

**COMMUNICATION WORKERS UNION**

**CIRCULATED TO THE  
STRUCTURE AND RULES COMMITTEE  
10 OCTOBER 2001**

**SRC 05/01**

**(For the consideration of the SRC at their  
meeting on 8 November 2001)**

Dear Colleague

**DRAFT 2001 CWU RULE BOOK**

The General Conference Standing Orders Committee has now had the opportunity to consider the draft 2001 CWU Rule Book. This is attached for your perusal and approval.

You will notice the Rule Book has certain rules annotated to show which have been amended by virtue of a resolution of Conference and which are recommended to be deleted by virtue of being time expired.

You will also note that there is some inconsistency in the numbering of the rules.

This is because it is the responsibility of the NEC to agree a new Rule Book, and it seems prudent only to finalise the numbering once the content has been endorsed.

The SOC has taken the view that where there is no specific resolution of either the NEC (using its powers under rule 15.3), Conference, or a specific time expiry issue, we have left the rules alone.

I am sure you would wish to join me in thanking Nigel Cotgrove for his contribution to this project.

Yours Sincerely,

Simon Sapper  
**Assistant Secretary**

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## ***Rule 1***

## ***Name***

1. The name of the Union shall be the Communication Workers Union.
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.

## **Rule 2**

## **Objects**

1. The objects of the Union shall be;
  - a) To unite and organise all those people entitled to be members of the Union. To protect and promote the interests of all members; to maintain and improve their working lives.
  - b) To regulate the relations between members and their employers, and between members and members.
  - c) To secure the greatest possible measure of effective participation by the Union in all decisions affecting the working lives of its members, as determined in accordance with the Rules of the Union.
  - d) To actively oppose racism and sexism, and all forms of discrimination based on race, creed, religion, age, political affiliation, disability, marital status, sex or sexual orientation in industry, the Union and society in general. To this end the CWU will actively oppose any organisation, political or otherwise, whose aims are racist or fascist. The CWU will also actively identify any cause or barrier to enable it to eradicate institutional discrimination within its own organisation. This will include elements of positive discrimination in favour of women and racial minorities until such time as the Union is satisfied that its structure reflects and supports the gender and racial balance of the members which it represents.
  - e) The furtherance of political objectives, subject to the provisions of the law and the rules of the Union's Political Fund.
  - f) To affiliate to and participate in such organisations as the Annual Conference or National Executive shall decide are in the interests of the members. National Executive Council decisions will be subject to ratification by the next Annual Conference.

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## **Rule 3**

## **Membership**

### **3.1 Membership**

1. Union membership shall include:
  - a) All relevant persons in the United Kingdom employed within postal, telecommunications, communications, information technology and related industries.
  - b) All relevant persons employed by Girobank/Alliance & Leicester or their successors and subsidiaries.
  - c) Officers of the Union.
  - d) Relevant Members of Parliament and other legislative bodies as appropriate.
  - e) Retired Members.
  - f) Other groups or persons as the National Executive Council may, from time to time, determine.

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### **3.2 Constituencies**

1. Each member of the Union shall be allocated to one of the following Constituencies:
  - a) Clerical
  - b) Engineering
  - c) Operator & Ancillary
  - d) Postal
  - e) Postal Technical Services.
2. The Constituencies shall be defined by both industry and grade. Where common grading systems exist, duties and industry shall be the criteria for allocation.
3. The composition of the Constituencies may be varied by the National Executive Council. Any such change will require the support of two-thirds of the National Executive Council including a simple majority within each of the Constituencies.

### **3.3 Admission and Termination of Membership**

1. Each applicant for membership shall sign an application form, which will then be forwarded, by either the Branch Secretary or another designated Officer of the Branch, to the Head Office of the Union. The Branch may also send, with the application form, any comment regarding the application, which could assist the National Executive Council in their consideration of the application. Such a decision to be at the absolute discretion of the National Executive Council.
2. Each application form shall contain a declaration to be signed by the applicant that they agree to accept the conditions of membership and abide by the Rules of the Union.
3. The acceptance of an application for membership by the National Executive Council shall confer upon each member all the rights and privileges of the Union, subject to the provision of these Rules. However, no member will be entitled to retrospective benefits/services prior to the member being entered onto the Union's membership register.

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4. Any member whose contribution or payment of levy made under these rules are the equivalent of eight weeks in arrears, whether continuous or not, shall be informed by the National Executive Council that failure to pay the arrears may result in the cessation of membership.
5. Members of Parliament and Members of the European Parliament shall not be entitled to hold any representative position within the Union.
6. Members engaged upon full time education sponsored by the Union shall be entitled to have their contributions paid by the Union.
7. Members on sick or maternity leave without full pay shall be entitled to have their contributions paid by the Union for the period of leave. The Union may, if the National Executive Council so determines, pay the contributions of a member during a period of sick leave which immediately precedes death, provided that at the time of going on sick leave the member was fully paid up.
8. Any member who resigns from the membership of the Union may not be re-admitted to membership except at the absolute discretion of the National Executive Council. Applicants for re-admission may be required by the National Executive Council to repay any arrears of contributions or levies.
9. Membership of the Union shall cease on:
  - a) Cessation of engagement in any employment mentioned in Rule 3.1. This rule does not apply to retired members or members covered by Rule 3.1(f).
  - b) Resignation.
  - c) Expulsion.
  - d) Non-payment of contributions subject to the provisions of Rule 3.3.4.
  - e) Notwithstanding anything within these rules, the National Executive Council may, by giving six weeks' notice in writing, terminate the membership of any member if necessary in order to comply with a decision of the Disputes Committee of the Trade Union Congress.
10. Any member of the National Executive Council becoming ineligible for Union membership under Rule 3.3.9 may nevertheless elect to continue his/her membership of the Union until the termination of the next meeting of the National Executive Council. When he/she shall formally tender his/her resignation.
11. No member may hold any official position within the Union on temporary promotion in a grade normally organised by the Communication Managers Association.

### **3.4. Honorary Awards**

#### **3.4.1 Honorary Membership**

1. Branch Honorary membership may be conferred upon ex-Branch members no longer eligible for full membership and who have rendered distinguished service to the conferring Branch. Branch Honorary membership may also be conferred upon a National Officer of the Union provided that such an Officer has been a member of, and has rendered distinguished service to, the conferring Branch. To secure election as a Branch Honorary member, the person must receive a majority of two-thirds of those voting at the meeting.
2. Regional Honorary membership may be conferred upon ex-members of the Union who are no longer eligible for full membership provided that such persons have given service in a representative capacity over a period of years to the trade union movement within their Regional Committee area. Regional Honorary membership may also be conferred upon a National Officer of the Union provided that such an Officer has given service in a representative capacity over a period of years with that Regional Committee. Nominations may be made by the Regional

Committee concerned or by Branches within the Regional Committee area. To secure election as a Regional Honorary member, the person must receive a majority of two-thirds of the delegates voting at the Regional Committee meeting.

3. National Honorary membership of the Union is recognition of distinguished service to the trade union movement at a national level over a period of years. National Honorary membership may be conferred upon ex-members of the Union who are no longer eligible for full membership or others who have not at any time been eligible for membership of the Union. Nominations for National Honorary membership may be made by Branches and by the National Executive Council and must be submitted not later than 31 December in any year. If the Nomination or nominations were approved by the National Executive Council by a majority of two-thirds of those voting the name of the nominee shall be submitted in a motion to the next Annual Conference. To secure election as a National Honorary member, the motion must receive the endorsement of the Conference.

#### 3.4.2 Gold Badge

1. On application from a Branch the National Executive Council at its absolute discretion may award the Gold Badge of the Union in recognition of exceptional, long and/or meritorious service to the Union.
2. The National Executive Council shall also have the authority to award the Gold Badge of the Union to members of Head Office staff and honoured guests of the Union which it considers to have made a meritorious contribution to the well being of the trade union and labour movement either nationally or internationally.

- 3.4.3 The recipients of Honorary or Gold Badge membership shall be presented with the appropriate certificate and badge. These awards shall be governed by regulation issued by the NEC.

#### 3.5 Retired Members (Amended)

1. Full members of the Union may apply to become retired members of the Union provided that they meet the following criteria:
  - (i) Aged 60 or over and not in regular employment
  - (ii) Those aged between 50 and 60 whom Branches confirm have retired and do not intend to work again
  - (iii) Members medically retired
  - (iv) Retired eligible form employees of the Union
2. In addition the NEC may consider granting retired membership to members outside the aforementioned categories for exceptional reasons. Members applying for retired membership must complete their retired membership application form within 26 weeks of ceasing to be a fully paid up member. Applications for retired membership outside the 26 weeks timescale will only be considered for exceptional reasons, at the absolute discretion of the NEC providing that arrears of membership contributions are paid.
3. The contribution rate of a retired member (Clerical, Engineering and Postal Technical Services Constituencies) shall be fixed at twenty-five percent of the under 21 years of age Union contribution rate rounded up the nearest penny.
4. The contribution rate of a retired member (Postal and Operator and Ancillary Constituencies) shall be fixed and thirty three and 1/3 percent of the Class A standard contribution rate rounded to the nearest whole penny.
5. A fully paid up retired member shall be entitled to attend all Branch meetings and participate in discussions and be able to vote on non-occupational matters.
6. A fully paid up retired member shall be entitled to vote in elections for any non-occupational national officers.

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7. Branches shall, when applicable, establish retired members' sections which would be entitled to elect a Section Committee to deal with retired members' problems. The Branch should appoint a member of the Branch Committee or an Officer of the Branch to service the retired members' section.
8. A retired members' section may elect from within their number one retired member to the Branch Committee to represent retired members' interests. The retired member should be entitled to participate in the Committee discussions and vote on non-occupational matters.
9. The Branch may appoint a retired member to represent it on organisations to which a Branch is affiliated.
10. A retired member shall not be entitled for nomination for or election to any Union office except as set out in paragraphs 6 and 7 or as determined by the NEC.
11. A retired member shall be entitled to receive a copy of the Union's journal and other appropriate publications.
12. A retired member shall be entitled to legal advice and a death benefit.
13. Each retired Members Group will be entitled on application to head office to receive 20% of all contribution of the first one hundred retired members in each Group and 10% of all contributions of members over one hundred in each Group.



## Rule 4

## Structure

### 4.1 The Union shall consist of:

- a) Branches
- b) A National Executive Council
- c) Industrial Executives
- d) Such other co-ordinating machinery and committees as the National Executive Council and Conference shall decide in accordance with Rule 12. This to include co-ordinating machinery covering all Constituencies within each business.

### 4.2 Branches (General)

1. Until such time as the Rules are changed, the Branches of the Union shall be structured and regulated in accordance with Rule 4.3 in the case of Branches previously part of the former UCW, and Rule 4.4 in the case of Branches previously part of the former NCU.
2. Any new Branches created whilst this Rule is still in effect shall be structured and regulated in accordance with the following formula:
  - a) new Branches including members of the Postal (except Postal Secretarial grades) and/or Operator and Ancillary Constituencies shall be regulated in accordance with Rule 4.3;
  - b) new Branches including members of the Engineering and/or Clerical and/or Postal Technical Services Constituencies, and/or Postal Secretarial Grades shall be regulated in accordance with Rule 4.4.
3. There shall be no restriction placed on any Branch that wishes to correspond with any or all other Branches in the Union.
4. Branches can allocate between 1% and 5% of the Branch rebate income for the remuneration of their Officials, the individual amounts to be paid within the allocation being determined by a Branch General Meeting. The payments shall be reported by the Branch to the appropriate Inspector of Taxes.

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### 4.3 Branches (Postal and Operator & Ancillary Constituencies)

#### 4.3.1 General

1. The Union shall be divided into Branches constituted under the authority of the National Executive Council. In the exercise of this authority the National Executive Council shall have regard to local circumstances, including the wishes of the members concerned, and to the need to provide efficient and financially viable organisation.

Branches shall adopt and operate the Model Bye-Laws and Standing Orders approved by the National Executive Council. A Branch may in addition pass special bye-laws or standing orders but any such bye-laws and standing orders at variance with the Model Bye-Laws and Standing Orders or these Rules shall be void.

Branches shall be established so that members can normally be assigned to a Branch within the geographical area of their place of employment. Branches shall, within such locality, pursue the aims and objectives of the Union under the direction of the National Executive Council and shall confine their representations to the employer, to matters of a purely local and domestic character. A Branch shall hold not less than one General Meeting a year and in addition an Annual General Meeting at which arrangements shall be made for the election of not less than three Branch Officers consisting of Chair, Secretary, Treasurer and three committee members.

Where a Branch represents members in more than one business each group of members shall have autonomous rights to decide their own local conditions with their own local employer within the terms of any industrial relations agreement that exists.

2. All Branches are subject to the authority of the National Executive Council and shall implement and comply with the decisions and the instructions of the National Executive Council or the General Officers within their powers in relation to the affairs of the Union, its members, Branches, and Regional Committees.
3. Branches shall be responsible for keeping their members informed of all matters advised by the National Executive Council.
4. It shall be the duty of a Branch to notify Union Head Office when a member's subscriptions are the equivalent of eight weeks in arrears, whether continuous or not, except where Union subscriptions are deducted from pay at source and remitted directly to Union Head Office.
5. On the closure of a Branch for whatever reason on the orders of the National Executive Council the funds, books, papers, and any other property shall forthwith be handed over and assigned to the authorised representative of the National Executive Council and the Branch and its Officers shall forfeit any claim to the possession thereof.
6. A Branch shall not instruct, authorise or permit an Officer of the Branch to do any act which is contrary to these Rules or to refrain from doing any act which is required under these Rules to perform.
7. A Branch may send delegates to the local or divisional Labour Party and to the local Trades Council and to local conferences or meetings convened or sponsored by any body to which the Union is affiliated nationally.
8. A Branch shall not send delegates to any other organisation without prior consent of the National Executive Council.
9. Branches are allowed to communicate with other Branches within the Union by circular or letter, in accordance with Rule 4.2.3. No Branch has the right to communicate with the lay members of another Branch under any circumstances.
10. A Branch shall not have read to it any unauthorised circular or address relating to the conduct of the Union or its business or to the conduct of any of its Officers or members.
11. A Branch or Officer shall on receipt of an unauthorised circular or address send both the envelope and the circular to the National Executive Council immediately.

#### **4.3.2 Branch Rebates**

1. CWU Head Office will transfer from central funds annually the sum of £21.49 for each 'A' and 'B' Class member and £9.98 for each 'C' Class member.
2. From 1 January 2001 and on 1 January in all subsequent years, the Branch Rebate will be increased by the Retail Prices Index (RPI) and Average Earnings Index (AEI) as published in December each year.
3. The percentage increase will be the average percentage between the published RPI and AEI.

#### **4.3.3 Accounts and Banking Arrangements**

1. Branches shall follow the account system laid down by the National Executive Council for general use, modified as necessary to meet local requirements. The financial year of the Branches shall be from 1st October to 30th September. Separate accounts must be maintained for each scheme for which the Branch is responsible (for instance benevolent funds, savings clubs, sports and

social clubs, holiday funds, etc.), the general funds of the Branch being kept completely separate and distinct from all other moneys, funds and accounts.

The Political Fund shall be separated for all purposes.

Financial statements and balance sheets shall be prepared at least once a year for each account, additionally as directed by the Branch Rules. Each Branch shall retain all financial vouchers for at least two years from the date of the audit concerned, statements of account and balance sheets being kept for not less than seven years.

2. Each Branch shall:
  - a) cause to be kept proper accounting records with respect to its transactions, its assets, and its liabilities; and
  - b) establish and maintain a satisfactory system of control of its accounting records, its cash holdings and all its receipts and remittances. All withdrawals from an account, whether by cash, cheque or warrant, shall require at least two signatures. Branch statements must be checked and initialled periodically by the Branch Chair;
  - c) keep an up-to-date inventory of all property and equipment purchased by the Branch, recording the cost and date of purchase, etc.
3. It shall be the duty of the Branch Officers to submit a statement of membership to the General Treasurer at such periods as may be determined by Annual Conference from time to time. The statement shall constitute the basis of financial adjustment between the Branch and Union Head Office.
4. The Branch shall bring to account payments made by members and by Union Head Office in respect of members' contributions deducted from pay.
5. Branches may also be empowered in General Meeting to collect and retain any additional contributions that may be required for local trade union purposes.

#### **4.3.4 Auditing and Auditors**

1. Each Branch shall appoint at least two Branch Auditors; the names shall be notified to Union Head Office. The Branch Auditors must be elected at a General Meeting and must not be Branch Officers or members of the Branch Committee. The report of the Branch Auditors shall be presented to a General Meeting.
2. The Branch Auditors shall exercise two main responsibilities: (1) the examination and audit of all Branch accounts to ensure accuracy, and (2) the right to examine and question the Branch finances, financial policy, income and expenditure on behalf of the lay membership. The Auditors shall examine all vouchers and receipts, bank statements and documents, accounts books, remittance forms and ledgers to certify as to their correctness or otherwise; shall verify the cash at bank and count the cash in hand. The Auditors shall satisfy themselves that contributions made to the Branch and payments made by Union Head Office have been properly brought to account.
3. A copy of the annual statement of account and balance sheet shall be forwarded to the General Treasurer, accompanied by a bank statement certifying the balance in hand.

The General Treasurer's Department will, assisted by the CWU national chartered accountants, be responsible for auditing Branch accounts and assisting Branches where the General Treasurer considers this is necessary. Branches must not use chartered accountants unless the General Treasurer has given authority and, in any such case, the chartered accountant will be appointed by CWU Head Office.

CWU Head Office or its appointed accountants shall have the right to access at all times to the accounting records of the Branch and to other documents relating to its affairs and shall be

entitled to require for its officers such information and explanation as is necessary for the performance of his/her duties.

The General Treasurer, his/her appointee or a chartered accountant should have the right to attend the Branch AGM and to receive all notices of/and other communications relating thereto, and to be heard at that meeting on any part of the business of that meeting which concerns the Branch accounts.

The cost of auditing the Branch accounts by chartered accountants who have been appointed by CWU Head Office shall be borne by CWU Head Office, other separate accounts shall have the audit fee paid by the Branch concerned.

Professional accountants appointed by CWU Head Office must forward to the General Treasurer's Department, a certificate (report) concerning the financial position and the keeping of Branch accounts.

4. Where the Branch has more than one account, care must be taken to ensure that all are audited at the same time, and against a common bank statement date.

#### **4.3.5 Payments**

1. Branch Officers and lay members who are appointed as delegates to attend a CWU National Delegate Conference on behalf of the Branch shall receive travel and subsistence payments.
2. Branch Officers and lay members who undertake Union work on behalf of the Branch with its authority and within its area, shall be paid the travel and other out of pocket expenses necessarily and justifiably incurred during the course of the work. (As an alternative to the repayment of out of pocket expenses a Branch may, by General Meeting decision, adopt an appropriate scale of subsistence entitlements to meet Branch needs locally.)

#### **4.4 Branches (Clerical, Engineering and Postal Technical Services Constituencies)**

##### **4.4.1 General**

1. The Union shall be divided into Branches, to one of which every member of the Union shall belong. Such Branches may be subdivided into sections. No member shall belong to more than one Branch.
2. Branches shall be formed in such numbers and in such Areas as the National Executive Council may decide from time to time.
3. Every Branch shall be entitled to enrol all qualified persons employed in its Area and proper to its own membership and Constituency and likewise all members of the Union coming to work within its Area and to collect all arrears of contribution and the amount of any levy imposed in accordance with the Rules but a Branch shall not admit or re-admit any person on loan from another Branch Area unless with the agreement of the Branch concerned.
4. There shall be separate Engineering/Postal Technical Services and Clerical Branches regulated according to procedures laid down in these Rules.
5. In the event of any doubt or dispute arising as to the appropriate Branch for a person to join, the National Executive Council shall decide.
6. All proceedings of Branches and sections and all business conducted by them shall be governed by the Rules of the Union and any bye-laws properly passed in accordance with these Rules and approved by the National Executive Council. Anything done in variance or conflict therewith shall be void unless subsequently rendered valid by ratification by the National Executive Council.
7. Branches may spend or put in reserve a sum up to the maximum of 10% of the Branch income in each year to establish a Social Fund. The purpose of the fund shall be to provide social and recreational facilities for the Branch members, provided that such expenditure does not create an



adverse balance in the Branch Fund. Regulations for the control and administration of the fund must be approved by the National Executive Council.

8. Branches may establish a Welfare Fund by the transfer of not more than 5% of the Branch income in each year which shall be used for the purpose of giving financial and/or other assistance to members in appropriate circumstances. Such a fund shall be administered by trustees elected by the Branch. This fund shall be controlled and administered in accordance with regulations approved by the National Executive Council.
9. A Branch may use its funds to affiliate itself to a Trades Council and to support properly sponsored appeals from Trades Councils to which Branches are affiliated.

#### **4.4.2 Engineering and Postal Technical Services Constituencies - Branch Organisation**

1. Every Branch shall elect a Chairperson, Secretary and Financial Secretary. Other officers may be elected to assist in the administration of the Branch.
2. A Branch Committee shall be elected and shall consist of not less than five members. Workplace representatives may also be elected as determined by the Branch.
3. A Branch may establish a section or sections on an occupational or geographical basis. Regulations for the government and administration of the section/sections shall be drawn up by the Branch and shall be included in the Branch bye-laws.
4. Every Branch shall adopt bye-laws which, when approved by the Branch and the National Executive Council shall, in accordance with the Rules of the Union, govern the business of the Branch.
5. Branch bye-laws shall make provision for:
  - Branch Elections
  - Duties of Officers
  - Administration of Branch Funds

In the event of a Branch not having adopted bye-laws the model bye-laws approved by the National Executive Council shall be deemed to have been adopted.

6. Every Branch shall meet not less than once every three months. The Annual General Meeting of the Branch shall be held not later than the last day of February in each year.
7. Any member shall be able to attend any meeting of any Engineering Constituency and/or Postal Technical Services Constituency Branch upon production of his/her membership card. The visiting member shall take no part in the business of the meeting unless called upon by the Chairperson to do so. The visiting member shall not exercise a vote at the meeting.
8. Any Branch may circulate or communicate with any other Branch in accordance with Rule 4.2.3.
9. Branch journals/magazines shall be submitted to Head Office for scrutiny and authorisation of publication. Such authorisation or otherwise shall be given to the Branch within seven days.

#### **4.4.3 Clerical Constituency - Branch Organisation**

1. General Meetings: Branches shall hold an Annual General Meeting prior to the Annual Conference to which there shall be presented an Annual Report and statement of accounts in the form prescribed by the Union. The Officers and Branch Committee shall be elected in accordance with their Branch Constitutions. Branches shall be empowered to hold any other Ordinary or Special General Meetings as may be necessary. Branches shall hold, between the date for receipt of booklets "Motions for Annual Conference" and the last working day before Conference, a Special General Meeting at which the members shall mandate their Conference delegate(s) as to how they shall vote on behalf of the Branch.

2. **Branch Committee:** The duties of the Branch and its Committee shall be to take action to protect and promote the interests of its members with special regard to local application; to render such returns of information as the National Executive Council may from time to time require; to ensure the regular collection and remittance of subscriptions; to assist the National Executive Council, in accordance with the Rules and Constitution of the Union.
3. **Rules:** Branches may frame additional Rules and standing orders for the conduct of their business. Such rules shall not take effect until they have been approved by the National Executive Council.
4. **Accounts:** The Branch Treasurer shall produce at each normal meeting of the Branch Committee a current statement of accounts together with relevant books and supporting vouchers which shall be inspected and approved by the Branch Chairperson.

#### **4.4.4 Engineering, Postal Technical Services and Clerical Branches - Branch Mergers**

1. Notwithstanding the provisions of Rules 4.4.1 to 4.4.3, Engineering/Postal Technical Services and Clerical Branches may, with the consent of the National Executive Council, form a single Branch.
2. The procedure to be followed when an Engineering/Postal Technical Services and a Clerical Branch wish to merge shall be as follows:
  - a) both Branches shall notify the General Secretary in writing of their intention;
  - b) the General Secretary shall bring the matter to the attention of the National Executive Council which shall authorise the merger procedure to commence, providing that the Branches proposing to merge are adjacent or within the same locality;
  - c) Branches given the consent of the National Executive Council to proceed shall notify each of their respective members of the intention to consider the matter at a specially convened meeting of the Branch;
  - d) if, at the meeting specified in (c) above both Branches agree to proceed with a merger, there shall be held an individual membership ballot in each Branch on the question. All members of both Branches shall be notified of the ballot and the timetable governing it, and shall be given the opportunity to vote;
  - e) for the merger to proceed a majority vote of members participating in each Branch ballot shall be required in favour of the proposal.
3. In addition to the general rules governing the conduct of Branches set out in Rule 4.4.1 of this Rule, and such regulations as the National Executive Council and the Annual Conference of the Union from time to time approve, merged Engineering/Postal Technical Services/Clerical Branches shall also be subject to the following requirements:
  - a) in each Branch there shall be separate Constituency Sections with a Chair and Vice-Chair and Committee to deal with matters specific to the respective Constituency;
  - b) in each Branch upon the determination of occupational and constitutional issues, the votes of each Constituency may be separately recorded;
  - c) in each Branch the selection of Conference delegates and nominations for the National Executive Council shall be determined by the appropriate Constituency;
  - d) at every session of the Union's Conference, upon the determination of occupational and constitutional issues, merged Branches may, where there is no common Branch policy, divide their votes, including card votes, on a Constituency basis.

#### 4.4.5 Branch Funds

1. The net contributions collected from members shall be divided between the Branch and General Fund as follows:

- a) **Branch Fund**

Forty per cent of all contributions of the first one hundred members in each Branch: twenty per cent of all contributions of members over one hundred in each Branch.

An additional twenty per cent of their Branch's deductions at source may be paid to Training School and Motor Transport Branches if required.

- b) **General Fund**

Sixty per cent of all contributions of the first one hundred members in each Branch: eighty per cent of all contributions of members over one hundred in each Branch.

#### 4.4.6 Control of Branch Funds

1. The principal Officers of a Branch, namely, the Chair, Secretary and Financial Secretary/Treasurer, shall be collectively responsible for ensuring that the finances of the Branch are properly and effectively controlled, consistent with the requirements of the Union's Rules, and such regulations and conditions as may be laid down from time to time by the National Executive Council, Annual Conference, or the Trustees.
2. All Branches must submit audited statements of their income and expenditure to the Union's Head Office within ten weeks of the end of every year.
3. The duties of a Branch Financial Secretary/ Treasurer shall be:
  - a) To receive applications for membership on the forms provided, and to ensure that they have been signed, and to ensure that any entrance fees and contributions have been paid.
  - b) To forward to Head Office within seven days of a candidate's admittance as a member, the application form endorsed to that effect.
  - c) To formally notify members who fall into arrears with their contributions and warn them of the disadvantages and penalties entailed in Rule 3.4.2.11.
  - d) If and when a requirement arises to collect cash from members by way of a levy or any other contribution or donation, to receive from collectors or other officers or members all monies collected by them for and on behalf of the Union, and to give a written receipt for the same.
  - e) To place in the bank, within four days of the receipt, all contributions, entrance fees, and other monies whatsoever received by him/her.
  - f) To show the Chair or other officer acting in his/her place the bank book and statement of his/her Branch at least once monthly.
  - g) To keep a register of members of the Branch and, where the Rules of the Union so require, to keep either a separate register of the members of each main occupational section or a register in separate sections, so as to show which members belong to the different sections.
  - h) To keep legible and intelligible records of all the financial transactions of his/her Branch.

- i) To forward to the Head Office, by the required date, the appropriate cash account form authenticated by the Branch Auditors, detailing the annual income and expenditure of the Branch within one week of the Annual General Meeting of the Branch.
- 4. The financial duties of a Branch Chair (and failing him/her any officer acting in his/her place) shall be:
  - a) To examine the monthly bank statement of the Branch and initial that statement not less than once each month to check that the responsible Branch officer has in fact placed all monies received by him/her in the bank in accordance with paragraph 3e) above. To assist such Chair or officer to carry out these duties a copy of the monthly statement from the bank indicating the state of the Branch Account shall be forwarded to the Branch Chair.
  - b) Branches may spend or put to reserve a sum up to a maximum of 10 per cent of the Branch income in each year to establish a Social Fund for the purpose of providing social and recreational facilities for its members provided that such expenditure does not create an adverse balance in the Branch Fund. Branches shall be required to submit to the Head Office for its approval the necessary regulations designed to control this form of expenditure. In any event where there is no Social Fund a Branch may so spend up to 10 per cent of the Branch income on social and recreational facilities provided that this does not create an adverse balance.
  - c) Branches may establish a Branch Welfare Fund by the transfer of not more than 5 per cent of the Branch income in each year for the purpose of giving financial and/or other assistance to members in appropriate circumstances. Such Fund to be administered by Branch Trustees elected by the Branch and governed by regulations approved by the National Executive Council.
  - d) A Branch may by majority resolution affiliate itself out of Branch funds to a Trades Council or any other body approved in accordance with Rule 2.1f) subject to report to the National Executive Council. Branches may also use Branch funds to support properly sponsored appeals from Trades Councils to which Branches are affiliated.



## **Rule 5**

# **National Organisation**

### **5.1 National Executive Council**

1. There shall be a National Executive Council which shall be responsible for:
  - a) implementing the decisions of the Main session(s) of Annual/Special Conference;
  - 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.
2. The National Executive Council will comprise:
  - a) members of the Industrial Executives;
  - b) the former General Secretary, National Organising Secretary and Assistant Secretary (legal and medical). ~~(Amended)~~
3. Annually elected members of the National Executive Council shall begin their term of office on the day after the close of Annual Conference.
4. Four of the annually elected members of the National Executive Council shall be elected every year by Annual Conference to serve as Trustees. No more than one Trustee shall be taken from any Constituency.
5. In order to assure equitable distribution of resources to the various Constituencies within the Union, the annual budget shall require a two-thirds majority of the members of the National Executive Council in order for it to be adopted for that year.
6. The National Executive Council shall be responsible for allocating resources to sustain industrial action which has been authorised in accordance with the Rules of the Union.
7. The National Executive Council shall set up such committees as it considers necessary for the efficient government of the Union. The structure of these sub-committees and their principal procedural rules shall be contained in regulations published to Branches. The content of those regulations shall only be varied by a two-thirds majority vote by members of the National Executive Council. Notwithstanding the other provisions of this Rule, there shall be an Equal Opportunities Sub-Committee as defined in Rule 5.1.8, and a Health, Safety and Environment Sub-Committee as defined in Rule 5.1.9.
8. There shall be an Equal Opportunities Sub-Committee of the National Executive Council which shall be the focus at national level for progressing those equality issues that are within the remit of the National Executive Council, and shall ensure that the Union's policies on equal opportunities issues are implemented. The Committee shall also:
  - a) make recommendations to the National Executive Council on relevant equal opportunities issues;
  - b) promote and campaign on equal opportunities issues with the Equal Opportunities Advisory Committees in accordance with the decisions of Annual Conference and the National Executive Council;
  - c) receive reports and consider recommendations from the Equal Opportunities Advisory Committees as defined in Rule 5.8, and co-ordinate their activities in areas of common interest.

The Sub-Committee shall comprise twelve members of the National Executive Council, each of whom shall be a member of one Equal Opportunities Advisory Committee, together with the Chairs of the Advisory Committees who shall attend in an advisory capacity.

9. There shall be a National Health, Safety and Environment Sub-Committee of the National Executive Council which shall be the focus at national level for progressing those health, safety and environment issues which impact across more than one industry and which shall ensure that the Union's policies on health, safety and environment issues are implemented. The Committee shall also:
  - a) make recommendations to the National Executive Council on relevant health, safety and environment issues;
  - b) promote and campaign on health, safety and environment issues;
  - c) carry out the decisions of Annual Conference and the National Executive Council on health, safety and environment issues.
10. The National Executive Council 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

#### **President and Vice President**

11. The Union will have a National President and National Vice President. These Offices shall rotate annually between the Chair of each Industrial Executive.
12. The National President shall Chair the National Executive Council and shall preside at the Main Annual Conference/Special Conferences. The National Vice President shall deputise for the National President when necessary.

#### **5.2 Industrial Executives**

1. There shall be two Industrial Executives called the Telecoms and Financial Services Executive, and the Postal Executive.
2. Industrial Executives shall be responsible for:
  - a) implementing the decisions of Industry/Business Conferences;
  - b) between Annual Industry/Business-based Conferences, the Industrial Executives shall have autonomy to deal with, and implement decisions on, all occupational and conditions of service issues that are exclusively within the decision-making authority of the employers within their remit.
  - c) Deputising for the Assistant Secretaries Postal in their absence/unavailability in dealing with the employer within their remit.
3. "Exclusively within the decision-making authority of an employer" in Rule 5.2.2b means those issues which do not involve a third party.
4. Decisions made by Industrial Executives will not have to be submitted to the National Executive Council for approval.
5. Minutes of Industrial Executives shall be submitted to the National Executive Council for information only.
6. 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, the Industrial Executive must consult the Branches or members concerned by either Branch or

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individual ballot, as appropriate, the result of which will be binding on the Industrial Executive, before such a proposed agreement is signed.

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 for further discussion and amendment.

7. Industrial Executives will have authority to authorise industrial action in line with Rule 13 of these Rules.

#### **~~Opposition to the Telecoms and Financial Services Executive (Amended)~~**

#### **Role of the Telecoms and Financial Services Executive**

1. The Telecoms and Financial Services Executive shall be responsible for:
  - a) occupational and conditions of service issues for all telecommunications, information technology and related employers where the Union is recognised;
  - b) all matters relating to the Girobank/Alliance & Leicester and its subsidiaries or successors.

#### **Composition of the Telecoms and Financial Services Executive**

2. Telecoms and Financial Services Executive will comprise the following voting members defined in Rule 5.3 paragraphs 3, 5 and 6.
3. The Telecoms and Financial Services shall consist of the following members, who will be elected on an annual basis by a simple majority of those entitled to vote:
  - a) Chair and Deputy Chair and 13 representatives elected by and taken from members of the Engineering Constituency;
  - b) Chair and Deputy Chair and 5 representatives elected by and taken from members of the Clerical Constituency;
  - c) Chair and Deputy Chair and 1 member elected by and from members of the Operator and Ancillary Constituency.
4. ~~(Deleted as time expired)~~
5. Candidates for Constituency Chairs and Deputy Chairs shall also be eligible for nomination to the other seats within their respective Constituencies. ~~(To be Renumbered)~~
6. One Assistant Secretary who will deal with Operator & Ancillary grades elected in accordance with Rule 7.7. ~~(To be Renumbered)~~
7. ~~(Deleted as time expired)~~

#### **Chair of the Telecoms and Financial Services Executive**

8. A Chair of the Industrial Executive will be elected on an annual basis by and from all the members of the Engineering, Clerical and Operator & Ancillary Constituencies by a simple majority of those members entitled to vote. ~~(To be Renumbered)~~
9. Candidates for Chair shall be eligible for nomination to other Telecoms and Financial Services Executive seats in their respective Constituency. ~~(To be Renumbered)~~
10. The position of Chair shall not increase the number of annually elected members elected in accordance with Rule 5.3.3 or 5.3.7. ~~(To be Renumbered)~~

11. Consequently, the Constituency from which the successful candidate for Chair is elected shall have its total entitlement outlined in Rule 5.3.3 reduced by one. **(To be Renumbered)**

#### **Vice Chair of the Telecoms and Financial Services Executive**

12. The position of Vice Chair of the Telecoms and Financial Services Executive will be rotated on an annual basis between the three Constituency Chairs. **(To be Renumbered)**
13. If a Constituency Chair is elected Chair of the Telecoms and Financial Services Executive in the same year as they would be expected to take up the Vice Chair of the Telecoms and Financial Services Executive, then the Vice Chair position shall pass to the next Constituency Chair in the rotation pattern. **(To be Renumbered)**
14. The Chair of the Telecoms and Financial Services Executive shall Chair meetings of the Industrial Executive and preside at the main annual session of the Telecoms and Financial Services Industrial Conference and/or any Special Conference. The Vice Chair shall deputise for the Chair when necessary. **(To be Renumbered)**

#### **Financial Services Sub-Committee**

15. There shall be a Financial Services Sub-Committee of the Telecoms and Financial Services Executive. **(To be Renumbered)**
16. The Sub-Committee shall have autonomy on all issues which come exclusively within the decision-making authority of Girobank/Alliance & Leicester or their successors and subsidiaries except for those issues that conflict with, or embrace, a policy matter appropriate to the National Executive Council. **(To be Renumbered)**
17. Minutes of the Sub-Committee shall be submitted to the Telecoms and Financial Services Executive only for ratification, except where an issue is referred to the Telecoms and Financial Services Executive for resolution. **(To be Renumbered)**
18. Decisions of the Sub-Committee do not need to await ratification for implementation. **(To be Renumbered)**
19. Any two members of the Sub-Committee shall have the authority to record their disagreement with a decision of that Sub-Committee and have the issue referred to the Telecoms and Financial Services Executive for resolution. **(To be Renumbered)**
20. The composition of the Sub-Committee shall be decided by the Telecoms and Financial Services Executive. **(To be Renumbered)**

#### **21. Organisational and Occupational Committees **(To be Renumbered)****

##### **a) Clerical Organisational and Occupational Committee**

- 21.1 There shall be a Clerical Organisational and Occupational Committee which shall have the following role and authority: **(To be Renumbered)**
- a) Subject to the authority of the National Executive Council, to ensure, through the most effective organisation, the maintenance of the maximum possible Union membership in the Clerical Constituency.
  - b) Subject to the authority of the Telecoms and Financial Services Executive, to determine and implement occupational policies which are solely relevant to the Constituency.
- 21.2 The Committee shall be serviced by the four annually elected Assistant Secretaries from the Clerical Constituency under the direction of the General Secretary. **(To be Renumbered)**



- 21.3 The Committee shall consist of 12 people, and shall be elected by and from the Clerical Constituency and will be a composite Committee consisting of those members of the National Executive Council elected by the Clerical Constituency and additional members to comprise a total of 12 members. The additional members shall be elected on a national basis at the same time as the National Executive Council elections. **(To be Renumbered)**
- 21.4 Clerical candidates for the National Executive Council including Constituency Chairs and Deputy Chairs, shall also be eligible for nomination to the Clerical Organisational and Occupational Committee and/or as an annually elected Clerical Assistant Secretary. **(To be Renumbered)**
- 21.5 **Deleted as time expired**
- 21.6 The Committee will normally meet six times a year. **(To be Renumbered)**
- 21.7 As with all Committees, there will be a financial budget determined by the National Executive Council. **(To be Renumbered)**
- 21.8 The formation of the Clerical Organisational and Occupational Committee in the merged Union will replace the separate Clerical meetings which formerly discussed Clerical only agenda items within the NCU BT plc Occupational Sub-Committees. **(To be Renumbered)**
- b) Operator and Ancillary Organisational and Occupational Committee.**
- 21.9 There shall be an Operator and Ancillary Organisational and Occupational Committee which shall have the following role and authority: **(To be Renumbered)**
- a) Subject to the authority of the National Executive Council, to ensure, through the most effective organisation, the maintenance of the maximum possible Union membership in the Operator and Ancillary Constituency.
  - b) Subject to the authority of the Telecoms and Financial Services Executive, to determine and implement occupational policies which are solely relevant to the Constituency.
- 21.10 The Committee shall be led by the one Assistant Secretary from the Operator and Ancillary Constituency under the direction of the General Secretary. The Officer will be a voting member of the Committee and additional to the numbers mentioned in Rule 5.21.11. **(To be Renumbered)**
- 21.11 The Committee shall consist of 7 people, and shall be elected by and from the Operator and Ancillary Constituency and will be a composite Committee consisting of those members of the National Executive Council elected by the Operator and Ancillary Constituency and additional members to comprise a total of 7 members. **(To be Renumbered)**
- 21.12 Operator and Ancillary candidates for the National Executive Council including Constituency Chairs and Deputy Chairs, shall also be eligible for nomination to the Operator and Ancillary Organisational and Occupational Committee. **(To be Renumbered)**
- 21.13 **Deleted as time expired**
- 21.14 The Committee will normally meet six times a year. **(To be Renumbered)**
- 21.15 As with all Committees, there will be a financial budget determined by the National Executive Council. **(To be Renumbered)**

#### **Other Sub-Committees**

22. In addition to the Financial Services Sub-Committee, the Clerical Organisational and Occupational Committee and the Operator and Ancillary Organisational and Occupational Committee, the Telecoms and Financial Services Executive shall be empowered to establish other sub-committees as it considers necessary for the efficient conduct of its business. **(To be Renumbered)**

23. The structure and the procedural rules of these other sub-committees shall be contained in regulations which shall be published to Branches. ~~(To be Renumbered)~~
24. The content of those regulations shall only be varied by a majority vote of the members of the Telecoms and Financial Services Executive, including a majority from each Constituency. ~~(To be Renumbered)~~

#### **5.4 Postal Executive**

1. The Postal Executive shall be responsible for occupational and conditions of service issues for all Postal and related employers where the Union is recognised.

#### **Composition**

2. The Postal Executive will comprise the voting members defined in Rule 5.4 paragraphs 3, 4 and 5.
3. The following seats will be elected on an annual basis by a simple majority of those members entitled to vote:
  - a) 15 members elected by and taken from members of the Postal Constituency;
  - b) 2 members elected by and taken from the Postal Technical Services Constituency.
4. The Deputy General Secretary (Postal) elected in accordance with the arrangements within the former UCW as amended by Rule 7.
5. Four Assistant Secretaries who deal with postal issues, elected in accordance with Rule 7.7. ~~(Amended)~~

#### **Chairs and Vice Chairs of the Postal Executive**

6. There shall be a Chair and Vice Chair of the Postal Executive who will be elected on an annual basis by and from members of the Postal and Postal Technical Services Constituencies by a simple majority of those members entitled to vote.
7. Members of the Postal and Postal Technical Services Constituencies shall be eligible for nomination for both the Chair and Vice Chair positions and shall also be eligible for nomination to other Postal Executive seats in their respective Constituency.
8. The positions of Chair and Vice Chair shall not increase the number of annually elected members elected in accordance with Rule 5.4.3.
9. Consequently, the Constituency from which the successful candidate for Chair is taken shall have its total entitlement outlined in Rule 5.4.3 reduced by one, and the Constituency from which the successful candidate for Vice Chair is taken shall have its total entitlement outlined in Rule 5.4.3 reduced by one.

#### **Common Issues**

10. Decisions on common issues, i.e. those which impact on Technical Services and other grades, should be made on a consensus basis which recognises that there may be different requirements for the respective grades.

#### **Postal Technical Issues**

11. In respect of issues relating solely to Postal Technical Services grades, the consent of the two members elected by and from the Postal Technical Services Constituency shall be required for any decision of the Postal Executive to be effective.

**Officerial Arrangements**

12. There will be no sub-committees for any groups or grades within the Postal Executive, but the Officer(s) concerned will be available to meet with Postal Technical Services representatives at any time and will ensure regular discussion of Technical Services issues.
13. Typists and Secretarial grades will be allocated an Officer who will ensure regular contact with their representatives on the same basis.

**5.5 Election Procedures for Annually Contested Seats**

1. The method of recommending support for candidates to its own Branch members will be a matter for each Branch.
2. The ballot paper shall list candidates in alphabetical order and will indicate both forename(s), (or the name by which they are commonly known) and surnames.
3. Asterisks or any other marker indicating existing Executive status shall not be included on the ballot paper.
4. 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 for annually contested Constituency seats 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.
5. Candidates for the Postal and Operator and Ancillary Constituency seats on the National Executive Council must have the nomination of their own Branch. Such nominations must have been approved by a properly constituted Branch meeting.
6. Candidates for the Clerical, Engineering and Postal Technical Services Constituency seats on the National Executive Council must be nominated by a Branch, or Branches, which has members in the candidates' Constituency. Branches shall be entitled to nominate as many candidates as there are vacant seats in any Constituency which they have members. Such nominations must have been approved by a properly constituted Branch meeting. Details of Branch nominations shall be published to Branches and included with the candidates' election statements.
7. Nomination arrangements for candidates for the Chair of the Telecoms and Financial Services Executive and the Chair and Vice Chair of the Postal Executive shall be in accordance with the Rules which relate to the Constituency of which the candidate is a member.

**5.6 Minutes**

1. The minutes taken at the National Executive Council shall be circulated to Branches upon application.
2. The minutes and recorded votes taken at the Telecoms and Financial Services Industrial Executive shall be circulated to Branches.
3. The minutes and recorded votes taken at the Postal Executive shall be circulated to branches.

**5.7 Delegations**

The NEC will publish regulations to deal with the size and election of those delegations elected at the Annual Conference.

**5.8 Equal Opportunities Advisory Committees****General**

1. There shall be four Equal Opportunities Advisory Committees:

- a) Women's
- b) Ethnic Minorities
- c) Lesbian and Gay
- d) Disabilities and Special Needs

#### **Role of Equal Opportunities Advisory Committees**

- 2. The Advisory Committees shall advise the National Executive Council's Equal Opportunities Sub-Committee on any issue which is relevant to the section of the membership they represent and which is within the remit of the National Executive Council.
- 3. The Advisory Committees shall, in co-ordination with the Equal Opportunities Sub-Committee, be able to advise the Industrial Executives (or their Sub-Committees) on any issue which is relevant to the section of the membership they represent and which is within the remit of the Industrial Executives (or their Sub-Committees).
- 4. The Advisory Committees shall have an integral campaigning role on equal opportunities issues in partnership with the National Executive Council's Equal Opportunities Sub-Committee.

#### **Composition of Equal Opportunities Advisory Committees**

- 5. Each of the four Equal Opportunities Advisory Committees shall comprise a number of lay members including at least one member from each Constituency, and three members of the National Executive Council. Wherever possible, the Advisory Committees will include and reflect the gender and ethnic origin of the relevant group of the Union.
- 6. The lay members of the Women's, Ethnic Minorities, Lesbian and Gay and Disability and Special Needs Advisory Committees shall be elected by vote of Annual Conference based on Branch voting strengths.

#### **Chairs of Equal Opportunities Advisory Committees**

- 7. The four Equal Opportunities Advisory Committees shall elect a Chair from amongst their lay members. The Chairs shall be entitled to attend the National Executive Council's Equal Opportunities Sub-Committee in order to contribute to the debate, make recommendations and report on behalf of their Committee in a non-voting capacity.

#### **5.9 Business Co-ordination Committees and Occupational Advisory Committees**

- 1. All existing Business Co-ordination Committees established according to Rule 12.6 and Occupational Advisory Committees established according to Rule 12.4 will continue in the Union.

#### **5.10 Retired Members Advisory Committee**

- 1. There shall be a Retired Members Advisory Committee which shall consist of four members of the National Executive Council, including the Vice President, and twelve retired members elected by Annual Conference 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.
- 2. The Committee shall meet at least twice per year and shall normally be chaired by the Vice President.
- 3. The aim of the Committee shall be to protect the interests of pensioners and shall include:
  - advising the National Executive Council on any matters pertinent to retired members of the Union;



- selecting propositions and delegates to National Pensioners Committees and Conferences.

4. Reports of the business of the Advisory Committee shall be submitted to Annual Conference and the National Executive Council.

#### **5.11 Youth Advisory Committee**

1. There shall be a Youth Committee which shall consist of four members of the National Executive Council and twelve lay members elected by Annual Conference from nominations on the following basis; two from Wales, two from Northern Ireland, two from Scotland and six from England. All candidates shall be under the age of 30 on the closing day of Annual Conference.
2. The Committee at its first meeting shall elect a Chair who shall attend full NEC meetings and meetings of the National and International Policy Sub Committee in an ex-officio capacity.
3. The Committee shall meet at least four times a year.
4. The aim of the committee shall be to protect and promote the interests of youth and shall include:
  - a) advising the National Executive Council on any matter pertinent to young people
  - b) selecting delegates and propositions to affiliated youth bodies including the TUC Youth, Young Labour and International forums.
  - c) nominating candidates for national committees of affiliated youth bodies including the TUC Youth, Young Labour and International forums.
5. Reports of the Youth Committee shall be submitted to the National Executive Council and the Regional Committees and other appropriate bodies for information.

## **Rule 6**

## **Annual Conference**

### **The General Conference**

#### **6.1 General**

1. There shall be an Annual Conference of the Union in or about May/June of each year to debate and determine matters of policy and to elect such national representatives as are appropriate to be elected at the Annual Conference.

The normal length of the Annual Conference shall be six days. Two days shall be reserved for the General Conference and four days shall be reserved for the Postal and the Telecoms and Financial Services Conferences. The Business/Grades/ Sections/ Constituency Conferences will be conducted within this allocation.

2. The Annual Conference is the supreme authority in the Union on matters of common policy whilst it is in session. The main role of the National Executive Council is to carry out the instructions of Annual Conference. To this end the supreme authority is vested in the National Executive Council between Conferences. Decisions taken and policies determined on behalf of the Union by the National Executive Council are ultimately subject to ratification by Annual Conference.
3. The procedures for promoting policy in the TUC, and the wider labour movement, and associated delegations will be the subject of the Report outlined in Rule 5.7.

#### **6.2 Business of the General Conference**

1. The business of the General Conference shall be to consider motions submitted by the National Executive Council, Branches and Regional Committees and to receive a report from the Officers and the National Executive Council. 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 National Executive Council and all members.

#### **6.3 General Conference Delegation**

1. The maximum Branch representation to the General Conference of the Union shall be as per tables 1 and 2.

**Table 1 - Engineering, Clerical and Postal Technical Services**

| Membership  | Delegation |
|-------------|------------|
| Up to 75    | 1          |
| 76 - 400    | 2          |
| 401 - 1000  | 3          |
| 1001 - 1500 | 4          |

with one additional delegate for each 500 thereafter.

**Table 2 - Postal, Operator and Ancillary**

| Membership | Delegation |
|------------|------------|
| 1 - 250    | 1          |
| 251 - 500  | 2          |

|               |    |
|---------------|----|
| 501 - 750     | 3  |
| 751 - 1000    | 4  |
| 1001 - 1500   | 5  |
| 1501 - 2001   | 6  |
| 2001 - 3000   | 8  |
| 3001 - 4000   | 10 |
| 4001 - 6000   | 12 |
| 6001 and over | 14 |

2. In addition to the formula for Branches at Table 2, Branch Secretaries shall be entitled to attend the General Conference by virtue of office. They shall attend in an ex-officio capacity with the right of speech but no voting powers.
3. Regional Secretaries ~~and those Officers from each of the Businesses designated to attend the Regional Committee~~ shall attend the General Conference in an ex-officio capacity, having the right of speech but no voting powers. They may participate in the discussion at the General Conference on the specific request of their respective parent Committee or of a Branch within that Committee.
4. At all Conferences of the Union Branches may vary their delegates as they wish within the total delegation entitlement applicable to their Branch at the Conference.

#### 6.4 Motions

1. Branches and Regional Committees will be entitled to submit up to three motions. The National Executive Council shall also be entitled to submit motions as appropriate.
2. Regional Safety Forums will be entitled to submit up to three motions to General Conference against the health and safety section of the Annual Report. In addition Regional Safety Forums will also be entitled to submit up to three motions to Rules Revision Conference.

#### 6.5 Voting Procedures

1. Voting at the General Conference shall normally be by a show of hands.
2. To reflect the difference in the membership levels between the Engineering, Clerical and Postal Technical Services Branches and the Postal, Operator and Ancillary Branches, the hand count will be weighted in favour of the Postal, Operator & Ancillary Branches who shall have 60% of the General Conference vote. The National Executive Council shall draw up regulations for the hand voting procedure.

- 6.6 A card vote may be called for either by the Chairperson 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 paid up membership of each Branch at 31 December in the preceding year.

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

#### 6.8 Standing Orders Committee (General Conference)

1. There shall be a Standing Orders Committee which shall be responsible for arranging the timetable and order of each session of the General Conference. The Committee shall prepare the

standing orders for the General Conference which shall be published to Branches and adopted at the General Conference.

2. The Standing Orders Committee shall consist of 8 members; 4 members elected annually immediately following Annual Conference by and from the Postal Standing Orders Committee and 4 members elected annually immediately following Annual Conference by and from the TFS Standing Orders Committee. The General Conference SOC shall appoint is Chairperson and Vice-Chairperson for a 12 month period on a rotating basis between a member from the Postal SOC and a member of the TFS SOC.
3. The General Conference SOC shall be responsible for:
  - i) Drawing up preparatory procedures and timetable in respect of the publication of the Annual Report, submission of Motions and Emergency Motions.
  - ii) The timetabling at General Conference of any ballots that the NEC determines shall be conducted during the course of Annual Conference. The counting of such ballots shall be conducted by the Administration.
  - iii) The admission, compositing, placement and publication of Motions and Emergency Motions. Additionally 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.
  - iv) In consultation with the Chairperson of the Conference, deciding and publishing the consequences of motions being carried upon later motions on the agenda. In determining such consequentials, the Standing Orders Committee shall attempt to ensure that once Conference has established a policy on an issue, that issue shall not be debated again at the same Conference.
4. The Standing Orders for the General Conference shall include provision that:
  - i) the NEC shall indicate in an SOC document (published prior to Conference) the motions which they are prepared to accept. If this is agreed by the 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 Rule 6.6;
  - iii) the NEC, Branches and Regional Committees shall be able to challenge the terms of the SOC report and General Conference Agenda, subject to having given prior notification to the General Conference SOC under procedures to be determined by the SOC and published within the Standing Orders for the General Conference.

#### 6.9 Special General Conference



1. The National Executive Council shall have the authority to convene a Special Conference at any time that it is deemed to be necessary.
2. A Special General Conference may also be convened if called for by not less than 50% of the Branches of the whole Union. Such requests from Branches shall come from properly constituted Branch membership meetings.
3. The Branch delegations to a Special Conference shall normally be those which attend the Annual General Conference.
4. A Special Conference shall only deal with the business for which the Conference has been called.
5. The Standing Orders and procedures adopted for a Special Conference shall, as far as it is possible, be in accord with those used for the Annual General Conference.

## Telecoms and Financial Services Conference

### 6.10 General ~~Amended~~

1. The Telecoms and Financial Services Conference shall be divided into sessions as follows:
  - a) Joint Industry Based Conferences for Telecoms and related industries. This shall include an appropriate time slot to consider BT Motor Transport grade based issues;
  - b) Financial Services;
  - c) Constituency based industrial conferences on matters appropriate solely to the Constituencies;
2. The Telecoms and Financial Services Conferences shall be the supreme authority on those occupational and conditions of service issues which are relevant to each particular Conference and which are within the remit of the Telecoms and Financial Services Executive. The Telecoms and Financial Services Conference shall not discuss items of common policy which are proper to the General Conference.
3. The Telecoms and Financial Services Executive shall be responsible for allocating time to each session.

- 6.11 The Telecoms and Financial Services Executive shall carry out all instructions arising out of propositions affecting pay and conditions carried at the Telecoms and Financial Services Conference.

### 6.12 Delegates

1. Branches shall be entitled to be represented at the Telecoms and Financial Services Conference in accordance with the number of appropriate members of each Branch as follows:
  - a) Membership up to 75 - 1 delegate
  - b) Membership between 76 and 400 - 2 delegates
  - c) Membership between 401 and 1,000 - 3 delegates
  - d) Membership between 1,001 and 1,500 - 4 delegates with one additional delegate for each 500 thereafter.

Except that Operator and Ancillary grades shall be represented in accordance with Table 2, General Conference Rule 6.3.1.

Branches may vary their delegates as they wish within the total delegation entitlement applicable to their Branch at Conference.

- 6.13 In addition to the above, the Telecoms and Financial Services Executive shall, by regulation, enable representation for Branches at each session of Conference in which they have a membership interest.

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- 6.14 Each Branch shall be entitled to submit up to four propositions to each of the Industry Based Conferences (including the Constituency Based Industry Conferences) in which they have members. In addition, each Branch with members in BT Motor Transport grades shall be entitled to submit an additional proposition to be heard in the appropriate time slot described in Rule 6.10.1a.

- 6.15 The Telecoms and Financial Services Executive shall be entitled to submit propositions to each session of Conference as appropriate.

**6.16 Voting**

1. Voting on all policy matters at joint sessions of the Industry Based Conferences shall normally be by a show of hands, except where a card vote is called for by a number of delegates as specified under Standing Orders on their feet calling for such a vote.

However, once it is decided that a card vote will take place a delegate may, on a point of order, ask for a Constituency based card vote. Such a request must be supported by the number of delegates as specified in Standing Orders before such a card vote can take place. In this case the votes of the Clerical, Engineering and Operator and Ancillary Grades membership of Branches will be counted separately. A proposition shall be treated as carried under this procedure if it obtains a majority vote of the members of all three Constituencies.

2. Voting on all policy matters at Constituency Based Industry Conferences shall normally be by a show of hands, except where a card vote is called for by a number of delegates as specified under Standing Orders on their feet calling for such a vote.
3. At every session of the Union's Conference, upon the determination of occupational and constitutional issues, merged Engineering and Clerical Branches may, where there is no common Branch policy, divide their votes, including card votes, on a Constituency basis.
4. When a card vote is taken on either basis, it shall be based on the paid up membership of each Branch at the 31 December in the preceding year.

- 6.17 The Telecoms and Financial Services Executive shall prepare and circulate to all delegates attending Conference a list of the Executive's recommendations on each proposition. This should be available at the start of each day's business and cover the propositions to be debated during that day.

- 6.18 Subject to the endorsement of the National Executive Council, the Telecoms and Financial Services Executive shall be empowered to convene a special or emergency session of conference outside the Annual Conference. A special or emergency session of Telecoms and Financial Services Conference may also be convened if called for by not less than 50% of the Branches within the Telecoms and Financial Services Constituency. Such requests from Branches shall come from properly constituted membership meetings.

**6.19 Standing Orders Committee (Telecoms and Financial Services)**

- R.R  
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1. There shall be a Standing Orders Committee which shall be responsible for arranging the timetable and order of each session of the Telecoms and Financial Services Conference. The Committee shall prepare the Standing Orders for the Telecoms and Financial Services Conference which shall be published to Branches and adopted at the Telecoms and Financial Services Conference.
2. The Standing Orders prepared by the Standing Orders Committee shall permit delegates to challenge the Standing Orders Committee's rulings with regard to the order of business and those

propositions ruled out of order at the beginning of each session of the Telecoms and Financial Services Conferences defined in Rule 6.10.

3. The Standing Orders Committee shall consist of ten members, six elected by and from the Engineering Constituency, three elected by and from the Clerical Constituency and one elected by and from the Operator and Ancillary Constituency.
4. The ten members of the Standing Orders Committee shall be elected by and from their respective Constituency using the Branch block vote procedure at Annual Conference.
5. The period of office of each member of the Standing Orders Committee shall be for three years. There shall be an annual election for three members, two elected by the Engineering Constituency, one by the Clerical Constituency.
6. 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.

## Postal Conference

### 6.20 Conference Arrangements

- R.R.  
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1. Within the Postal Conference, arrangements will be made to provide for a Post Office Industry Conference, a Counters Section (including TV Licensing and Corporate), a Letter Section and a Parcels Section Conference and a Technical Services Section Conference.

### 6.21 Industry Conference and the Standing Orders Committee Report

1. The Postal Industry Conference shall deal with the Standing Orders Committee Report including Supplementary Reports and Appeals against Standing Orders Committee Report decisions as appropriate to that Conference which shall be terminated no later than 1 hour after the commencement of the Conference.

### 6.22 Chairs of the Industry Conference and Section Conferences

1. The Chair of the Postal Executive shall be the Chair of the Postal Industrial Conference. The Chair shall briefly welcome delegates at the opening of proceedings.
2. The Chair of the Industry Conference shall be responsible for the preparation and circulation of rulings in relation to the Industry Conference and Section Conferences.
3. The Chair's decisions on the construction of the Standing Orders, and on any question of order not provided for by the Standing Orders shall be final and conclusive in so far as the Industry Conference is concerned, unless it is challenged. The correct method of challenging the ruling shall be to move: "I wish to challenge your ruling". Such a motion shall be carried by a simple majority.

4. The Chair shall be responsible for the implementation of the Programme of Business at the Industry Conference.
5. The Chair of the Industry Conference shall also be the Chair of the appropriate Section Conference in which business the Chair is employed. The Chair of the other Section Conferences shall be elected by the Postal Industrial Executive concerned from amongst its members.
6. The Chairs of the Section Conferences shall be responsible for the implementation of the Programme of Business at the Section Conference to which they have been appointed, and it shall be their duty to ensure that its decisions are reported to the Industry Conference for adoption.

#### **6.23 Business of the Postal Conference**

1. The business of the Postal Industry or Sectional Conferences shall be to receive reports from the Officers and Postal Executive and the Postal Standing Orders Committee, to deal with recommendations, Motions and Amendments submitted by the Postal Executive, Branches and Business Co-ordinating Committees as appropriate and set out in National Rules.
2. The Postal Conferences shall be the supreme authority on those occupational and conditions of service issues which are relevant to each particular Conference and which are within the remit of the Postal Executive. The Postal Conference shall not discuss items of common policy which are proper to the General Conference.

#### **6.24 Branches**

1. Branch representation entitlements shall be based on the Branch membership at 31 December, as completed by the Organising Department.
2. Branches may vary their delegates as they wish within the total delegations entitlement applicable to their Branch at the Conference.

#### **6.25 Conference Delegations**

1. The maximum Branch representation to Postal Industry Conference of the Union shall be as per the table in Rule 6.25.2 with the entitlement being based on the number of members of the grades appropriate to the Group/Sectional Conference concerned.

| <b>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                |

2. Except that Postal Technical Services and Secretarial Grades will be represented in accordance with the provisions of Rule 6.12 and 6.26.
3. In addition to the formula for Branches at 6.25.2 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 those Officers from each of the Businesses designated to attend the Regional Committee, shall attend the Postal Conference in an ex officio capacity, having the right of speech but no voting powers. They may participate in the discussion at Conference on the specific request of their respective parent committee or of a Branch within that committee.



**6.26 Representation of Postal Technical Services, and Typing and Secretarial Grades**

1. Branches containing Postal Technical Services or Postal Typing and Secretarial grades with less than 400 members in total, but with more than 30 members employed by the Post Office, shall be entitled to select an extra delegate to attend the Postal Conference, which shall be in addition to those provided for in Rule 6.12.
2. Branches that have insufficient members to represent their Postal Technical Services or Postal Typing and Secretarial members at the Postal Conferences, including Letters, Parcels and Counters, shall receive their representation from the appropriate Postal Divisional Council.
3. Branches containing 30 or less Postal Technical Services or Postal Typing and Secretarial members shall, at meetings arranged by Postal Divisional Councils, have the right to select delegates to attend the Postal Conferences. The number of such delegates shall be determined by aggregating the number of members from the relevant Branches with 30 or less members employed in the Post Office, and applying the following formula:

|                     |   |                 |
|---------------------|---|-----------------|
| up to 75 members    | — | one delegate    |
| over 75-400 members | — | two delegates   |
| over 400 members    | — | three delegates |
4. The Typing and Secretarial Postal Divisional Council delegates attending the Postal Conferences shall be elected by the Typing and Secretarial representatives attending the Postal Divisional Council. The Postal Technical Services delegates attending the Postal Conferences shall be elected by the Postal Technical Services representatives attending the Postal Divisional Council.
5. In addition to the other provisions of Rule 6.26, the National Executive Council shall, by regulation, enable representation for Branches or Postal Divisional Councils at each session of the Postal Conference in which they have a Postal Technical Services or Typing and Secretarial membership interest.

**6.27 Delegates' Expenses**

1. Second class and steamboat saloon fares of delegates to the Industry Conference or Section Conference(s), whichever shall provide the higher number, shall be paid from the General Fund, subject to a maximum liability equivalent to any special fares negotiated, except in the case of delegates using their own road transport, when the equivalent of the normal second class and steamboat saloon fares shall be paid. In exceptional circumstances, the General Treasurer may authorise air travel in those cases where extreme difficulty would be experienced when travelling by normal railway facilities.
2. Other expenses shall be met by Branch funds. Where it is necessary to convene a Conference away from the mainland, air fares will be paid by Headquarters in accordance with the most competitive fares from each airport negotiated by travel agents on the Union's behalf and published prior to such a Conference taking place.
3. Notwithstanding the other provisions of Rule 6.27, those Branches that were previously part of the National Communications Union, travel expenses, loss of earnings and subsistence payments shall be paid from the General Fund.

**6.28 Motions and Amendments to Motions**

1. Branches and Business Co-ordination Committees, may submit motions and amendments to motions for the consideration and resolution of the Postal Conferences as set out in Rule 6.35.
2. No motion or amendment to motion shall be accepted for the Conference Agenda unless it has been submitted to and approved by the Branch, or Business Co-ordination Committee, as appropriate.

3. All amendments must be directed towards the composite motions, or other motions appearing in the Agenda.
4. The Postal Executive shall also have the right to submit motions and amendments to motions.
5. Motions must reach the Deputy General Secretary (Postal) not later than a date to be determined. Amendments to motions must reach the Deputy General Secretary (Postal) by 5pm on the Monday immediately prior to the opening of Conference.
6. Amendments to motions admitted for discussions shall be published at Conference by the Standing Orders Committee.
7. Motions and amendments to motions must be submitted on standard forms, supplied by the Deputy General Secretary (Postal). Supplies of these forms shall be held by Branches and Business Co-ordination Committees.
8. Any motion which has not been discussed shall be remitted to the Postal Executive for consideration, and the sponsors of such motions shall be invited to submit their case in writing.

#### **6.29 Emergency Motions**

1. Emergency motions shall be permitted at the Postal Conferences, subject to the priority category system as set out in these Rules and provided that the Standing Orders Committee is satisfied that the terms of any such motion constitute a significant and important matter for the Union and its policies justifying admission to the Agenda.
2. Emergency motions must reach the Deputy General Secretary (Postal) not less than 14 clear days before the opening of Conference, whereupon, in accordance with the priority category system, the Deputy General Secretary (Postal) shall notify the Standing Orders Committee of the views of the Postal Executive, as to the appropriate priority category of each motion and the Standing Orders Committee, in consultation with the Deputy General Secretary (Postal), as aforesaid, shall determine its validity and shall allocate to each motion such category as is deemed proper.
3. Any emergency motion submitted after the above date will also be subject to the priority category system as aforesaid, subject as here and after set out. In such a case, the Deputy General Secretary (Postal) shall notify the Standing Orders Committee, of the views of the Postal Executive, as to its appropriate priority category and the Standing Orders Committee in consultation with the Deputy General Secretary (Postal) shall determine its validity and, if the motion is admitted, the Standing Orders Committee shall allocate to it such category as is deemed proper. Conference will then decide whether it shall be submitted to the Agenda. Admission to the Agenda shall only be granted if two-thirds of those voting grant permission.
4. The tabling of Emergency motions shall be permitted only in cases where they deal with matters which could not have been the subject of a motion or amendment within the time limits laid down in the rules for the acceptance of motions and amendments.
5. Branches and Business Co-ordination Committees may submit amendments to emergency motions for the consideration and resolution of the Postal Conferences, as set out in Rule 6.35.
6. A decision taken by Conference shall not be open to the emergency procedure at the same Conference.

#### **6.30 Reports Amended**

1. The Annual Report to be discussed at the Postal Conferences shall be in two parts. Part 1 will be a record of the work of the Union undertaken in the preceeding year and, as such, will be a standing work of reference. It will be presented in sections dealing with issues in business that has been completed by year end 31 December. Each paragraph shall have a single recommendation from the Postal Executive "That this appropriate paragraph is noted". and will

~~receive a (C) category.~~ The recommendation will be open to amendment, by Branches and Business Co-ordination Committees as set out in Rule 6.35.

2. Part 2 of the Annual Report shall consist of work of the Union that is not completed or of reports from the Postal Executive on ongoing matters including any policy reports. Part 2 will contain separate subject paragraphs, set out in section arrangement ~~of which shall bear the appropriate allocated priority~~ and shall be published and distributed by no later than 28 February.

In regard to Part 2 the Postal Executive may either propose continuing action or a variation of policy or a new policy. Branches and Business Co-ordination Committees may thereupon submit amendments to such recommendations as set out in Rule 6.35. To be admitted to the Agenda any such amendments must conform to Rule 6.35. Recommendations which are not the subject of amendment as aforesaid, shall not be discussed at Postal Conferences. The adoption of each section shall be regarded as constituting an acceptance of all recommendations within each section, except that any amendment to the recommendation which has not been discussed shall be submitted to the Postal Executive for consideration and the sponsors of such amendments shall be invited to submit their case in writing.

3.
  - a) Questions on the Annual Report shall be dealt with by correspondence between the Branches, Business Co-ordination Committees and the Deputy General Secretary (Postal). It is the responsibility of the Branches and Business Co-ordination Committees to ensure that any question of substance is dealt with sufficiently early to allow the sponsors to submit amendments to such recommendations as aforesaid.
  - b) Notices of amendments to recommendations contained in Statutory Reports must reach the Deputy General Secretary (Postal) by a date to be determined.
  - c) Amendments to recommendations must be submitted on standard forms supplied by the Deputy General Secretary (Postal). Supplies of these forms shall be held by Branches and Business Co-ordination Committees.
  - d) Motions to refer back are not in order at Conference. This in no way diminishes the right of Branches or Business Co-ordination Committees in regards to their opportunities to amend specific recommendations contained in the Annual Report, or amend or reject specific recommendations contained in Special Reports.
  - e) The Postal Executive shall have authority to publish information concerning major issues between 1 March and Annual Conference.

4.
  - a) Notwithstanding these arrangements the Postal Executive shall have authority to place any matter before a Conference in the form of a Special Emergency Report. Such emergency reports shall be subject to not less than 28 days notice to Branches prior to the opening of the Postal Conference.
  - b) Such emergency reports shall only be permitted if they deal with priority matters which could not have been dealt with within previous timescales.
  - c) A Conference may instruct the Postal Executive to present special emergency reports to a subsequent Conference.
  - d) The provisions to amend a Special Report shall be as set out in Rule 6.35.

5. The Postal Executive shall have the right to make an oral report to supplement any paragraph of the Annual Report or any Special Report standing in its name. Due notice of any such oral report shall be given to the Conference as early as possible, together with any revised recommendation. The presentation of such a report shall renew the entitlements of Branches and Business Co-ordination Committees to submit amendments.



6. The views of the Postal Executive will be heard on all items under discussion at all Postal Industry and Sectional Conferences.
7. The Agenda of Conference shall be published on 21 April. It shall contain the motions including the allocated priority categories and amendments to recommendations admitted by the Standing Orders Committee. All abbreviations used shall be indicated as an appendix for the said Agenda.
8. All Conference material previously published shall be included in a Conference Agenda Pad and copies shall be sent to Branches for distribution to delegates at least four days before the opening date of Conference.
9. The minutes of the previous year's Postal Conference together with the minutes of any Special Conferences which have taken place in the interval between Postal Conferences shall be included in the Agenda Pad and shall be put to the Conference for adoption by the Chair, in accordance with the Standing Orders of Conference.

#### **6.31 Priority Category System**

1. Business at Postal Conferences shall proceed in accordance with the priority category system as set out in Rule 6.41.
2. Appeals and amendments to the priority category lists shall be submitted to the Deputy General Secretary (Postal) by 5.00 pm on the Monday immediately prior to the opening of Conference.

#### **6.32 Voting**

1. Except where ballot papers are issued, the method of voting at the Postal Industry Conferences shall be by a show of hands unless the Chair shall decide to take a card vote. A card vote shall also be taken if sufficient delegates rise in their places to indicate a demand for such a vote. (See Rule 6.33.1)
2. The Chair shall only recognise the call for a vote if the caller is standing.
3. Where a decision is required on an issue affecting more than one grade and a card vote is demanded, the cards used shall be the voting cards of the grades concerned in the issue.
4. The counting of votes shall be undertaken by the appointed Tellers. If the counting of a vote is challenged, the Chair may order a recount. In the event of any equal division of the votes recorded, the Chair shall have the casting vote. The Chair shall announce the result of the vote, which shall determine the issue.
5. The vote on a Composite Proposition will encompass all aspects of each Proposition composited therein. This principle will apply to all Postal Industry Conferences.

#### **6.33 Postal Industry and Section Conferences**

1. At the Industry and Section Conferences the number of delegates required to be standing in their places to seek a card vote shall be 30 at the Industry Conference, 20 at the Letters Section Conference, 10 at the Counters, Parcels, Postal Technical Services Section Conferences, and 5 at the Postal Typing and Secretarial Conference.
2. Voting cards shall be provided in respect of the number of members of the Branch represented at the Postal Conference. The designation of the cards to be used will be published prior to the appropriate Conference.
3. Where the Postal Executive is aware that a matter is due to come before Conference which calls for decision by a grade or part of a grade for which a card is not provided, it shall issue a special voting card for the purpose, but the special card shall not be used without the specific agreement of the Postal Conferences.

#### **6.34 Tellers and Stewards**



1. The number of Tellers and Stewards and their selection by the local Branch shall be approved by the Postal Executive, and the names shall be presented to Postal Industry Conference for endorsement.

**6.35 Schedule of Entitlements - see table.**

**6.36 Special Conference (Postal)**

1. Subject to the endorsement of the National Executive Council, the Postal Industrial Executive shall have the power at any time they deem it necessary to call a Special Postal Conference or Section/Group Conference, and decide, if necessary, upon any variation of representation at such a Conference. Branch Secretaries shall be entitled to attend a Postal/Section/Group Special Conference by virtue of office.
2. The Postal Conference shall have the authority to call a Special Postal /Section/Group Conference subject to ratification by General Conference.
3. Postal Special Conference(s) shall only deal with the business for which it is summoned.
4. Branches and Business Co-ordination Committees may submit amendments to Postal Executive recommendations at their appropriate Conference without restriction as to the number of such amendments. To be admitted to the Agenda, any such amendment must offer an alternative policy, direction, action or direct opposition, otherwise it shall be out of order.
5. Recommendations which are not the subject of amendment as aforesaid shall not be discussed at Special Conference.
6. Any amendment to a recommendation which has not been discussed shall be submitted to the Postal Executive for consideration and the sponsors of such amendment shall be invited to submit their case in writing.
7. The Postal Executive shall have the right to make an oral report which shall be given to the Conference as early as possible together with any revised recommendation. The presentation of such a report shall renew the entitlements of Branches and Business Co-ordination Committees to submit amendments.
8. Except for the provisions of Rule 6.36, all other procedures, Standing Orders, Priority Categorisations, etc. shall, as far as possible, be in accord with those used for the appropriate Postal Annual Conference(s).

**6.37 Standing Orders Committee (Postal)**

1. There shall be a Standing Orders Committee (Postal) which shall consist of nine members, eight elected by and from the Postal Constituency and one elected by and taken from the Postal Technical Services Constituency by ballot during Annual Conference.

**2. Attendance**

Members of the Standing Orders Committee (Postal) shall attend all Postal Delegate Conferences in an ex-officio capacity.

**3. Officers**

The Standing Orders Committee (Postal) shall elect from amongst its members a Chair and a Secretary.

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**BUSINESS CO-ORDINATING COMMITTEES**

|  | ROYAL MAIL | POCL | PARCELS | PDCs & RCCs<br>REPRESENTING<br>BRANCHES WITH 30<br>MEMBERS OR LESS | BRANCHES |
|--|------------|------|---------|--|----------|
| MOTION TO POSTAL CONFERENCE  | 2          | 2    | 2       | 2  | 3        |
| AMENDMENT TO MOTION<br>Postal Conferences                                    | 2          | 2    | 2       | 2  | 3        |
| AMENDMENT TO EMERGENCY MOTION<br>Postal Conferences                          | 1*         | 1*   | 1*      | 1*   | 1*       |
| AMENDMENT TO RECOMMENDATION<br>Annual Report paragraph<br>Postal Conferences | 1**        | 1**  | 1**     | 1**  | 1**      |
| AMENDMENT TO RECOMMENDATION<br>Special Report<br>Postal Conferences          | 2**        | 2**  | 2**     | 2**  | 3**      |
| SPECIAL REPORTS TO SPECIAL CONFERENCES      NO RESTRICTIONS                  |            |      |         |  |          |

PDCs = Postal Divisional Councils      ex NCU \* = to each Emergency motion  
RCCs = Regional Clerical Committees      ex NCU \*\* = to each Recommendation

**4. Duties and Remuneration**

1. The Committee shall meet as necessary with the Deputy General Secretary (Postal) and the Chair of the Postal Executive in attendance (and, in addition, the appropriate Chair where a Section Conference is concerned) in an advisory capacity to examine motions and other matters submitted for consideration by a Delegate Conference and to carry out such other functions as are designated in these Rules.
2. The Committee shall prepare each Agenda to ensure discussions of items of major importance. Each Agenda shall be in accordance with the Standing Orders and shall meet the intentions of the priority category system as set out in these Rules.
3. During Conferences, the Standing Orders Committee shall work in consultation with the Deputy General Secretary (Postal) and the Postal Executive Chair and shall be authorised to recommend variations to the programme of business to ensure discussion of items of major importance according to the circumstances. Such variation shall be in order only with the agreement of Conference. The provisions of Rule 6.42.7 shall apply.
4. The Chair of the Committee shall receive £788 minus income tax per annum, the Secretary £601 minus income tax per annum and the members of the Committee £398 minus income tax each per annum.

**6.38 Consideration of Motions**

1. The Committee, when examining motions submitted to it, shall apply the following Rules:
  - a) A motion which deals with more than one subject or which is negative in character or which merely expresses an opinion or which fails to give an instruction which is not clear in intention shall be out of order.
  - b) Where the subject matter of a motion is contained in the Postal Executive Report or in a Special Report to a Postal Conference, then if it offers an alternative policy, direction or decision, it shall be converted into an amendment of the appropriate recommendation contained in such Report, but otherwise it shall be out of order. The motion shall also be out of order if its sponsors have submitted an amendment to that recommendation.
  - c) All motions dealing with the same subject shall, as far as possible, be composited into a single motion, stating the broad principle with the object of reducing to a minimum the number of separate debates required.
2. The motions shall be divided where possible for consideration by the Industry and Section Conferences.

**6.39 Consideration of Amendments to Motions**

1. The Committee, when examining amendments to motions submitted to it, shall apply the following Rules: 6.38 1(a), 6.38 1(c).
2. An amendment which does not offer an alternative policy or direction or decision shall be out of order.

**6.40 Consideration of Amendments to Recommendations**

1. The Committee, when examining amendments to recommendations in the Annual Report and in Special Reports submitted to it shall apply the following Rules: 6.38 1(a), 6.38 1(c), 6.39.2.
2. In the case of Special Reports, an amendment may propose direct opposition.

**6.41 Implementation of Priority Category System (Amended)**

1. Business at Conference shall proceed in accordance with the priority category system as set out in these Rules.
2. Each motion and ~~each paragraph of each Report~~ each amendment due to be considered by Conference shall be allocated a priority category letter which shall be either A, B or C. Category A shall designate a higher priority than B and category B shall designate a higher priority than category C.
3.
  - a) ~~Each paragraph of Part 1 of the Annual Report shall have a single recommendation from the Postal Executive "That the appropriate paragraph is noted" and will receive a "C" category.~~  
Each paragraph of part 1 of the Annual Report shall have a single recommendation from the Postal Executive "That this paragraph is noted" and each amendment submitted against recommendations relating to part 1 of the Annual Report will receive a "C" category.
  - b) Prior to 28 February the Deputy General Secretary (Postal) shall notify the Standing Orders Committee (Postal) of the views of the Postal Executive as to the appropriate priority category for each ~~paragraph~~ amendment submitted against recommendations relating to Part 2 of the Annual Report as aforesaid. The Standing Orders Committee (Postal) in consultation with the Deputy General Secretary (Postal) shall then divide the ~~paragraphs~~ amendments into priority categories A, B and C. The priority categories thus determined shall be published in the ~~Annual Report~~ Agenda of Conference on ~~28 February~~ 21 April in accordance with these Rules.
  - c) Prior to 21 April the Deputy General Secretary (Postal) shall notify the Standing Orders Committee of the views of the Postal Executive as to the appropriate priority category for each motion as aforesaid. The Standing Orders Committee in consultation with the Deputy General Secretary (Postal) shall then divide the motions into priority categories A, B and C. The priority categories thus determined shall be published in the Agenda of Conference on 21 April.
4. Appeals against the priority categories allocated in Rule 6.41.3(b) and (c), together with amendments shall be notified to the Deputy General Secretary (Postal) by the Monday immediately prior to the opening of the Postal Conference and shall be heard and determined when Standing Orders Report No 1 is considered by Conference.
5. Emergency motions shall be allocated priority categories in accordance with the provisions of Rule 6.29.2 and 3.

#### 6.42 Agenda and Programme of Business

1. The Agenda shall include all reports, motions and amendments to recommendations accepted for consideration by the appropriate Conference.
2. In preparing the Agenda the Committee shall be guided by the principle of "one subject one debate".
3. The Committee shall compile, in consultation with the appropriate Chair, the Programme for Conference Business to be circulated to delegates.
4. In the case of the Programme of Business for the Section Conferences the appropriate Chair shall be consulted.
5. The Programme of Business shall conform to the following principles:
  - a) It should be based upon the order of business as defined in Standing Orders.
  - b) It should be prepared to ensure that each subject in priority category A shall receive an allocation of Conference time and that the Statutory Reports are presented to and adopted by the appropriate Conference.



6. The Agenda and the Programme of Business shall make provision for the adoption of each section of the Annual Report at an appropriate time.
7.
  - a) The Committee shall present its recommended Programme of Business for the Postal Conference at the opening of that Conference. The Programme shall be published in Standing Orders Committee Report No 1 which shall reach the Branches by not later than 14 days prior to the opening of the Postal Conference. Amendments to vary these Programmes shall be in order only upon written notification to the Deputy General Secretary (Postal) by not later than 5pm on the Wednesday immediately prior to the opening of the Postal Conference. Proposals to delete items on the Programme of Business shall not be in order.
  - b) Any further Programmes containing business not published in Standing Orders Committee Report No 1 shall be open to amendment by a time and date to be notified by the Standing Orders Committee.
  - c) Amendments to subsequent variations of the Programme recommended by the Committee in accordance with Rule 6.37.4.3, shall be in order only at the time of its presentation.
  - d) The provisions contained in (a), (b) and (c) shall not preclude the moving of "next business" or a motion duly given for the suspension of Standing Orders.
  - e) The provisions of this Rule shall also apply to Special Conferences, the final date and time for the submission of amendments to the Programme of Business being stated in the SOC Report containing the Programme.
8. Notwithstanding the provisions of Rule 6.42.7 the Agenda and Programme of business may be altered upon the direction of the appropriate Conference Chair, whose decisions shall be final.

#### **6.43 SOC (Postal) Reports**

1. The Committee shall intimate in the Standing Orders Committee Reports:
  - a) Notices of appeal against the inclusion of motions in composite motions or amendments included in composite amendments.
  - b) Notices of appeal against priority categories allocated to motions and paragraphs in Reports.
  - c) Those motions and amendments which the Postal Executive is willing to accept or take for examination and those amendments to motions which Branches are willing to accept.
  - d) Notices of intentions to amend the Programme of Business.
  - e) The terms of any proposals which have been ruled out of order by the Standing Orders Committee where the Branch or Business Co-ordination Committee have intimated their intention to appeal.
2. Where the Report is accepted by the Conference the motions and amendments referred to in (c) shall not be moved or discussed at Conference except where a Branch or Business Co-ordination Committee intimates to the Standing Orders Committee prior to the moving of the appropriate Standing Orders Committee Report, that it desires to express either opposition to the motion or amendment, or opposition to the intention to take for examination, then the motion or amendment shall be moved and seconded.

The sponsors of such opposition may subsequently be allowed to withdraw it, with the agreement of Conference, whereupon the motion or amendment shall be deemed to have been accepted or taken for examination as the case may be, in accordance with Rule 6.43.1(c).

**6.44 Appeals**

1. Appeals against decisions of the Standing Orders Committee, as detailed below, shall reach the Deputy General Secretary (Postal) not later than 5pm on the Monday immediately prior to the opening of the Postal Conference:
  - a) excision of motion or amendment
  - b) inclusion of motion or amendment in a composite
  - c) conversion of motion to amendment to a recommendation contained in a Report
  - d) allocation of a priority category or amendment thereto
  - e) any other decision of the Standing Orders Committee, providing that the terms of such appeals do not constitute a breach of the Rules of the Union.
2. As regards a Special Postal Conference, appeals against decisions of the Standing Orders Committee as detailed below shall reach the Deputy General Secretary (Postal) not later than the time and date stated in the Standing Orders Committee Report No 1:
  - a) excision of amendment to recommendation contained in a Report
  - b) inclusion of amendment in a composite
  - c) any other decision of the Standing Orders Committee, providing that the terms of such appeals do not constitute a breach of the Rules of the Union.
3. Failing agreement any appeals under this Rule shall come before the appropriate Conference as an entitlement if the Branch or Business Co-ordination Committee which submitted the proposal gives written notice to that effect by the due date shown. The appeals machinery will also be open to Branches or Business Co-ordination Committees when each Standing Orders Committee Report is put to Conference for adoption.

**6.45 Voting Arrangements**

1. The Standing Orders Committee shall issue voting cards to Branches directly represented, representing one vote for every 10 members or part thereof, according to the Branch membership at the most recent membership count, as completed by the Organising Secretary.
2. The Committee shall prepare and issue concurrently with the voting cards the ballot papers for representative positions. Ballot boxes shall be closed at a time to be determined by the National Executive Council in the week in which a Conference is held.
3. The Committee shall make arrangements for the conduct of the ballot and for the counting of the votes by an impartial body. The result of the ballot shall be reported to Conference as soon as possible.
4. The Committee shall not be empowered to issue duplicate voting cards except on the specific authority of the Chair of the Postal Industry Conference.

~~6.46.1 - 6.46.4~~ (Moved to Rule 18)

## **Rule 7**

## **Officers of the Union**

### **7.1 General**

- R. R.  
80
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. No Officer shall serve as a Member of Parliament nor 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 National Executive Council.
  4. The employment of any permanent Officer of the Union may be terminated in accordance with their Contract of Employment which, in respect of Officers formerly employed by the NCU, includes the provisions contained in Rule 7.6.2c.
  5. Absence coverage for Officers shall be arranged in accordance with paragraphs a) and b) below:
    - a) When a General Officer is substituting the General Secretary or the Deputy General Secretary 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 National Executive Council is substituting 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 National Executive Council member.
  6. 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 General Secretary 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 Executive Committee.
    - b) The right to attend the National Executive Council, the relevant Industrial Executive, and other relevant committees in order 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.
  7. 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 those issues on which they have relevant specialist knowledge.

### **7.2 General Secretary**

1. The General Secretary shall be subject to election by the entire membership every five years, according to the provisions of Rule 7.7.
  2. The duties of the General Secretary shall include the following:
    - a) to be the chief negotiator and principal spokesperson of the Union;
    - b) to be responsible to the National Executive Council for the supervision and control of the administration of the Union and of the Officers and Staff;
    - c) to convene and attend all Conferences of the Union and meetings of the National Executive Council and its committees;
    - d) to assign duties to, and direct the work of, all other Officers of the Union including directing the work of Business Co-ordinating Committees and Officers that does not call for Conference decisions;
    - e) to engage such staff as may be necessary to conduct the work of the Union;
    - f) to prepare and to present to Annual Conference an Annual Report of the Union, also to bring before the National Executive Council the decisions of Annual Conference and to give effect to direction thereof on these and other matters;
    - g) to keep the membership informed on all general matters and decisions including parliamentary, legal, political, industrial and official questions and to keep a record of such decisions;
    - h) to keep the record of the Union and to collate statistical and general information for the purposes of the Union, also to keep the Union well in touch with the trade union movement;
    - i) to supply the Conference Standing Orders Committee with information as to what propositions, motions or amendments submitted for the Conference agenda are already covered by Union policy and which are being actively pursued.
  3. The General Secretary shall ensure that the Union has a published employment practice to enhance Rule 2.1(d). The employment practice will 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 will be submitted initially, and periodically thereafter, to the Commission for Racial Equality, the Equal Opportunities Commission and the Fair Employment Commission for their endorsement and/or approval.
  4. The General Secretary or the Senior Deputy General Secretary shall be the Union's principal representative on the TUC General Council.
  5. When the General Secretary is absent, or at other times when his/her duties need to be covered they shall be covered by the Senior Deputy General Secretary. In the absence of the Senior Deputy General Secretary he/she will be covered either by the Deputy General Secretary (Postal) or the Deputy General Secretary (Telecoms and Financial Services).
- 7.3 Senior Deputy General Secretary**
1. The Senior Deputy General Secretary shall be subject to election by the entire membership every five years, according to the provisions of Rule 7.7.

#### Duties

2. The duties of the Senior Deputy General Secretary shall be:
  - a) to deputise for the General Secretary as and when required;



- b) to assist the General Secretary in financial, administrative and strategic organisational matters;
- c) to take on the responsibilities of the General Treasurer when the incumbent leaves the organisation.

#### 7.4 General Treasurer

1. The General Treasurer shall be responsible for assisting the General Secretary and Senior Deputy General Secretary in the financial and general administration of the Union.
- R.R. 2. The General Treasurer will hold the position on a Personal Rights basis. Once the incumbent  
90 leaves the Union the position shall not be filled, and the Senior Deputy General Secretary shall undertake the duties.
3. The General Treasurer shall have the same status as a Deputy General Secretary.

#### 7.5 Deputy General Secretaries

1. The duties of the Deputy General Secretaries shall be:
  - a) to serve as the principal Officer of an Industrial Executive, with overall responsibilities for that Executive under the direction of the General Secretary;
  - b) to act for and with the authority of the General Secretary or Senior Deputy General Secretary as and when required;
  - c) to assist the General Secretary or Senior Deputy General Secretary as and when required.

#### Deputy General Secretary – Postal ~~(Amended)~~

2. There shall be a Deputy General Secretary elected by the members of the Postal and Postal Technical Services Constituencies. This Officer will be the principal Officer responsible for all issues which are solely within the remit of the Postal Executive.
3. The DGS (Postal) shall be a voting member of both the Postal Executive and the National Executive Council.
4. The DGS (Postal) shall be subject to election by members of the Postal and Postal & Technical Services Constituencies every five years according to the procedures outlined in Rule 7.7.

#### Deputy General Secretary - Telecoms and Financial Services ~~(Amended)~~

5. The shall be a Deputy General Secretary (Telecoms and Financial Services) who will be responsible for all issues solely within the remit of the Telecoms and Financial Services Executive and shall be subject to election by members of the Engineering, Clerical and Operator & Ancillary Constituencies every 5 years according to the procedures outlined in Rule 7.7.
6. ~~Deleted~~
7. ~~Deleted~~
8. ~~Deleted~~

#### 7.6 Assistant Secretaries and other Officers ~~(To be Renumbered)~~

1. All Assistant Secretaries shall have equal status in the Union.
- R.R. 2. Assistant Secretaries and other Officers appointed by Conference in accordance with former  
73 NCU Rules as set out in paragraphs a)-c) below, shall continue to serve as Officers of the Union:

a) **Duties**

To carry out and discharge under the direction of the General Secretary, or in his/her absence, his/her deputy, such Union duties as they may be required to perform.

b) **Selection ~~(Amended)~~**

With the exception of the offices of General Secretary, Deputy General Secretaries and ~~General Treasurer~~ Senior Deputy General Secretary, all other officerial appointments shall be the responsibility of the National Executive Council and shall be subject to ratification at the Annual Conference of the Union.

c) **Termination of Employment**

The employment of any permanent Officer may be terminated by the National Executive Council if the services of such Officers are regarded as unsatisfactory, but such Officers shall have the right of appeal to the Annual Conference.

3. There shall be the following Assistant Secretaries elected every five years according to the provisions of Rule 7.7.

3.1 A National Organising Secretary elected by the whole union.

3.2 An Assistant Secretary (Legal Services) elected by the whole union.

3.3 An Assistant Secretary (Health, Safety and Environment) elected by the whole union. Suitable professional qualifications will not be a requirement of candidature but the successful candidate will be expected to attain such qualifications upon appointment.

3.4 Four Assistant Secretaries elected by the Postal and Postal Technical Services Constituencies.

3.5 An assistant Secretary elected by the Operator and Ancillary Constituency.

7.7 **Election and Nomination Procedures ~~(Amended)~~ (To be Renumbered)**

1. All elections shall be by a secret ballot of those members of the Union entitled to vote in each election. 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 for any vacancy.

3. Procedures and regulations for nominations and elections under Rule 7.7 will be decided by the NEC and published to Branches.

4. ~~(Deleted)~~

5. The method of recommending support for candidates to its own Branch members will be a matter for each Branch. ~~(To be Renumbered)~~

6. The ballot paper shall list candidates in alphabetical order and will indicate both forename(s) (or the name by which they are commonly known) and surnames. ~~(To be Renumbered)~~

7. Asterisks or any other marker indicating existing Officer status shall not be included on the ballot paper. ~~(To be Renumbered)~~

8. Candidates may submit a personal statement to be circulated with their biographical details. The length of such a statement will be determined by the National Executive Council and reported to Branches. Candidates who wish may also submit a personal photograph for publication with their biographical details and statement. ~~(To be Renumbered)~~

7.8 **Annually Elected Clerical Assistant Secretaries ~~(To be Renumbered)~~**

1. There shall be four Assistant Secretary posts to be elected by and from the Clerical Constituency.
  2. The four Assistant Secretaries provided for under this Rule shall be elected annually using the same procedure as for the Clerical Constituency members of the National Executive Council.
  3. Candidates for the four Assistant Secretary posts provided for under this Rule shall be eligible for nomination also in the election for the Clerical Constituency members of the National Executive Council including the posts of Chair and Vice Chair.
  4. Successful candidates in the Assistant Secretary election will be eliminated from other concurrent ballots.
  5. The four elected Assistant Secretary posts provided for under this Rule shall have no voting rights on the National Executive Council and its sub-committees.
  6. The duties of the four elected Assistant Secretaries provided for under this Rule shall be to carry out and discharge under the direction of the General Secretary or in his/her absence, his/her Deputy, such duties as they may be required to perform, in connection with Clerical Constituency matters.
- 7.9 Vacancies ~~(To be Renumbered)~~ (Amended)**
1. A report will be prepared on this issue in the merged Union. The recommendations of the Report will take into account the different traditions of both the UCW and the NCU.
  2. In addition, the recommendations will reflect the fact that different posts require different skills, experience and qualifications and that more than one selection procedure might, therefore, be appropriate

**~~3 Deleted~~**

## **Rule 8**

## **Funds of the Union**

### **8.1 Funds**

1. The principal national Funds of the Union shall be:
  - a) The General Fund
  - b) Branch Funds
  - c) The Defence Fund
  - d) An International Fund
  - e) A Provident Benefit Fund
  - f) The National Welfare Fund
  - g) A Political Fund administered separately according to Rule 9

There are separate Pension Fund(s) held in trust on behalf of employees of the Union.

### **8.2 Trustees**

1. The Union shall have four Trustees elected by Annual Conference. Nominations shall only be open to annually elected members of the National Executive Council and no more than one Trustee shall be taken from any Constituency. The Trustees shall act under the direction of the National Executive Council. 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. All properties of the Union shall be vested in the Trustees in trust corporately for the members of the Union. The term property shall include monies, securities and all other assets whatsoever.

### **8.3 Duties and authority of the Trustees**

1. The duties of the Trustees shall be:
  - a) To place in bank(s), including the Unity Trust Bank and Girobank, all funds received by them at Head Office of the Union to the account of the Union, and so much thereof as is not required for current expenses and is insufficient for investment shall be placed by them on deposit at a bank(s).
  - b) Subject to the preceding paragraph to invest the General Fund, Defence Fund and International Fund of the Union under the direction and with the consent of the National Executive Council, in investments authorised or to be authorised by Act of Parliament for the investment of trust funds.
  - c) To examine all accounts submitted for payment.
  - d) To sign cheques in payment of all proper accounts, and present same for countersigning by an Officer nominated by the National Executive Council for this purpose.
  - e) To defray from the General Fund the expenditure incurred by the National Executive Council if unprovided for by the Rules as it shall direct.
  - f) To make payments out of the General Fund of all or any premiums on any guarantee taken by the National Executive Council upon Officers at Head Office handling the funds of the Union.



2. The Trustees shall have authority to sign documents on behalf of the Union.
3. The Trustees, on the direction of the National Executive Council, shall have power to borrow money on security or otherwise.
4. The Trustees, on the direction of the National Executive Council, shall have power to dispose of any asset of the Union.
5. The Trustees shall have authority to inspect any accounts or financial records of the Union at any time.

#### **8.4 Members' Auditors**

1. There shall be two members elected by Annual Conference to examine the whole of the accounts, and report to the Annual Conference. A Members' Auditor shall not hold any other national position.
2. The Members' Auditors shall be entitled to submit suggestions or recommendations to the National Executive Council arising from their examination of the Union's accounts. Any such suggestion or recommendation shall be reviewed by the National Executive Council which shall report its conclusions to Annual Conference.

#### **8.5 Inspection of Accounts**

1. All members of the Union shall have 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.

## Rule 9

## Political Fund

9.1 The objects of the Communication Workers Union 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 or member of a local authority or any position within a political party.

9.2

- 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 National Executive Council shall appoint 3 Trustees of the Political Fund, one for the Engineering and Postal Technical Services Constituencies, one for the Clerical Constituency and one for the Postal and Operator and Ancillary Constituencies. The Trustees shall act in accordance with the directions of the National Executive Council.
- 9.3 As soon as is practicable after the passing of a resolution approving the furtherance of such political objects as an object of the Union the National Executive Council 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**  
**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.

*This form, when filled in, should be 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 National Executive Council shall provide the Secretary of each Branch with a number of copies of the notice sufficient for these purposes.

- 9.4 Any member of the Union may at any time give notice on the form of exemption notice specified in Rule 9.5, 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.
- 9.5 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: .....

- 9.6 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

9.7 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.

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 9.3 or after the date on which a new member admitted to the Union is supplied with a copy of these Rules under Rule 9.18, 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 10p per week, be that contribution from 1st October 1996.

3. The National Executive Council 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.

9.8 The National Executive Council 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.

9.9 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.

9.10 Contribution to the Political Fund of the Union shall not be made a condition for admission to the Union.

9.11 All members of the Union, in whatever category, shall have a right to pay contributions to the Political Fund.

9.12 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.

9.13 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.

9.14 The National Executive Council shall ensure that a copy of these Rules is available, free of charge, to any member of the Union who requests a copy.

9.15 The National Executive Council shall also send to the Secretary of each Branch sufficient copies of these Rules for distribution to each member.

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- 9.16 The Secretary of each Branch shall, so far as possible, secure that each member of that Branch receives a copy of the Rules.
- 9.17 The Secretary of each Branch shall supply a copy of these Rules free of charge to each member who requests a copy.
- 9.18 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.

#### 9.19 Northern Ireland Members

1. In compliance with Article 58 of the Industrial Relations (Northern Ireland) Order 1992, 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.

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.

#### 9.20 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 National Executive Council. As a condition of receiving such rebates, Branches shall make such returns and reports as the National Executive Council may determine, provide an annual statement of Branch political accounts and affiliate to Constituency Labour Parties.
2. Payments from the Political Fund to Branches must be in accordance with the policy determined by Annual Conference or the National Executive Council.

#### 9.21 Local Political Committees

1. The National Executive Council shall have power to make Regulations governing the establishment of local Political Officers and Committees and for these Committees to have the right to affiliate Branches to local Labour Parties subject to a report back to Branches on the affiliation, subject to Annual Conference's endorsement of such Regulations.

#### 9.22 Labour Party Conference

1. The National Executive Council shall issue Regulations which shall prescribe the procedure for the election of delegates to the Labour Party Conference. Those Regulations shall provide for procedures which shall be the same as those in operation in the former NCU Engineering Group, NCU Clerical Group and UCW Political Funds immediately prior to Vesting Day except that the lay and NEC sections of the delegations shall be elected by Branches at Annual Conference. Should any delegate withdraw, then the first unsuccessful candidate shall be approached to fill the vacancy.
- 9.23 The provisions of this Rule shall only be amended by decision of the Annual Conference of the Union.

## **Rule 10**

## **Contributions**

### **10.1 General**

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4
1. With the objective of ensuring equity of treatment between Union members, the Union shall seek to provide a 4 band structure for members' contributions which seeks to relate the contributions paid to the pay rate of the members concerned.
  2. The contribution structure shall provide 4 bands covering full-time and part-time members of the Union. The starting contribution rates shall be subject to approval by the Union's Annual Conference in a Rules Revision session, which shall also authorise an appropriate formula for the increase of contributions on an annual basis linked to the average percentage increase in members' pay rates in the preceding year.
  3. Separate rates shall be fixed and endorsed by Annual Conference for contributing Retired Members of the Union. This rate shall also be subject to annual increase in accordance with the formula in (1) above.
  4. In exceptional circumstances, the National Executive Council shall be empowered to fix a special contribution rate lower than the normal main bands.
  5. In addition to the standard contribution rates provided for under this Rule, there shall be a Political levy as detailed separately in Rule 9.
  6. Subject to the endorsement of an Annual or Special Conference, the NEC shall be empowered, if it considers necessary, to apply a temporary increase in contribution rates for specific periods to meet particular requirements or circumstances.
  7. Prior to any definitive agreements by Conference on the principles outlined in paragraph 1 to 6 above, the Constituency-based arrangements in respect of contributions as defined in Rules 10.2 and 10.3 shall continue to apply.

### **10.2 Contributions for Clerical, Engineering and Postal Technical Services Constituencies**

1. The normal weekly contribution paid by all members aged 21 years and over shall be equivalent to 16.5 minutes' pay of the BT Technician IIA or equivalent grade, maximum rate. The contribution for members under 21 years and part-time employees shall be equivalent to 11 minutes' pay of the BT Technician IIA equivalent grade, maximum rate.
2. The National Executive Council shall be authorised to fix a special lower contribution rate for members in exceptional circumstances.
3. In addition, the National Executive Council or the Main Conference of the Union has the authority to call for a levy.
4. The National Executive Council shall be empowered if it considers it necessary for the financial stability of the Union's funds to increase the contributions paid by the membership by 6p a week only, operative exactly twenty-six weeks after the operative date of any pay increase obtained for the general membership of the Union.

### **10.3 Contributions for Postal and Operator & Ancillary Constituencies**

1. Members' contributions will be based on a formula as follows:
  - Contributions will be linked to the Retail Price Index (RPI) and Average Earnings Index (AEI) as published in December each year.
  - The percentage increase will be the average percentage between the published RPI and AEI, rounded to the nearest whole penny.

- The review date will be the 1st October each year following the publication of the RPI and AEI.

a) **Standard Contribution**

**Class A** (Full-time, 18 years of age and over) Weekly paid commencing 1st February 1992 £1.48 thereafter the formula above will be applied on the 1st October each year.

**Class B** (Full-time, under 18 years of age and part-time) 50% of the Class A standard contribution rate rounded to the nearest whole penny.

~~Office - Already included in the~~

**Associate Membership**

A standard weekly contribution, monthly paid pro rata of 50% of the Class A membership contribution.

b) **Political Levy**

In addition to the standard contribution, there shall be a Political Levy as detailed in Rule 9.

c) **Special Contribution**

Annual Conference or a Special Conference may authorise a temporary increase in the contribution rates for a specified period to meet a particular requirement or circumstance.

## **Rule 11**

## **Benefits**

### **11.1 General**

1. Until such time as the Rules are changed, at the absolute discretion of the National Executive Council, all eligible members shall be entitled to the following benefits:
  - a) Members of the Postal and Operator and Ancillary Constituencies shall be entitled to the benefits defined in Rule 11.2.
  - b) Members of the Engineering, Clerical and Postal Technical Services Constituencies shall be entitled to those benefits defined in Rule 11.3.

### **11.2 Benefits for Members of the Postal and Operator & Ancillary Constituencies**

#### **11.2.1 Legal Services**

1. The Union will at the absolute discretion of the National Executive Council and or the Assistant Secretary, Legal and Medical Department provide a level of legal services to individual members of the Union.
2. The service is conditional on the individuals attending at their local Branch Office and completing the appropriate Legal and Medical Services (LMS) form for onward transmission to the Legal and Medical Department.
3. On receipt of the LMS form, the Legal and Medical Department will acknowledge receipt and should the member not receive such an acknowledgement within 28 days, he/she must raise the matter in writing direct with the Legal and Medical Department.
4. If any member ceasing employment from his/her relevant business from the Postal, Operator and Ancillary Constituencies and a compensation claim is currently being pursued by the CWU Legal Services on behalf of that member, the National Executive Council at its absolute discretion may bring that claim to a conclusion if, in the opinion of the legal advice given, the individual member's case has a reasonable chance of success. The member concerned will remain a non-assent member of the CWU whilst the case continues.

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#### **11.2.2 Sick and Death Benefit**

1. Every member of the Union shall, subject to the conditions set out in these Rules, be entitled to the following benefits of his/her membership of the Union:
  - a) Class A members, and Class B members with a paid sick leave entitlement from the Post Office/British Telecom, shall receive from the Union as Sick Benefit £5 for each full week of sick absence when on "half pay", "sick pay at pension rate" or "no pay".
  - b) Class B members with no paid sick leave entitlement from the Post Office/British Telecom shall receive from the Union £2.50 per week Sick Benefit when on sick leave without pay.
  - c) The payment to the spouse, next of kin, or other legal assignee, a death grant of the sum of £350 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 National Executive Council that these provisions are implemented. (See Death Benefit Nomination Form and Guidance Notes Below.)
2. It shall be the responsibility of the Branch to ensure:



- a) that contact is maintained with every member on long term sick leave, including the supply of Union journals and literature;
- b) that should it be necessary the full resources of Post Office/British Telecom, local government and trade union welfare services and facilities are sought and obtained to assist them.
3. Claims for benefit shall be submitted by the member through their Branch Secretary and must be accompanied by the official notification of reduction or cessation of pay. Such claims must be submitted within 42 days from the date on which the first payment is due, in order that benefit can be paid from the due date.
4. Benefit shall commence, when due, immediately the claim has been accepted by the National Executive Council, subject to the conditions laid down in paragraph 3 above. Retrospective payment of more than 16 weeks shall not be made whether arising from a late claim or the need to complete the qualification period.
5. Any member who does not observe the conditions set out in these Rules or any one of them who fails to submit any medical or other evidence required by the Union to support their claim or who makes a false declaration will be disqualified from benefit.
6. The National Executive Council shall determine any case of doubt or any dispute as to the interpretation of these Rules or any point not specifically covered by these Rules and the decision of the National Executive Council shall be final and binding on all parties.

### COMMUNICATION WORKERS UNION

(Trade Union Nominations Regulations 1977 No 789)

#### Death Benefit Nomination Form

1. In the event of my death  
I .....  
Of .....  
hereby nominate .....  
Of .....  
(Address of Nominee) .....  
(Relationship if any) .....  
to receive such benefit arising under the Union's National Rules that may be due at my death.
2. I hereby cancel all previous nominations  
Date .....  
Member's Signature .....  
Branch .....  
Membership Number .....

Would you please read the notes below

#### Guidance Notes

1. A nomination is invalid unless it is registered at Headquarters.
2. Once registered a nomination can only be revoked by a written notice sent to Headquarters.
3. A nomination is not revoked by the presence of a Will but it is revoked by the marriage of a member of which the Union has notice and by the death of the nominee.

4. If there is no nominee, the Death Benefit will be disposed of by the Union in accordance with the law.
5. A nomination may not be made in favour of an Officer or employee of the Union unless such nominee is a close relation.

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Branch Secretaries should record the necessary information locally and the form should then be sent to: Organising Secretary, Sick Benefit Section, 150 The Broadway, Wimbledon SW19 1RX

#### **11.2.3 Insurance Society**

1. There shall be an Insurance Friendly Society known as the Communication Workers Friendly Society. The Society shall be governed by the provisions of its constitution as endorsed by the Annual General Meeting of the Society under the rules of the 1992 Friendly Society Act, administered by the Friendly Society Commission, and regulated by the Personal Investment Authority, as outlined in the Finance Act.

#### **11.3 Benefits for Members of the Clerical, Engineering and Postal Technical Services Constituencies**

1. At the discretion of the National Executive Council, all fully paid up members are entitled to the following:
  - a) The right to representation and advice on matters arising from their employment.
  - b) Legal Advice.
  - c) Such (off duty) insurance as the Annual Conference decides.
  - d) Advice on tax or related financial matters.
  - e) A Death Benefit of £500.
  - f) Access to Union Education.
  - g) A copy of the Union's journal.
  - h) Such other benefits as the Annual Conference shall decide.
  - i) Members shall remain eligible for the death benefit for a period of 1 year from the date of retirement.

## **Rule 12**

## **Regional and Industrial Co-ordination**

### **12.1 Regional Committees**

#### **12.1.1 General**

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

#### **12.1.2. Regional Committee Constitutions**

1. Regional Committees shall adopt and operate the Model Constitution approved by the National Executive Council.
2. The Constitution of Regional Committees shall be subject to review and approval by the National Executive Council 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 National Executive Council. No Regional Committee may adopt any by-law or standing order at variance with the Constitution approved by the National Executive Council or at variance with these Rules.

#### **12.1.3 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 National Executive Council or Annual 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 an 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.

#### **12.1.4 Regional Committee Officers**

1. The Officers of the Regional Committee shall be the Regional Chair, the Regional Secretary and Assistant Secretary.
2. The duties and responsibilities of the Regional Committee Officers shall be detailed within the Regional Committee Constitution. Regional Committee Officers shall be elected annually, using the election procedures detailed in the Regional Committee Constitution.

3. To be elected for any Officer position, a candidate must receive more votes than any other candidate and receive more votes in their own Constituency than any other candidate. This will be subject to a review after the first year by the NEC and anytime after that as required by the NEC.

#### **12.1.5 Meetings**

1. The Regional Committee shall meet four times in each year. Additional meetings shall be held if authorised by the National Executive Council 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.

#### **12.1.6 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).

#### **12.1.7 Annual Conference**

1. Regional Secretaries when they are not Branch delegates shall attend Conference in an ex-officio capacity having the right to speech but no voting powers. They may participate in the discussion at Conference on the specific request of their Regional Committee or of a Branch within that Committee.

#### **12.1.8 Financial Arrangements**

1. When attending meetings of the Regional Committee or engaged on other authorised Union business, Regional Chairs and Regional Secretaries and Assistant Secretaries shall be paid travel and subsistence entitlements.
2. Regional Chairs, Secretaries and Assistant Secretaries shall be paid an honorarium, the amount to be determined by the NEC/Annual Conference minus income tax per annum.
3. Any member of the Union holding more than one position for which an honorarium is paid from national funds shall only be paid one honorarium. The largest honorarium appropriate to the position held shall be the one paid.

#### **12.2 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 National Executive Council.
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.

#### **12.3 Territorial/Regional Organisation (Clerical, Engineering and Postal Technical Services Constituencies)**



1. The National Executive Council shall be empowered to establish organisation above Branch level with the objective of bringing together Branches to co-ordinate the Union's work. Such organisation shall operate under rules and regulations drawn up by the National Executive Council which shall be placed before the next Annual Conference of the Union for endorsement or amendment.

#### **12.4 Advisory Committees (Clerical, Engineering and Postal Technical Services Constituencies)**

1. The National Executive Council or a Branch may submit a proposition for inclusion in the agenda of the Annual Conference for the creation or discontinuation of an Advisory Committee.
2. The functions of an Advisory Committee shall be:
  - a) To advise the National Executive Council (or any Committee or sub Committee of the National Executive Council that the National Executive Council deems appropriate) on any matter referred to it by the National Executive Council and its Committees affecting the occupational interests of those members covered by the Advisory Committee.
  - b) To assist the National Executive Council in promoting the occupational interests of those members covered by the Advisory Committee.
  - c) To assist the National Executive Council in providing the means whereby close contact can be secured between members covered by the Advisory Committee and the National Executive Council.
3. Regulations governing the constitution and conduct of an Advisory Committee shall be prepared by the National Executive Council and submitted to an Annual or Special Conference for approval.
4. The functions, organisation and activities of the Advisory Committees shall at all times conform to and be in accordance with the Rules of the Union.
5. The conduct of the Advisory Committees in between Annual Conferences shall be subject to the overriding authority of the National Executive Council.
6. The National Executive Council shall appoint National Executive Council members to an Advisory Committee as appropriate.

#### **12.5 Regional Organisation (Postal and Operator & Ancillary Constituencies)**

##### **12.5.1 Scottish Council**

1. The Scottish Council is a voluntary association of Branches of the Union in Scotland working under a Constitution approved by the National Executive Council.
2. The cost of not more than four meetings of the Committee of the Scottish Council in any one year shall be payable from the general funds of the Union. Delegates' expenses of the Council shall be borne by the affiliated Branches. The Secretary of the Scottish Council, when not a Branch delegate, may attend the Annual Conference of the Union in an ex-officio capacity, having the right of speech but without voting powers; expenses shall be borne by the General Fund. He/She may participate in the discussion at Conference on the specific request of his/her Council or of a Branch within that Council.
3. The Scottish Council shall not be empowered to submit motions for the Conference Agenda, nor to submit nominations for representative positions which are subject to the vote of Conference.

#### **12.6 Business Co-ordination (Postal and Operator & Ancillary Constituencies)**

##### **12.6.1 General**

1. Each business in which the Union has members shall have co-ordinating machinery as agreed with each employer.

#### **12.6.2 Business Co-ordination Committees**

1. Business Co-ordination Committees will be established within the Divisions/Sectors for Royal Mail, Parcelforce, Counters, Subscription Services Ltd and British Telecom.

#### **12.6.3 Business Co-ordination Committee Constitution**

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

#### **12.6.4 Authority and Functions**

1. The authority and functions of the Business Co-ordination Committees shall be incorporated within the Constitution of the Business Co-ordination Committees.
2. Business Co-ordination 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 National Executive Council or Annual Conference.
3. Business Co-ordination Committees shall not instruct, authorise or permit an Officer of the Business Co-ordination 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 Business Co-ordination Committee shall send any circular relating to the conduct of the Union or its business to other Business Co-ordination Committees.
5. No Business Co-ordination 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 any of its Officers or members.
6. A Business Co-ordination Committee shall on receipt of any unauthorised circular or address send both the envelope and the circular to the General Secretary immediately.

#### **12.6.5 Royal Mail Business Co-ordination Committee**

1. The Royal Mail Business Co-ordination Committee shall comprise the Chair elected from within the Committee, the Divisional Officers and their substitutes as well as the Area Representatives for Processing, Delivery, Distribution and Admin within the Division. The Committee will meet a minimum of four times in each year. The Senior Divisional Officer will act as Secretary to the Committee which will be consultative as well as a policy making forum as follows:
  - a) Receive and consider reports from the Divisional Officer (and substitutes where appropriate) and determine Divisional policy.
  - b) Receive and consider reports from Area Representatives.
  - c) Consider matters for Annual Conference and determine policy and/or submit motions or amendments to motions as appropriate on behalf of the Committee.

#### **12.6.6 Parcelforce Business Co-ordination Committee**

1. The Parcellforce Business Co-ordination Committee shall comprise the Chair elected from within the Committee, the Area Organisers and their substitutes as well as the delegates from Branches with Parcellforce members within the Area. The Committee will meet a minimum of four times in each year. The Senior Area Organiser will act as Secretary to the Committee which will be consultative as well as a policy making forum as follows:
  - a) Receive and consider reports from the Area Organiser (and substitutes where appropriate) and determine Area policy.
  - b) Receive and consider reports from Branch Representatives.
  - c) Consider matters for Annual Conference and determine policy and/or submit motions or amendments to motions as appropriate on behalf of the Committee.

#### **12.6.7 Counters Business Co-ordination Committee**

1. The Counters Business Co-ordination Committee shall comprise the Chair elected from within the Committee, the Regional Counters Representatives and their substitutes as well as the delegates from Branches with Counters members within the Region. The Committee will meet a minimum of four times in each year. The Senior Regional Counters Representative will act as Secretary to the Committee which will be consultative as well as a policy making forum as follows:
  - a) Receive and consider reports from the Regional Counters Representatives (and substitutes where appropriate) and determine Counters Regional policy.
  - b) Receive and consider reports from Branch Representatives.
  - c) Consider matters for Annual Conference and determine policy and/or submit motions or amendments to motions as appropriate on behalf of the Committee

#### **12.6.8 Subscription Services Limited Business Co-ordination Committee**

1. The SSL Business Co-ordination Committee shall comprise of the Chair elected from within the Committee, the SSL Regional Representatives as well as the delegates from Branches with SSL members within the Region. The Committee will meet a minimum of four times in each year. The Senior Regional SSL Representative will act as Secretary to the Committee which will be consultative as well as a policy making forum as follows:
  - a) Receive and consider reports from the Regional SSL Representative(s) (and substitutes where appropriate) and determine SSL Regional policy.
  - b) Receive and consider reports from Branch Representatives.
  - c) Consider matters for Annual Conference and determine policy and/or submit motions or amendments to motions, as appropriate, on behalf of the Committee.

#### **12.6.9 Telecoms Business Co-ordination Committee**

1. The Telecoms Business Co-ordination Committee shall comprise the Chair elected from within the Committee, the Sector Organiser, the Assistant Sector Organiser as well as delegates from Branches with Telecom members within the Sector. The Committee will meet a minimum of four times in each year. The Sector Organiser will act as Secretary to the Committee, which will be consultative as well as a policy making forum as follows:
  - a) Receive and consider reports from the Sector Organiser (and Assistant Organiser where appropriate) and determine Sector policy.
  - b) Receive and consider reports from Branch Representatives.
  - c) Consider matters for Annual Conference and determine policy and/or submit motions or amendments to motions on behalf of the Committee.

2. The Assistant Sector Organiser shall substitute when the Sector Organiser is on annual leave, sick leave, or other union business. In addition they will also perform the following duties:
  - a) They will act as paying out Officers at Sector Committee Meetings.
  - b) They will attend, along with the Sector Organiser, all meetings with management where Sector Business is the subject of discussion/negotiation.

#### **12.6.10 Annual Conference ~~(Amended)~~**

1. Divisional Officers, Area Organisers, Regional Counters Representatives, Regional SSL Representatives, Sector Organisers and Assistant Sector Organisers shall attend ~~the appropriate~~ ~~Business Co-ordination~~ Conference in ex-officio capacity, having the right of speech but no voting powers. They may participate in the discussions at Conference at the specific request of their Business Co-ordination Committee or of a Branch within that Committee.

#### **12.6.11 Financial Arrangements**

1. When attending meetings of the Business Co-ordination Committees or engaged upon other authorised Union business, Divisional Officers, Area Organisers, Regional Counters Representatives, Regional SSL Representatives, Sector Organisers and Assistant Sector Organisers shall be paid the actual cost of substitution, travel and subsistence entitlements.
2. When attending Annual or Special Conferences or acting on behalf of the National Executive Council on Union business within their area the Officials detailed in 12.6.10.1 shall receive payment. When one of these Officials exercise his/her option to attend Conference as a Branch Delegate, half of his/her expenses shall be borne from Branch funds.
3. Legitimate expenses for all other delegates attending Business Co-ordination Committee meetings will be borne by CWU Head Office.



**Rule 13****Industrial Action****13.1 General**

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1. In further pursuance of the Union's objects the Union may give to the members such directions as the National Executive Council, Annual Conference, Special Conference, or a properly convened Branch meeting may decide, to take any industrial action against the employers that may be necessary to ensure the achievement of the Union's objects including strike action. Additionally, Branches shall have the authority to take industrial action in order to protect their immediate interests. The General Secretary and National Executive Council must be informed of any such action.
  2. In pursuance of the objects of the Union members may be given such directions as the National Executive Council, Annual Conference, Special Conference or a properly convened Branch meeting decide to take any action against employers that may be necessary, including strike action. Additionally Branches shall have the authority to withdraw members from duty in local situations following a statutory ballot in order to protect their immediate interests. The National Executive Council shall be informed of any such action and the ballot shall be conducted in accordance with the appropriate trade union legislation and in accordance with any modification or amendments thereof for the time being in force.
  3. For the avoidance of doubt it is confirmed that nothing contained in Rules 13.1.1 or 13.1.2 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.
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## **Rule 14**

## **Discipline**

### **14.1 General**

1. Matters of a disciplinary nature affecting an individual member or members of the Union shall only be dealt with in accordance with the provisions of this Rule.
2. A member shall be liable to disciplinary action in respect of the following matters:
  - a) Behaving in a manner contrary to the interests of the Union.
  - b) Failing to carry out the lawful and reasonable instructions of a Branch, the National Executive Council, or Annual or Special Conference.
  - c) Acting in breach of the Rules of the Union.
  - 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.

- 14.2 All matters calling for disciplinary action shall be determined by a National Discipline Committee which shall consist of three members appointed by the National Executive Council. There shall be three named substitutes to replace any or all of the members of the National Discipline Committee if they are not available.

The Committee shall be served by an Officer appointed by the General Secretary. The National Discipline Committee has the powers set out in Rule 14.4.

- 14.3 There shall be a right of appeal against decisions of the National Discipline Committee to an Independent Review Body. In all cases of appeal the decision appealed against shall be suspended pending the hearing of the appeal.

1. The Independent Review Body shall consist of three people; an Independent Chair acceptable to the appellant and the National Executive Council and one member nominated by the appellant and one member nominated by the National Executive Council.
2. The decision of the Independent Review Body shall be final and binding on the appellant and the Union.
3. If a fine imposed by the National Discipline Committee shall not be 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 thereupon be automatically expelled from membership of the Union.

### **14.4 National Discipline Committee Powers and Procedures**

1. All matters requiring consideration under the authority of Rule 14.1 shall be referred to the General Secretary and by the General Secretary to the National Discipline Committee. Such matters may be referred to the General Secretary from either a member or a Branch.
2. The National Discipline Committee has the power to require the attendance of witnesses who are members of the Union and require production of written evidence. In the event of non-attendance or production of written evidence, the Committee has the right to take a decision in their absence.
3. The National Executive Council shall prescribe bye-laws regulating the procedure for the conduct of all cases before the National Discipline Committee and may amend such bye-laws from time to time. These amendments shall be subject to endorsement at the next Annual Conference.

4. The National Discipline Committee shall consider the General Secretary's reference as presented and conclude whether or not a prima facie case has been made out. If so, it may proceed in accordance with the following sub-paragraph of this Rule.
5. Following the hearing of a complaint, the National Discipline Committee may exercise any one or more of the following powers:
  - a) to censure the member concerned;
  - b) to fine the member such sum as the National Discipline Committee shall consider fair and reasonable having regard to the circumstances;
  - c) to suspend the member from membership or from all or any benefits of membership for such time as may be determined;
  - d) to remove the member from any office the member may hold in or on behalf of the Union;
  - e) to disqualify the member from holding such office for such period of time as the National Discipline Committee may determine;
  - f) to expel the member from the Union; and
  - g) to impose a suspended sentence for so long as the National Discipline Committee shall consider just and reasonable.

**14.5 Functions of General Secretary in Relation to Disciplinary Matters**

1. The General Secretary shall appoint a convening Officer of the National Discipline Committee who shall notify members and officers of the decisions of the National Discipline Committee.
2. The Discipline Officer shall be responsible for the documentation of matters requiring consideration by the National Discipline Committee and for recording the proceedings of the Committee.
3. The Discipline Officer shall notify the General Secretary who shall notify a member of their rights under these Rules and of the consequences of failure to comply with any direction made or issued or any penalty imposed by the National Discipline Committee.

## **Rule 15**

## ***Alteration of Rules***

### **15.1 Rules Revision Conference**

1. Every four years the Union shall hold a Conference for the purpose of reviewing and revising its Rules.
2. The first such Conference following merger shall not be later than 31 December 1995.
3. All Branches of the Union (and Regional Committees) shall have the opportunity to submit three proposals relating to the Rules of the Union at the quadrennial Rules Revision Conference.
4. The National Executive Council shall be entitled to submit proposals relating to the Rules of the Union as appropriate.
5. Each proposal to amend the Rules which receives a majority in support including a majority within each of the following:
  - a) the Postal and Operator & Ancillary Constituencies counted as a whole;
  - b) the Engineering and Postal Technical Services Constituencies counted as a whole;
  - c) the Clerical Constituency;shall then form part of the Rules of the Union.

### **15.2 Annual Changes in the Rules**

1. In addition there shall be provision at each Annual Conference of the Union for a Rules Revision session.
2. At the Annual Rules Revision session Branches (and Regional Committees) shall have the power to submit one proposal relating to the Rules of the Union.
3. At the Annual Rules Revision session the National Executive Council shall have the power to submit proposals relating to the Rules of the Union as appropriate.
4. At the Annual Rules Revision session each proposal to amend the Rules which receives a two-thirds majority in support, including a two-thirds majority within each of the following:
  - a) the Postal and Operator & Ancillary Constituencies taken as a whole;
  - b) the Engineering and Postal Technical Services Constituencies taken as a whole;
  - c) the Clerical Constituency;shall then form part of the Rules of the Union.

### **15.3 Role of the National Executive Council**

1. The National Executive Council 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 National Executive Council 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.
2. The National Executive Council shall have power to interpret the Rules or to decide upon any issue in respect of which the Rules are silent. The decision of the National Executive Council 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 propositions are placed before the Rules Revision Conference or Annual Conference as the case may be, in such a form that the language and content clearly express the purpose of the proposition and saving so far as the purpose of the proposition otherwise requires, are in conformity with the body of the Rules and the principles incorporated therein.
4. Any alterations to Rules, which are carried at a Rules Revision Conference or Annual Conference, shall become operative immediately following the close of the appropriate Conference.
5. Within six months of a quadrennial Rules Revision Conference a new updated rule book shall be produced and distributed to every Branch and within six months of an Annual Rules Revision session an appendix to the rule book, incorporating any changes made, shall be produced and distributed to every Branch.

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15.4 **Deleted**

## **Rule 16**

## **Amalgamation**

1. The Union may amalgamate with, or transfer engagements to or from, any trade union(s) as Annual General or Special Conference may determine, subject to the terms of the relevant legislation.
2. The National Executive Council shall at all times have the power to submit the question of amalgamation and Transfer of Engagements to an Annual General or Special Conference.

## **Rule 17**

## **Pension Fund Trustees**

1. Union nominated Trustees of occupational pension funds shall be selected in accordance with the terms of this Rule.
2. The Telecoms and Financial Services Executive shall select nominees for former NCU Trustee positions and any new Trustee positions in the telecommunications or financial services industries. Such nominations shall be endorsed by the relevant Industrial Conference.
3. Selection of Trustees for former UCW positions and any new Trustee positions in postal industries shall be filled by a ballot of Branches with Postal and Operator & Ancillary members in the appropriate business(es). The vote shall be based on the number of appropriate members within each Branch.
  - a) Nominations shall be sought from appropriate Branches of the Union with members in Postal and Operator & Ancillary Constituencies, and the CWU Officers' Branch.
  - b) Candidates must have the nomination of their own Branch, and the candidate with the highest number of votes shall be the nominee for the vacant Trustee position.
  - c) Nomination of retired members or Officers beyond their normal retirement age shall be inadmissible.
  - d) Sitting nominated Trustees in former UCW positions shall be required to relinquish their Trusteeship on their 65th birthday and will not be supported by the CWU beyond that age.

## **Rule 18**

## **Equality Conferences**

### **18.1 Equality Conferences**

1. There shall be the following annual equality conferences:
  - a) a Women's Conference which shall discuss issues and motions of special interest to women.
  - b) a Black Workers' Conference which shall discuss issues and motions of special interests to black workers.
2. The National Executive Council shall determine the date, venue, duration and delegations to these conferences.
3. All Branches shall be entitled to submit one motion to each of the equality conferences.
4. The General Conference Standing Orders Committee shall determine the procedures to operate at the equality conferences.
5. The Women's Advisory Committee and the Ethnic Minorities Advisory Committee shall be consulted over, and be involved in, the organisation of the equality conferences.
6. The Women's Advisory Committee shall be responsible for pursuing the policies adopted by the Women's Conference.
7. The Ethnic Minorities Advisory Committee shall be responsible for pursuing the policies adopted by the Black Workers' Conference.
8. Each equality conference shall be entitled to select two motions to submit to the General Conference. The selection shall be done on the basis of a Branch preference ballot held during the equality conference. The motions submitted to the General Conference shall be in the name of the relevant equality conference.

### **18.2 Retired Members Conference**

1. There shall be a Retired Members Annual Conference composed of a maximum of four delegates from the following regions: Northern Ireland, Scotland, Wales, North East England, North West England, Midlands, London, Eastern England, South East England and South West England. The boundaries of the regions to be determined by the National Executive Council.
2. The Retired Members Annual Conference shall elect two delegates to attend CWU Annual Conference, who will be entitled to speak on items that do not concern pay and conditions of working members.
3. The Retired Members Annual Conference may submit two motions to the CWU Annual Conference.
4. Funding shall be from the General Fund.