

DRAFT

CONSTITUTION



OFFICE OF NATIONAL SECRETARIAT/PRESIDENT

TABLE OF CONTENTS

1. Preamble.....	Pg. 5
2. Name	Pg. 6
3. Scope	Pg. 6
4. Aims and Objectives	Pg. 6
5. Membership	Pg. 7
6. Application Procedure	Pg. 7
7. Appeal Procedure	Pg. 8
8. Termination of Membership	Pg. 8
9. Payment of Subscriptions	Pg. 9
10. Entitlement to Benefits	Pg. 10
11. Workplace Committees	Pg. 10
12. Local Structures	Pg. 11
13. Powers and functions of the LEC	Pg. 12
14. Regional Structures	Pg. 14
15. Provincial Structures	Pg. 17
16. National Structures	Pg. 19
17. Location of Head Office	Pg. 22
18. Powers and Functions of Office Bearers	Pg. 23
19. Meetings of the Union	Pg. 28
20. Notices of Meetings	Pg. 31
21. Quorum	Pg. 35
22. Standing Orders for Meetings	Pg. 40
23. Decision Making Procedure	Pg. 40

24. Minutes	Pg. 41
25. Ballots	Pg. 41
26. Legal Proceedings	Pg. 42
27. Finance	Pg. 42
28. Discipline in the Union	Pg. 44
29. Mergers	Pg. 48
30. Amendments to the Constitution	Pg. 48
31. Dissolution	Pg. 48
32. Interpretation	Pg. 49

DEFINITIONS

- 1. "Union" shall mean the South African Liberated Public Sector Workers Union;**
- 2. Any reference to the male gender shall include the female and vice-versa. Words importing the singular include the plural and vice-versa;**
- 3. "Elected Official" means an employee elected to the position of General Secretary or Provincial Secretary or Regional Secretary any other positions decided by the National Executive Committee and/or National Congress;**
- 4. "LRA" means the LABOUR RELATIONS ACT, No. 66 of 1995 as amended;**
- 5. "Local" shall mean a geographic area, within a Region, the boundaries of which shall be determined by the National Executive Committee in consultation with the Provincial and Regional Executive Committees from time to time.**
- 6. "National Office Bearer" means either the President or Deputy President or National Treasurer or General Secretary or Deputy General Secretary.**
- 7. "Coordinators" shall mean elected members of the National Executive Committee or Provincial Executive Committee; Regional Executive Committee; Local Executive Committee other than the Office Bearers;**
- 8. "Other official" means an employee of the Union appointed to the position of official;**
- 9. "Province" shall mean a geographic area, the boundaries of which shall be determined by the National Executive Committee according to the determined provinces of the Republic of South Africa;**
- 10. Provincial Office Bearer" means either the Provincial Chairperson or Deputy Provincial Chairperson or Provincial Treasurer or Provincial Secretary or Deputy Provincial Secretary;**
- 11. "Region" shall mean a geographical area, the boundaries of which shall be determined by the National Executive Committee in consultation with the Provincial Executive Committee from time to time;**
- 12. "Regional Office Bearer" means the Regional Chairperson or Deputy**

Chairperson or Regional Treasurer or Regional Secretary or Regional Deputy Secretary;

- 13. "Local" shall mean a geographical area, the boundaries of which shall be determined by the Provincial Executive Committee in consultation with the Regional Executive Committee from time to time;**
- 14. "Local Office Bearer" means the Local Chairperson or Deputy Chairperson or Local Treasurer or Local Secretary or Local Deputy Secretary;**
- 15. "Workplace" shall mean any institution or office of the state department where workers are employed;**
- 16. "Workplace Committee" shall mean elected members of the union at the workplace;**
- 17. "Year" shall mean a calendar year.**
- 18. Worker leaders shall mean all leaders elected by the union in all levels of the organisation . Leaders who have become not employed due to persecution of the employer and are still in the operations of the organisation shall remain having status of being worker leaders and eligible for elections to any position of the union like all leaders subject to Congress decision.**

PREAMBLE

We, the workers and workers' leaders and officials organized by the SALIPSWU in the public sector and related fields in South Africa note with seriousness the daily undermining and erosion of workers' rights by the employers in the public sector and its agencies.

We have also noted the simmering tension between the employers and the employee which leads to loss of workers' morale and its consequent despondency as well as undermining of workers' rights. The unfortunate purging of workers' leaders and the unprecedented attacks on the working class formations, their members and structures clearly undermine the universal protection of workers' rights in our land.

We have further noted that progressive Trade Unions are firmly committed to democratic principles which promote unity of purpose towards a united and Socialist South Africa, free of inequality and economic exploitation of the workers.

We believe that this can only be achieved under the leadership of an organised, coherent, and free working class which has a strong and conscious working class leadership drawn from workers organization and all other forces that make up the working class.

Our conviction is brought about by the observations and experiences that we can only achieve this august goal when we:

- a) Fight against all forms of discrimination in the workers organizations, workplaces; communities and in society.
- b) Promote principles of democracy as a way of encouraging all unorganised workers to join the unions in all work places.
- c) Ensure that all workers and structures of the Union act democratically and by all means promote worker control.
- d) Promote and encourage democratic worker leadership and collective decision making in the workplaces and influence such principles in communities.
- e) Subscribe at all times to principles that promote international working class struggles for economic emancipation of the working class.

CHAPTER ONE

1. THE NAME OF THE UNION, SCOPE, LEGAL STATUS AND STANDING

The name of the union shall be the South African Liberated Public Sector Workers Union herein referred to as ***“the union”*** for transaction of all its business and programmes.

2. SCOPE

The scope of the Union is the public sector. The Central Executive Committee recommend amendments to the scope of the union from time to time to suit the new conditions that may exist in the country or for purposes of adding a certain group of workers. The actual or final amendment will be done by the national congress.

3. LEGAL STATUS AND STANDING

The union is registered with the Department of Labour and shall organize workers in the various sectors of the public service without discrimination which include Basic Education; Higher Education and Training; Health; Justice and Constitutional Development; Home Affairs; South African Police Services; Correctional Services; Security Services; Social Development and Community Services; Academics and Professionals; general workers , Local Government Employees and all other employees of the state and its agencies.

The Union shall be a legal persona having a character of an association without profit making status and interests.

CHAPTER TWO

4. AIMS AND OBJECTIVES

The aims and objectives of the union shall be:-

- 4.1. To struggle for the total transformation of the public service in South Africa;
- 4.2. To redress the imbalances of the past, particularly the economic disparities amongst various social classes in the country;
- 4.3. To fight for and pursue the proper and quality terms and conditions of employment for all the workers;
- 4.4. To prevent all forms of discrimination and fight for fair levels of wages and salaries for all workers, including quality benefits;
- 4.5. To strive and fight for amicable dispute resolution and settlement of dispute with the view to protect the jobs of the workers in the interest of continued quality service delivery;
- 4.6. To work with other trade unions in the public service who share the same aims and objectives;
- 4.7. To promote and safeguard the interests of members in all its business and Transactions;
- 4.8. To fight against arbitrary and unfair dismissal of workers and where possible ensure prevention of any loss of employment;
- 4.9. To provide legal assistance to members in matters relating to their employment and to institute legal proceedings on behalf of the Union to

- defend or further the provision of the union's constitution where the Union deems this to be appropriate;
- 4.10. To promote or oppose as the case may be, any laws or administrative measures that affect the interest of the members in particular and workers in general; and
 - 4.11. To take such other steps as may be necessary to improve the social, economic and political conditions of our members as well as to establish a single public service in all tiers of the state.

CHAPTER THREE

5. MEMBERSHIP

The membership of the union shall be open to all people who qualify in terms of the provisions of this constitution and by powers vested in the structures. The following are types of membership that are available to various qualifying workers, workers' leaders and people seeking employment;

5.1. ORDINARY MEMBERS

Ordinary members of the union shall be those who are employed in the public service in general, and the unemployed workers who are aspiring for employment in the public sector and related sectors of the South African economy who subscribe to the aim and objectives of the union.

5.2. ASSOCIATE MEMBERS

Associate membership of the union shall be granted by the Central Executive Committee or any other mandated structure in accordance with this constitution; including students and workers who have left the union and have been unemployed for a minimal period of two years and who are considered to be in a position to add value to the union and share its aims and objectives. The associate members will not have voting rights.

5.3. HONORARY MEMBERSHIP

This membership will be afforded to the former/ retired public service workers, union leaders and any leader/revolutionary who had played a role in the struggles of the workers while employed for purposes of advisory and moral direction of the union. These members will not have voting rights and may be required to conduct political and trade union education to the younger members as the union deems fit.

CHAPTER FOUR

6. APPLICATION PROCEDURE

- 6.1. The worker applies to the Local Secretary who has jurisdiction to accept such Workers' membership application on provisional basis pending the decision of the Local Executive Committee;

- 6.2. The membership will remain provisional until payment of the first membership subscription by the member;
- 6.3. All provisional members have a right to participate in the programmes and activities of the union but no voting right;
- 6.4. Application for associate membership can only be accepted or refused by the Provincial Executive Committee and these applicants will not have provisional membership. The membership must be accepted or refused within 30 days of the lodging of such an application;
- 6.5. Honorary members can only be appointed by the Central Executive Committee and will not pay subscriptions to the union;
- 6.6. All members will receive their membership letters with the membership status and numbers from the National Secretariat within 90 days of acceptance of such member by the relevant Executive Committee;
- 6.7. The membership numbers will be allocated to each member by the national membership office working through the relevant office of the union at that level.

7. APPEAL PROCEDURE

- 7.1. Any person applying for ordinary membership and whose membership application has been refused or rejected may appeal in writing within 30 days of receipt of the rejection to the Provincial Executive Committee;
- 7.2. Any potential member whose application has been rejected will have the right to appeal to the Central Executive Committee which shall have the right to reverse or endorse the decision of the any lower Executive Structure.
- 7.3. The worker or student may state his/her case personally and call witnesses in support of the appeal;
- 7.4. In cases of the associate members whose applications are refused or rejected; the worker may appeal in writing to the Central Executive Committee whose decision is final. The worker can state his/her case personally and call witnesses

CHAPTER FIVE

8. TERMINATION OF MEMBERSHIP

8.1. RESIGNATION

- 8.1.1. Ordinary membership of any worker will be terminated should such a member resign from his/ her employment voluntarily or should such a member submit a resignation letter to the Local Secretary stating that he/ she is resigning from the union.
- 8.1.2. Associate membership shall be deemed terminated by the member upon receipt of their resignation letter by the Branch Secretary;
- 8.1.3. After a member has resigned he/she may not participate in the Union's affairs nor may such a resigned member receive any benefits provided by the Union. Subscriptions or moneys paid by the member are NOT REFUNDABLE.

8.2. SUSPENSION OR EXPULSION OF MEMBERS

- 8.2.1. Any member who has been suspended in terms of the provision of this constitution may not participate in any of the union's activities and programmes;
- 8.2.2. A member may be expelled in terms of the relevant clauses of this constitution. After the union expels a member such a member must not participate in the Union's affairs nor may the member receive any benefits from the Union. Subscriptions or moneys paid by the member are not refundable.

8.3. LABOUR DISPUTES AND UNFAIR DISMISSALS

- 8.3.1. If an employer terminates a member's employment as a result of a labour dispute or under circumstances which the Local Executive Committee believes are unfair such members will retain their membership of the union:-
 - 8.3.1.1. For a period of 6 months from the date of termination; or
 - 8.3.1.2. Until legal proceedings challenging the dismissal have been finalized.
- 8.3.2. The member is exempt from paying subscription fees until he or she is re-employed or reinstated, or until the Central Executive Committee so determines or such other provisions of this constitution take precedent.

CHAPTER SIX

9. PAYMENT OF SUBSCRIPTION

- 9.1 Subscriptions shall be payable by all members on monthly basis and shall be determined by a decision of the National Congress;
- 9.2. The membership subscriptions amount as set by the National Congress shall be payable by members through a stop order arranged with the employers on monthly basis or by any other method agreed between the union and the employers of members;
- 9.3. The membership subscriptions shall be a fixed amount in rands or percentage as would have been adopted by National Congress in accordance with this constitution;
- 9.4. The Central Executive Committee shall be tasked with the responsibility of establishing a membership system that will ensure that all members remain in good standing and that the subscriptions are paid in advance every month.

CHAPTER SEVEN

10. ENTITLEMENT TO BENEFITS

- 10.1. Only members in good standing are entitled to the benefits of membership;
- 10.2. Members who are in good standing and are not more than 3 months in arrears with their subscription fees will have access to all membership benefits.

- 10.3. Members who are between 3 and 6 months in arrears with their subscription fees remain members of the union but are not entitled to the benefits of membership.
- 10.4. Members who are more than 6 months in arrears shall lose their membership, unless a matter has been decided differently by any relevant structure of the organisation.

11. APPEALS AGAINST SUSPENSION OR TERMINATION OF MEMBERSHIP BENEFITS

- 11.1. Any member whose membership benefits are suspended and/or terminated may appeal the decision of the structure to the Central Executive Committee within 30 days of the termination of the benefit by writing a letter to the General Secretary.
- 11.2. The appeal against the suspension and/or termination of membership benefits will be referred to the Central Executive Committee by the General Secretary in the first ordinary or special meeting of the Central Executive Committee to be held in the immediate period after receipt of the appeal from a member.
- 11.3. The decision of the Central Executive Committee on the appeals regarding the suspension or termination of membership benefits shall be final.

CHAPTER EIGHT

12. ESTABLISHMENT OF STRUCTURES

12.1. WORKPLACE

Workplace is the institution or office of the /department where workers are employed

12.2. WORKPLACE COMMITTEES

- 12.2.1. Workplace committees are elected members of the union at the workplace
- 12.2.2. Where members are in good standing, shall elect the Workplace Committees from amongst themselves to hold office for two (2) years.
- 12.2.3. Only members who are committed to the union, its constitution and its aims and objectives may be elected into the Workplace Committees; the Local Executive Committee oversees the election of the Workplace Committees, which shall comprise of the following members:
 - a) Workplace Chairperson
 - b) Workplace Secretary
 - c) Workplace campaigns coordinator

12.3. DUTIES AND FUNCTIONS OF A WORKPLACE COMMITTEE

- 12.3.1. The workplace Committees of the Union shall be the coordinating structure with the following duties and functions:-

- 12.3.1.1. Recruitment of members in the workplace;
- 12.3.1.2. Liaise with the management of the institutions where there are members in relation to members' issues and interests;
- 12.3.1.3. Represent the members in the workplace forums where such structures exist;
- 12.3.1.4. Address challenges of members in the workplaces as and when these are experienced by the members from time to time;
- 12.3.1.5. Compile workplace reports and submit such to the Branch Executive Committee every three months;
- 12.3.1.6. Convene meeting of the union at the workplace level and table reports from the upper structures of the union;
- 12.3.1.7. Collect mandates of the members at the workplace level and submit such to the branch Executive Committee as per the provisions of this constitution; and
- 12.3.1.8. Perform all other duties and tasks delegated to them by the Central Executive Committee; Provincial Executive Committee and Regional Executive Committee.

12.3.2. WORKPLACE EXECUTIVE COMMITTEES

- 12.3.2.1. Workplace Executive Committees will be established in workplaces where there are various units dealing with varied tasks and job specifications such as in the government clinics; police stations and other institutions and agencies:
- 12.3.2.2. The Workplace Executive Committee shall be constituted by the workplace committee and Chairperson and Secretary of the sectors in the workplace.

12.3.3. DUTIES AND RESPONSIBILITIES

- 12.3.3.1. Deal with labour disputes at the workplace.
- 12.3.3.2. Co-ordinate and supervise the work of the union in the workplace.
- 12.3.3.3. Deal with members grievances so as to ensure the job security and employment prospects.

12.3.4. WORKPLACE GENERAL MEETING

Workplace General meeting shall be attended by Workplace Executive Committees and general membership in a workplace.

- 12.3.4.1. Duties And Responsibilities
- 12.3.4.2. To discuss and adopt quarterly organisationally and financial reports of the Branch.
- 12.3.4.3. To discuss, prepare and adopt mandates for the various congresses and special congresses of the union.
- 12.3.4.4. To receive reports of the Executive Committees in upper structures of the union.

- 12.3.4.5. To adopt, amend and reverse decisions of the Workplace Executive Committee and Workplace Committees.
- 12.3.4.6. To elect representatives to the upper organs of the union.

13. WORKPLACE CONFERENCE

Workplace conference shall be constituted by Workplace Executive Committee and general membership.

13.1. DUTIES AND RESPONSIBILITIES

- 13.1.1. It shall receive and discussed detailed organisational and financial statements of the Branch and elect members of the Workplace.
- 13.1.2. It shall adopt, amend or reverse the decisions and proposals of the Workplace Executive Committee.

14. LOCAL STRUCTURES

- 14.1. The local is a structure above workplaces which is determined by the demarcation commission established by the Central Executive Committee in line with the demarcated towns and or local municipalities of South Africa.
- 14.2. The Local Structure is established where there are not more than 100 members and plus five sectors across the clusters.
- 14.3. Interim Local structure may be established where there are less than 100 members if the Provincial Executive Committee directs, in consultation with the Central Executive Committee.
- 14.4. All interim locals will elect coordinating committees with powers determined by the Provincial Executive Committee in consultation with the Central Executive Committee through the establishment of directives or guidelines for the establishment of locals.

15. LOCAL WORKING COMMITTEE

- 15.1. The Branch Executive Committee shall oversee the election of all local leadership which will be comprised of the following:
 - 15.1.1. Chairperson
 - 15.1.2. Deputy Chairperson
 - 15.1.3. Secretary
 - 15.1.4. Deputy Secretary
 - 15.1.5. Treasurer
 - 15.1.6. Convenors for
 - 15.1.6.1. Gender
 - 15.1.6.2. Recreation, Sports; Arts and Culture
 - 15.1.6.3. Education
 - 15.1.6.4. Health and Clinical Health professionals,
 - 15.1.6.5. Social Development
 - 15.1.6.6. Safety and Security

15.1.6.7. Local Government

15.2. POWERS AND FUNCTIONS

- 15.2.1. The Local Working Committee shall meet at once every month.
- 15.2.2. The Local Working Committee shall manage the affairs of the union at the local
and workplace levels.
- 15.2.3. The Local Working Committee shall deal with labour disputes at local and
Workplace levels.
- 15.2.4. It shall co- ordinate and supervise the Local and Workplace Committees
- 15.2.5. It shall deal with members' grievances so as to ensure their job security,
employment and career- pathing prospects.
- 15.2.6. It shall convene all meetings of the Local General Council and Mass
Meetings
of the union to enforce observance of the constitution, the decisions of
structures above the Local and promote accountability and collective decision
making in the union.
- 15.2.7. It shall establish all Local sub-committees and supervise their work.
- 15.2.8. It shall ensure that proper communications takes place between itself, the
Workplace Committees, local communities and the all upper structures; and
- 15.2.9. It shall do all lawful things which in the opinion of the Central Executive
Committee generally promote the interest of members.

16. BRANCH STRUCTURES

- 16.1. The Branch is a structure parallel but bigger than the local which is
determined by the demarcation commission established by the Central
Executive Committee in line with the demarcated district municipalities of
South Africa.
- 16.2. The Branch Structure is established where there are more than 300 members
and plus five sectors across the clusters.
- 16.3. Interim Branch structures may be established where there are less than 300
but more than 200 members if the Provincial Executive Committee directs, in
consultation with the Central Executive Committee.
- 16.4. All interim branches will elect coordinating committees with powers
determined by the Provincial Executive Committee in consultation with the
Central Executive Committee through the establishment of directives or
guidelines for the establishment of locals.
- 16.5. The Regional Executive Committee shall oversee the election of all Branch
leadership which will be comprised of the following:
 - 16.5.1. Branch Chairperson
 - 16.5.2. Deputy Branch Chairperson
 - 16.5.3. Branch Secretary
 - 16.5.4. Deputy Branch Secretary
 - 16.5.5. Branch Treasurer

16.5.6. Convenors for

16.5.6.1. Gender

16.5.6.2. Recreation, Sports; Arts and Culture

16.5.6.3. Education

16.5.6.4. Health and Clinical Health professionals,

16.5.6.5. Social Development

16.5.6.6. Safety and Security

16.5.6.7. Local Government

17. POWERS AND FUNCTIONS OF THE BRANCH EXECUTIVE COMMITTEE

17.1. The Branch Executive Committees shall have the following powers and functions:-

17.1.1. The Branch Executive Committee shall meet at least once every month;

17.1.2. The Branch Executive Committee shall manage the affairs of the union at the Branch and workplace levels;

17.1.3. The Branch Executive Committee shall deal with labour disputes at Branch and workplace levels;

17.1.4. It shall co-ordinate and supervise the workplace committees;

17.1.5. It shall deal with members' grievances so as to ensure their job security; employment and career-pathing prospects;

17.1.6. It shall convene all meeting of the Branch General Council and Mass Meeting of the union to enforce the observance of the constitution, the decisions of structures above the branch and promote accountability and collective decision making in the union;

17.1.7. It shall establish all branch subcommittees and supervise their work;

17.1.8. It shall ensure that proper communication takes place between itself; the workplace committees and the Branch Executive Committee; and

17.1.9. It shall do all lawful things which in the opinion of the Provincial Executive Committee generally promote the interest of members.

18. ACCOUNTABILITY

18.1. The Branch and Local Executive Committees have the responsibility, duty and jurisdiction to promote and enforce accountability of all the Workplace Committees and members;

18.2. The Branch and Local Executive Committees must prepare and table a detailed report of activities and programmes of the union, including financial reports to the Branch and Local General Councils every three months;

18.3. The Branch and Local Executive Committees must prepare and table a detailed report of all activities and programmes of the union, including financial reports to the Branch and Local Conferences;

18.4. The Branch and Local Executive Committees must ensure that no member or Workplace Committee does anything which is inconsistent with the decisions or policies Union as adopted by the Central Executive Committee; Provincial Executive Committee, Regional Executive Committee, Branch and Local General Councils and Branch and Local Conferences of the union.

19. BRANCH/LOCAL SHOP STEWARDS COUNCIL

19.1. The Branch and Local Shop Stewards Councils will be constituted by Executive Committees and Workplaces' Committee members.

20. POWERS AND FUNCTIONS

The Branch/Local Shop Stewards Council shall have the following powers and functions:-

- 20.1. To discuss and adopt quarterly organizational and financial reports of the Branch/Local Executive Committee;
- 20.2. To discuss, prepare and adopt mandates for the various congresses and special congresses of the union;
- 20.3. To receive reports of the Executive Committees in upper structures of the union;
- 20.4. To adopt, amend and reverse decisions of the Branch/Local Executive Committee and Workplace Committees; and
- 20.5. To elect representatives to the Congresses of the union in the outer years of the Congresses at those levels of the union.

21. BRANCH AND LOCAL CONGRESS

21.1. Branch or Local Conference shall be constituted by Branch Executive Committee; Workplace Committees and Sectors' leadership and all members.

21.2. POWERS AND FUNCTIONS

The Branch/Local Conference shall have the following powers and functions:

- 21.2.1. The Branch/Local Congresses shall be convened by the Branch/Local Executive Committees every two (2) years on a date, time and venue determined by the Executive Committee;
- 21.2.2. The notice convening the Congresses will be issued by the Secretary in consultation with the Executive Committee at least three months before the sitting of the Congress.
- 21.2.3. The Branch Congresses shall be attended by the elected Executive Committees and members from the various workplaces in terms of this constitution.
- 21.2.4. Fifty percent plus one of the total delegates in a branch shall form a quorum for the Branch Congress to sit;
- 21.2.5. If the quorum is not reached in two hours of the set time the meeting must be adjourned and be reconvened within Fourteen days of the adjournment date;
- 21.2.6. The Secretary will issue a notice convening the adjourned Congress;
- 21.2.7. The Congresses will receive and discuss detailed organizational and financial statements and elect members of the Executive Committee; and
- 21.2.8. The Congress shall adopt, amend or reverse the decisions and proposals of Executive Committee.

22. REGIONAL STRUCTURES

22.1. The Regional Structures of SALIPSWU may be established by the Provincial Executive Committee in accordance to the Districts and Metropolitan Municipalities as determined by the Municipals Demarcation Board.

22.1. The Province shall oversee the election of the following members of the Regional Working Committee:

- 22.1.1. Regional Chairperson
- 22.1.2. Regional Deputy Chairperson
- 22.1.3. Regional Secretary
- 22.1.4. Regional Deputy Secretary
- 22.1.5. Regional Treasurer
- 22.1.6. Regional Convenors for:
 - 22.1.6.1. Gender
 - 22.1.6.2. Recreation; Sport; Art and Culture
 - 22.1.6.3. Education
 - 22.1.6.4. Health and Clinical Health Professionals
 - 22.1.6.5. Social Development
 - 22.1.6.6. Safety and Security
 - 22.1.6.7. Local Government and Administration

23. POWERS AND FUNCTIONS

23.1. REGIONAL EXECUTIVE COMMITTEES

23.1.1. The Regional Executive Committee shall be constituted by the Regional Working committee, Chairperson and Secretary of the Local/Branch and Chairpersons and Secretaries of sectors.

23.2. POWERS AND FUNCTIONS

- 23.2.1. Regional Executive Committees shall meet at least once every three months;
- 23.2.2. The Regional Executive Committees shall consist of Regional Working Committee, Chairpersons and Secretary of the Branch/Local, Chairperson and Secretary of the sector;
- 23.2.3. The Regional Executive Committee shall be accountable to the Provincial Executive Committee for its functioning;
- 23.2.4. The powers of the REC are those as may be determined by the PEC; including directives and programmes adopted by the Provincial Executive Committee and Provincial General Council;
- 23.2.5. The Regional Executive Committee shall meet within a month of its election to

- carry out the policy directives of the Provincial Executive Committee and adopt a programme of the region for implementation;
- 23.2.6. The REC shall do all things necessary to further the interests, aims and objectives of the organisation and to defend the interests of members as well as protect their rights against employers;
- 23.2.7. The REC shall implement the resolutions and instructions of the Provincial Congresses, the Provincial General Council, the Provincial Executive Committee, the Regional Congress and the Regional General Council;
- 23.2.8. The Regional Executive Committee shall be responsible for providing broad political and organisational perspectives to the Regional Working Committee;
- 23.2.9. The Regional Executive Committee shall receive reports from the Regional Office Bearers, the Regional Working Committee and all local structures;
- 23.2.10. The Regional Executive Committee shall supervise the work of the Regional Working Committee and delegate functions to the RWC as it deems necessary in between Regional Congresses;
- 23.2.11. The Regional Executive Committee shall be responsible for the management and control of the funds and assets of the region;
- 23.2.12. Submit reports to the PEC, Regional Congresses, Regional General Council as required by the Constitution on the state of the organisation, the financial position of the region and all other matters as may be directed by the organization;
- 23.2.13. The Regional Executive Committee shall be responsible for the appointment of sub-committees of the region;
- 23.2.14. The REC shall have the powers to request and receive reports from the locals and other sub-committees in the region;
- 23.2.15. The REC shall supervise and direct the work of the Regional Office Bearers, Regional Working Committee and structures in the region, including structures of SALIPSWU in all Branches/locals;
- 23.2.16. Recommend to the PEC the suspension or dissolution of a Local Executive Committees that have contravened the principles and policies of the union;
- 23.2.17. The Regional Executive Committee shall have the power to employ persons in the region subject to the approval of the Provincial Executive Committee; to appoint sub-committees to investigate and report on any matter referred to it by structures of the union;
- 23.2.18. The Regional Executive Committee shall review decisions and activities of locals and workplace committees and to confirm, alter or reverse such decisions in accordance with existing decisions of the Provincial Executive Committee, Provincial Congress; Regional Congress;
- 23.2.19. The Regional Executive Committee shall deal with disputes referred to it by the Local/Branch Executive Committees and Workplace Committees between members and to refer legal proceedings by or against the Union; and to institute or defend legal proceedings on behalf of individual members or against individual members to the Central Executive Committee; and
- 23.2.20. The Regional Executive Committee shall do all lawful things which in its opinion promotes the interests of the Union and its members.

24. POWERS AND FUNCTIONS OF THE REGIONAL WORKING COMMITTEE

- 24.1. Carry out decisions and directives of the PEC, REC, Regional Congresses and the Regional Shop Stewards Council;
- 24.2. Conduct the organizational work in the region and ensure that locals and all other structures carry out the decisions of the Union;
- 24.3. Submit reports to Regional Executive Committee meetings;
- 24.4. The Regional Executive Committee will meet at least once every month on the date and time set by the Regional Secretary and Chairperson to discuss matters of interest to the union and at all other times as may be necessitated by developments in the region;
- 24.5. The Regional Working Committee may invite representatives of structures of the Union to participate in its meetings when it deems it necessary.

25. REGIONAL SHOP STEWARDS COUNCIL

- 25.1. The Regional Shop Stewards Council shall consist of all members of the Regional Executive Committee, Branch/Local Working Committees and local delegates in locals in proportion to their membership and sectors.

25.2. POWERS AND FUNCTIONS

- 25.2.1. The Regional Shop Stewards Council shall discuss and resolve any issue it deems necessary, including any matter brought before it by the Regional Executive Committee; Provincial Executive Committee or by directive of the Central Executive Committee;
- 25.2.2. The Regional Shop Stewards Council shall decide on any matter falling within its competence, subject always to the policies and directives of the Regional Congress, Provincial Executive Committee; Central Executive Committee and National Congress;
- 25.2.3. The RSSC may fill any vacancy on the REC provided that the filling of vacancies does not exceed 50% (fifty per cent) of the membership of the REC, and
- 25.2.4. Approve, amend and reverse any decision of the Regional Executive Committee and the Branch/Local Executive Committee.

26. REGIONAL CONGRESS

- 26.1. The Regional Congress shall be constituted by the Regional Executive Committee; Chairpersons and secretaries of branches/locals and delegates representing locals in proportion to their membership and sectors decided by the Central Executive Committee.

27. POWERS AND FUNCTIONS

27.1. The Regional Congress shall be held every three (3) years and have the following powers and functions:

- 27.1.1. to receive organizational report and audited financial statements from the Regional Executive Committee;
- 27.1.2. Elect the Regional Office Bearers and members of the Regional Executive Committee which shall include the:-

- 27.1.2.1. Regional Chairperson
- 27.1.2.2. Regional Deputy Chairperson
- 27.1.2.3. Regional Secretary
- 27.1.2.4. Regional Deputy Secretary
- 27.1.2.5. Regional Treasurer
- 27.1.2.6. Regional Convenors

- 27.1.2.6.1. Gender
- 27.1.2.6.2. Education
- 27.1.2.6.3. Recreation; Sports; Arts and Culture
- 27.1.2.6.4. Health and Clinical Health Professionals
- 27.1.2.6.5. Social Development
- 27.1.2.6.6. Safety and Security
- 27.1.2.6.7. Local Government and Administration

27.1.3. To discuss and adopt policy perspectives in line with the resolutions of structures of the Union and to prepare such for the Provincial Congress;

- 27.1.4. To control the affairs of the Union in the region subject to the general control and direction of the Provincial Executive Committee and the Central Executive Committee;
- 27.1.5. To adopt mandates to the Provincial Congress and strategies for the implementation of the Provincial Shop Stewards Council and Provincial

Congress as the case may be;

- 27.1.6. The delegation to the Regional Congress shall be determined by the Regional Executive Committee in line with the CEC determinations or principle in proportionality to each local's membership;
- 27.1.7. To decide on all matters affecting the region subject to the direction of the Provincial Executive Committee or Provincial Congress;
- 27.1.8. To review decisions and activities of Local Executive Committees and Regional Executive Committees;
- 27.1.9. To confirm, alter or reverse reports and decisions of the Local Congress

and consider reports from Provincial Executive Committee;

- 27.1.10. To ensure the implementation of decisions and resolutions senior of structures of the Union;
- 27.1.11. To suspend a Regional Executive Committee for neglect of duty or conduct contrary to or in conflict with the constitution; decisions of the Central Executive Committee, Provincial Congress and decisions of the Regional Congress

28. PROVINCIAL STRUCTURES

28.1. Provincial structures shall be in according to provinces as defined by the Municipal Demarcations Board of South Africa and any government proclamations in this regard. The union shall therefore be demarcated into nine provinces which are Eastern Cape; Free State; Gauteng; KwaZulu Natal; Mpumalanga; Limpopo; North West; Northern Cape and Western Cape.

28.1. PROVINCIAL WORKING COMMITTEE

28.2.1. The National Working Committee shall oversee the election of the Provincial working Committees;

28.2.2. The Provincial Working Committee shall consist of the:

28.2.2.1. Provincial Chairperson

28.2.2.2. Provincial Deputy Chairperson

28.2.2.3. Provincial Secretary

28.2.2.4. Provincial Deputy Secretary

28.2.2.5. Provincial Treasurer

28.2.2.6. Provincial Convenors

28.2.2.6.1. Gender

28.2.2.6.2. Education

28.2.2.6.3. Recreation; Sports; Arts and Culture

28.2.2.6.4. Health and Clinical Health Professionals

28.2.2.6.5. Social Development

28.2.2.6.6. Safety and Security

28.1.2.6.7. Local Government and Administration

29. PROVINCIAL EXECUTIVE COMMITTEE

29.1. The Provincial Executive Committee shall be constituted by the Provincial Working Committee, Chairperson and Secretary of Regions and Chairperson and Secretaries of sectors.

30. POWERS AND FUNCTIONS

30.1. The Provincial Executive Committee will manage the affairs of the Union between meetings of the Provincial Congress and Provincial Shop Stewards Council;

30.2. The Provincial Executive Committee shall execute all decisions of the Provincial Congress and Provincial Shop Stewards Council;

30.3. The Provincial Executive Committee shall co-ordinate all plans, campaigns and projects approved by the Provincial Congress; Central Executive Committee and

the Central Committee;

30.4. The Provincial Executive Committee shall receive regular financial statements from the Provincial Finance Committee;

- 30.5. The Provincial Executive Committee shall consider budgets and the payment of
accounts as reported by the Provincial Finance Committee;
- 30.6. The Provincial Executive Committee shall suspend any office bearer or official of the Union for sufficient cause until the matter is decided at the next meeting of the Provincial Executive Committee;
- 30.7. The Provincial Executive Committee shall represent the Union in various activities of interest and ensure the sound management thereof between meetings of the Provincial Congress and Provincial Shop Stewards Council subject to the provisions of this constitution and the aims, objectives and policies of the Union;
- 30.8. To issue press statements in the name of the Union;
- 30.9. To do all lawful things which promote the interests of the Union and which agree with the objectives and policies of the Union and this constitution;
- 30.10. The Provincial Executive Committee shall meet at least once every three months.

31. PROVINCIAL SHOP STEWARDS COUNCIL

- 31.1. A Provincial Shop Stewards Council (PSSC) shall be convened by the Provincial Executive Committee once every year of the term of office of the Provincial Executive Committee.
- 31.1. The PSSC shall be comprised of all members of the Provincial Executive Committee, the Regional Working Committee, Local/Branch Chairpersons and Secretaries plus delegates representing locals in proportion to their membership with each local having a minimum of 1 (one) delegate.

32. POWERS AND FUNCTIONS

- 32.1. The Provincial Shop Stewards Council shall discuss and decide any matter deemed necessary, including any matter brought before it by the Provincial Executive Committee and may decide on any matter falling within its competence, subject to the policies and directives of the Provincial Congress and Central Executive Committee;
- 32.2. The Provincial Shop Stewards Council shall receive reports of the Provincial Executive Committee, Regional Executive Committees, Regional Shop Stewards Councils and /Branch Executive Committees; and
- 32.3. The Provincial Shop Stewards Council may not fill any vacancy on the Provincial Executive Committee.

33. PROVINCIAL CONGRESS

- 33.1. Subject to the provisions of this Constitution, the Provincial Congress shall be the highest structure of the Union in each province and shall be held every four (4) years.

33.2. The Provincial Congress shall be attended by the Provincial Executive Committee; Local/Branch Chairperson and Secretary; Branch/Local Chairpersons and Secretaries; Regional Working Committees and elected local delegates in proportion to their membership and sectors in good standing.

34. POWERS AND FUNCTIONS

34.1. Receive and consider reports from the Provincial Executive Committee and, subject to the other provisions of the constitution, make whatever decisions it considers necessary to advance SALIPSWU's policies in each province in line with decisions of the Central Executive Committee;

34.1. Receive; discuss and adopt audited financial statements and reports of the Provincial Treasurer for the period under review;

34.2. Elect the members of the Provincial Working Committee as follows:

34.3.1. Provincial Chairperson

34.3.2. Provincial Deputy Chairperson

34.3.3. Provincial Secretary

34.3.4. Provincial Deputy Secretary

34.3.5. Provincial Treasurer

34.3.6. Provincial Convenors

34.3.6.1. Gender

34.3.6.2. Education

34.3.6.3. Recreation; Sports; Arts and Culture

34.3.6.4. Health and Clinical Health Professionals

34.3.6.5. Social Development

34.3.6.6. Safety and Security

34.3.6.7. Local Government and Administration

35. NATIONAL WORKING COMMITTEE

35.1. The National Working Committee (NWC) shall consist of the:

35.1.1. President

35.1.2. First Deputy Presidents

35.1.3. Second Deputy President

35.1.4. National Treasurer

35.1.5. General Secretary

35.1.6. First Deputy General Secretary

35.1.7. Second Deputy General Secretary

35.1.8. Vice Presidents

35.1.8.1. Gender

35.1.8.2. Education

35.1.8.3. Recreation; Sports; Arts and Culture

35.1.8.4. Health and Social Development

35.1.8.5. Safety and Security

35.1.8.6. Local Government and Administration

35.2. POWERS AND FUNCTIONS

The National Working Committee shall:

- 35.2.1. Carry out decisions and directives of the National Congress; National General Council and the Central Executive Committee and Central Committee;
- 35.2.2. Conduct the organizational work in the provinces, regions and other structures;
and ensure where necessary in the locals of the union that the union is functional;
- 35.2.3. Represent the Union in dealings with the Employers at the economic; political and international forums per mandates of the Central Executive Committee;
- 35.2.4. Submit reports to Central Executive Committee meetings; Central Committee meetings and National Congresses;
- 35.2.5. Support the provinces in the performance of their organisational tasks and in dealing with various role players from time to time as deployed by the National Secretariat;
- 35.2.6. The National Working Committee shall meet at least once every month on the date and time set by the General Secretary and the President to discuss matters of interest to the union and at all other times as may be necessitated by developments in the country;
- 35.2.7. The National Working Committee may invite representatives of provinces of the Union to participate in its meetings when it deems it necessary or under the directive of the Central Executive Committee.

36. CENTRAL EXECUTIVE COMMITTEE

- 36.1. The Central Executive Committee shall be constituted by the members of the National Working Committee; Provincial Chairpersons and Secretaries; Chairpersons and Secretaries of sectors.
- 36.2. The Central Executive Committee shall meet at least once every three months.

36.3. POWERS AND DUTIES

- 36.3.1. The Central Executive Committee shall have the following duties and functions:-
 - 36.3.1.1 To manage the affairs of the Union between meetings of the National Congress and Central Committee;
 - 36.3.1.2. The Central Executive Committee shall execute all decisions of the National Congress and Central Committee;
 - 36.3.1.3. The Central Executive Committee shall co-ordinate all plans, campaigns and projects approved by the National Congress and

- Central Committee;
- 36.3.1.4. The Central Executive Committee shall receive regular financial statements from the National Finance Committee;
 - 36.3.1.5. The Central Executive Committee shall consider budgets and the payment of accounts as reported by the National Finance Committee;
 - 36.3.1.6. The Central Executive Committee shall suspend any office bearer or official of the Union for sufficient cause until the matter is decided at the next meeting of the Central Executive Committee;
 - 36.3.1.7. The Central Executive Committee shall represent the Union in various activities of interest and ensure the sound management thereof between meetings of the National Congress and Central Committee subject to the provisions of this constitution and the aims, objectives and policies of the Union;
 - 36.3.1.8. To do all lawful things which promote the interests of the Union and which agree with the objectives and policies of the Union and this constitution;
 - 36.3.1.9. The Central Executive Committee shall confirm, reverse or amend decisions of the Provincial Executive Committee and Regional Executive Committees.

37. CENTRAL COMMITTEE

- 37.1. The Central Committee shall be the mid-term congress of the union and shall be convened by the Central Executive Committee once every two years and half years within the term of office.
- 37.2. The Central Committee shall be comprised of all members of the members of the Central Executive Committee, Provincial Working Committee members; Regional Chairpersons and Secretaries; Sector representatives and delegates representing locals/branches as allocated by the Central Executive Committee with each local/branch having a minimum of 1(one) delegate.

38. POWERS AND FUNCTIONS

- 38.1. The Central Committee shall discuss and decide any issue it deems necessary, including any matter brought before it by the Central Executive Committee in between National Congresses and may decide on any matter falling within its competence, subject to the policies and directives of the National Congress;
- 38.2. The Central Committee shall receive reports of the Central Executive Committee and Provincial General Councils of all provinces of the union; as well as progress reports on the implementation of decisions of the National Congresses;
- 38.3. The Central Committee may fill any vacancy on the National Working Committee.
- 39.4. The Central Committee will receive audited financial statements of the Union and review the budgets and financial priorities of the Union in between National Congresses.

39.5. The Central Committee shall be empowered to take policy decisions; review international affiliation; performance and relations in between National Congresses.

39. NATIONAL CONGRESS

39.1. The National Congress shall be the highest authority of the Union which shall be called every five (5) years;

39.2. The Central Executive Committee may convene Special National Congresses which shall have the same powers as the ordinary National Congress including

the election of the National Working Committee or filling of vacancies in the National Working Committee;

39.3. The Special National Congress shall be constituted by Central Executive Committee, Provincial Working Committees; Regional Working Committees and

elected local/branch delegates in proportion to their membership.

39.4. The Central Executive Committee shall determine the total number of elected delegates and shall allocate a quota to each province in proportion to its membership as organized in locals/branches.

39.5. The Central Executive Committee shall have the authority to invite non-voting delegates made up of various categories of membership and interim locals/branches; as well as local and international guests;

39.6. Non-voting delegates to the National Congress shall attend and participate in all

closed sessions but will not be allowed to vote in plenary sessions.

39.7. The National Congress shall discuss the organizational report of the National Working Committee, receive and discuss an audited financial statement

and the report of the National Finance Committee, examine and decide the policies of the Union;

CHAPTER NINE

40. Sectoral Committees

40.1. The National Congress or the Central Committee; whichever comes first; shall determine sectors to be established by the Central Executive Committee and ensure that all sectors elect their Sectoral Committees once every four (4) years

at the national level;

40.2. The Sectors will convene in consultation with the Central Executive Committee their sectoral conference where the sector committee will be elected as per the stipulations of this constitution;

40.3. The Sectoral Committees shall be comprised of the Sector Chairperson; Deputy Chairperson; Sector Secretary; Deputy Secretary and Organizer;

40.4. The Sectoral Committees will be accountable to the Central Executive Committee and derive their key mandates from the decisions of the National Congress; the Central Executive Committee and Central Committee or when

mandated by the Central Executive Committee and other levels shall elect their sectors leadership prior the Conferences of such levels guided by the Central Executive Committee;

CHAPTER TEN

41. LOCATION OF HEAD OFFICE

41.1. The Central Executive Committee shall determine the location of the Head Office

from time to time depending on the needs of the Union and the contextual factors

which the Central Executive Committee may determine or identify.

CHAPTER ELEVEN

42. POWERS AND FUNCTIONS OF OFFICE BEARERS

42.1. NATIONAL OFFICE BEARERS

42.1.1. PRESIDENT

42.1.1.1. The President shall be the political head of the union and he or she shall:-

42.1.1.1.1. Preside at all meetings of the National Congress, Central Committee; Central Executive Committee and National Working Committee;

42.1.1.1.2. Ensure conformity with the constitution and other rules and procedures adopted by National Congress; Central Committee and Central Executive Committee;

42.1.1.1.3. Have a deliberative vote only;

42.1.1.1.4. Sign minutes of meetings of the Central Executive Committee, Central Committee; Central Executive Committee; including all National Congresses;

42.1.1.1.5. Supervise the affairs of the Union and work of the National Secretariat;

42.1.1.1.6. Be a co-signatory to the National banking account/s of the Union;

42.1.1.1.7. Attend and report to National Congresses;

42.1.1.1.8. Represent the Union in various forums where the Union is invited;

42.1.1.1.9. Together with the General Secretary conduct the media affairs of the union;

42.1.1.1.10. Perform any other duties which arise from usage or custom or the provisions of this constitution with regard to the position of the President.

42.1.2. DEPUTY PRESIDENTS

42.1.2.1. The Deputy Presidents shall assist the President, deputise for him or her when necessary and carry out whatever functions that are entrusted to him or her by the National Congress; the National General Council, the National Executive Committee or the National Working Committee;

- 42.1.2.2. The Deputy Presidents shall be a members of the National Working Committee;
- 42.1.2.3. In the event of death or permanent incapacity of the President and the Deputy Presidents, the NEC shall as soon as possible appoint an Acting President amongst its senior members until such time as the National Congress meets;
- 42.1.2.4. In the absence of the President and the Deputy Presidents, the General Secretary shall assume the functions of the President;

42.1.3. GENERAL SECRETARY

- 42.1.3.1. The General Secretary shall be a Full Time Office Bearer and employee of the Union according to conditions determined by the Central Executive Committee and as such be chief administrative officer of SALIPSWU;
- 42.1.3.2. He or she shall be an ex officio member of all union structures;
- 42.1.3.3. He or she shall keep (or cause to be kept) the minutes of all CEC; CC and NWC meetings and such other books, records and archives as may be required;
- 42.1.3.4. He or she shall attend to the correspondence of the CEC and NWC;
- 42.1.3.5. He or she shall maintain regular personal and written contact with all the provinces and keep the membership informed of the work of the CEC and NWC;
- 42.1.3.6. He or she shall ensure that members of the CEC are kept informed of the work of the NWC in between meetings of the CEC;
- 42.1.3.7. He or she shall draw up (or cause to be drawn up) all reports and documents as may be decided upon by the CEC or NWC;
- 42.1.3.8. He or she shall communicate the decisions of all national structures of the union on behalf of the CEC;
- 42.1.3.9. He or she shall keep the minutes of the National Congress, the Central Committee, the Central Executive Committee, the National Working Committee, as well as other records of SALIPSWU;
- 42.1.3.10. He or she shall conduct the correspondence of the Central Executive Committee and the National Working Committee and send out notices of all congresses and meetings at the national level;
- 42.1.3.11. He or she shall convey the decisions and instructions of the National Congress, the Central Committee, the Central Executive Committee and the National Working Committee to the Provincial Executive Committees and see to it that all structures of SALIPSWU carry out their duties properly;
- 42.1.3.12. He or she shall prepare annual reports on the work of the NWC and CEC and such other documents which may, from time to time, be required by the CEC and the NWC;
- 42.1.3.13. He or she shall present to the National Congress; Central Executive Committee and Central Committee respectively a comprehensive report of the state of the organisation and the administrative situation of SALIPSWU; and

42.1.3.14. He or she shall be the Chief Media Officer together with the President; and chief editor of all union publications.

42.1.4. DEPUTY GENERAL SECRETARIES

42.1.4.1. The Deputy General Secretaries will, as directed by the CEC, deputise for the General Secretaries in respect of all the functions set out above;

42.1.4.2. The Deputy General Secretaries shall assist the General Secretary when necessary and carry out the functions entrusted to the General Secretary by the National Congress, the Central Committee, Central Executive Committee and the National Working Committee;

42.1.4.3. Together with the General Secretary; report to the NWC; CEC and CC about any matter delegated to the General Secretary regarding the various aspects of administration and daily functioning of the union in terms of the constitution;

42.1.4.4. Liaise with the Sectors and other committees of the union together with the General Secretary and provide the reports of such liaison to the NWC and the CEC.

42.1.5. NATIONAL TREASURER

42.1.5.1. The National Treasurer shall under the direction of the CEC and NWC take all necessary measures to ensure that the Union is provided with sufficient means to carry out its organisational tasks;

42.1.5.2. He or she shall dispose of such funds as the CEC authorised by general or specific mandate;

42.1.5.3. He or she shall be responsible for the safe-keeping and administration of all property and monies of the Union;

42.1.5.4. He or she shall keep such books and accounts as will clearly record and reflect the financial position of SALIPSWU and submit statements of income and expenditure together with the General Secretary to the NWC; CEC; CC and NC in terms of this constitution and financial policies to be determined by the CEC;

42.1.5.5. Under the direction of the CEC per this constitution present audited financial statements and written financial reports to the National Congress and the Central Committee;

42.1.5.6. He or she shall be the convenor of the National Finance Committee appointed by the CEC in terms of this constitution;

42.1.5.7. Assist the Provincial Secretariat with the coordination and administration of the National Finance Department;

42.1.5.8. The National Treasurer will work together with the General Secretary in liaison with and coordination of all internal and external accounting and auditing responsibilities.

42.1.6. VICE PRESIDENTS

42.1.6.1. The duties and functions of the Vice Presidents as elected by the National Congress shall be determined by the Central Executive Committee and /or Central Committee;

42.1.6.2. The Vice Presidents shall perform all other duties as may be mandated by the Central Executive Committee pursuant to the decisions and programmes of the union.

42.1.7. SECTOR COORDINATORS/COMMISSIONERS

42.1.7.1. The duties and functions of the Sector Coordinators/Commissioners as elected shall be determined by the Central Executive Committee in relation to their work of coordinating various needs of the sectors;

43. PROVINCIAL OFFICE BEARERS

43.1. PROVINCIAL CHAIRPERSON

43.1.1. The Provincial Chairperson shall preside at Congresses and all meetings of the Union in the Province where he/she is present;

43.1.2. The Provincial Chairperson have a deciding vote in all meetings of the Provincial Executive Committee and rule on all issues in various meetings of the Union in the province;

43.1.3. The Provincial Chairperson shall sign minutes of meetings of the Provincial Executive Committee, Provincial Shop Stewards Council; Provincial Executive Committee; including Provincial Congresses;

43.1.4. Supervise the affairs of the Union and work of the Provincial Secretariat;

43.1.5. Be a co-signatory to the Provincial banking account/s of the Union;

43.1.6. Attend and report to Provincial Congresses;

43.1.7. Represent the Union in various forums where the Union is invited;

43.1.8. Perform any other duties which arise from usage or custom or the provisions of this constitution with regard to the position of the Provincial Chairperson.

43.2. PROVINCIAL DEPUTY CHAIRPERSON

The Provincial Deputy Chairperson shall:

43.2.1. Assist the Provincial Chairperson in the performance of his/her duties;

43.2.2. Exercise the powers, functions and duties of the Provincial Chairperson in his/her absence or when the Chairperson is unable to perform such duties and functions;

43.2.3. The Provincial Deputy Chairperson shall perform such duties and tasks delegated to him/her by the Provincial Executive Committee or Provincial Congress.

43.3. PROVINCIAL TREASURER

43.3.1. The Provincial Treasurer shall convene and preside at all meetings of the

- Provincial Finance Committee;
- 43.3.2. To manage and control all records of finances of the union;
- 43.3.3. To table financial reports in all meetings of the Provincial Executive Committee
and the Provincial Congresses;
- 43.3.4. To co-ordinate and facilitate efforts for the building of financial capacity of the Union and be head of fundraising efforts of the Union;
- 43.3.5. Assist the Provincial Secretariat with the coordination and administration of the
Provincial Finance Department; and
- 43.3.6. The Provincial Treasurer will work together with the Provincial Secretary in liaison with and coordination of all internal and external accounting and auditing responsibilities.

43.4. PROVINCIAL SECRETARY

- 43.4.1. The Provincial Secretary shall be a full-time official of the Union;
- 43.4.2. Be responsible for the proper administration of the Union and for the general co-ordination of its activities at provincial level;
- 43.4.3. Supervise the work of the Regional Secretaries and other officials of the Union
at provincial level; including members of the Provincial Executive Committee;
- 43.4.5. Attend and report fully to each Provincial Congress, Provincial Shop Stewards
Council and Provincial Executive Committee meetings on all aspects of the Union's programmes and activities;
- 43.4.6. Be responsible for the minutes of the Provincial Congress, Provincial Shop Stewards Council and Provincial Executive Committee;
- 43.4.7. Submit the minutes of all Provincial Executive Committee meetings and monthly financial statements to all PEC members;
- 43.4.8. Deal with all the correspondence of the head office of the Union;
- 43.4.9. Ensure that proper books of account are kept and that such books are audited
annually;
- 43.4.10. Be a co-signatory to the Provincial banking accounts of the Union;
- 43.4.11. Issue official receipts for all monies received and to bank such monies
within seven days of receipt;
- 43.4.12. Visit regions for reasons determined by the Provincial Executive Committee;
- 43.4.13. Ensure that a register of members is maintained at all levels of the Union;
- 43.4.14. Ensure that disciplinary action is taken against employees of the Union in accordance with the Union's Disciplinary Code and Procedure; and
- 43.4.15. Perform other duties required by this constitution or the Provincial Congress, Provincial Shop Stewards Council and Provincial Executive Committee.

43.5. PROVINCIAL DEPUTY SECRETARY

- 43.5.1. The Provincial Deputy Secretary shall be accountable to the Provincial Executive Committee;
- 43.5.2. Assist the Provincial Secretary in the performance of his/her duties;
- 43.5.3. Perform the functions of the Provincial Secretary as he/she may be temporarily or permanently unable to perform them.
- 43.5.4. Perform such duties and tasks delegated to him/her by the Provincial Executive Committee or Provincial Congress and Provincial Shop Stewards Council.

43.6. CONVENORS AND COORDINATORS

- 43.6.1. The National Congress shall determine the duties and functions of the coordinators in line with this constitution.

CHAPTER TWELVE

44. MEETINGS OF THE UNION

44.1. MEETING PROCEDURES

- 44.1.1. The following procedures must apply when convening meetings and Congresses:
 - 44.1.1.1.1. To foster worker control as the most important and most central principle to preserve the relevance of a union as the critical weapon of workers the following general principle should be adhered to, however at a reduced period in special meetings:
 - 44.1.1.1.2. In working committees the secretaries at all levels should ensure that the Secretariat reports are circulated to members of working committees seven days before the meetings respectively;
 - 44.1.1.1.3. In the Executive meetings the secretariat at all levels should ensure that the secretariat reports are circulated to members of the executive fourteen days before the meetings respectively;
 - 44.1.1.1.4. In shop steward meeting and in general meetings in case of workplaces , the secretariat should ensure that the secretariat reports are circulated to members of the meeting twenty one days before the meeting respectively;
 - 44.1.1.1.5. In conference meetings and congress in case of the national level, the secretariat should circulate the secretariat report to members two months before the meetings respectively;

44.2. NATIONAL CONGRESS

- 44.2.1. The National Congress shall be held once every five (5) years;
- 44.2.2. The Central Executive Committee shall decide on a date and venue of the National Congress;

44.2.3. The Central Executive Committee may convene a Special National Congress;

44.2.4. The Secretary General shall issue a notice convening Congress and such notice must indicate the date, time and venue of the National Congress or Special National Congress with the agenda of the meeting in line with this constitution;

44.2.5. Fifty (50) percent plus one of the constituent structures in good standing will form a quorum before the National Congress can sit.

44.3. PROVINCIAL CONGRESSES

44.3.1. The Provincial Congress shall be held least once every three years;

44.3.2. The Provincial Executive Committee shall decide on a date and venue of the Provincial Congress;

44.3.3. The Provincial Secretary shall issue a notice convening Congress and such notice must indicate the date, time and venue of the Provincial Congress or Special Provincial Congress with the agenda of the meeting in line with this constitution;

44.3.4. Fifty (50) percent plus one of the constituent structures in good standing will form a quorum before the Provincial Congress can sit.

44.4. PROVINCIAL SHOP STEWARDS COUNCIL

44.4.1. The Provincial Shop Stewards Council shall be held once every year in line with the prescripts of this constitution;

44.4.2. The Provincial Office Bearers shall decide on a date, time and venue of the Provincial Shop Stewards Council;

44.4.3. If the Provincial Office Bearers cannot decide on the venue, then the meeting will be held in the city where the head office is located;

44.4.4. The Provincial Office Bearers may convene a Special Provincial Shop Stewards Council meeting to discuss urgent matters of interest to the Union and its members;

44.4.5. The Provincial Secretary in consultation with the Provincial Chairperson may convene a Special Shop Stewards Council upon receipt of a written request by a majority of locals in good standing.

44.5. PROVINCIAL EXECUTIVE COMMITTEE

44.5.1. Meetings of the Provincial Executive Committee shall sit at least once every three months;

44.5.2. The Provincial Working Committee will decide on a date, time and venue of meetings of the Provincial Executive Committee;

44.5.3. The Provincial Secretary in consultation with the Provincial Chairperson or a majority of the members of the Provincial Executive Committee in a written request may call a special meeting of the PEC.

44.6. PROVINCIAL WORKING COMMITTEE

44.6.1. Meetings of the Provincial Working Committee shall be convened at least once

every month;

44.6.2. The Provincial Secretary in consultation with the Provincial Chairperson shall decide on a date, time and venue of meetings of the Provincial Working Committee;

44.7. REGIONAL CONGRESSES

44.7.1. The Regional Congresses will be held at least once every three years;

44.7.2. The Regional Working Committee shall decide on dates, time and venue of the

Regional Congress;

44.8. REGIONAL SHOP STEWARDS COUNCIL

44.8.1. The Regional Shop Stewards Council shall be convened at least once every six months;

44.8.2. The Regional Office Bearers will decide on a date, time and venue of the Regional Shop Stewards Council;

44.8.3. The Regional Office Bearers, acting on their own or in consultation with the members of the Regional Executive Committee may convene a Special Regional Congress.

44.9. REGIONAL EXECUTIVE COMMITTEE

44.9.1. The meetings of the Regional Executive Committee will be convened at least once every three months by the Regional Working Committee;

44.9.2. The Regional Secretary in consultation with the Regional Chairperson shall decide on a date; time and venue of the meeting;

44.9.3. The Regional Secretary in consultation with the Regional Chairperson may convene special meetings of the Regional Executive Committee.

44.10. REGIONAL WORKING COMMITTEE

44.10.1. The meetings of the Regional Working Committee shall be convened at least

once every month by the Regional Secretary and Chairperson;

44.10.2. The Regional Secretary in consultation with the Regional Chairperson, and when practicable in consultation with the other members of the Regional Working Committee shall decide on a date; time and venue of the meeting;

44.10.3. The Regional Secretary in consultation with the Regional Chairperson may convene special meetings of the Regional Working Committee.

44.11. LOCAL/BRANCH CONGRESS

44.11.1. The Local Executive Committee shall be responsible for convening the Local Congress and shall so set the date, time and venue of the meeting;

44.11.2. LOCAL MASS MEETING

- 44.11.2.1. The Local Mass Meeting will be held at least once every three (3) months;
- 44.11.2.2. The Local Executive Committee shall decide on a date, time and venue of the Local Mass Meeting;
- 44.11.2.3. The Local Executive Committee may convene a Special Local Mass Meeting to discuss urgent matters of interest to the Union and its members;
- 44.11.3.4. The Local Secretary in consultation with the Local Chairperson may convene a Special Mass Meeting upon receipt of a written request by a majority of Workplaces in good standing.

44.11.3. LOCAL EXECUTIVE COMMITTEE

- 44.11.3.1. The meetings of the Local Executive Committee will be convened at least once every month;
- 44.11.4. The Local Secretary in consultation with the Local Chairperson shall decide on a date; time and venue of the meeting;
- 44.11.5. The Local Secretary in consultation with the Local Chairperson may convene special meetings of the Local Executive Committee.

44.12. WORKPLACE COMMITTEES

- 44.12.1. The meetings of the Workplace Committees will be convened by the Workplace Chairperson at least once every month;
- 44.12.2. The Workplace Committee shall convene a workplace members' meeting once every month.

CHAPTER THIRTEEN

45. NOTICES OF MEETINGS

45.1. PROVINCIAL CONGRESS

- 45.1.1. The Provincial Secretary shall issue the notice convening the Provincial Congress at least six months before the congress;
- 45.1.2. The agenda and draft documents must be sent to delegates and should to reach them at least four months before the Congress;
- 45.1.3. Regions to submit proposed resolutions to the Provincial Secretary at least three months before Congress.

45.2. PROVINCIAL SHOP STEWARDS COUNCIL

- 45.2.1. The Provincial Secretary shall issue the notice convening the Provincial Shop Stewards Council at least one month before the Shop Stewards Council;
- 45.2.2. The notice convening the Provincial Shop Stewards Council must include the agenda, date, time and venue of the meeting;

- 45.2.3. Notice of special meetings of the Provincial Shop Stewards Council may not be issued in less than five days;
- 45.2.4. Only written or formal notices on the official letterhead of the union will be recognized in convening meetings of the Union;
- 45.2.5. All notices will be sent to Regional Secretaries and Local/Branch Secretaries not less than three days in an emergency or through other means of communication at the discretion of the Provincial Secretary in consultation with the Provincial Chairperson.

45.3. PROVINCIAL EXECUTIVE COMMITTEE

- 45.3.1. The Provincial Secretary shall issue the notice of meetings of the Provincial Executive Committee which includes the agenda, date, time and venue of the meeting;
- 45.3.2. The notices of the meetings will be sent to each member of the Provincial Executive Committee at least fourteen days before the meeting;
- 45.3.3. No verbal notices may be given to members of the Provincial Executive Committee for purposes of scheduled ordinary meetings;
- 45.3.4. Other communication media may be used by the Provincial Secretary in consultation with the Provincial Chairperson to communicate directly with members only in cases of emergency.

45.4. PROVINCIAL WORKING COMMITTEE

- 45.4.1. The Provincial Secretary shall issue the notice convening meetings of the Provincial Working Committee at least seven days before the meeting;
- 45.4.2. The notice convening meetings of the Provincial Office Bearers must include the date, time; venue and agenda of the meeting;
- 45.4.3. Notice of special meetings of the Provincial Office Bearers may not be issued in less than 48 hours before the date of the meeting.

45.5. REGIONAL CONGRESS

- 45.5.1. The Regional Secretary shall issue a notice convening the Regional Congress every three (3) years;
- 45.5.2. The notice must include the agenda, date, time and venue of the meeting;
- 45.5.3. The notice of the meeting shall be sent to each Local Secretary with region at least two months before the Regional Congress;
- 45.5.4. Notice of Special Regional Congresses may be shorter than one month but not less than fourteen days;

45.6. REGIONAL SHOP STEWARDS COUNCIL

- 45.6.1. The Regional Secretary shall issue the notice convening the Regional Shop Stewards Council at least one month before the Council;
- 45.6.2. The notice convening the Regional Shop Stewards Council must include the

- agenda, date, time and venue of the meeting;
- 45.6.3. Notice of special meetings of the Regional Shop Stewards Council may not be issued in less than five days;
- 45.6.4. Only written or formal notices on the official letterhead of the union will be recognized in convening meetings of the Union;
- 45.6.5. All notices will be sent to Regional Executive Committee members and Local Secretaries not less than three days in an emergency or through other means of communication at the discretion of the Regional Secretary in consultation with the Regional Chairperson.

45.6.REGIONAL EXECUTIVE COMMITTEE

- 45.6.1. The Regional Secretary shall issue the notice of meetings of the Regional Executive Committee which includes the agenda, date, time and venue of the meeting;
- 45.6.2. The notices of the meetings will be sent to each member of the Regional Executive Committee at least fourteen days before the meeting;
- 45.6.3. No verbal notices may be given to members of the Regional Executive Committee for purposes of scheduled ordinary meetings;
- 45.6.4. Other communication media may be used by the Regional Secretary in consultation with the Regional Chairperson to communicate directly with members only in cases of emergency.

45.7. REGIONAL WORKING COMMITTEE

- 45.7.1. The Regional Secretary shall issue the notice of meetings of the Regional Working Committee which includes the agenda, date, time and venue of the meeting;
- 45.7.2. The notices of the meetings will be sent to each Regional Office Bearer at least seven days before the meeting;
- 45.7.3. Verbal notices may be given to Regional Office Bearers for purposes of emergency meetings at the discretion of the Regional Secretary or in consultation with the Regional Chairperson.

45.8. LOCAL CONGRESS

- 45.8.1. The Local Secretary shall issue a notice convening the Local Congress every two years;
- 45.8.2. The notice must include the agenda, date, time and venue of the meeting;
- 45.8.3. The notice of the meeting shall be sent to each Workplace Secretary for attention of members within a Local at least one month before the Local Congress;
- 45.8.4. Notice of Special Local Congresses may be shorter than one month but not less than fourteen days.

45.9. LOCAL MASS MEETING

- 45.9.1. The Local Secretary shall issue the notice convening the Local Mass Meeting at least fourteen days before the General Council;
- 45.9.2. The notice convening the Local Mass Meeting must include the agenda, date, time and venue of the meeting;
- 45.9.3. Notice of special meetings of the Local Mass Meeting may not be issued in less than three days.

45.10. LOCAL EXECUTIVE COMMITTEE

- 45.10.1. The meetings of the Local Executive Committee will be convened at least once every month by the Local Secretary;
- 45.10.2. The Local Secretary in consultation with the Local Chairperson shall decide on a agenda, date; time and venue of the meeting;
- 45.10.3. The Local Secretary in consultation with the Local Chairperson may convene special meetings of the Local Executive Committee.

45.11. WORKPLACE COMMITTEE

- 45.11.1. Meetings of the Workplace Committees will be convened by the Workplace Chairperson at least once a month;
- 45.11.2. The Workplace Secretary shall inform members of the Workplace Committee about the agenda, date; time and venue of the meeting;
- 45.11.3. Special Workplace Committee meetings can be convened verbally by the Workplace Chairperson in cases of emergency;
- 45.11.4. Workplace Committees will convene at least one Workplace meeting for the members with a one day notice.

CHAPTER FOURTEEN

46. QUORUM

46.1. NATIONAL CONGRESS

- 46.1.1. A quorum for purposes of a National Congress shall be formed by at least fifty percent plus one accredited delegates to discuss and adopt valid and legitimate decisions;
- 46.1.2. If after three hours there is no quorum in the National Congress, the meeting must be adjourned and re-convened within eight weeks;
- 46.1.3. The General Secretary shall issue a notice of the adjourned National Congress at least four weeks before the date of the Adjourned National Congress;
- 46.1.4. The delegates present at the adjourned meeting shall constitute a quorum.

47.2. CENTRAL COMMITTEE

- 47.2.1. A quorum for purposes of a Central Committee shall be formed by at least fifty percent plus one accredited delegates to discuss and adopt valid and legitimate decisions;
- 47.2.2. If after two hours there is no quorum in the Central Committee, the meeting must be adjourned and re-convened within one month;
- 47.2.3. The General Secretary shall issue a notice of the adjourned Central Committee at least two weeks before the date of the meeting;
- 47.2.4. The delegates present at the adjourned central committee meeting shall constitute a quorum.

47.3. CENTRAL EXECUTIVE COMMITTEE

- 47.3.1. A quorum for purposes of a meeting of the Central Executive Committee shall be formed by at least fifty percent plus one accredited delegates to discuss and adopt valid and legitimate decisions;
- 47.3.2. If after an hour there is no quorum in the Central Executive Committee, the meeting must be adjourned and re-convened within fourteen days;
- 47.3.3. The General Secretary shall issue a notice of the adjourned Central Executive Committee at least five days before the date of the meeting
- 47.3.4. The members present at the adjourned meeting shall constitute a quorum.

47.4. NATIONAL WORKING COMMITTEE

- 47.4.1. For purposes of meetings of the National Office Bearers quorum shall be formed by at least fifty percent plus one accredited members to discuss and adopt valid and legitimate decisions
- 47.4.2. If after one hour there is no quorum in the National Working Committee meeting, it must be adjourned and re-convened within seven days;
- 47.4.3. The General Secretary shall issue a notice of the adjourned National Working Committee meeting at least three days before the date of the meeting;
- 47.4.4. The members present at the adjourned meeting shall constitute a quorum.

47.5. PROVINCIAL CONGRESS

- 47.5.1. A quorum for purposes of a Provincial Congress shall be formed by at least fifty percent plus one accredited delegates to discuss and adopt valid and legitimate decisions;
- 47.5.2. If after three hours there is no quorum in the Provincial Congress, the meeting must be adjourned and re-convened within eight weeks;
- 47.5.3. The Provincial Secretary shall issue a notice of the adjourned Provincial Congress at least four weeks before the date of the Congress
- 47.5.4. The delegates present at the adjourned meeting shall constitute a quorum.

47.6. PROVINCIAL SHOP STEWARDS COUNCIL

47.6.1. A quorum for purposes of a Provincial Shop Stewards Council shall be formed

by at least fifty percent plus one accredited delegates to discuss and adopt valid and legitimate decisions;

47.6.2. If after two hours there is no quorum in the Provincial General Council, the meeting must be adjourned and re-convened within one month;

47.6.3. The Provincial Secretary shall issue a notice of the adjourned Provincial Shop

Stewards Council at least two weeks before the date of the Council;

47.6.4. The delegates present at the adjourned meeting shall constitute a quorum.

47.7. PROVINCIAL EXECUTIVE COMMITTEE

47.7.1. A quorum for purposes of a Provincial Executive Committee shall be formed by at least fifty (50) percent plus one accredited members to discuss and adopt

valid and legitimate decisions;

47.7.2. If after two hours there is no quorum in the Provincial Executive Committee, the meeting must be adjourned and re-convened within Fourteen days;

47.7.3. The Provincial Secretary shall issue a notice of the adjourned Provincial Executive Committee at least five days before the date of the meeting;

47.7.4. The members present at the adjourned meeting shall constitute a quorum.

47.8. PROVINCIAL WORKING COMMITTEE

47.8.1. A quorum for purposes of the Provincial Office Bearers shall be formed by at least fifty percent plus one elected members to discuss and adopt valid and legitimate decisions;

47.8.2. If after three hours there is no quorum in the meeting of the Provincial Working

Committee, the meeting must be adjourned and re-convened within seven days;

47.8.3. The Provincial Secretary shall issue a notice of the adjourned Provincial Working Committee meeting at least five days before the date of the meeting;

47.8.4. The office bearers present at the adjourned meeting shall constitute a quorum.

47.9. REGIONAL CONGRESS

47.9.1. A quorum for purposes of a Regional Congress shall be formed by at least fifty

percent plus one accredited delegates to discuss and adopt valid and legitimate decisions;

47.9.2. If after two hours there is no quorum in the Regional Congress, the meeting must be adjourned and re-convened within four weeks;

47.9.3. The Regional Secretary shall issue a notice of the adjourned Regional Congress at least seven days before the date of the Congress;

47.9.4. The delegates present at the adjourned meeting shall constitute a quorum.

47.10. REGIONAL SHOP STEWARDS COUNCIL

- 47.10.1. A quorum for purposes of a Regional Shop Stewards Council shall be formed
by at least fifty percent plus one accredited delegates to discuss and adopt valid and legitimate decisions;
- 47.10.2. If after an hour and half there is no quorum in the Regional Shop Stewards Council, the meeting must be adjourned and re-convened within four weeks;
- 47.10.3. The Regional Secretary shall issue a notice of the adjourned Regional General Council at least ten days before the date of the General Council;
- 47.10.4. The delegates present at the adjourned meeting shall constitute a quorum.

47.11. REGIONAL EXECUTIVE COMMITTEE

- 47.11.1. A quorum for purposes of a meeting of the Regional Executive Committee shall formed by at least fifty percent plus one accredited members to discuss
and adopt valid and legitimate decisions;
- 47.11.2. If after one hour there is no quorum in the Regional Executive Committee meeting, it must be adjourned and re-convened within seven days;
- 47.11.3. The Regional Secretary shall issue a notice of the adjourned Regional Executive Committee meeting at least three days before the date of the meeting;
- 47.11.4. The members present at the adjourned meeting shall constitute a quorum.

47.12. REGIONAL WORKING COMMITTEE

- 47.12.1. A quorum for purposes of a meeting of the Regional Working Committee shall
be formed by at least fifty percent plus one accredited members to discuss and adopt valid and legitimate decisions;
- 47.12.2. If after one hour there is no quorum in the Regional Working Committee meeting, it must be adjourned and re-convened within seven days;
- 47.12.3. The Regional Secretary shall issue a notice of the adjourned Regional Working Committee meeting at least three days before the date of the meeting;
- 47.12.4. The members present at the adjourned meeting shall constitute a quorum.

47.9. LOCAL CONGRESS

- 47.9.1. A quorum for purposes of a Local Congress shall be formed by at least two thirds of members in good standing to discuss and adopt valid and legitimate decisions;
- 47.9.2. If after two hours there is no quorum in the Local Congress, the meeting must be adjourned and re-convened within fourteen days;
- 47.9.3. The Local Secretary shall issue a notice of the adjourned Local Congress at least five days before the date of the Congress;

47.9.4. The members present at the adjourned meeting shall constitute a quorum.

47.10. LOCAL MASS MEETING

47.10.1. A quorum for purposes of a Local Mass Meeting shall be formed by at least one third of members in good standing to discuss and adopt valid and legitimate decisions;

47.10.2. If after one hour there is no quorum in the Local Mass Meeting, the meeting must be adjourned and re-convened within seven days;

47.10.3. The Local Secretary shall issue a notice of the adjourned Local Mass Meeting

at least four days before the date of the meeting;

47.10.4 The members present at the adjourned meeting shall constitute a quorum.

47.11. Local Executive Committee

47.11.1. A quorum for purposes of a meeting of the Local Executive Committee shall be formed by at least fifty percent plus one accredited members to discuss and adopt valid and legitimate decisions;

47.11.2. If after one hour there is no quorum in the Local Executive Committee meeting, it must be adjourned and re-convened within seven days;

47.11.3. The Local Secretary shall issue a notice of the adjourned Local Executive Committee meeting at least three days before the date of the meeting;

47.11.4. The members present at the adjourned meeting shall constitute a quorum.

CHAPTER FIFTEEN

48. STANDING ORDERS FOR MEETINGS

48.1. STANDING ORDERS FOR MEETINGS

48.1.1. CHAIR

The following rules of procedure shall apply at all Union meetings:

48.1.1.1. The Chairperson shall preside at all Union meetings or in his/her presence the Deputy Chairperson shall preside. In the absence of the Chairperson and

Deputy Chairperson a senior Office Bearer shall preside. If there is no office

bearer present, the meeting shall elect a Chair on the basis of a simple majority;

48.1.1.2. The Chairperson shall determine whether there is a sufficient quorum;

48.1.1.3. Only the issues on the agenda may be debated, unless the majority at the meeting agree to debate other urgent matters;

48.1.1.4. Each member who wants to speak must address the chair. A member who proposes a motion can speak for up to ten minutes and can reply to any debate for up to five minutes;

48.1.1.5. No persons may speak or participate in a meeting without the permission of the Chairperson.

48.2. DECISION-MAKING PROCEDURE

- 48.2.1. All matters for debate in the meetings must be proposed and seconded. The members present at the meeting shall make decisions by a show of hands or by ballot if the meeting so agrees or if so prescribed by this constitution;
- 48.2.2. A mover and seconder may not withdraw a motion which has been debated unless the meeting so decides;
- 48.2.3. In cases of voting on any motion during the meeting the Chairperson will have the casting vote. In such circumstances of a deadlock, the Chairperson may choose to close the debate on such a motion by taking a ruling;
- 48.2.4. A decision made at a meeting may not be re-opened at the same meeting or any other meeting unless a motion to rescind the decision has been submitted to the Secretary fourteen days before the next meeting;
- 48.2.5. A motion may not be proposed and seconded, at any local/branch, regional; provincial or national congress and general council by delegates from the same workplace, local/branch; region or province as the case may be;
- 48.2.6. Any motion that does not have a mover and seconder shall not be tabled for discussion in any union meeting.

49. MINUTES

- 49.1. At every meeting the Chairperson and Secretary must sign the minutes of the previous meeting after being confirmed as a true record of proceedings by those present. The Secretary of the corresponding structure must ensure that the minutes are kept safely. A register of all resolutions taken adopted must also be kept.

50. BALLOTS

50.1. GENERAL

- 50.1.1. A ballot must be taken when it is compulsory in terms of this Constitution or if demanded by the National Congress; Central Committee; Central Executive Committee Provincial Congress, Provincial General Council; Provincial Executive Committee; Regional Congress, Regional General Council; Local General Council or Local Congress.

50.2. BALLOT PROCEDURE

- 50.2.1. The relevant committee / meeting appoints at least three scrutinizers who may be members of the Union, office bearers of a federation or employees of the

Union;

50.2.1. The scrutinizers will supervise the counting of the ballots being:-

50.2.1.1. Each voter shall be issued with a ballot paper which describes the issue

and makes it impossible to identify the voter;

50.2.1.2. The voters will cast their votes in secret and deposits the ballot paper in a ballot box;

50.2.1.3. On completion of the ballot or as soon as possible thereafter, the scrutinizers will observe the counting of votes. If there is an election the candidates can observe the counting of the votes. The candidate who receives the highest number of votes shall be declared elected;

50.2.1.4 The scrutinizer shall inform the Chairperson of the results and the the Chairperson informs the meeting or committee;

50.2.1.5. The body of the Union conducting the ballot or any agency appointed by the Central Executive Committee must act on the results of the decision of the majority voting in the ballot subject to:

(a) the provisions of this constitution;

(b) the decisions of the National Congress; Central Committee and the Central Executive Committee.

50.2.1.6 The corresponding Secretary must keep all ballot papers in a safe place for six months.

CHAPTER SIXTEEN

51. LEGAL PROCEEDINGS

51.1. The National Executive Committee shall be responsible for the identification of matters that require legal assistance for the members and structures of the Union

as may be referred to it by the various structures at Local, Regional, Provincial and National levels;

51.2. The Central Executive Committee may delegate the responsibility to deal with the legal matters to the National Working Committee or the General Secretary who will act to defend the members or structures through appointed legal practitioners of the union;

51.3. The National Working Committee will table at the Central Executive Committee meetings issues that require legal expertise for purposes of review either in the Union or in the bargaining councils or courts of law.

CHAPTER SEVENTEEN

53. FINANCES

53.1. GENERAL USE OF UNION FUNDS

53.1.1. Union funds may only be used for the purposes prescribed in this Constitution

as follows:

- (a) the administration of Union affairs;
- (b) the acquisition of property;
- (c) the implementation of Union policies;
- (d) any other lawful purpose agreed to by the Central Committee; Central Executive Committee, National Working Committee or the National Congress.

53.2. THE NATIONAL BANKING ACCOUNT

53.2.1. All monies payable to the Union including subscriptions, levies, fines and any other payments will be made to the General Secretary or any official of the Union as may be appointed by the Central Executive Committee;

53.2.2. The General Secretary or any other authorised person must deposit all payments within seven days of receipt into an account in the name of the Union

at a recognized financial institution or bank decided on by the Central Executive Committee;

53.2.3. The bank account shall be called "South African Liberated Public Sector Workers Union";

53.2.4. The National Working Committee shall recommend appointment of a qualified

and registered auditing firm to audit the finances of the union on an annual basis to the Central Executive Committee.

53.3. BUDGET ALLOCATIONS TO HEAD OFFICE, PROVINCES, REGIONS AND LOCALS/BRANCHES

53.3.1. The National Congress shall from time to time determine a model for distribution of subscriptions collected from members to various structures;

53.3.2. The Central Executive Committee shall from time to time take charge of the of the determination of budget allocations for the head office account, provincial, regional and Locals/Branch accounts;

53.3.3. These allocations shall provide for all salient recurrent expenses of the structures according to their capacity and organisational needs;

53.3.4. The National Finance Committee shall make such allocations and review them from time to time with the authority of the Central Executive Committee.

53.3.5. The General Secretary in consultation with the National Treasurer and President; shall authorize, on behalf of the National Working Committee; the recurrent expenses for the operations of the union at all levels;

53.3.6. The Central Executive Committee shall approve budgets for the operations and functioning of the various offices of the union;

53.3.7. All structures of the union will submit vouchers, cheques, deposit slips and

other related financial documents to the head office.

53.3.8. The General Secretary in consultation with the National Treasurer and President; shall cause preparation of the transfer of money required to finance the various structures and programmes.

53.3.9. The signatories to the National Account shall authorise such transfer.

53.3.10. Monthly recurrent allocations to all offices of the Union shall be transferred on authorization of two signatories to the Union's banking account.

53.4. FINANCIAL YEARS OF THE UNION

53.4.1. The financial year of the union for all structures from the national to the locals shall be over a period of twelve months running from January to December of each year at which time the structures of the union are required to submit their books to the registered auditors as appointed by the Central Executive Committee from time to time for auditing purposes.

53.5. PROPERTY OF THE UNION

53.5.1. The Central Executive Committee shall be responsible for authorising the various structures of the union to acquire and control the various properties needed for the smooth running of the union.

53.5.2. The National Finance Committee will be mandated by the Constitution through the Central Executive Committee to identify the financial resources to be utilized for the purchasing of union properties which will be used for the benefit of the union and to make recommendations to the Central Executive Committee.

53.5.3. The budgetary processes for the purchase and maintenance of the union properties shall be the responsibility of the Central Executive Committee and may not be delegated to other structures.

53.5.4. The Central Executive Committee shall make the necessary decisions regarding the sales of the union properties as and when such sales may be necessary in the course of running and managing the affairs of the union in the best interests of the members.

53.6. NATIONAL FINANCE COMMITTEE

53.6.1. The National Finance Committee shall comprise the National Treasurer; General Secretary; First Deputy General Secretary; President; two Provincial Secretaries and two Provincial Treasurers as elected by the Central Executive Committee;

53.6.2. The National Finance Committee shall scrutinize the national financial records and report to the Central Executive Committee;

53.6.3. The National Finance Committee shall meet not less than once in a period of three months to discuss and implement its constitutional mandates;

53.6.4. The National Finance Committee shall scrutinize monthly financial statements which are prepared by the National Treasurer with the National Finance department led by the National Accountant on quarterly basis;

- 53.6.5. The National Finance Committee shall generally exercise supervision over the financial affairs of the provinces and other structures; as well as perform such other duties as prescribed by this constitution or mandated by the Central Executive Committee in line with the customs and principles of the Union;
- 53.6.6. The National Finance Committee shall exercise overall oversight of all finances of the union, including the funds of the entities established to support the efforts of the union to achieve its mandates;
- 53.6.7. The National Finance Committee shall ensure that the provisions of the constitution and finance policies of the union are observed by all structures;
- 53.6.8. Assist the General Secretary and National Treasurer to keep proper books of accounts for the entire Union;
- 53.6.9. The National Finance Committee shall cause all financial books of the union to be audited by an accredited and recognized auditing firm once per financial year which is the period between January and December;

53.7. THE PROVINCIAL; REGIONAL AND LOCAL FINANCE COMMITTEES

- 53.7.1. The Provincial, Regional and Local/Branch Finance Committees will be appointed by the Provincial, Regional and Local/Branch Executive Committees respectively and shall comprise the Treasurers, Secretaries and Chairpersons and three elected members of the corresponding Executive Committees respectively;
- 53.7.2. The Provincial Finance Committee shall scrutinize the regional and local/Branch Financial records and report to the Provincial Executive Committee and Central Executive Committee respectively;
- 53.7.3. The Provincial Executive Committee shall meet not less than once a month to scrutinize and approve monthly financial statements which have been prepared by the Provincial Treasurer and Secretary together with the Regional and Local/Branch financial statements;
- 53.7.4. The Provincial Finance Committee, Regional and the Local/Branch Finance Committees respectively will be responsible for preparing budgets for consideration and approval of the corresponding Executive Committees.

CHAPTER EIGHTEEN

54. DISCIPLINE IN THE UNION

55.1. DISCIPLINE AND REMOVAL OF ELECTED OFFICIALS OF THE UNION

- 55.1.1. Any member holding any position in the Union, shall no longer hold that position if:
- (a) they are no longer employed in the workplace which elected them;
 - (b) they are no longer employed in the industry;
 - (c) they fail to attend three consecutive meetings of the council and/or committee which elected that person without sending a written reason;
 - (d) fail to be in good standing with the Union or don't satisfy provisions of this constitution;

- (e) they resign;
- (f) the Union suspends or expels them;
- (g) they are unable to perform their duties.

55.1.2. LOCAL/BRANCH EXECUTIVE COMMITTEE MEMBERS

- 55.1.2.1. Where a Local Executive Committee member fails to comply with any of the terms of this constitution, or who acts in such a manner that is detrimental to the interests of the union and its members, or who has allegedly committed misconduct may be disciplined by the Local/Branch Executive Committee.
- 55.1.2.2. The Local/Branch Executive Committee is required to follow the disciplinary procedure set out in this constitution.

55.1.3. REGIONAL EXECUTIVE COMMITTEE MEMBERS

- 55.1.3.1. Where a Regional Executive Committee member fails to comply with any of the terms of this constitution, or who acts in such a manner that is detrimental to the interests of the union and its members, or who has allegedly committed misconduct may be disciplined by the Local Executive Committee.
- 55.1.3.2. The Regional Executive Committee is required to follow the disciplinary procedure set out in this constitution.

55.1.4. PROVINCIAL EXECUTIVE COMMITTEE

- 55.1.4.1. Where a Provincial Office Bearer or member of the Provincial Executive Committee fails to comply with any of the terms of this constitution or acts in such a manner that is detrimental to the interests of the union and its members, or who has allegedly committed misconduct, may be disciplined by the Provincial Executive Committee.
- 55.1.4.2. The Provincial Executive Committee is required to follow the disciplinary procedure set out in this constitution.

55.1.5. CENTRAL EXECUTIVE COMMITTEE

- 55.1.5.1. Where a National Office Bearer or member of the Central Executive Committee fails to comply with any of the terms of this constitution or acts in such a manner that is detrimental to the interests of the union and its members, or who has allegedly committed misconduct, may be disciplined by the Central Executive Committee.
- 55.1.5.2. The Central Executive Committee is required to follow the disciplinary procedure set out in this constitution.

55.1.6. DISCIPLINARY PROCEDURE FOR PROVINCIAL, REGIONAL AND LOCAL/BRANCH EXECUTIVE COMMITTEES MEMBERS

- 55.1.6.1. The LEC, REC, PEC or the CEC as the case may be, shall advise the person concerned in writing giving not less than seven days' notice of the charges against him/her and the date, time and place of his/her

- hearing. This notice may be sent by registered mail to the last known address of the person charged or delivered by hand;
- 55.1.6.2. At the hearing of the charges the person concerned shall have the opportunity to state his/her case personally and to call witnesses in support of his/her case;
 - 55.1.6.3. In each case the person concerned must receive written notice of the decision and be advised in this notice that he/she has a right of appeal which he/she must take up within seven days;
 - 55.1.6.4. If the LEC, REC, PEC or the CEC as the case may be is satisfied that the person charged has received the notice although absent in the hearing or the person charged is present the LEC, REC, PEC or the CEC may proceed to hear and determine the charge;
 - 55.1.6.5. If, in the opinion of the corresponding Executive Committee the charge has been satisfactorily proven it may remove the Executive Committee member or office bearer as the case may be from office in the Union;
 - 55.1.6.6. The corresponding Executive Committee may expel the Executive Committee member or office bearer from the union;
 - 55.1.6.7. The corresponding Executive Committee may suspend him/her for a definite period from membership of the Union.

55.1.7. DISCIPLINING MEMBERS

55.1.8. DISCIPLINARY PROCEDURE AND PENALTIES

- 55.1.7.1. A committee having jurisdiction may suspend, fine or expel a member who fails to comply with any of the terms of this constitution; fails to comply with any lawful decision of any organ of the Union; or acts in a manner which in the opinion of the committee having jurisdiction is detrimental or prejudicial to the interests of the Union or its members;
- 55.1.7.2. No member of the Union may be disciplined or have their membership terminated for failure or refusal to participate in a strike if no ballot was held about the strike or a ballot was held but a majority of the members who voted did not vote in favour of the strike. The Local Executive Committee shall give a member at least two weeks' written notice of the time and place of the disciplinary hearing in cases where a members in found acting detrimentally to the majority decision of the union;
- 55.1.7.3. The notice must contain details of the substance of the charges against the Member. The committee must send the corresponding secretary concerned with proof of delivery of the written notice;
- 55.1.7.4. The member should be present at the hearing to make representations and to call witnesses;
- 55.1.7.5. Once the committee is satisfied that the person charged has received the prescribed notice the disciplinary hearing may proceed, even though the person charged may be absent;
- 55.1.7.6. If the committee is satisfied with the proof presented in relation to the charge they may impose a fine to be decided by the relevant structure or suspend a person from membership until such fine is paid;
- 55.1.7.7. The Union has the right to recover this money by way of civil proceedings; suspend the member for a definite period from the Union or expel the member from the Union;

- 55.1.7.8. While a member is suspended that member is no longer entitled to the benefits of membership and vote in meetings;
- 55.1.7.9. When a member is expelled all money that the member owes the Union becomes due and payable immediately;

56. Appeal procedure

- 56.1. A member can appeal to the Regional Executive Committee;
- 56.2. The appeal must be lodged in writing within 14 days of notification of the decision which the member is appealing against;
- 56.3. At any appeal a member should state his or her case personally and call witnesses;
- 56.4. The Regional Executive Committee has the power to confirm, vary or reverse the decision of the local general council or local executive committee;
- 56.5. The decision of the Regional Executive Committee shall be final.
- 56.6. A member of the Regional Executive Committee can appeal to the Provincial Executive Committee;
- 56.7. The appeal must be lodged in writing within 14 days of notification of the decision which the REC member is appealing against;
- 56.8. At any appeal an REC member should state his or her case personally and call witnesses;
- 56.9. The Provincial Executive Committee has the power to confirm, vary or reverse the decision of the Regional Executive Committee;
- 56.10. The decision of the Provincial Executive Committee shall be referred to the Central Executive Committee for finalisation.

CHAPTER NINETEEN

57. MERGERS

- 57.10. If a National Congress resolves that the aims and objectives of the Union and its constitution will be better achieved by a merger with another trade union or trade unions, such merger will be negotiated provided that fifty percent plus one of the delegates present at National Congress vote in favour and members of the Union have been given an opportunity to debate the matter in general council meetings called for this purpose ratify.

CHAPTER TWENTY

58. AMENDMENT TO THE CONSTITUTION

- 58.1. Provisions in the constitution may be amended, added or repealed at the National Congress if the General Secretary has received at least three months' written notice of the proposed amendments and at least fifty percent plus one of the delegates at National Congress agree to the amendments.
- 58.2. The General Secretary shall circulate the proposed amendments to all provinces; regions ,locals/branches and workplaces of the union for discussion and consolidation within the prescribed period in terms of 57.10. above.

- 58.3. The provinces; regions, locals/branches and workplaces of the union will make their submissions on the proposed amendments to the SALIPSWU Constitution on dates and times set by the General Secretary in line with the constitution;
- 58.4. The General Secretary shall work with the relevant committees and departments of the union to consolidate the various proposals for the attention of the National Congress;
- 58.5. No other structure of the union is empowered with the right or authority to amend the constitution except the National Congress.

CHAPTER TWENTY ONE

59. DISSOLUTION

59.1. Dissolution of the union shall happen if:-

- 59.1.1. for any reason the Union is unable to continue functioning, the Union may be dissolved provided that more than 70% of the members in good standing approve by way of a ballot at National Congress.
- 59.1.2. If a resolution for the dissolution of the Union has been passed, the Union will approach the Labour Court to appoint a suitable person as liquidator on appropriate conditions in terms of section 103(1) of the LRA.
- 59.1.3. The same National Congress that has resolved to dissolve the Union will choose either to guide the liquidator on how to dispose of any assets remaining once all liabilities have been discharged; transfer all or part of the assets or money to another trade union; keep the money in trust until another trade union within the area and scope of SALIPSWU and open to all workers within that area and scope is established; transfer the money or assets to any insurance, provident or benefit fund established in the interest of SALIPSWU members or distribute the money or assets among members in good standing in proportion to their number of years of membership.
- 59.1.4. If these assets cannot be disposed of in this way the liquidator must realise those assets and pay the proceeds to the Commission for its own use in terms of section 103(5) of the Labour Relations Act.

CHAPTER TWENTY TWO

60. INTERPRETATION

60.1. The Central Executive Committee shall:-

- 60.1.1. determine a question of procedure if not provided for in this constitution; and
- 60.1.2. interpret this constitution should a query arise.