Branches may vary their delegates as they wish within the total delegation entitlement applicable to their Branch at the Conference.

### **14. Conference Delegations**

1. The maximum Branch representation to Postal Industry Conference of the Union shall be as per the table below with the entitlement being based on the number of members of the grades appropriate to the Group/Sectional Conference concerned. A Branch may vary its delegates within the total Branch delegation entitlement. Each Branch shall strive to ensure proportionality in its delegation.

<b>2. Membership</b>	<b>Delegation</b>	<b>Membership</b>	<b>Delegation</b>
1 to 250	1	1501 to 2001	6
251 to 500	2	2001 to 3000	8
501 to 750	3	3001 to 4000	10
751 to 1000	4	4001 to 6000	12
1001 to 1500	5	6001 and over	14

3. In addition to the formula for Branches above, Branch Secretaries shall be entitled to attend Postal Industrial and Sectional Conferences by virtue of office, having the right to speak but no voting rights.
4. Regional Secretaries and business based field officials shall attend in an ex-officio capacity. They may participate in discussion at the specific request of their respective Committee or a Branch within that Committee but shall not vote.

### **15. Equality Conferences**

1. The NEC shall determine the date of the separate Women's, Black Workers, LGBT and Disability Conferences, and it shall consult with and involve each Advisory Committee in the organisation of each of the Equality Conferences.
2. Each Branch shall be entitled to submit one motion to each of the Equality Conferences.

3. Each Regional Women's Committee shall be entitled to submit one motion to the Women's Equality Conference.
4. Each Regional Equality Committee shall be entitled to submit one motion to each of the following conferences:
  - Lesbian, Gay, Bisexual and Transgender
  - Women's
  - Disability
  - Black Workers
5. The General Conference SOC shall determine the procedures to operate at the Equality Conferences.
6. Each Equality Advisory Committee shall be entitled to submit up to three motions to the relevant Equality Conference, standing in their name.
7. The appropriate Advisory Committee shall be responsible for pursuing the policies adopted by each Equality Conference via the NEC and its appropriate sub-committees.
8. Each Equality Conference shall be entitled to select two motions to submit to General Conference and one motion each to submit to the Postal (Group) and Telecoms Industrial Conferences. The selection for General Conference shall be done on the basis of a Branch preference ballot during the Equality Conference. Selection of motions to the Industrial Conferences will be by a preference ballot of Branches within the appropriate constituency during the Equality Conference. The motions submitted to General and Industrial conferences shall be in the name of the relevant Equality Conference.

## **16. Retired Members' Conference**

1. The NEC shall determine the date, venue, duration and delegations to the Retired Members' Conference.
2. Each Branch shall be represented in proportion to the number of retired members, subject to a minimum representation of one delegate.
3. Each Branch shall be entitled to submit one Motion to the Retired Members' Conference.
4. Each Retired Members' Regional Committee shall be entitled to submit one Motion to the Retired Members' Conference.
5. The General Conference SOC shall determine the procedures to operate at the Retired Members' Conference.
6. The Retired Members' Advisory Committee shall be consulted and be involved in the organisation of the Retired Members' Conference.

7. The Retired Members' Advisory Committee shall be responsible for pursuing the policies adopted at the Retired Members' Conference via the NEC and its appropriate sub-committees.
8. The Retired Members' Conference shall elect two delegates to attend CWU General Conference who will be entitled to speak on items that impact upon the union's retired members.
9. The Retired Members' Conference may submit two motions to CWU General Conference.
10. Retired Members' Regional Committee Secretaries shall attend the Retired Members' Conference in an ex-officio capacity with the right to speak and move motions on behalf of their Retired Members' Regional Committee but not to vote. Funding for Retired Members' Regional Committee Secretaries to attend Retired Members' Conference shall be from the General Fund.
11. The Retired Members' Advisory Committee shall be entitled to submit up to three motions to the Retired Members' Conference.

## **17. Youth Conference**

1. The NEC shall determine the date, venue, duration and delegations to the Youth Annual Conference.
2. Each Branch shall be represented in proportion to the number of members aged 30 and under, subject to a minimum representation of one delegate.
3. Each Branch shall be entitled to submit one Motion to the Youth Annual Conference.
4. Each Regional Youth Committee shall be entitled to submit one Motion to the Youth Annual Conference.
5. The General Conference SOC shall determine the procedures to operate at the Youth Annual Conference.
6. The Youth Committee shall be consulted and be involved in the organisation of the Youth Annual Conference.
7. The Youth Committee shall be responsible for pursuing the policies adopted at the Youth Annual Conference via the NEC and its appropriate sub-committees.
8. The Youth Annual Conference shall elect two delegates to attend CWU General Conference who will be entitled to speak on items that impact upon the union's young members.
9. The Youth Annual Conference may submit two motions to CWU General Conference and one motion to the Postal (Group) and the Telecoms Industrial Conferences.

10. Regional Youth Committee Secretaries shall attend Youth Annual Conference in an ex-officio capacity with the right to speak and move motions on behalf of their Regional Youth Committee but not to vote. Funding for Regional Youth Committee Secretaries to attend Youth Annual Conference shall be from the General Fund.
11. The Youth Committee shall be entitled to submit up to three motions to the Youth Annual Conference.

# Rule 11

# Finance

## 1. Funds

1. The principal Funds of the Union shall be:
  - a) The General Fund;
  - b) The Defence Fund;
  - c) The National Welfare Fund;
  - d) Political Funds administered separately and consisting of
    - i) General Political Fund;
    - ii) Affiliated Political Fund;
  - e) Regional funds;
  - f) Branch funds.

There are separate Pension Funds held in trust on behalf of employees of the Union.

## 2. Trustees

1. The Union shall have four biennially NEC elected Trustees. Two shall be from the Postal Constituency and two from the Telecom and Financial Services Constituency. The Trustees shall act under the direction of the NEC. The written record of the resolution of appointment or removal and discharge shall be treated as if it were the instrument in writing of such appointment or removal and discharge.
2. Properties of the Union, including monies, securities and all other assets whatsoever, shall be held corporately by the Trustees on behalf of the members.
3. The duties of the Trustees shall be to:
  - a) place in bank(s), in an appropriate account of the Union, all funds received by them at Head Office of the Union;
  - b) subject to the above, to invest the funds of the Union, under the direction of the NEC, in investments authorised or to be authorised by Act of Parliament for the investment of trust funds;
  - c) examine all accounts submitted for payment;
  - d) sign cheques in payment of all proper accounts, and present same for countersigning by an Officer nominated by the NEC for this purpose;
  - e) defray from the General Fund the expenditure incurred by the NEC, if not provided for by the Rules, as it shall direct;

- f) make payments out of the General Fund of all or any premiums on any guarantee taken by the NEC upon Officers at Head Office handling the funds of the Union.
4. The Trustees shall have authority to sign documents on behalf of the Union and to inspect any accounts or financial records of the Union at any time.
5. The Trustees, on the direction of the NEC, shall have power to borrow money on security or otherwise and dispose of any asset of the Union.

### **3. Members' Auditors**

1. There shall be two lay Members Auditors elected biennially to examine the accounts and report to the membership. A lay members Auditor shall not hold any other national position.
2. The lay Members Auditors shall be entitled to submit recommendations to the NEC arising from their examination of the accounts of the Union. The NEC shall consider such recommendations and report its conclusion to the next appropriate General Conference.

### **4. Inspection of Accounts**

Every member has the right to request access to the accounting records of the Union subject to the provisions of the relevant legislation. On receipt of such a request the General Secretary shall provide the member with a reasonable opportunity and time to carry out the inspection.

### **5. Subscriptions**

1. The NEC shall determine on an annual basis membership subscription rates inclusive of the contributions to the Political Fund. In setting such rates the NEC shall consider and have due regard for the following membership status:
  - a) Full-time employees;
  - b) Part-time employees;
  - c) Young Workers;
  - d) Retired and Retired Associate Members;
  - e) Non-recognised companies.
2. The rate for retired and retired associate members shall increase on 1 January each year by the same percentage increase as the known CPI at the time.
3. Any member whose contributions or payments of levy made under these Rules are the equivalent of eight weeks in arrears, shall be advised that failure to pay the arrears may result in the cessation of membership.
4. Members on sick leave, maternity leave, adoptive leave or shared parental leave without full pay shall be entitled to free membership for that period of leave.

5. Any member who resigns from the Union may only be re-admitted at the discretion of the NEC. Applicants for re-admission may be required by the NEC to repay any arrears of contributions or levies.

## **6. Rebates**

1. Each Branch shall receive monthly 29% of its Branch membership income received by CWU HQs General Fund excluding Retired Members. Each Branch shall be responsible for its own funds for meeting the following expenses;
  - a) All Conference expenses including subsistence, travel and loss of pay;
  - b) Regional and Industrial based Committee expenses including travel and subsistence;
  - c) Travel and subsistence for all education courses;
  - d) Travel and subsistence for national briefings;
  - e) Visits to HQ requested by the Branch
2. Each Branch shall receive a rebate for its Retired Members Section of 27% of all income received by CWU HQ from the contribution of the Branch Retired Members. Such rebates shall only be paid to the Branch on formation of a Retired Members Section.
3. Any Branch that has in excess of 12 months equivalent rebate in its bank balance shall have future rebates held centrally in a separate national account set up for that sole purpose. Such rebates shall be released to the Branch once either the bank balance holds less than 12 months equivalent rebate or on application to the SDGS and the NEC if required for exceptional expenditure. The money in this account shall be additionally used to grow membership.

## **7. Financial Planning**

Every year the NEC shall produce a financial plan for the following year, which shall:

- a) be published to branches and lodged as a record at CWU HQ Finance Department;
- b) show expected income based on membership figures at the time the plan is agreed by the NEC;
- c) include detailed planned expenditure, following the principle that such expenditure shall not exceed income;
- d) identify the purpose of any annual surplus and the intention to use it on behalf of the members;
- e) identify allocations to budget holders and to be reported on, against performance to date, quarterly to branches.

# Rule 12

# Political Fund

1. The Objectives of the CWU shall include the furtherance of the political objects to which Section 72 of the Trade Union and Labour Relations (Consolidation) Act 1992 (the Act) applies, that is to say the expenditure of money:
  - a) on any contribution to the funds of, or on the payment of any expenses incurred directly or indirectly, by a political party;
  - b) on the provision of any service or property for use by or on behalf of any political party;
  - c) in connection with the registration of electors, the candidature of any person, the selection of any candidate or the holding of any ballot by the Union in connection with any election to a political office;
  - d) on the maintenance of any holder of a political office;
  - e) on the holding of any conference or meeting by or on behalf of a political party or of any other meeting the main purpose of which is the transaction of business in connection with a political party;
  - f) on the production, publication or distribution of any literature, document, film, sound recording or advertisement the main purpose of which is to persuade people to vote for a political party or candidate or to persuade them not to vote for a political party or candidate.

Where a person attends a conference or meeting as a delegate or otherwise as a participator in the proceedings, any expenditure incurred in connection with his/her attendance as such shall, for the purposes of paragraph (e) above, be taken to be expenditure incurred on the holding of the conference or meeting.

In determining, for the purposes of paragraphs (a) to (f) above, whether the trade union has incurred expenditure of a kind mentioned in those paragraphs no account shall be taken of the ordinary administrative expenses of the Union.

In these objects:

*“candidate”* means a candidate for election to a political office and includes a prospective candidate;

*“contribution”*, in relation to the funds of a political party, includes any fee payable for affiliation to, or membership of, the party and any loan made to the party;

*“electors”* means electors at any election to a political office;

*“film”* includes any record, however made, of a sequence of visual images, which is capable of being used as a means of showing that sequence as a moving picture;

*“local authority”* means a local authority within the meaning of Section 270 of the Local Government Act 1972 or Section 235 of the Local Government (Scotland) Act 1973; and

*“political office”* means the office of member of Parliament, member of the European Parliament, member of the Scottish Parliament, member of the Welsh Assembly or member of a local authority or any position within a political party.

2.

1. Any payments in the furtherance of such political objects shall be made out of a separate fund of the Union (hereinafter called the Political Fund).

2. The NEC shall appoint 4 Trustees of the Political Fund. Each Constituency shall be represented. The Trustees shall act in accordance with the directions of the NEC.

3. As soon as is practicable after the passing of a resolution approving the furtherance of such political objects as an objective of the Union the NEC shall ensure that a notice in the following form is given to all members of the Union in accordance with this rule:

**Trade Union and Labour Relations (Consolidation) Act 1992**

A resolution approving the furtherance of political objects within the meaning of the above Act as an object of the Union has been adopted by a ballot under the Act. Any payments in the furtherance of any of those objects shall be made out of a separate fund, the political fund of the Union but every member of the Union has a right to be exempt from contributing to that fund. A form of exemption notice can be obtained by or on behalf of any member either by application at, or by post from, the head office or any branch office of the Union or from the Certification Office for Trade Unions and Employers' Associations, Brandon House, 180 Borough High Street, London SE1 1LW.

*This form, when filled in, or a written request in a form to the like effect, should be handed or sent to the Secretary of the Branch to which the member belongs.*

The notice shall be published to members by such methods as are customarily used by the Union to publish notices of importance to members and shall include the following minimum requirements. The notice shall be published in the Union's main journal which is circulated to members. A copy of the notice shall be posted up and kept posted up for at least 12 months in a conspicuous place, accessible to members, at the office or meeting place of each Branch of the Union. The Secretary of each Branch shall also take steps to secure that every member of the Branch, so far as is reasonably practicable, receives a copy of the notice, and shall supply a copy to any member on request. The NEC shall provide the Secretary of each Branch with a number of copies of the notice sufficient for these purposes.

4. Any member of the Union may at any time give notice on the form of exemption notice specified in Rule 12.5, or by a written request in a form to the like effect that he/she objects to contribute to the Political Fund. A form of exemption notice may be obtained by, or on behalf of, any member, either by application at, or by post from, the General Office or any Branch office of the Union, or from the Certification Office for Trade Unions and Employers' Associations, Brandon House, 180 Borough High Street, London SE1 1LW.

5. The form of exemption notice shall be as follows:

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**Communication Workers Union**

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**Political Fund Exemption Notice**

I hereby give notice that I object to contributing to the Political Fund of the Union and am in consequence exempt, in the manner provided by Chapter VI of the Trade Union and Labour Relations (Consolidation) Act 1992, from contributing to that fund.

Signature: .....

Membership no: .....

Address: .....

Date: .....

CWU Branch: .....

6. Any member may obtain exemption by sending such notice to the Secretary of the Branch to which the member belongs and, on receiving it, the Secretary shall send an acknowledgement of its receipt to the member at the address in the notice, and shall inform the General Secretary of the name and address of that member.

7.

1. On giving such notice a member shall be exempt, so long as his/her notice is not withdrawn, from contributing to the Political Fund of the Union as from either:

- a) the first day of January next after notice by the member is given, or,
- b) in the case of a notice given within one month after the notice given to members under Rule 12.3 or after the date on which a new member admitted to the Union is supplied with a copy of these Rules under Rule 12.18, as from the date on which the member's notice is given.

2. For the purpose of enabling each member of the Union to know as respects any such periodical contributions what portion, if any, of the sum payable by him/her is a contribution to the Political Fund of the Union, it is hereby provided that an amount of 20p per week.

No levy shall come into force as respects a new member until the expiration of one month from his/her being supplied with a copy of the rule under clause 13 hereof following admission to the Union. Any member who is exempt as aforesaid shall be relieved from the payment of that sum and shall pay the remainder of such contributions only.

3. The NEC shall have power to increase the amount of the levy having regard to increases in the Retail Price and Average Earnings Indices and the level of Union contributions generally. Any such increase shall be endorsed by Annual Conference.

8. The NEC shall give effect to the exemption of members to contribute to the Political Fund of the Union by relieving any members who are exempt from the payment or part of any periodical contributions required from the members of the Union towards the expenses of the Union as provided and such relief shall be given as far as possible to all members who are exempt on the occasion of the same periodical payment.
9. A member who is exempt from the obligation to contribute to the Political Fund of the Union shall not be excluded from any benefits of the Union, or placed in any respect either directly or indirectly under any disability or disadvantage as compared with other members of the Union (except in relation to the control or management of the Political Fund) by reason of his/her being so exempt.
10. Contribution to the Political Fund of the Union shall not be made a condition for admission to the Union.
11. All members of the Union, in whatever category, shall have a right to pay contributions to the Political Fund.
12. If any member alleges that he/she is aggrieved by a breach of any of these Rules for the Political Fund, being a Rule or Rules made pursuant to Section 82 of the Act, he/she may complain to the Certification Officer, and the Certification Officer, after giving the complainant and any representative of the Union an opportunity of being heard, may, if he/she considers that such a breach has been committed, make such order for remedying the breach as he/she thinks just in the circumstances. Any such order of the Certification Officer may, subject to the right of appeal provided by Section 95 of the Act, be enforced in the manner provided for in Section 82(4) of the Act.
13. Any member may withdraw his/her notice of exemption on notifying his/her desire to that effect to the Secretary of his/her Branch, who shall on receiving it send the member an acknowledgement of receipt of the notification, and inform the General Secretary of the name and address of that member.
14. The NEC shall ensure that a copy of these Rules is available, free of charge, to any member of the Union who requests a copy.
15. The NEC shall also send to the Secretary of each Branch sufficient copies of these Rules for distribution to each member.
16. The Secretary of each Branch shall, so far as possible, secure that each member of that Branch receives a copy of the Rules.
17. The Secretary of each Branch shall supply a copy of these Rules free of charge to each member who requests a copy.
18. A copy of the Rules shall also be supplied by the Secretary of each Branch to every new member on his/her admission to the Union.
19. **Northern Ireland Members**
  1. In compliance with Article 59 of the Trade Union and Labour Relations (Northern Ireland) Order 1995, members of Branches in Northern Ireland are not required to make any contribution to the Political Fund unless they:

- a) have given notice in writing of their willingness to contribute to the fund;  
and
  - b) have not notified the Union in writing of withdrawal of such notice.
2. Northern Ireland members are exempt from contributing to the Political Fund unless they give written notice that they wish to do so. A form of notice indicating the wish to contribute to the Political Fund may be obtained from any Branch in Northern Ireland.
  3. The Executive Committee shall give effect to the statutory exemption of Northern Ireland members to contribute to the Political Fund of the Union by making a separate levy on contributions to that fund from those Northern Ireland members who have provided written consent of their willingness to contribute, namely, the sum of 20p per week, and have not subsequently withdrawn that consent. No moneys of the Union other than the amount raised by such separate levy shall be paid into the Political Fund.
  4. Northern Ireland members who are statutorily exempt from the obligation to contribute to the Political Fund of the Union shall not be excluded from any benefits of the Union, or placed in any respect either directly or indirectly under any disability or disadvantage as compared with other members of the Union (except in relation to the control or management of the political fund) by reason of their being exempt.
  5. Contribution to the Political Fund of the Union shall not be made a condition for admission to the Union.
  6. If any Northern Ireland member alleges that he/she is aggrieved by a breach of any of the rules made pursuant to Article 59 of the Trade Union and Labour Relations (Northern Ireland) Order 1995 he may complain to the Northern Ireland Certification Officer, 2-8 Gordon Street, Belfast, BT1 2LG, under Article 57(2) to (4) of that Order.
  7. If, after giving the complainant and a representative of the Union an opportunity to be heard, the Certification Officer considers that a breach has been committed, he may make an order for remedying it as he thinks just in the circumstances. Under Article 69 of the 1995 Order an appeal against any decision of the Certification Officer may be made to the Court of Appeal on a question of law.
  8. Additionally, if any Northern Ireland member alleges that he/she is aggrieved by a breach of the Political Fund rules made pursuant to Section 82 of the Trade Union and Labour Relations (Consolidation) Act 1992 he/she may complain to the GB Certification Officer, Brandon House, 180 Borough High Street, London SE1 1LW. If, after giving the complainant and a representative of the union an opportunity of being heard, the GB Certification Officer considers that a breach has been committed, he/she may make an order for remedying it as he/she thinks just in the circumstances. Any such order of the GB Certification Officer is subject to the right of appeal provided for by Section 82(4) of the 1992 Act.

## **20. Grants and Rebates**

1. Branches shall be allowed grants from the Political Fund of a sum up to but not exceeding that which is equal to one third of the annual contribution to the Political Fund of the Union per member per year of the Branch political membership. To protect the Political Fund of the Union such rebates shall only be used to further the political objects of the Union and the expenditure of money shall only be made by the Branch in accordance with Branch bye-laws as determined by the NEC. As a condition of receiving such rebates, Branches shall make such returns and reports as the NEC may determine, provide an annual statement of Branch political accounts and affiliate to Constituency Labour Parties. The condition to affiliate to Constituency Labour Parties shall not extend to Branches in Northern Ireland.
2. Payments from the Political Fund to Branches must be in accordance with the policy determined by General Conference or the NEC.
3. Each Regional Political Fund will receive 20% of the total Political Fund rebate available to Branches to allow these committees to campaign regionally to promote Union policies on a fair and equitable basis.

## **21. Labour Party Conference**

The NEC shall issue regulations prescribing the procedures for the elections of delegates to the Labour Party Conferences.

## **22. Labour Party NEC**

The CWU nomination for the Labour Party NEC shall be voted on under regulations issued by the NEC.

## **23. Annual Political Forum**

There shall be an annual meeting of all Regional and Branch political officers to discuss the promulgation of Union policy within the Labour Party.

# Rule 13

# Industrial Action

1. The NEC shall be responsible for ensuring that the union is fully compliant with all relevant legislation governing Industrial Action.
2. The NEC, a Conference or a properly convened Branch Meeting may in furtherance of the Union's objectives decide to authorise, endorse, call or take industrial action, including strike action. All such action must be within the law and in accordance with, and in compliance of, all statutory obligations, inclusive of ballots etc. Where a Branch decides to take action to protect immediate local interests, the General Secretary and NEC must be informed.
3. For the avoidance of doubt it is confirmed that nothing contained in these Rules empowers a Branch or any other person, committee, group or body of persons to authorise, endorse, call or take industrial action without there being a statutory ballot and compliance in all other respects with the requirements of Part V of the Trade Union and Labour Relations (Consolidation) Act 1992 as amended or replaced from time to time.

# Rule 14

# Discipline

## 1. General

1. Matters of a disciplinary nature arising from the rules or regulations of the Union affecting Union members shall be dealt with in accordance with this rule.
2. A member shall be liable to disciplinary action in respect of the following:
  - a) Acting in breach of the Rules of the Union;
  - b) Behaving in a manner contrary to the interests of the Union;
  - c) Failing to carry out lawful and reasonable instructions of a Branch, the NEC, Annual or Special Conference;
  - d) Being a member of a union or association of employees, the interests of which conflict with those of the Union, or speaking or circulating literature on behalf of any such union or association.

## 2. National Discipline Committee (NDC)

1. All matters calling for disciplinary action shall be determined by the NDC, which shall consist of three members appointed by the NEC. There shall be three named substitutes to replace any or all of the members of the NDC if they are not available.
2. The Committee shall be served by an Officer appointed by the General Secretary.

## 3. National Discipline Committee Powers and Procedures

1. All matters requiring consideration under this rule shall be referred by the General Secretary to the NDC. Such matters may be referred by either a member or a Branch.
2. The NDC has the power to require the production of written evidence and attendance of witnesses who are members of the Union. In the event of non-production of written evidence or non-attendance by either of the parties involved, the Committee has the right to take a decision in their absence.
3. The NEC shall prescribe regulations governing the procedure for the conduct of all cases before the NDC and may amend such regulations from time to time. These amendments shall be subject to endorsement at the subsequent General Conference.
4. A Union Representative accused of being involved in conduct that brings the Union into disrepute may have their credentials or office suspended pending the outcome of the discipline process.

This can be done in two ways:

- a) On receipt of a charge a Branch may suspend the individual's credentials or office. This carries the right of appeal to the NDC; or
- b) On receipt of a charge, the NDC can suspend the individual's credentials or office.

In relevant circumstances if suspension is deemed appropriate it must be done quickly and Branches are required to consider this option in the relevant circumstances. Suspension of credentials or office can only be done as part of the process involving National Discipline and at no other time.

5. The NDC shall consider each charge and conclude whether or not a prima facie case exists. If a prima facie case exists it shall proceed to a full hearing of the NDC. The NDC will conclude their deliberations on each case within six months of the charge being laid unless there are exceptional circumstances.
6. Following the full hearing of a complaint the NDC may exercise any one or more of the following powers:
  - a) censure the member concerned;
  - b) fine the member such sum as the NDC shall consider fair and reasonable, having regard to the circumstances;
  - c) suspend the member from membership or from all or any benefits of membership for such time as may be determined;
  - d) remove the member from any office;
  - e) disqualify the member from holding office for such period as the NDC may determine;
  - f) impose a suspended sentence for so long as the NDC shall consider just and reasonable;
  - g) expel the member from the Union.
7. If a fine imposed by the NDC is not paid within twenty-one days of the date of a demand in writing addressed by the General Secretary to the member at their last known address, the member shall be automatically expelled from membership of the Union.

#### **4. Independent Review Body (IRB)**

1. The NEC shall prescribe regulations governing the procedure for the conduct of all cases before the IRB and may amend such regulations from time to time.

2. There shall be the right of appeal against decisions of the NDC to an IRB. In all cases of appeal, the decision appealed against shall be suspended pending the hearing of the appeal. An appeal against a decision of the NDC can only be brought by a charged member.
3. The IRB shall consist of two members and an Independent Chair.
4. The IRB shall be served by an Officer appointed by the General Secretary.
5. The members of the IRB shall comprise one member elected by and taken from the Postal Constituency and one member elected by and taken from the Telecoms and Financial Services Constituency. The members of the IRB shall be elected biennially. Members of the NEC, PE and T&FSE shall not be eligible to be members of the IRB.
6. The decision of the IRB shall be final and binding on the appellant and the Union.

## **5. Functions of the General Secretary and the Discipline Officer in Relation to Disciplinary Matters**

1. The Officer to the NDC shall be responsible for the documentation of matters requiring consideration by the NDC and for recording the proceedings of the Committee.
2. The Officer to the NDC shall notify the General Secretary, who shall notify a member of their rights under the rules of the Union and of the consequences of failure to comply with any direction issued, or any penalty imposed by the NDC.

# Rule 15

# Alteration of Rules

## 1. Rules Revision Conference

1. Every four years the Union shall hold a Conference for the purpose of reviewing and revising its rules.
2. Each Branch of the Union and Regional Committee shall have the opportunity to submit three proposals relating to the rules.
3. The NEC shall be entitled to submit proposals relating to the rules.
4. Each proposal to amend the rules receiving a majority in support including a majority within each of the following;
  - a) the Postal Constituency
  - b) the Telecoms and Financial Services Constituency

shall then form part of the rules of the Union.

## 2. Rules Revision Conference

1. A Special Rules Revision Conference may be called by the NEC or at the request of Branches representing not less than 51% of the membership. Requests from Branches must be the result of a decision taken at a properly constituted Branch meeting.
2. The Standing Orders and procedures adopted for a Special Rules Revision Conference shall normally be in accord with those used for the Rules Revision Conference.

## 3. Annual Conference

1. In addition to Rules Revision Conferences there shall be provision at each General Conference of the Union for a Rules Revision session.
2. At each General Conference Rules Revision session each Branch and Regional Committee shall have the opportunity to submit one proposal relating to the rules.
3. At each General Conference Rules Revision session the NEC shall be entitled to submit proposal relating to the rules.
4. At each General Conference Rules Revision session each proposal to amend the rules receiving a two thirds majority in support, including a two thirds majority within each of the following;

- a) the Postal Constituency
- b) the Telecoms and Financial Services Constituency

shall then form part of the rules of the Union.

#### **4. Role of the NEC**

1. The NEC shall be empowered to amend the rules to deal with any inaccuracy or error or in order to comply with any Statute of the Realm or regulation made thereunder. The NEC shall also be empowered to make any consequential amendment to the rules required as a result of amendments carried at any Rules Revision session of Conference or at a Rules Revision Conference or a Special Rules Revision Conference.
2. The NEC shall be empowered to interpret the rules or to decide upon any issue in respect of which the rules are silent. The decision of the NEC on any such matter shall be final.
3. It shall be the duty of the General Secretary, upon receiving notice of a proposal on the amendment of these rules, to take suitable advice and report to the Standing Orders Committee, who shall ensure that such motions are placed before the Rules Revision Conference, Special Rules Revision Conference or General Conference Rules Revision session as the case may be, in such a form that the language and content clearly express the purpose of the motion and saving so far as the purpose of the motion otherwise requires, are in conformity with body of the rules and the principles incorporated therein.

#### **5. Operative Date of Rule Amendments**

Any alterations to rule carried at a Rules Revision Conference, Special Rules Revision Conference or General Conference Rules Revision session shall become operative immediately following the close of that conference.

#### **6. Rule Book**

Within six months of a Rules Revision Conference, Special Rules Revision Conference or General Conference Rules Revision session an updated Rule Book shall be produced and distributed to every Branch.

# Rule 16

# Amalgamation

1. The Union may amalgamate with, or transfer engagements to or from, any trade union as General/Special General Conference may determine, subject to the terms of the relevant legislation.
2. The NEC shall have the power to submit the question of amalgamation and Transfer of Engagements to a General/Special General Conference.

## NOTES

