

THE CONSTITUTION

As part of the work force of Saint Lucia, in order to provide for our common good and welfare, to act as a Union in the pursuit of justice within our profession, and occupation and generally to protect our interests, we have agreed to organize ourselves into a Union. We do hereby establish these revised Regulations and Code of Ethics to govern ourselves and to form, for legal and professional purposes, the Constitution of the Public and Allied Workers Union.

1. NAME AND OFFICE

- (a) This organization shall be called the Saint Lucia Public and Allied Workers Union hereinafter referred to as THE UNION, or “the PAWU”. Let it be noted that the PAWU is the same and sole organization, recognized as the Saint Lucia Civil Service Association in Section 95(1) c and Section 95(11) of the Saint Lucia Constitution Order of 1978 No. 1901.
- (b) Let it be further noted that the PAWU will be the same and sole organization in any future enactment in which the Saint Lucia Civil Service Association will be recognized.
- (c) The registered office of the Union shall be located at the Public and Allied Workers Union Building, Sans Souci, Castries or in such other place as may be decided upon by the Conference of Delegates.
- (d) Transfer of assets and liabilities from St. Lucia Civil Service Association to the Saint Lucia Public and Allied Workers Union.

2. OBJECTIVES

- (a) To unite all public servants, members of staff of Statutory Bodies, members of staff of any other Government agency, as well as other workers wheresoever legally and rightfully employed and who so choose to enter into a common union.
- (b) To obtain and maintain just and proper **employment and** wages, terms and conditions of employment and generally to protect the interest of members. To provide for members legal assistance and legal or other advice where reasonable in connection with their employment;
- (c) To examine, promote and comment on any and all legislation and regulations affecting the Union and/or its members;
- (d) To promote and advance through THE PUBLIC AND ALLIED WORKERS UNION the cause of social justice as enunciated in the Preamble of the Saint Lucia Constitution Order, 1978 No. 1901;

- (e) To create **structures and initiatives** within THE PUBLIC AND ALLIED WORKERS UNION that will improve and ensure the social, economic, political and cultural development of members.
- (f) To establish, affiliate and maintain relations with other organizations and trade unions locally, regionally and internationally, and especially, to seek to promote the Trade Union Movement;
- (g) To establish and carry on or participate in the business of printing or publishing of a general newspaper or newspapers or journals, books, pamphlets or publications or any other related undertaking;
- (h) To establish and carry on or participate in any legal business venture;
- (i) To regulate relations and to settle disputes between members and employer, between members and other workers by amicable agreements whenever possible; and to do all such other things that are conducive and beneficial to the good and welfare of members as well as to work towards harnessing the natural resources of Saint Lucia for the general improvement **and** welfare of all.

3. **MEMBERSHIP**

(a) Membership in THE UNION is opened to all persons employed in the Public Service of Saint Lucia, and other Government Establishments, including daily, weekly, fortnightly and monthly paid employees in Statutory Boards, Government Agencies. Paid employees of the Union, persons employed in any other sector or field of employment who wish to become members of the Union or retain membership notwithstanding retirement, and a change in their place or field of employment.

(b) THE UNION shall consist of full and honorary members: -

(i) Full members

Full members shall be persons employed in the Public Service in Government or quasi-government establishments, Statutory Bodies Corporation, Authority or local councils as well as person(s) employed in any other sector or field of employment who wish(es) to become (a) member(s) of the Union or retain membership therein, regardless of age, religion, colour, creed, gender or nationality, political persuasion or affiliation. Membership will also be opened to anyone, over 18 years of age. In addition, full membership will be opened to persons at the age of 16years, at least, and will be represented by the union. However, only tall members at 18 years and over will hold Executive office.

(ii) Honorary members

On the recommendation of the Conference of Delegates, Honorary members may be elected at the Triennial Conference of THE UNION. A simple majority of members present and voting shall be necessary for approval. Honorary

members shall be allowed to participate fully in Union activities except that they shall be exempted from paying fees, and in such cases shall not be entitled to vote at meetings or to hold office.

Criteria for honorary members shall be: -

- (i) Persons who have contributed to the promotion and development of the Union, and
- (ii) Shall be of good standing

(iii) Retirees who wish to retain their membership can decide to regain their status as full members, but must comply with the conditions of Article No.

(c) Application for Membership

Application for membership as full members shall be made by submitting the appropriate membership forms (in duplicate) fees and subscription forms (in duplicate) directly or through any Shop Steward to the General Secretary who will place them before the Executive Council.

The Executive Council **shall review the application(s) and make the final determination. The Executive Council may delegate such responsibility to the Administrative Secretariat who will interview the applicant.**

- (d) No full member shall be entitled to hold office at least one year after being admittance to membership.

4. **SUBSCRIPTION FEES**

The subscription fee payable to THE UNION shall be determined by the Conference of Delegates. All financial members shall be bounded by the decision of the Conference.

- (a) A member whose subscription is three (3) months in arrears shall be deemed non-financial and therefore not entitled to benefits and representation by the Union.
- (b) A non-financial member shall not be permitted to vote at meetings of THE UNION at any level (branch or General), nor shall he/she be eligible for election to any office before the expiration of six (6) months from the date of his/her re-admission to full membership;

However, he/she may attend meetings of THE UNION or branch, but take no part in the discussion unless invited to do so by the Presiding Officer;

- (c) A person who ceased to be a member of THE UNION by reason of being suspended or expelled for arrears in subscription may, on payment of the arrears be re-admitted upon such terms as the Executive Council may decide.

Members who resign from THE UNION on their own accord, may only be re-admitted to membership at the discretion of the Executive Council provided that a readmission fee is paid except in those cases where members resign to improve their economic status.

- (d) Any member who shall be found guilty of revealing any confidential business of THE UNION to employers, press or any other person not directly concerned with THE UNION, shall be suspended, expelled or dealt with in such legal manner as the Executive Council shall decide.
- (e) The Executive Council shall have the power to suspend or expel a member who, in its opinion, has been found guilty of conduct calculated to bring THE UNION into disrepute or who refused to comply with any rules of THE UNION, provided always that such member shall be given the opportunity of meeting the Committee set up to investigate charges of this nature as in Rule 16 (b) of these regulations, to defend the charges brought against him/her. Such suspension or expulsions shall be ratified by the Conference of Delegates.
- (f) If a member wishes to appeal a decision of the Executive Council as in Rule 16 (c), such right of appeal shall be exercised by notice in writing to the General Secretary of THE UNION, who shall within twenty-one (21) days of the date of receipt of the notice, present this to the National General Meeting for its decision. [as with Rule 4 (d)].
- (g) Members shall purchase their rule books at such price as may from time to time, be fixed by the Annual General Meetings or Triennial Convention.

5. GOVERNANCE AND ADMINISTRATION

Introduction

The Governance and Administration of the Union is distributed in order of authority from the Triennial Convention at the top to Branch Representatives at the bottom. This hierarchy emphasizes that the most powerful voice of the Union is that of the members expressed at **Triennial** Convention. The other representative groups of Governance and Administration, from the level of the General Council, shall act on decisions taken by the members or take decisions pending ratification by members through their supreme authority.

However, the General Council and National Executive Council are empowered to take decisions, within the limits of authority of these bodies, to ensure the smooth operation of the union.

The Governance and Administration of the Union shall operate at the following levels: -

- (a) **Triennial** Convention
- (b) **Annual** General Meetings
- (c) General Council
- (d) Executive Council/Board
- (e) Branch representative committees/branch executive
- (f) Secretariat

5.1 **The Triennial Convention**

- (a) The supreme authority of THE UNION shall be vested in the **Triennial** Convention which shall be held every **three (3)** years during the month of **May**.

The **Triennial** Convention shall be opened to **delegates and** members, but only full members shall be permitted to hold office and to vote.

- (b) The **Triennial** Convention shall be conducted in **two (2)** parts: -

- (i) Election of: Executive Council, Trustees and Committees
- (ii) **Delegates Conference**

- (c) Notice of the **Triennial** Convention, together with the date for the election and returning officer, agenda and procedure for the Delegates Conference, shall be determined by the General Council. Notices for the elections and Delegates Conference shall be given at least **two (2) months** prior to both events, by public advertisement.

(d) Elections

- ❖ Voting to elect officials of the Executive Council, Trustees and Committees (Women, Youth, Finance, **Investment** and Fund Raising, Benefits, Sports and, Building) shall take place at all branches of the Union, on the last Wednesday in the month of April.

- ❖ Elections will be held at least one (1) month before the Delegates Conference.
- ❖ Elections shall be by secret ballot and shall be opened to all full members of the Union, in good standing.
- ❖ All full members in good standing shall be eligible for elections as officials of the Executive Council, Trustees and Committee members.
- ❖ Members putting themselves for elections shall do so through notification to the General Secretary, at least one (1) month prior to the date of the elections and in the prescribed nomination forms.
- ❖ Nominees to be considered for elections shall be posted and circulated to all branches of the Union at least two (2) weeks prior to the date of the election.
- ❖ The Shop Steward of each branch, providing that he/she is not a nominee for elections, shall be responsible for supervising the elections at his/her branch. In the event that the Shop steward of a given branch is a nominee for election, members of the branch will elect someone to supervise the elections with that branch.

(e) Delegates Conference

- The Delegates Conference will be held on the last Wednesday in the month of May.
- The **Delegates Conference** shall be opened to **elected delegates from the branches** of the Union. In order to ensure adequate participation and representation of a cross-section of the Union's membership, all branches shall be required to select/elect a number of delegates.
- Full members and honorary members who are not delegated will be allowed to attend the delegates' conference as observers.
- The number of delegates per branch shall be 1:20. Branches with less than 20 members shall be entitled to send one (1) delegate, who would be the shop steward or alternate.
- A quorum for the **Delegates Conference** shall consist of no less than half (1/2) of prescribed number of delegates.

If within one hour from the time appointed for the **Delegates Conference** a quorum is not attained, the Convention shall adjourn and reconvene one hour later on the same day and the number present at the time will constitute a quorum.

- Without prejudice to other business, the **Delegates Conference** shall: -

- (i) Receive reports from the Executive Council, Committees, branches.
- (ii) Review the work of the Union over the past **three (3)** years;
- (iii) Consider resolutions which shall be submitted to the General Secretary for circulation at least one (1) month before the Convention;
- (iv) Receive and adopt the report from the returning officer, on the elections to the Executive Council, Committees and Trustees; General Council;
- (v) Receive and consider the Union's Financial Report and Balance Sheet;
- (vi) Receive, consider and adopt the Auditor's Report.
- (vii) Consider any other business.

5.2 National General Meetings/Annual General Meetings

- (a) Between **Triennial** Conventions, authority shall be vested in the Annual General Meetings. The Annual General Meetings shall be opened to all members (i.e. Full, honorary) but only full members shall be eligible to vote. Decisions shall be made on the basis of simple majority of votes.
 - (i) An Extraordinary National General Meeting of the Union maybe convened by the General Secretary in consultation with the President or by the General Council or by written petition from no less than an equivalent of 5% of financial members.
 - (ii) In the case of a request for a meeting by petition, matters to be considered shall be clearly indicated in the petition which shall be submitted to the General Secretary.
 - (iii) Such a meeting shall be held within twenty-one (21) days of receipt of the petition. Seven (7) days notice of extraordinary National General Meetings shall be given either by public advertisement or by **Union circular**.
- (b) Notice of the Annual General Meeting as well as the agenda and procedure shall be determined by the Executive Council. Twenty-one (21) days notice of the Annual General Meeting shall be given either by public advertisement or by the **Union's circulars**.
- (c) The quorum for the Annual General Meeting shall consist of 75 members. If within one hour from the time appointed for the Annual General Meeting a quorum is not attained, the meeting shall stand adjourned and a new meeting shall reconvene one hour later on the same day and the number present at the

time will constitute a quorum; and notice of the new meeting shall have been served.

(d) The Annual General Meetings shall: -

- (i) Examine the execution and implementation of the Convention's programme.
- (ii) Examine reports including financial statements by the Executive Council and branch executives;
- (iii) Consider new business;
- (iv) Make major decisions on the Trade Union's business;

5.3 **The General Council**

(a) The General Council of the Union shall consist of members of the Executive Council, branch representatives, coordinators of Standing Committees or their representatives. The General Council is the highest body after the Annual General Meeting;

(b) The General Council shall meet quarterly and at such other times as may be determined by the Executive Council or as may be considered necessary for the effective conduct of the Union's business by the Executive Council or General Secretary in consultation with the President.

(c) Any member of the General Council unable to attend three (3) consecutive meetings to which he/she is summoned shall send a written explanation of his/her absence and if the General Council is of a majority opinion that the explanation is not satisfactory, it may declare his office vacant and direct the branch which he/she represents to elect a successor.

Any member so affected shall have the right of appeal at the Annual General Meeting immediately following the decision. The ruling of the Annual General Meeting shall be final on the matter of an appeal.

(d) The quorum for General Council shall be one more than half of the combined number of members. Decisions shall be determined by voting on the basis of a simple majority.

(e) The General Council shall have power to raise or borrow money on any of the properties or securities of the Union by way of mortgage or otherwise in such manner as General Council shall think fit.

(f) The General Council shall: -

- (i) Monitor the work of the Executive Council, branch representatives and Standing Committees.

- (ii) Ensure that decisions of the **Triennial** Convention and Annual General Meetings are implemented.
- (iv) Consider any other business relevant to the Union.

5.4 **The Executive Council**

- (a) The Executive Council shall consist of the President, Immediate Past President, 1st Vice President, 2nd Vice President, Treasurer, Secretary and Assistant Secretary/Assistant Treasurer who shall be elected at the **Triennial** Convention. Chairperson/Women Committee and Chairperson, Young Workers Committee will be members of the Executive Council.
 - (The tenure of the Immediate Past President on the Executive Council will be one (1) term, i.e. three years; or one (1) year).

The post of General Secretary shall be established by appointment. The General Secretary or his/her representative(s) shall be ex-officio of the Executive Council with non-voting powers.

- (b) The term of office of the Executive Council shall be **three (3)** years.
- (c) In the event of a vacancy arising on the Executive Council as a consequence of prolonged absence, death, resignation, illness or expulsion, the General Council shall have the power to fill such vacancy from among full members of the Union on the advice of the Executive Council and subject to ratification by the next Annual General Meeting.
- (d) The Executive Council shall meet not less than once a month and a quorum shall be not less than five of its permanent members, who are all elected members by the Triennial Convention.
- (e) If any member of the Executive Council fails to attend three (3) consecutive meetings to which he/she is summoned, without a reasonable **excuse**, shall cease to be a member. He/she shall have the right of appeal at the next General Council Meeting or the Annual General Meeting immediately following the declaration. The ruling of the **General Council** or Annual General Meeting shall be final.
- (f) A member of the Executive Council who by virtue of his/her absence from the state for a period in excess of three (3) months, shall cease to be a member of the Executive Council.
- (g) The Executive Council shall have the power to appoint Committees between **Triennial** Convention and co-opt members to committees to further any

specific business interest of the Union under authority of the Executive Council.

(h) The Executive Council shall: -

- Ensure the implementation of decisions and programmes made at the **Triennial** Convention, Annual General Meetings and General Council.
- Direct, monitor and supervise all developments of the Union.
- Report on its activities to the General Council.
- Take steps for the realization of the objectives of the Union.

(i) Notwithstanding any provision otherwise in these regulations, the entire Executive Council or any of its members may be removed from office during the period between any **Triennial** Conventions **on** a two-thirds (2/3) majority vote of those present and voting at an Extraordinary General Meeting held for this purpose **at** the request of at least seventy-five (75) financial members. Such request accompanied by their signatures shall be made to the Executive Council or any of its members. The request shall be sent to the General Secretary.

He/she shall, not later than fourteen (14) days after the receipt of the request issue notice for the holding of an Extraordinary General Meeting not later than twenty-one (21) days from the date of such notice. Provided, however, that such a meeting shall not fall within four (4) months prior to the holding of a **Triennial** Convention. If an Extraordinary General Meeting removes the Executive Council, it shall then immediately proceed to elect an Interim Executive Council, until the next Triennial Convention.

The Executive Council shall appoint the Union's General Secretary. The Administrative Secretariat shall appoint the Secretariat staff. Such appointments shall be made after ratification by the General Council, in the case of full-time officers, contract officers and service organization paid by the Union. The confirmation, duties and conditions of appointment shall be ratified by a simple majority vote.

5.5 **Branches**

- (a) The Union shall operate on the branch system for the purpose of carrying out the objectives of the Union. Where applicable, branches will be divided into sub-units.
- (b) The number of branches and the specific boundaries of branches shall be approved by the General Council. Branches shall as far as possible cover specific Government Ministries, Statutory Boards, Local Authorities, and any other established bargaining unit(s) in and out of the Public Service;

- (c) Each branch shall operate as a separate body, but shall be bound by the general rules of the Union and the decision of the **Triennial** Convention, Annual General Meeting, General Council and the Executive Council.

Each branch shall meet, generally prior to General Council meetings, at a time and place to be determined by the branch executive. Each branch shall have an Annual General Meeting during which branch reports shall be given and the Election of Officers held. The authority of the branch shall be vested in the Branch General Meeting.

Members shall be given notice of the Branch General Meeting at least two (2) weeks before its scheduled date. The agenda for such meetings shall be prepared and circulated by the Branch Executive.

- (d) The Branch Executive shall comprise the Chairpersons, Secretary, Treasurer and any other officer(s) which the Branch general body regards as necessary to conducting its business.
- (e) Branch General Meetings shall be opened to all members of the Branch but only full members of the branch shall be eligible to vote or hold office.
- (f) The Branch Executive shall ensure full implementation of decisions made at the Branch General Meeting, Executive Council, General Council, Annual General Meeting and **Triennial** Convention and shall co-opt any member of the general body of the Branch to assist in the Executive's work.
- (g) Decisions at the Branch Executive shall be on the basis of simple majority with the Branch Chairman having an original or casting vote.
- (h) The Branch Executive shall ensure that proper records are kept and shall submit detailed reports of accounts as well as official minutes of its executive meetings to the Executive Council of the Union termly or whenever required to do so by the Executive Council.
- (i) If a Branch ceases to function, the Executive Council shall take steps to reactivate it.

5.6 **The Administrative Secretariat**

- (a) The Administrative Secretariat shall comprise the President, the General Secretary, the Secretary, the Treasurer of the Executive Council, and any other officer named by the Executive Council.
- (b) **Members of the Administrative Secretariat maybe appointed by the General Council as full time officials paid by the Union. The duties and conditions of**

appointment of any full time official shall be specified by the General Council.

- (c) The Administrative Secretariat through the General Secretary shall direct the day-to-day operations of the Union and coordinate the activities and programme of the Public and Allied Workers Union under supervision of the Executive Council.
- (d) Changes in the staff structure of the Secretariat and the creation of new post shall be made by the Administrative Secretariat and shall be ratified by General Council.
- (e) The Administrative Secretariat shall be empowered to summon Extraordinary or emergency meetings of the Executive Council as needs arise.

5.7 **Branch Representatives and Shop Stewards**

- (a) The members of the Union in each branch shall elect a member among them who shall be the Union's Representative in that Branch. Where branches are divided in sub-units, each sub-unit shall be headed by a shop steward.
- (b) It shall be the duty of the Branch representative or Shop Steward to inform the General Secretary of his/her appointment and that of shop stewards within **three (3)** weeks of being elected.
- (c) It shall be the duty of the Branch representative, assisted by shop stewards, to act as liaison between his/her members, his/her respective Branch and the Secretariat, the General Council and the Executive Council, to carry out such additional duties as are from time to time determined by the Executive Council and to foster the objectives of Public and Allied Workers Union as laid down in Rule 2 of these Regulations.
- (d) Branch representatives will be allowed to speak on industrial Relation matters affecting the Branch after consultation with the General Secretary or his/her nominee.
- (e) Each Branch Representative and Shop Steward must be full members of the Union. Members shall hold office for two (2) years and shall be eligible for re-election by members of the Branch and/or sub-units.
- (f) A vacancy occurring during the term of office of a shop steward shall be filled by a Branch Representative from the same Branch.

- (g) In the event that a Branch Representative or Shop Steward is not elected within two (2) months, the Executive Council which shall have the power to appoint a member of the Branch concerned to the post until such time that a meeting is convened to elect a person to the post.
- (h) Branch representatives and shop stewards may meet together to form a National Stewards Council whenever the Conference of Delegates deems it necessary so to do. In the event that a National Stewards Council is formed, the Council shall: -
 - (v) Elect a Chairman, a Secretary and other officers it may deem necessary for the proper management of its business;
 - (vi) Discuss issues and problems arising in branches and present memoranda to the Executive Council;
 - (vii) Elect another officer who shall be a member of the General Council together with the Chairman;
 - (viii) Draft its own rules to govern its business provided that such rules are not INCONSISTENT with the regulations of THE UNION;
 - (ix) Work under general direction of the Executive Council;

6. DUTIES OF THE EXECUTIVE COUNCIL

The President

6.1 The President shall: -

- (a) Preside at all meetings of the Union at which he/she shall have both an original and casting vote.
- (b) Sign the minutes of every meeting at which he/she presides at the time they are confirmed.
- (c) In conjunction with the General Secretary superintend to general administration of the affairs of THE UNION according to the regulations of THE UNION.
- (d) Convene meetings through the Secretary.
- (e) In cases of emergency, authorize the expenditure of sums not exceeding FIVE THOUSAND DOLLARS (\$5,000.00) from the funds of the Union, reporting the

same to the Executive Council at its first meeting after the expenditure. Emergency is taken to mean an unexpected situation with implications to adversely affect the immediate or future working of the union and its members if not addressed.

- (f) **Take** responsibility for all official releases of the Union to the Public, Press and to members.
- (g) Act generally on behalf of the Union with the consent of the Executive Council.

6.2 The First Vice President

The First Vice President shall: -

- (a) Act as President in the absence of the President and shall otherwise assist the President generally in his/her duties.
- (b) In the event of a vacancy arising in the office of the President assume the duties and authority of the President.
- (c) From time to time perform any other duty and hold any other office, determined by the Executive Council and the General Council. Have such powers and responsibilities as allocated to the President by the Executive Council at the first meeting of the Executive Council after the **Triennial** Convention, and/or any other duty assigned by the Executive Council and the General Council.

6.3 The Second Vice President

The Second Vice President shall: -

- (a) Act as President or First Vice President in their absence and shall otherwise assist them generally.
- (b) In the event that the offices of both President and First Vice President become vacant, assume the duties and authority of the President.
- (c) Perform from time to time any other duty and hold any office determined by the Executive Council and General Council, and to have such powers and responsibilities as allocated to the 1st Vice President by the Executive Council at the first meeting of the Executive Council after the **Triennial** Convention, and/or any other duty assigned by the Executive Council and General Council.

6.4 The Assistant Secretary/Assistant Treasurer

The Assistant Secretary/Treasurer shall: -

- (a) Act as Secretary or Treasurer in their absence and shall otherwise assist them generally.
- (b) In the event that the office of the Secretary become vacant, assume the duties and authority of Secretary.
- (c) In the event that the office of the Treasurer become vacant, assume the duties and authority of the Treasurer.
- (d) Perform from time to time any other duty determined by the Executive Council and General Council.

6.5 The Secretary

The Secretary shall: -

- (a) Carry out the instructions of the Executive Council and direct all relevant correspondence to the attention of the Executive Council.
- (b) Prepare, present and preserve proper, accurate and up-to-date records of minutes and main activities of the Executive Council.
- (c) Be responsible for the preparation of all Executive Council reports to all General Meetings, **Triennial** Convention and Delegate Conference, in consultation with the General Secretary and the President.
- (d) Forward to General Council members and shop stewards, a copy of the confirmed conclusions of each business meeting of the General Council within two (2) weeks of confirmation.
- (e) Be responsible as part of the Administrative Secretariat for the supervision of the Union's business.
- (f) Prepare the Agenda for Executive Council meetings in consultation with the President and General Secretary and ensure its timely circulation.
- (g) Perform such other duties defined by the Executive Council and the General Council.

6.6 The National Treasurer

The National Treasurer shall: -

- (a) Be responsible for the management of the expenses and income of the Union. He/she shall be **responsible for the preparation and submission** to the Executive Council for consideration an annual draft Budget by no later than November 30 of each year.
- (b) Ensure the establishment and maintenance of a satisfactory system of control of the Union's accounting records, cash holdings, receipts, remittance, bonds, securities and other assets as are provided by the Articles.

- (c) Be responsible for all monies paid to the Union and shall ensure that such monies are deposited within forty-eight (48) hours.
- (d) Ensure the proper accounting of receipts and expenditure supported by documentary evidence and submit same for audit to the Executive Council.
- (e) Submit a report at each regular meeting of the Executive Council and General Council; or at such other times as the Executive Council may decide.
- (f) At least one month before the fixed date of the **Triennial** Convention of the Union, present to the Executive Council a report spanning **three (3)** years, and income and expenditure and balance sheet as at the ending of such period.
- (g) Also ensure the preparation and presentation of an Audited Statement of Account to the Annual General Meeting which shall outline income and expenditure for the preceding year.
- (h) In conjunction with the President or Secretary and one Trustee sign all cheques on behalf of the Union.
- (i) Perform from time to time all duties assigned to him/her by the Executive Council, General Council or a higher level of the Union.

7. **COMMITTEES**

The following Committees shall be elected at **Triennial** Convention of the Union: -

- (a) Education and Training Committee
- (b) Finance, Investment **and Fundraising** Committee
- (c) Building Committee
- (d) Women's Committee
- (e) Youth Committee
- (f) Benefits Committee
- (g) Such other Committees that must be ratified by the Biennial Convention.
- (h) Men's Committee

The Executive Council shall appoint representatives to serve on various Government Committees which may include among them:

- (a) Training Committee
- (b) Traveling and Subsistence Committee
- (c) Housing Committee
- (d) Staffing and Structure Committee
- (e) Honorarium Committee

7.1 **Education and Training Committee**

The Education and Training Committee shall provide guidance to the Executive Council and the Secretariat of the Union on all matters relating to education and

training, including issuing of bulletins, press releases, and other forms of public relations mechanisms to enhance the general image of the Union. All written publications for public information must be approved by the President or his/her representative.

7.2 Finance, Investment and Fundraising Committee

It shall be the duty of the Finance, Investment and Fundraising Committee to provide ways and means of increasing the Union's finances and shall also have the authority to assist the work of the National Treasurer and ensure that the financial operations of the Union are in order.

The Finance, Investment and Fundraising Committee shall submit to the Executive Council, quarterly reports on the financial position of the Union.

7.3 Building Committee

It shall be the duty of the Building Committee to provide guidance to the Executive Council and the Secretariat of the Union on all matters relating to the maintenance of the Union on all matters relating to the maintenance and upkeep of buildings and their surroundings.

In fulfillment of the above, the Building Committee will conduct periodic inspection of buildings, grounds and surroundings and shall submit reports and recommendations on the maintenance and upkeep of same.

The Building Committee shall collaborate with the Finance, Investment and Fundraising Committee on matters related to building and investment.

7.4 Women's Committee

It shall be the responsibility of the Women's Committee to advise the Executive Council on matters pertaining to the development and involvement of women in the Union.

The Women's Committee shall spearhead activities to encourage and enhance the participation of women in the affairs of the Union, and will collaborate with the Finance, Investment and Fundraising and Young Workers Committees in fundraising activities.

7.5 Young Workers' Committee

The Young Workers' Committee shall spearhead activities for the development and involvement of young workers in the affairs of the Union. The Committee shall have the responsibility to provide guidance to the Executive Council and the Secretariat of the Union, on all matters relating to Young Workers.

The Young Workers' Committee, on its own behalf or in collaboration with the Women's Committee and/or the Finance/Investment/Fundraising Committee shall identify and undertake fundraising activities.

7.6 Benefits Committee

The Benefits Committee shall identify areas for the establishment of benefits for members. The Committee shall have responsibility to provide guidance to the Executive Council, and work with the Secretariat on all matters relating to benefits offered by the Union.

8. ELECTION OF THE EXECUTIVE COUNCIL, TRUSTEE AND AUDITORS

- (a) The election of members of the Executive Council together with the election of three (3) Trustees and an Auditor shall take place at the Triennial Convention. The Trustees shall be full members of the Union.

The Auditor shall be elected from a minimum pool of three (3) Auditors.

- (b) Outgoing officers, delegates, trustees and the Auditor shall be eligible for re-election.
- (c) The National Treasurer shall submit to the Executive Council, the financial statements at least fifteen (15) days before the date fixed for the Triennial Convention.

9. DUTIES OF TRUSTEES

- (a) The Trustees shall have vested in them all the real and personal property whatever belonging to the Union and they shall deal with it in such a manner as the Executive Council may direct.
- (b) All monies paid out or withdrawn from the Union's funds must be supported by the signatures of at least one Trustee, the National Treasurer and either the signature of the President or/and Secretary or any other person on the Executive Council so delegated by the President;
- (c) In the event of death, resignation or removal of a Trustee, the Executive Council shall appoint a person to fill the vacancy created there and such person shall remain in office until the next Triennial Convention.
- (d) The Trustees shall carry out a quarterly Audit of the business of the Union and submit a report in writing to the Executive Council.

10. LEVIES

- (a) The Executive Council, shall, after the approval by a majority of the membership present at a Special General Meeting or Triennial Convention, have the power to declare levies in addition to the contribution, if and when it deems necessary.
- (b) If any member fails to pay a levy within three (3) months of its declaration, the default shall be treated in the same manner as arrears of subscription.

11. MEMBERSHIP CARDS

Every financial member of the Union shall be furnished with a membership card which shall be used, inter alia, to permit his/her entry at meetings. If such financial member is not in possession of his/her card and can be vouched for by either the Secretary or Treasurer or Shop Steward, he/she shall be allowed to enter the meeting.

12. SUBSCRIPTION RECORDS

Subscription records shall be held by the Union in name of financial members. Every member shall have a right to inspect his/her personal subscription record at any time during working hours. However, such subscription records shall be held by the Union for Trade Union and Industrial Relations purposes only.

13. AMENDMENT OF RULES

- (a) The rules of the Union may be amended or repealed by resolution at an Annual General Meeting or Triennial Convention of the Union. Notice of any such proposed amendment at least 21 days before the meeting at which it is proposed to amend or repeal, to every member of the Executive Council or copies to each Branch.
- (b) No such resolution shall be deemed to have passed unless it is carried by a majority of at least two-thirds of financial members of the Union present and voting thereon.
- (c) Any amendment of the Constitution of the Union shall be notified to the Registrar of Trade Unions within fifteen (15) days after the effective passing of the amendment.

14. DELIVERY OF UNION'S PROPERTY.

Executive Council members who retire or resign or who are dismissed from office or who are about to leave the State shall deliver to the Secretary or their successors all monies, papers, books and other property of the Public and Allied Workers Union one week after their retirement, resignation or dismissal.

15. EDUCATIONAL WORK

The Union shall undertake the education of its members in a general manner through classes, meetings, monthly bulletins or the use of any media decided upon by the Executive Council, Financial allocations shall be made in the annual budget for such purposes.

It shall make a specialty of Trade Union Education by assisting members whenever possible to gain knowledge of all aspects of Trade Unionism.

16. PROCEDURE FOR DISCIPLINARY ACTION

The following procedure is to be followed before any member is suspended, fined or expelled: -

- (a) Any member who shall be found guilty of revealing any confidential business of the Union to employers, press or any other person not directly concerned with the Union, shall be fined, suspended, expelled or dealt within such legal manner as the Executive Council shall decide.

The Executive Council shall have the power to suspend or expel a member who in its opinion, has been guilty of conduct calculated to bring the Union into disrepute or who refused to comply with any Articles of the Union, provided always that such member shall be given the opportunity of meeting the Committee set up to investigate charges of this nature as in (g) below, to defend the charges brought against him.

Such suspension or expulsions shall be ratified by the General Council.

- (b) If a member wishes to appeal the decision of the Executive Council, such right of appeal shall be exercised by notice in writing to the Secretary of the Union, who shall within twenty-one (21) days of the date of receipt of the notice, present the appeal to the General Council for its decision.
- (c) When a member is alleged to have committed an offence, allegedly calculated to bring the Union into disrepute, the charge shall be put in writing by the Secretary and served on the member together with a notice of the date, time and place at which the charge is to be heard by the Executive Council. The notice required to be given in such case shall be at least fourteen (14) days.

- (d) A member who is required to answer to any disciplinary charge may do so either by himself or with any other person whom he/she chooses to do so on his/her behalf.
- (e) The Executive Council reserves the right to proceed to act in the absence of a member, who having been accused and notified in accordance with (c) above and does not give a reasonable excuse for the absence.
- (f) The professional conduct of all members of the Union shall be guided by a Code of Ethics endorsed by the Triennial Convention.
- (g) The Executive Council is empowered to set a Special Committee comprised of five (5) full members of the Union to deal with complaints of unprofessional conduct or non-compliance with the Articles of the Union. The Committee shall investigate the alleged offence and shall make recommendations to the Executive Council.
- (h) Any member so suspended or expelled in accordance with the foregoing may be reinstated by the General Council provided that not less than six (6) months have elapsed since the date of his/her suspension or expulsion.

17. **PENALTIES**

The following penalties shall be imposed by the Executive Council and shall apply in relation to the following offences: -

- (a) Refusing to sign bona fide documents on reasonable grounds to which signatures are required – fine not more than \$1,000.00.
- (b) Neglect of duty, refusal to implement decisions of the Union – fine not more than \$1,000.00.
- (c) Dishonesty, failing to render proper accounts of Union’s fund – Fine, suspension, expulsion or referral to appropriate authorities for due legal proceedings depending on the gravity of the case.

18. **PUBLIC SERVICE AND ALLIED WORKERS’ UNION WEEK**

One week in May of each year shall be designated “Public and Allied Workers’ Union Week”, provided that the Executive Council may, in the event of unavoidable exigencies, appoint another time.

The members of the Union shall during the said week engage in cultural, sporting, social, education and such other activities either by themselves or in conjunction with other organization of individuals as the Executive Council may decide.

19. DISSOLUTION

- (a) The Public and Allied Workers Union shall not be dissolved except by vote of five-sixths or more of the financial membership of the Union.
- (b) After the dissolution of the Public and Allied Workers Union whatever monies which are held by the Union shall be used to meet any outstanding liabilities, should there be a balance after such liabilities are met.
- (c) All property and equipment belonging to the Public and Allied Workers Union at the time of dissolution shall first be offered up for sale to members at a General Meeting and if they are unable to purchase the same, shall be sold at public auction and the proceeds shall go to institutions to be agreed by the General Meeting.
- (d) The Registrar of the Trade Unions shall be informed of the dissolution within fourteen (14) days thereafter.

20. STANDING ORDERS

- (a) At meetings, each member shall present to the person(s) duly authorized by the Executive Council his or her membership card.
- (b) The President or his/her designate shall take the chair and formally open the business of the meeting.
- (c) Each member on addressing the chair shall rise and be limited in speaking for five (5) minutes on each subject. A member shall not speak except in reference to a resolution or amendment, nor shall he/she speak twice on one subject, unless he/she be the mover of the original proposition, when he/she has the right of reply. The Chairman and Secretary are exempted from this order. Asking or answering a question by permission of the chair shall not be considered speeches neither shall they be speeches.
- (d) In the event of a proposition "to proceed to for the next business" being moved and seconded, it shall, after the proposer of the original resolution has been heard, be put to the vote on. It shall not again be introduced during the meeting.
- (e) No proposal or amendment shall be discussed unless it is seconded, except the proposals of the Executive Council which shall be taken as having been moved and seconded. No second amendment or rider shall be voted on until the first amendment is disposed of.

- (f) The ruling of the Chairman on all matters shall be strictly obeyed. No member shall leave the meeting except he/she first excuses themselves to the Chair.
- (g) An Agenda of the business of the meeting shall be given to each member. This Agenda shall be adhered to until its completion unless a proposition to suspend the standing orders be made and carried out by a majority of two-thirds of those present.
- (h) A majority of the members present may suspend and exclude from the meeting any member who is insubordinate or who improperly conducts himself/herself. A member so dealt with may be reinstated on tendering an apology acceptable to the Chair.
- (i) The business of the meetings shall be conducted in accordance with Parliamentary procedures and standing orders.

21. FINANCE AND AUDIT

- (a) One of the objects of the St. Lucia Public and Allied Workers Union shall be to raise funds by means of an entry contribution levied on each member, a monthly subscription, fund raising activities, other legal means, donation and gifts, and interest on investments (if any) and levies on members when occasion demands that such a levy be imposed and loans (if necessary). Such funds shall be used for the purpose of and where possible, within the resources of the union:-
 - (i) Meeting expenses towards management.
 - (ii) Providing legal assistance to members when the need arises and the Executive Council is satisfied that the appeal for assistance is justified; along the lines of work related and industrial relation purpose.
 - (iii) Assisting members when in distress;
 - (iv) Assisting members (if the fund is available) when out on STRIKE;
 - (v) Assisting members who may wish to pursue further studies;
 - (vi) Providing scholarships and/ or school assistance for the sons and daughters and wards of financial members in accordance with the policy governing such assistance.

The Executive Council shall decide the terms and conditions guiding such assistance/payment.

- (b) Member's monthly subscriptions shall be paid by means of the check-off system. All monies collected on behalf of the Union for whatever purpose, shall be lodged in the bank by the Treasurer or his/her designated representative. The Treasurer shall carry out periodical checks at the Treasury and other such departments of bargaining units to ascertain that deductions are made and that subscriptions are taken from all members who have requested that such be done from their salaries.

All other subscriptions shall be paid to the Union, and the Treasurer shall ensure that such funds are handled in accordance with 6.6 (c).

(c) The monies collected shall be divided into: -

- (i) Management or General fund
- (ii) Industrial Action Fund
- (iii) Education and Training Fund
- (iv) Special Fund
- (v) Building Fund
- (vi) Scholarship Fund
- (vii) Investment Fund
- (viii) Burial and Funeral Expenses Fund
- (ix) Any other fund which the National Executive Council may deem necessary.

Management or General Fund

The General or Management Fund shall be applied to business (i.e. Administration) of the Public and Allied Workers Union to secure its proper functioning.

Details of expenditure shall set forth in the Budget prepared by the Treasurer in consultation with the Executive Council at the commencement of every financial year of the Public and Allied Workers Union.

Industrial Action Fund

A portion of the monthly subscription of each member shall be placed in this Fund, together with any contribution which will accrue from fund raising activities, donations or gifts which shall be made to the fund. A separate Bank Account shall be kept for this fund.

Education and Training Fund

A small portion of each member's subscription shall be credited to this fund. The Executive Council may from time to time raise funds to supplement the contribution of members.

Special Fund

The Special Fund shall consist of gifts, requests, grants, donations, loans and other funds marked for special purposes. This shall form part of the budget but shall be kept in the separate account;

Burial and Funeral Expenses Fund

The Burial and Funeral Expenses Fund shall be established through a declaration by the Executive Council. All members will be entitled to participate and receive benefits from this fund provided that they pay a funeral levy. The operational conditions and mechanisms of the Fund will be determined by the Executive Council and ratified by the Conference of Delegates.

- (a) A true account shall be kept of the assets and liabilities of the Union and all sums of money received and expended. The books of accounts shall be secured in a place as the Executive Council may deem fit and shall be at all times open for inspection by its financial members on application to the Secretary and on giving not less than fourteen (14) days notice.

Such inspection shall be carried out with due regards to the security of the property of the Union and to the expedition of its business provided that, in any case, satisfactory reasons are given for the said inspection.

- (b) In order to avoid unnecessary delay in carrying out the financial affairs of the Union, the General Secretary should be permitted to keep petty cash. This amount shall from time to time be reviewed by the Executive Council as the need arises. Before the petty cash can be replenished, the Treasurer shall have to be satisfied that the amount handed to the General Secretary can be accounted for (i.e. By bills, etc.). In order to do so effectively the General Secretary shall keep a "Petty Account Book" with entries of all receipts and expenditure and bills kept safely for the scrutiny of the examiners of accounts.

The General Council will have the authority to change the quantum of the petty cash from time to time.

- (c) All payments and disbursements made by cheques shall be duly stamped with the Union's stamp and signed by the Treasurer, the President or Secretary and one of the Trustees.

- (d) The Treasurer shall prepare and submit all books of account of the Union and all documents pertaining thereto for auditing by a "Public Auditor" who shall prepare a full "Balance Sheet" to be presented at each Annual General Meeting and/or Triennial Convention which shall be first. The Auditor/Representative shall be required to attend

the Conference. The Balance Sheet shall be circulated to all Executive Council members and Department/Branch representatives at least seven (7) days before its presentation at the Annual General Meeting.

- (e) The Financial year of the Union shall be from the 1st January to the 31st December.

22. PROCESS OF AFFILIATION

The Union may affiliate itself to any other organization. Such affiliation shall be decided upon by a majority vote of members present at the Triennial Convention or Special General Meeting called for that purpose.