

**CONSTITUTION  
OF THE  
NATIONAL  
WORKERS UNION**

**(AMENDED AND RATIFIED**

**AT THE UNION'S**

**1<sup>st</sup> TRIENNIAL CONGRESS**

**OF**

**DELEGATES HELD ON**

**29<sup>th</sup> JUNE 2007**

**AT THE**

**NATIONAL INSURANCE**

**CORPORATION CONFERENCE ROOM)**

# **CONSTITUTION OF THE NATIONAL WORKERS UNION**

## **AIMS & OBJECTIVES**

1. To recreate and promote the spirit of unity among workers.
2. To protect and defend the economic, social, educational, cultural and political interest of workers.
3. To work with trade unions and associations that are determined to establish an Industrial Solidarity Pact (ISP) which is of paramount significance during collective bargaining and grievance handling processes.
4. To denounce and demonstrate opposition to groups that embrace anti-worker tendencies and are determined to introduce LABOUR legislation in Parliament that seeks to interfere, restrict, and threaten the very survival of the operations of the Trade Union Movement.
5. To provide Shop Stewards and talented members with all the necessary training opportunities that would help prepare and equip them with the necessary skills that are pivotal in the execution of their role and responsibilities on the job, and within the operations of the NWU.
6. To plan and participate in joint trade union action whenever it becomes necessary.
7. To work with groups that are seriously bent on initiating policies that are in the interest of national development, and geared towards improving the general living standards for all.
8. To seek and affiliate with other trade unions locally, regionally and internationally as, in the opinion of the Central Committee, that appear to be desirable.
9. To employ and equip the NWU with the best qualified human resource in its determination to provide members with continued improved service and qualitative trade union representation.
10. To work efficiently and use all means necessary to find popular solutions to all matters of industrial relations in which the NWU is engaged.

## **RULE NO.1: MEMBERSHIP**

The qualification for membership of the **National Workers Union** shall be as follows:

1. Applicants must not be less than sixteen (16) years of age not older than seventy-five (75) years.
2. Applicants must not be part of a group or organisation which seeks to defeat or undermine the aims and objectives of the National Workers Union.
3. There may be Honorary members of the Union. Such persons may be genuinely sympathetic to the aims and objectives of the Union. Honorary membership must be approved by the Central Committee.
4. Honorary members as defined above shall on acceptance be required to pay EC\$50.00 per year, shall not be entitled to any benefits, to attend Central Committee or General Shop Steward Council Meetings, nor have a right to vote in any General Shop Steward Council Meeting duly summoned by the Central Committee.
5. All applications for membership must be considered, accepted or rejected by either the Secretary General, President General or by the Central Committee.
6. The Entrance Fee shall be EC\$20.00. Union Contribution shall be EC\$5.00 weekly. These fees are subject to alterations by the Triennial Conference of Delegates or the Central Committee.
7. A member shall be considered financial when he/she:
  - i) has paid the Entrance Fee as laid down in Clause 6 and an immediate four (4) consecutively weekly contributions at the appropriate rates as defined from time to time;
  - ii) is not at any time more than four (4) weeks in arrears with his weekly contributions.

A member not in compliance with this rule shall be deemed to be unfinancial and would not be entitled to union benefits or representation.

## **RULE NO.2: CONSTITUTION & GOVERNMENT**

1. The supreme authority of the Union shall be vested in the Triennial Conference of Delegates. Each branch shall be entitled to elect one (1) delegate for every fifty (50) financial members, and not more than three (3) members per branch.
2. For the day to day general administration of the union's operations and its government in the interval between the Triennial Conference of Delegates, the Central Committee then becomes the supreme authority.
3. The Triennial Conference of Delegates shall be held every three (3) years. The conference shall decide the time and place of the next one.
4. It is obligatory for the President General and Secretary General to notify in writing all the branches and members at least thirty (30) days in advance of the Triennial Conference of Delegates.
5. All resolutions submitted to the Triennial Conference of Delegates must be forwarded to the President General or Secretary General not later than two (2) weeks before the Conference.
6. No business other than that stated on the Agenda shall be transacted at the Triennial Conference of Delegates. In the event that a delegate wants to introduce a serious matter, he must inform the President General or Secretary General at least two (2) hours before the commencement of the Triennial Conference of Delegates business. In such a case, the majority of delegates must approve a motion for the suspension of the Standing Orders.
7. The decisions of the Triennial Conference of Delegates shall be binding upon all members and branches of the Union.
8. The Triennial Conference of Delegates cannot transact any business unless a quorum of delegates is present.
9. A "quorum of delegates" is defined as "two-thirds of the delegates eligible to be present at the Conference".
10. All Central Committee members shall be elected by the Triennial Conference of Delegates.

### **RULE NO. 3: BUSINESS OF TRIENNIAL CONFERENCE**

1. At every Triennial Conference of Delegates, members of the Central Committee must tender their resignation and give notice of their intention to seek or not to seek re-election.
2. The business of the Triennial Conference of Delegates shall also be to:
  - receive, discuss and examine reports from officers and staff.
  - review the past work of the organisation and to approve work plans.
  - further consider all matters upon the Conference's Agenda.
3. The Triennial Conference of Delegates shall have the power to:
  - rescind, alter, add to any of the rules.
  - give direction and guidance to the Central Committee on policy and general matters.

### **RULE NO. 4: CENTRAL COMMITTEE**

1. The Government of the Union in the period between Triennial Conference and the conduct of its business shall be vested in the Central Committee.
2. The Central Committee shall be elected by the Triennial Conference of Delegates. Such members shall serve for three (3) years.
3. The composition of the Central Committee is as follows:
  - President General
  - Deputy President General
  - 2nd Deputy President General
  - Secretary General
  - Assistant Secretary General
  - Finance Officer
  - Trustees (3)

In addition, not more than twelve (12) members who shall be elected by and at the Triennial Conference of Delegates.
4. No person shall be eligible to serve as a member of the Central Committee, who at the time of nomination is not a financial member, under the age of

sixteen (16) or older than seventy-five (75) years.

5. The Central Committee must meet every four (4) months or as often as the President General feels it necessary, and at a time and place deemed most expedient for the transaction of the Union's business.
6. The Central Committee shall have full control of the Union's business, and shall take decisions in the interest of the Union in keeping with the rules of the organisation under which it is registered.
7. The Central Committee must at all times maintain and protect the aims and objectives of the Union and guard its funds against extravagance and misappropriation.
8. Each elected member of the Central Committee shall hold office for three years commencing immediately after the Triennial Conference of Delegates, provided that the said member does not break or breach the rules of the Union, or act against the interest of the Union.

In such a situation, the Central Committee on the advice of the President General has the authority to take disciplinary action against the said member/s. Expulsion of any member shall be decided upon by the Central Committee.

9. The Central Committee, at their meeting, cannot transact any business on behalf of the Union unless a quorum of seven (7) members is present.
10. The Central Committee can also give instructions to the Secretary General and other elected officers for the smooth conduct of the union's affairs.
11. The Central Committee can dismiss or suspend any managerial full time staff or full time officer for neglect of duty, dishonesty, incompetence, accepting bribes, conflict of interest, refusal to carry out instructions given by the President General or Central Committee, and for any other reason that is deemed to be against the interest of the Union.
12. Any member of staff who feels that disciplinary action taken against him/her is harsh, unjust or not in keeping with the rules of the Union, has the right of appeal to the Triennial Conference of Delegates.

Such an appeal must be in writing and must reach the President General and Secretary General no later than two (2) weeks before the Triennial Conference of Delegates. Grounds of appeal must be attached to the relevant document.

13. Any Central Committee officer who has the necessary qualification and ability to serve the Union in a full time capacity must be recommended by the President General for appointment. Salary structure for full time officers must be recommended by the Finance Committee after consultation with the President General, and further approved by the Central Committee.
14. Should a vacancy occur during the Central Committee's term of office as a result of a resignation, expulsion or otherwise, the Central Committee would then have the right to co-opt a member to serve on the Central Committee. That member would have to be a delegate previously elected by his Branch, but who was unable to be elected to serve on the Central Committee.
15. The Central Committee shall have all the powers to draw up rules and guidelines for the orderly conduct of union activity within the branches.

#### **RULE NO.5: PRESIDENT GENERAL**

1. The President General shall be a full time officer, Chief Negotiator and spokesman for the Union. He must be elected by the Triennial Conference of Delegates for three (3) years. His salary must be recommended by the Finance Committee and the Central Committee.
2. He shall preside at all Central Committee meetings of the Union and the Triennial Conference of Delegates. He shall be responsible to the Central Committee, shall have a vote, and when a matter is undecided because of equality of votes, shall have a casting vote.

He shall appoint all commissions otherwise not provided for and, along with the Secretary General, shall be ex officio member of all the established commissions.

He shall transact such other business as pertains to his office.

He and the Secretary General shall sign the minutes of each meeting at the time they are approved.

3. He shall, in consultation with the Secretary General and Finance Officer, have the power to make recommendations to the Central Committee for the appointment and employment of full time managerial staff. The Central Committee has the final say. Managerial staff is as follows:
  - 1) Chief Negotiator -President General
  - 2) Chief Grievance Officer
  - 3) Secretary General
  - 4) Administrative Secretary
4. He shall have the power to make recommendations to the Central Committee regarding lay-offs, suspension or dismissal of full time managerial staff. Any action contemplated must be at the full wishes of the Central Committee.
5. The President General, in consultation with the Secretary General, shall have the authority to select personnel to represent the Union on national boards and at local, regional and international conferences, conventions, seminars and other activities that are related to the union's objectives.
6. The President General on resigning from the Union must give three (3) months notice in writing to the Central Committee of his intention of so doing. If however, he be discharged without notice, and without reasonable cause, he must be paid three (3) months salary in lieu of notice. On his resignation or discharge from office, he shall within twenty-four (24) hours hand over all documents, books, vouchers and other things belonging to the Union.
7. He shall in conjunction with the Finance Officer and anyone Trustee, sign all cash vouchers and cheques on behalf of the Union.
8. On relinquishing his office without notice he shall forfeit all monetary considerations, pending the decision of the Central Committee.

**RULE NO.6: DEPUTY PRESIDENT GENERAL**

1. The Deputy President General shall be elected by the Triennial Conference of Delegates and shall hold office for a three (3) year period. He/she shall assist the President General in the performance of his duties and shall work under guidance. In the absence of the President General, he shall act and have all the powers and authority of the President General.



## **RULE NO.7: SECOND DEPUTY PRESIDENT GENERAL**

1. The Second Deputy President General shall be elected by the Triennial Conference of Delegates and shall hold office for a period of three (3) years. The Second Deputy President General shall assist the President General and Deputy President General in their duties and shall work under guidance.

In the absence of the President General and the Deputy President General, he shall act and have all the powers and authority of the other officers.

## **RULE NO.8: SECRETARY GENERAL**

1. The Secretary General shall be a full time officer, shall be elected by the Triennial Conference of Delegates and shall hold office for a period of three (3) years.
2. He shall in the execution of his office act under the superintendence, control, direction of the President General and the Central Committee.
3. He shall also be responsible for the general and financial administration of the Union, including properties.
4. He shall in conjunction with the Finance Officer and Trustees conduct all correspondence relating to finance and be responsible for the proper keeping of the accounts of the organisation. In respect thereof, he shall cause a quarterly statement of the income and expenditure received and paid at the registered office to be prepared for the Central Committee.
5. He shall prepare reports for the President General for presentation to the Triennial Conference of Delegates, subject to the approval of the Central Committee.
6. He shall be remunerated for his services at the discretion of the Central Committee.
7. The Secretary General on resigning from the Union must give three (3) months notice in writing to the Central Committee of his intention of so doing. If however, he be discharged without notice, and without reasonable cause, he must be paid three (3) months salary in lieu of notice. On his

resignation or discharge from office, he shall within twenty-four (24) hours hand over all documents, books, vouchers and other things belonging to the Union.

8. On relinquishing his office without notice he shall forfeit all monetary considerations, pending the decision of the Central Committee.

#### **RULE NO.9: ASSISTANT SECRETARY GENERAL**

1. The Assistant Secretary General shall be elected by the Triennial Conference of Delegates and shall hold office for a period of three (3) years. He/she shall assist the Secretary General in the performance of his duties and shall work under the guidance of the Central Committee, President General, Deputy President General, Second Deputy President General and Secretary General.

In the absence of the Secretary General, he/she shall act with the full approval of the Central Committee. He shall be remunerated for his service at the discretion of the Central Committee.

#### **RULE NO.10: FINANCE OFFICER**

1. The Finance Officer shall be elected by the Triennial Conference of Delegates and shall hold office for a three (3) year period.
2. He/she shall be responsible for all the monies belonging to the Union and shall keep a register of all monies banked and withdrawn.
3. He/she shall in conjunction with the President General and one of the Trustees, sign cheques for payments or withdrawals in the name of the Union.
4. He/she shall assist the Secretary General in the preparation of quarterly and triennial financial statements.

In the event of his/her intention to resign, he/she must give the Union at least three (3) months notice and hand over all documents, keys and other important papers belonging to the Union. Failing this, the Union can take full action against the said officer. He/she shall be remunerated by the Central Committee for any services rendered.

### **RULE NO. 11: TRUSTEES**

1. There shall be three (3) trustees. They shall be elected by the Triennial Conference of Delegates and shall hold office for a period of three (3) years.
2. The Trustees shall be under the direction of the Central Committee. They shall have the power to invest surplus funds in any viable venture, subject to the approval of the Central Committee.
3. All Deeds, Documents of Title & Securities for money of the Union not in the possession of the Registrar, shall be held by the Trustees and they may take measures for the safe custody and preservation thereof, at the expense of the Union, but with the approval of the Central Committee.
4. Those documents must be made available to the Central Committee upon request.
5. Upon resignation of a Trustee, all documents and Union belongings must be submitted to the Union. Three (3) months notice of his/her intention to resign must be given.

### **RULE NO. 12: LOANS**

1. All loans taken on behalf of the Union must be endorsed by the President General, Secretary General, Finance Officer and a Trustee.
2. The signature of the above mentioned officers must be on the relevant loan document, along with a certification letter from the Central Committee.

### **RULE NO. 13: BRANCHES**

1. A branch shall be formed in a district, plant or work place with the full consent of the Central Committee, and shall consist of not less than seven (7) financial members.
2. During the establishment of a branch, the President General, or Secretary General shall supervise the election of officers to the branch. Branch elections cannot be held without a two-thirds majority of financial branch members in attendance.

3. A Branch's Central Committee shall consist of the following elected officers:

Chairman  
Secretary  
Financial Officer and  
Two (2) other financial members

Elected officers shall serve for a period of one (1) year.

4. The Branch's Central Committee must meet at least once a month, or as often as the Chairman feels it necessary, at a time and place deemed most expedient for the transaction of the Branch's business.
5. The Branch's Central Committee must hold general meetings at least once a month. Three (3) clear days notice must be given of every general meeting called by the Branch's Central Committee.
6. All decisions taken at Central Committee and General Meeting levels must be forwarded to the Union's President General and Secretary General within seven (7) days.

#### **RULE NO. 14: GENERAL SHOP STEWARDS COUNCIL**

1. The General Shop Stewards Council shall comprise of Shop Stewards from each branch.
2. The General Shop Stewards Council members shall meet on a quarterly basis and as often as necessary to:
  - i) take decisions on Union and other matters of national interest,
  - ii) assist the Central Committee in formulating proposals and policies as they relate to the defence and interest of the Union,
  - iii) coordinate industrial action on a national level.
3. The President General or Secretary General must preside at all General Shop Stewards Council Meetings.
4. All decisions taken at such a level must be forwarded to the Central committee within a reasonable period.

## **RULE NO. 15: AFFILIATION**

1. The National Workers Union shall affiliate to any regional or international Trade Union Centre which shares similar aims and objectives.
2. Decision to affiliate to any Trade Union Centre must be approved by the Central Committee.
3. Payments of affiliation fees must also be decided upon by the Central Committee.
4. The National Workers Union cannot cancel or withdraw its affiliation to a regional or international trade union centre without the approval of the Central Committee.
5. The Central Committee must approve of the Union's relationship with any other local trade union.

## **RULE NO. 16: COLLECTIVE BARGAINING**

1. No branch official or full time officer of the Union shall have the powers to submit proposals or sign any renewal of agreement unless authorised by the President General, Secretary General or endorsed by the Central Committee.

## **RULE NO. 17: VOLUNTARY FUNDS**

1. Solidarity, Building or Welfare Funds can be established by the Central Committee.

A day's wage or any other voluntary contribution from members can be made towards the fund from time to time.

2. The management and utilization of monies from the various funds would be handled by the Finance Committee and approved by the Central Committee.

## **RULE NO. 18: AMENDMENTS**

This Constitution may be amended by majority votes at any Triennial Congress of Delegates, provided that due notice was given by resolution and such resolution was accepted by the majority of delegates present at the Conference.

## **RULE NO. 19: BINDING EFFECT**

This Constitution shall be immediately effective upon its adoption at any duly constituted conference of the Union.

## **RULE NO. 20: VOTING**

All voting shall be by show of hands, secret ballot or as determined by the majority present at the Triennial Congress of Delegates.

## **RULE NO. 21: DISSOLUTION**

1. The Union shall not be dissolved except with the sanction of the Registrar and a special conference summoned for the purpose. At this Conference not less than two-thirds ( 2/3) of the eligible membership shall be present and voting shall be in the affirmative by at least a two-thirds (2/3) majority.
2. In the event of the Union being dissolved, as provided before, all debts and liabilities incurred on behalf of the Union shall be discharged, and the remaining funds, if any, divided among the members.
3. Upon completion of the said process, the Union shall be dissolved.

## **RULE NO 22: MANAGEMENT COMMITTEE**

1. The Central Committee shall appoint a Management Committee to work with the Managerial Staff in the supervision and management of the union's operations. The Committee shall serve for a period of three (3) years. The Central Committee shall give the Management Committee full authority to hire and terminate the services of non-managerial staff of the Union.
2. The Management Committee, shall comprise of the following eight (8) officers:
  1. **President General - Chief Negotiator**
  2. **Deputy President General - Chief Grievance Officer**
  3. **Secretary General**
  4. **Administrative Secretary**
  5. **Finance Officer**
  6. **One (1) Trustee**
  7. **Two (2) Shop Stewards**

3. The Management Committee shall meet as often as necessary. The President General shall preside at such meetings. Minutes of such meetings must be taken by the Secretary General and kept for the records.

**RULE NO. 23: FINANCE COMMITTEE**

1. The Central Committee shall appoint a Finance Committee that will serve for a period of three (3) years. This committee shall have the powers to make recommendations to the Central Committee, through the President General, on all matters relating to the financial administration of the organisation.
2. The Finance Committee shall comprise of eight (8) members as follows:
  - Secretary General (Chairman)
  - Finance Officer - Committee Secretary
  - Three (3) Trustees
  - Three (3) Shop Stewards from any of the different Branches.
3. The Finance Committee shall meet once a month and as often as necessary. Minutes of such meetings must be taken by the Finance Officer and kept for the records.

**REGISTERED AND LAUNCHED AUGUST 1973**

PRESIDENT GENERAL  
TYRONE GEORGE MAYNARD

GENERAL SECRETARY  
GEORGE GODDARD JR.