



COMMUNICATIONS WORKERS' UNION

*Rules
and Constitution*

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Rule 1 NAME, ADDRESS AND OBJECTS

1. The Union shall be known as the Communications Workers' Union.
2. The registered Head Office of the Union shall be at 575 North Circular Road, Dublin 1 or at such other place as the National Executive Council of the Union may from time to time decide. The General Secretary shall notify the Registrar of Friendly Societies of any change of address within 14 days.
3. The objects of the Union shall be, in general, the organisation of employees in the Communications Industry and any other employments as determined from time to time by the National Executive Council, in particular:
 - (a) To promote the interests of the Members in regard to remuneration and conditions of service generally;
 - (b) To arrange for the regulation of the relations between employers and employed, and between workers and workers;
 - (c) To provide benefits to the Members of the Union in accordance with its Rules;
 - (d) To arrange for the education of its Members in social, industrial and political affairs;
 - (e) To promote the extension of cooperative production and distribution;
 - (f) To arrange for the establishment, or carrying on, or participation, directly or indirectly, in the business of printing or publishing a general newspaper or papers, or of books, journals, pamphlets or other publications, or the establishment and use of electronic communications systems, or of any kind of undertaking, industrial or otherwise, for the purpose of furthering the interests of the Union or its Members, or of trade unionism generally;
 - (g) To promote the furtherance of, or participation, directly or indirectly, in the work of any organisation local, national or international, any or all of the objects of which are similar to those of the Union;
 - (h) To acquire property, both real and personal, for any lawful purpose or any manner by way of purchase, mortgage, lease, devise, gift or prescription and to sell, mortgage, exchange, let or otherwise dispose of said property;
 - (i) To enter into arrangements for federation, affiliation, union of interest or the acceptance of any transfer of engagements from any other union or unions to aid any similar organisation and to merge or amalgamate with any other trade union or trade unions and to transfer all or any of its property or assets to any trade union created by such merger or amalgamation;
 - (j) To regulate the relations and settle disputes between the Union and its Members, or between any Member or Members and other Members of the Union;
 - (k) To secure and assist in securing legislation and more effective administration of existing and future laws which may affect the general and material welfare of the Members of the Union or members of trade unions in general;

- (l) To do all such things as permitted by law as are incidental or conducive to the attainment of the above objects or any of them or which may be deemed advisable in the interests of its Members or calculated directly or indirectly to benefit the Union or any of the Members thereof;
 - (m) To establish funds of the Union to be applied for the purpose of furthering these objects and defraying the working and other expenses of the Union;
 - (n) To ensure full equality in all aspects of employment opportunity and to oppose discrimination on any such grounds as colour, ethnic or national origins, politics, race, religion or sex;
 - (o) To make contributions at the absolute discretion of the National Executive Council from the Central Fund of the Union, of such sums of money to any party political, or any political party or parties, in the furtherance of political objects, other than those as set out in the Trade Union Act 1913, for the purposes of the furtherance of the aims of the Union.
4. The Union shall make an annual return on Form AR21 before 1st June to the Registrar of Friendly Societies, giving an account of the financial affairs of the Union, together with details of Membership, Rules and Rule Changes and such other details of information as may be requested by the Registrar.

Rule 2 MEMBERSHIP

2.1 ELIGIBILITY

1. Membership of the Union shall be open to all persons who accept the principles, objects and methods of the Union and whose application for membership is accepted by any Branch of the Union or any Officer authorised for the purpose by a Branch or by the National Executive Council of the Union.
2. The National Executive Council shall have the power to direct a Branch to refuse admission to, or cancel the membership of any person who, in their opinion, is not desirable as a Member of the Union and to cancel the membership of any Member which has been obtained by misrepresentation and to return the whole or part of the contribution paid by such Member.
3. An applicant for membership who is rejected by a Branch may apply to the National Executive Council for admission to membership. The National Executive shall have the power on the admission of any such person into membership to debar such person for any period from holding any office in the Union or in a Branch of the Union.
4. Every application for membership shall be made on a form prescribed by the National Executive Council and if approved by the Branch shall be forwarded to the National Executive Council whose decision on such application shall be final.

5. Each new Member shall be issued with a Membership Card, a copy of the Rules of the Union and the Union Badge.
6. A Member of a Branch may transfer to another Branch. Such transfers shall be affected in accordance with regulations made by the National Executive Council.
7. Every Member of the Union shall, on payment of a sum not exceeding €0.05, have a copy of the Rules of the Union delivered to them.
8. The Union shall be non-sectarian in that a Member's religion or creed shall not impair or limit in any way their entitlement to full Union membership. The Union shall design its policy and programme to conform with the principles of natural justice.

2.2 BENEFIT MEMBER

1. Any Member whose arrears exceed eight weeks' contributions shall not be entitled to propose or second a Motion or exercise a vote on Union matters, or be appointed or elected or continue to hold office in any position within the Union.

2.3 CONTRIBUTIONS

1. A weekly contribution, subject to an overall maximum to be determined from time to time by the National Executive Council, shall be paid by all Members of the Union in accordance with the following scales:

Scale A: 1% of basic pay plus €0.13 per week. This amount includes a contribution of 20% p.w. to the Social Benefit Fund, €0.13 p.w. to the Distress Fund and €0.13 to the Help for the Intellectually Disabled Fund.

Scale B: 1% of basic pay plus €0.26 per week. This amount includes a contribution of 20% p.w. to the Social Benefit Fund, €0.13 p.w. to the Distress Fund and 15% of each member's annual contribution to the Member's Branch local fund, in respect of each fully paid up Member.

Scale C: 1% of basic pay. This amount includes a contribution of 20% p.w. to the Social Benefit Fund and €0.13 p.w. to the Distress Fund.

Every Member shall pay contributions in accordance with the scale to which the person is assigned by the National Executive Council. A Member must complete an authorisation form so as to arrange to have Union contributions deducted from pay/debited from their Bank/Building Society account etc, as appropriate.

2. Contributions shall become payable on Friday in each week, unless alternative arrangements have been made. The first contributions of a Member shall become due on the Friday following the date of acceptance into the Union. A member upon joining the Union shall be considered a Non-Benefit Member

until such time as eight (8) weeks contributions have been made by the Member in accordance with the Rules. After 26 weeks Union contributions, Members become entitled thereafter to applicable and appropriate benefits as referred to in Rule 10 commensurate to contributions paid and subject to the approval of the National Executive Council. A Member in arrears to the extent of eight (8) weeks contributions or more shall be deemed to be a Non-Benefit Member of the Union and shall not be entitled to have representations made on their behalf and shall be excluded from the benefits provided under the Rules of the Union.

3. The membership of any Member whose contribution is thirteen (13) weeks or more in arrears or who has failed to pay in full any levy imposed under Rule 10 shall automatically lapse. A Lapsed Member may be reinstated on such terms and conditions as the National Executive Council, in its absolute discretion, shall deem fit.
4. A Benefit Member who is not in receipt of pay because of illness or for any other valid reason shall be regarded as a Benefit Member and shall be exempt from paying weekly contributions, at the discretion of the National Executive Council.
5. Notwithstanding the provisions contained at Rule 2.3.1, the National Executive Council shall have the power, from time to time, to determine the union subscription rates in companies where Scale A, Scale B and Scale C rates have not traditionally applied.

2.4 OBLIGATIONS OF MEMBERS

1. By accepting membership of the Union, every Member accepts these Rules and agrees and undertakes to accept, fulfil and be bound by these Rules and any alterations, rescissions and amendments as may from time to time be lawfully made thereto in accordance with the provisions thereof or in accordance with law.

2.5 MEMBERSHIP RECRUITMENT

1. Notwithstanding any other provision of these Rules, the National Executive Council shall be empowered, at its absolute discretion, to:
 - (a) create Branches, Sections or workplace representative structures in order to assist in recruitment outside of traditional areas;
 - (b) make any special provision it regards as desirable, as regards benefits for such Members;
 - (c) set special contribution rates for such Members and arrange portability of membership for all Members with special contributions rates, if considered desirable;
 - (d) make all the necessary organisational, financial and other arrangements considered necessary to assist the recruitment process.

2.6 RETIRED MEMBERSHIP

1. Retired employees of the companies organised by the CWU shall be eligible for membership of the Union subject to the following:
 - (a) A Retired Member shall be bound by the Rules and shall be allocated to a particular Branch in accordance with Rule 3.1;
 - (b) Membership fees and benefits for Retired Members shall be those which are set out in the Retired Members' Benefits Handbook as amended and updated by the National Executive Council from time to time.

2.7 UNION BADGE AND SCROLL

1. The Badge of the Union shall be supplied to each Member on recruitment and thereafter on such terms as may be fixed from time to time by the National Executive Council.
2. A Branch may recommend that a Benefit Member who has twenty years' continuous benefit membership be presented with a Silver Badge of the Union.
3. A Branch may recommend that a Benefit Member who has thirty years' continuous benefit membership be presented with a Gold Badge of the Union.
4. A Branch may recommend that a Benefit Member be presented with an illuminated scroll of the Union on permanent retirement from employment.
5. All requests for Silver or Gold Badges and presentation Scrolls shall be submitted in writing by the Branch Secretary in a manner decided by the National Executive Council to the General Secretary.

2.8 DISCIPLINE OF MEMBERS

1. A Member who is deemed to have been guilty of conduct unbecoming that of a Member or whose conduct is inimical to the interests of other Members may be:
 - (a) Debarred from attending Union meetings for a period as decided;
 - (b) Removed from office, suspended from office, debarred from holding office or participating in any way in Branch or Union administration for a period as decided;
 - (c) Deprived of some or all of the benefits of membership for a period as decided;
 - (d) Suspended from membership for a period as decided;
 - (e) Expelled from membership.
2. The Branch Committee or National Executive Council may charge a Member under Section (1) of this Rule and may impose one or more of the penalties referred to for the conduct regulated therein.

3. A Member who is being charged under Section 1 of this Rule shall be given written notice to be sent by registered post. Such notice shall also state the time, date and place set for the hearing of the case to which the Member shall be invited to attend. The Member may choose to submit a defence in writing instead of attending the hearing.
4. Any Member debarred from attending Union meetings for a period as decided, or debarred from holding office, or from participating in any way in Branch or Union administration for a period as decided, or expelled under this Rule by a Branch Committee may appeal in writing to the National Executive Council, provided such appeal is received at Head Office not later than 21 days after the date on which the decision of the Branch Committee is notified by Registered Post to the Member and the decision on such appeal shall be final, subject to Rule 2.9.5.
5. Any Member debarred from attending Union meetings for a period as decided, or debarred from holding office, or from participating in any way from Branch or Union administration for a period as decided, or expelled under this Rule by the National Executive Council, may serve notice of appeal in writing to the National Executive Council provided such appeal is received at Head Office not later than 21 days after the date in which the decision of the National Executive Council is notified by Registered Post to the Member. Such appeal shall be heard by a committee appointed by the Irish Congress of Trade Unions.

2.9 AUTHORITY WITHIN THE UNION

The ultimate authority within the Union shall be the will of the general membership as expressed by their Biennial Conference, Special Delegate Conference or by Referendum of the Membership organised by the National Executive Council.

Rule 3 BRANCHES AND SECTIONS

3.1 BRANCHES

1. The Union shall be divided into Branches. Members shall be allocated to different Branches as decided by the National Executive Council. A Member may not belong to more than one Branch.
2. This Branch may establish one or more Sections and allocate the Branch Members to particular Sections. The Members concerned shall have the right of appeal to the National Executive Council from the decision of the Branch either to establish Sections or not to do so.

The National Executive Council may at the request of a Branch or on its own initiative:

- (a) abolish all or any of the Sections in a Branch;
- (b) amalgamate two or more Sections into one Section.

The National Executive Council may at the request of any of the Branches or on its own initiative dissolve a Branch and transfer its Members to one or more other Branches or divide a Branch into two or more Sections.

3. In the event of a Branch being dissolved or seceding from the Union, all Branch funds shall be deemed to be the funds of the Union and shall be returned to the General Secretary.
4. Any Branch/Section whose operation has proved unsatisfactory which is either amalgamated or abolished on the sole initiative of the National Executive Council shall have the right of appeal of the next Biennial Conference.

3.2 BRANCH BUSINESS MEETINGS

1. The business of every Branch shall be:
 - (a) To protect and promote the interests of its Members;
 - (b) The recruitment of new Members;
 - (c) The collection of contributions from Members;
 - (d) The implementation of policy as decided from time to time by the National Executive Council and by the Biennial or Special Delegate Conference of the Union;
 - (e) All other business within the objects of the Union as the Branch may itself decide or may be instructed by the National Executive Council to undertake.
2. In addition to such ordinary meetings as the Branch may decide to hold, each Branch shall hold an Annual General Meeting before the last day of February each year at which every Benefit Member of the Branch shall be entitled to attend. The Branch Secretary shall publish a notice to the Branch Members stating the place, date and time of the Annual General Meeting. A copy of this notice shall be forwarded to Head Office at least fourteen (14) days in advance of the meeting.
3. The Branch Treasurer shall, as soon as possible after the 31st December each year, prepare a financial statement of the income and expenditure of the Branch for the twelve months ending 31st December, which statement shall be submitted by the Secretary to the Branch Committee and to the Annual General Meeting of the Branch, and a copy of which shall be sent to the General Secretary.
4. The Secretary shall also prepare the Branch Annual Report detailing the activities of the Branch and Section(s) during the year to the Branch Committee and the Annual General Meeting, copy of which shall be sent to the General Secretary.
5. A Special General Meeting of a Branch shall be held whenever the Branch Committee considers it necessary or whenever the National Executive so orders or whenever such a meeting is requisitioned by a notice in writing

addressed to the Branch Secretary stating the business to be considered and signed by not less than 50% of the Members of the Branch.

6. Each Branch shall adopt Standing Orders approved by the National Executive Council governing the conduct of the Branch and Committee.

3.3 BRANCH OFFICERS AND COMMITTEE

1. The business of each Branch shall be administered by the Branch Officers subject to the control of the Branch Committee.
2. All Branch Officers must be Benefit Members of the Union for the twelve (12) months prior to election.
3. Nominations for the appointment of the Branch Officers and the Members of the Branch Committee shall be made at the Annual General Meeting (or Special General Meeting if called for that purpose) or beforehand in writing, if so provided for in the Branch Standing Orders, and if more than one qualified person is nominated for any position, an election shall be held in a manner determined by the Standing Orders of the Branch.
4. The Standing Orders of the Branch shall determine the size and method of representation of groups and the size and method of election of the Branch Committee.
5. The National Executive Council shall have the power to waive or vary the conditions for the appointment of Branch Officers and Committee in the event of the formation, reorganisation or re-establishment of a Branch.
6. The Branch Committee may suspend from office any Member of a Branch Committee or Branch Officer or recommend removal from Office at a Special Branch Meeting summoned for that purpose. The person so suspended or removed from office shall have the right to appeal to the National Executive Council which may confirm the suspension or removal or reinstate such person upon such conditions as it thinks fit.
7. The National Executive Council shall have the power to suspend or remove from office a Branch Officer or Member of a Branch Committee and to make any arrangements necessary in accordance with these Rules for filling the vacancy so created. Any person so suspended or removed shall have the right of appeal to Biennial Conference.
8. The Branch Chairperson, or in their absence, the Vice-Chairperson or person properly appointed to act, shall preside at all Branch meetings and Branch Committee meetings and see that such meetings are conducted in accordance with the Rules and the Branch Standing Orders and sign all approved minutes of the meetings.
9. The Branch Secretary, in addition to the duties specified in the Rules herein, shall also be responsible for the effective administration of the Branch, liaison

with Head Office and for the conduct of the business of the Branch as instructed by the Branch Committee and National Executive Council in accordance with the Rules.

10. A Branch may appoint Branch Representatives for specified purposes including representation on local trade union bodies or Management/Union Committees. Such Branch Representatives shall be elected in accordance with the provisions of the Branch Standing Orders. Such Branch Representatives may be removed by the Branch Committee subject to at least fourteen (14) days' notice of motion for removal being given subject to the right of appeal to the Branch.

3.4 SECTIONS

1. Each Section shall be administered by a Section Secretary, Chairperson and Section Committee consisting of not less than five Members of the Section under the direction of the Branch Secretary. The Secretary, Chairperson and Section Committee shall be elected annually by the Members of the Section in accordance with procedures determined by the Branch Committee subject to ratification by the National Executive Council. Every Section Committee shall meet not less frequently than once each quarter or whenever the Branch Officers think necessary.

A Special Section meeting shall be called as soon as possible after the receipt of a requisition signed by not less than 50% of the Members of the Section stating the purpose for which the meeting is required to the Section Secretary who shall transmit a copy to the Branch Secretary immediately upon receipt thereof.

2. The National Executive Council shall have the power to waive or vary the conditions for the appointment of Section Officers and Committee in the event of the formation, reorganisation or re-establishment of a Section.
3. The business transacted at a Section meeting shall be confined exclusively to the affairs of the Section unless the Branch expressly required that some specified items of general Branch business may be transacted at Section meetings.
4. The Branch Officers and any other person authorised by the Branch Committee shall be entitled to attend and take part in the proceedings of any Section meeting but shall not be entitled to vote unless qualified to do so as a Member of the Section. The Section Secretary shall control the affairs of the Section subject to the supervision of the Section Committee and the Branch Secretary and Branch Committee.

Rule 4 CONFERENCES

4.1 BIENNIAL CONFERENCE

1. A Biennial Conference shall be held every two (2) years. The date, place and time of the Biennial Conference shall be determined by the National Executive Council. All Branches shall be entitled to be represented at the General Conference and at the sessions of the Occupational and/or Sectoral Conference appropriate to its membership.

Branch representation at the Biennial Conference shall be based on the Benefit Membership of Branches as at 31st December last preceding the Biennial Conference.

2. Branch representation at Conferences shall be determined on the following basis:

1 – 50 Benefit Members = 1 Delegate
51 – 100 Benefit Members = 2 Delegates

1 Delegate for each complete 50 Benefit Members up to 200 and 1 Delegate for each complete 100 Benefit Members thereafter.

Branches with over 400 Members will be allowed one additional Delegate and Branches with over 1,000 Members two additional Delegates above and beyond that provided for in the above formula.

Such Delegates shall be elected by the Branch in accordance with Branch Standing Orders as decided by the National Executive Council.

3. Branches shall, when electing Delegates, also elect a Substitute Delegate or Delegates. The names of the Delegates and Substitute Delegates appointed to attend the Conference shall be notified to the General Secretary not later than the date fixed by the National Executive Council for that purpose.
4. No person who is a General Officer of the Union or a Member of the National Executive Council shall be eligible to represent a Branch at the Biennial Conference or at a Special Conference.
5. The date, place and time of the Biennial Conference shall be notified to Branches not less than four calendar months beforehand. The notice of the Conference shall specify the latest dates for the receipt of nominations for the election of Members of the National Executive Council and Members of the Standing Orders Committee and for the receipt of Motions and Amendments for consideration by the Conference.
6. Branches may submit Motions and Amendments to Motions for the Conference agenda in accordance with the numbers prescribed in the following table:

Branches with 1-100 Members – 2 Motions & 2 Amendments to Motions;
Branches with over 100-200 Members – 3 Motions & 3 Amendments to Motions;
Branches with over 200- 500 Members – 4 Motions & 4 Amendments to Motions;
Branches with 500-1,000 Members – 5 Motions & 4 Amendments to Motions;
Branches with over 1,000 Members – 6 Motions & 4 Amendments to Motions.

7. All Resolutions and Amendments must be submitted to the General Secretary on or before the dates set for this purpose by the National Executive Council.
8. A copy of the Final Agenda, National Executive Report to Biennial Conference shall be circulated to all Branches and Delegates not later than fourteen (14) days before the date of the Conference.
9. During the days appointed for the meeting of the Biennial Conference, the General Conference shall commence on the first day and the Occupational and/or Sectoral Conferences shall hold their respective meetings concurrently on the second day. The General Conference shall resume its meeting on the third day as soon as the business of the Occupational and/or Sectoral Conferences is concluded.
10. Business of Conference

Biennial Conference shall deal with the following matters as appropriate:

- (a) The Order of Business of the General Conference shall be the submission by the Standing Orders Committee of the Standing Orders prepared, which shall, on acceptance, govern the proceedings of the General Conference thereafter;
- (b) The confirmation of Minutes of the General Sessions of the preceding Biennial Conference and of any preceding Special Conferences;
- (c) The consideration of the Biennial Report of the National Executive Council and of all propositions dealt with under the appropriate sections of the Biennial Report. This Biennial Report to include a status update on Motions passed at previous Conferences;
- (d) To consider the Accounts of the Union and all Reports connected therewith;
- (e) The election of the National Executive Council, Standing Orders Committee and ratification of Officers of the Union, as necessary;
- (f) The election of President and Vice-President who shall be Members of the incoming National Executive Council;
- (g) Consider amendments to Rules of the Union as permitted by Rule 12;
- (h) Consideration and settlement of any other business which is properly before the Conference.

4.2 SPECIAL CONFERENCE

1. A Special Conference shall be held whenever it is deemed necessary to do so by the National Executive Council or by decision of Biennial Conference. A Special Conference shall deal only with the specific business for which it is convened.

2. Unless otherwise decided by the National Executive Council at least one (1) calendar months' notice shall be given to all Branches of any Special Conference.
3. Branch representation at Special Conferences shall be based on the same provisions as applied to Delegates attending the Biennial Conference and as provided for in the Branch Standing Orders sanctioned by the National Executive Council.

4.3 OCCUPATIONAL CONFERENCES

1. The order of business of Occupational Conferences shall be:
 - (a) To consider the submissions of the Standing Orders Committee of the Standing Orders prepared which shall on acceptance govern the proceedings of the Occupational Conference thereafter;
 - (b) Consideration of the Executive Committee Report and proposals submitted by Branches appropriate to be considered by the particular Occupational Conference;
 - (c) To deal with any other business which may be properly brought before the Conference.

4.4 CONFERENCE STANDING ORDERS

1. The proceedings of every Biennial and Special Conference shall be conducted in accordance with Standing Orders.
2.
 - (a) The Standing Orders Committee shall consist of six (6) Members and shall be elected from nominees submitted by Branches by Card Vote based on the membership of the Branches represented in which the full number of vacancies shown on the voting paper must be voted for otherwise the paper will be spoiled and the votes lost.
 - (b) The Standing Orders Committee will be ordered in such a manner as to ensure that a minimum of two (2) Members will be subject to election at the General Session of Biennial Conference every two (2) years. The nominees getting the highest vote in the election shall be substitute members of the Committee.
3. Nominations of Members for election to the Standing Orders Committee may be made by any Branch. A Branch may only nominate one of its own members. Any Member so nominated must be a Delegate to Biennial Conference, a retiring National Executive Member or an outgoing Standing Orders Committee Member.
4. A Member of the Committee shall not be eligible to be selected as a Delegate for any Branch to any Conference while a Member of the Standing Orders Committee.

5. There shall be Occupational and/or Sectoral Conference Standing Orders Committees for Occupational and/or Sectoral Conferences. The members of these Standing Orders Committees shall be members of and chosen by the General Conference Standing Orders Committee.
6. The said Committee shall not be subject to any control by, or direction of, the National Executive Council in regard to their duties as set forth in this Rule.
7. The General Conference Standing Orders Committee shall elect from within itself a Chairperson and Vice-Chairperson who shall meet prior to and during Conference and shall report as often as necessary and their duties shall be to:
 - (a) Verify and report on the credentials of Delegates;
 - (b) Examine Motions and Amendments submitted by Branches and nominations for election and report thereon as to whether or not they are in order;
 - (c) Cooperate with Branches submitting Motions and Amendments in order that composite Motions may be obtained and agreed whenever possible;
 - (d) Prepare Standing Orders for the government of the proceedings of the General Conference, submit all decisions of the Committee by way of report to the General Conference for adoption.
8. In discharge of their duties the Occupational and/or Sectoral Conference Standing Orders Committee shall:
 - (a) Prepare Standing Orders for the government of the proceedings of the Occupational and/or Sectoral Conferences;
 - (b) So arrange the Agenda of the Occupational and/or Sectoral Conferences that the proposals from the Branches may be readily associated with the relevant sections (if any) of the National Executive Committee Report prepared for consideration by the Occupational and/or Sectoral Conferences.
9. All decisions of the Occupational and/or Sectoral Conference Standing Orders Committee shall be embodied in reports and submitted to the Conference and be subject to decision thereon.

4.5 TELLERS

1. Two Delegates or such other numbers as may be agreed upon at the time of election shall be elected by roll call to act as Tellers whose duty shall be to count and record the votes on every occasion on which a division is taken.
2. Their decision as to the number recorded on any vote shall be final. In cases where the Tellers disagree the Chairperson shall order a recount.

Rule 5 NATIONAL EXECUTIVE COUNCIL

1. The National Executive Council shall consist of up to a maximum of thirty-two (32) members – up to a maximum of sixteen (16) from the Telecoms sector within the Union and up to a maximum of sixteen (16) from the Postal/Courier sector within the Union.

2. The National Executive Council shall be elected by means of a ballot at the Biennial Conference of the Union, and such election shall take place on the first day of Conference.

3. The structure of the National Executive Council shall be as follows:
 - (a) *Telecoms Sector*

Up to a maximum of sixteen (16) members from the Telecoms sector as determined by the following formula:

1 – 2,500 Benefit Members within the Telecoms sector 7 seats, with one (1) additional seat for each complete 300 Members up to 4,000 and one (1) additional seat for each complete 500 Members above that figure.

The election for the Telecoms sector will be so ordered to ensure:
1 Reserved Seat – Women
1 Reserved Seat – Managers

 - (b) *Postal/Courier Sector*

Up to a maximum of sixteen (16) members from the Postal/Courier sector as determined by the following formula:

1 – 2,500 Benefit Members within the Postal/Courier sector 7 seats, with one (1) additional seat for each complete 300 Members up to 4,000 and one (1) additional seat for each complete 500 Members above that figure.

The election for the Postal/Courier sector will be so ordered to ensure:
1 Reserved Seat – Private Sector
2 Reserved Seats – Women
1 Reserved Seat – Managers

4. Day to day business will be conducted by sub-groups of the NEC comprised of NEC members from the Telecoms sector and Postal/Courier sector. These sub-groups of the NEC will have autonomy to take decisions relating to their own area. These sub-groups can meet as one overall sectoral group or, where applicable, separately based upon company specific or issue specific matters.

5. The voting system will be based on a straight block vote with each sector voting for nominees from its own sector in relation to the composition of the NEC.

6. (a) In the Postal/Courier sector there shall be a maximum of two (2) nominees per Branch, with two (2) additional nominees permitted from Branches for the Reserved Seats for Women.

(b) In the Telecoms sector there shall be a maximum of one (1) nominee per Branch, with an additional one (1) nominee permitted from Branches for the Reserved Seats for Women.
7. Nominations of persons for election to the National Executive Council shall be made by the Branch of which the nominee is a Member and who has, at the date of nomination, one (1) year's continuous Benefit Membership of the Union and who is a Branch Delegate attending the Conference or is an outgoing National Executive Council member. Such nominations must be notified in writing by the Branch Secretary and accompanied by a written consent by the person nominated to the General Secretary within the time fixed by the National Executive Council in accordance with the Rules. No full-time Officer or employee shall be eligible to be elected or act as a member of the National Executive Council.
8. The method of election shall be by Card Vote based on the membership of the Branches represented. Each Branch shall vote for nominees within its own sector only. Each Branch shall cast the maximum number of votes in their respective sector in accordance with Rule 5.3 detailed herein.
9. The members of the National Executive Council elected at Biennial Conference shall enter into office at the conclusion of that Conference.
10. Vacancies which occur on the National Executive Council between Biennial Conferences shall be filled by co-opting thereto either the unsuccessful candidate from the particular sector who received the next highest number of votes in the ballot for the election of the National Executive Council at the previous Conference or, where such procedure relates to a Reserved Seat, by co-opting the unsuccessful candidate for that seat who received the next highest number of votes.
11. The administration and general management of the Union's business at all times other than the actual sessions of Biennial Conference and subject to these Rules shall be vested in the National Executive Council.
12. The National Executive Council may remove any member of the National Executive Council if it is of the opinion that such a member acted contrary to the best interests of the Union. Any member so removed shall have the right of appeal to the next Biennial Conference.
13. The National Executive Council shall direct and control the General Officers of the Union and make such arrangements as it thinks fit for the discharge of the duties of any General Officer who has been granted leave of absence or who is incapacitated by reason of ill health or other cause.

14. The National Executive Council shall be the final authority in the interpretation of the Rules of the Union and shall be empowered to make decisions in areas where these Rules are silent subject to the right of appeal by any Branch to the next Biennial Conference.
15. The National Executive Council shall meet at least eight (8) times per calendar year and at such other times as the President and the General Secretary may deem it necessary for the proper discharge of the Union's business. All meetings of the National Executive Council shall be conducted in accordance with its Standing Orders.
16. The National Executive Council may appoint Committees and delegate to them such powers as it thinks fit.
17. The National Executive Council would have the ability to co-opt members in circumstances where such members are representatives from areas which are of strategic importance to the Union, and only where the NEC agrees to such co-option.

Co-option may, where the NEC sees fit, occur on the basis that the co-opted member(s) attend the NEC meetings as non-voting observers.

Co-option, where it does occur, is only valid for the remaining term of the NEC, i.e. until the next Conference.

18. A member shall only be permitted to serve one (1) term on the National Executive Council utilising a Reserved Seat for Women.

Rule 6 THE PRESIDENT AND VICE-PRESIDENT

1. The President and Vice-President of the Union shall be elected at the Biennial Conference on the last day of Conference.
2. Those eligible to be elected as President or Vice-President shall be members of the newly elected National Executive Council.
3. The President and Vice-President of the Union shall consist of one individual from the Telecoms sector and one individual from the Postal/Courier sector and shall be deemed, when so elected, to be the Chairperson of their respective sectors.
4. The office of President and Vice-President shall rotate between the Telecoms sector and the Postal/Courier sector so that one sector shall hold one office at any time and the respective offices will alternate at each relevant Conference.
5. The President shall preside at the ensuing Biennial Conference or any Special Conference and at all meetings of the National Executive Council and shall have a casting vote when votes are equal.

6. In the event of the President, through illness or other cause, being unable to attend Conference or National Executive Meetings, the Vice-President shall preside and shall have the same powers as the President.

Rule 7 GENERAL SECRETARY AND OFFICERS

7.1 GENERAL OFFICERS

1. The General Officers of the Union shall at all times seek to advance and maintain the policy of the Union.
2. All vacancies for General Officers of the Union shall be advertised in the Union's Journal and may be advertised in the National Press at the discretion of the National Executive Council, such advertisements to give full details of the conditions and requirements of the post. Appointments made by the National Executive Council shall be subject to ratification by the following Biennial Conference.
3. In the event of any office becoming vacant the National Executive Council may, if it so desires, appoint a person to act for such a period as it deems fit provided the period does not extend beyond sessions of the ensuing Biennial Conference.
4. Any General Officer may be removed by the National Executive Council if it is of the opinion that such an Officer is in breach of their contract of employment with the Union. Such Officer will be given a written notice containing any allegations and will be afforded the opportunity to refute any such allegations, if necessary by appeal to Biennial Conference.

7.2 GENERAL SECRETARY

1. The General Secretary shall be the Chief Executive Officer of the Union and shall deal with all administrative and secretarial matters relating to the Union, including the general supervision and control of all the business of the Union.
2. The General Secretary shall also:
 - (a) Attend all meetings of the National Executive Council;
 - (b) Organise the Union Membership and matters generally;
 - (c) Negotiate and represent the Union on all such matters;
 - (d) Convene and attend all Conferences of the Union and prepare and present the National Executive Reports to each Biennial Conference;
 - (e) The General Secretary may assign a Union Official from time to time to oversee:
 - (i) the keeping of the Accounts of the Union;
 - (ii) the receipt and lodgements in the name of the Trustees of all monies received by the Union in such Banks as may be determined by the National Executive Council;

- (iii) the preparation and arrangement of the Union's Accounts for audit by a Chartered Accountant appointed by the Trustees;
- (iv) the preparation of quarterly statement of Accounts for the National Executive Council or a Committee appointed by the National Executive Council;
- (v) the preparation of a report on the Accounts and Finances of the Union for Biennial Conference.

7.3 DEPUTY GENERAL SECRETARY

The Deputy General Secretary shall assist the General Secretary, generally, in the duties assigned to their office and carry out and discharge such duties in regard to the business of the Union as may be assigned to them under the direction and control of the General Secretary.

7.4 NATIONAL OFFICERS

The duties of National Officers shall be to assist the General Secretary, generally, and to carry out and discharge such duties as may be assigned to them under the direction and control of the General Secretary.

7.5 REMUNERATION OF GENERAL OFFICERS, NATIONAL EXECUTIVE COUNCIL MEMBERS AND MEMBERS

1. The remuneration of the General Secretary and other General Officers of the Union shall be provided for by agreement to be entered into between them respectively and the National Executive Council.
2. General Officers, Members and employees of the Union shall be entitled to receive remuneration, subsistence allowance and travelling expenses while on the business of the Union in accordance with arrangements prescribed by the National Executive Council.

7.6 SUPERANNUATION FUND

1. The National Executive Council may establish a Superannuation Fund to be known as "The Officials and Employees Superannuation Fund" to which the Union will contribute such sums as the National Executive Council shall deem necessary for making provision for the payment of such Superannuation benefits to Officials and employees of the Union, as may be provided by any Superannuation Scheme authorised and adopted by the National Executive Council.
2. Such sums shall be charged to the General Fund of the Union. All sums contributed to the Superannuation Fund by the National Executive Council in accordance with this Rule and all other sums paid or transferred to the said Fund shall be vested in the Trustees of the Fund and shall be held and applied by the Trustees of the Fund in accordance with the terms of the Superannuation Scheme.

Rule 8 TRUSTEES

1. There shall be four Trustees of the Union who shall be appointed by majority vote of the National Executive Council. The Trustees of the Union shall hold office for three (3) years. Any Trustee of the Union may be removed from office by the National Executive Council on a majority vote, subject to the right of appeal to the next ensuing Biennial Conference of the Union.
2. In the event of a Trustee being removed from office, or becoming, for any cause, incapable of acting, or unwilling to act as such, or resigning, another Trustee shall be appointed by the National Executive Council to fill the vacancy and pending the filling of the vacancy, the remaining Trustees shall in all matters act as the Trustees of the Union.
3. All Deeds, Documents of Title and Securities for running of the Union, shall be held by the Trustees and they may take such measures for the safe custody and preservation thereof, at the expense of the Union, as they shall think fit, and they shall be responsible for the safe custody of all such Deeds, Documents or Securities as are placed in their hands or under their control and shall produce them when required by a resolution of a Biennial or Special Conference or of the National Executive Council, or when required by the Auditor.
4. It shall be the duty of any Trustee who has resigned, or on being removed from office, to execute such documents and to take all such other steps as may be necessary to vest in the Trustees for the time being of the Union all Securities and other properties held by them on behalf of the Union.
5. No Trustee shall invest any part of the funds of the Union on the Security of their own property or otherwise than in accordance with the Law.
6. The Union and its Members shall fully indemnify all Trustees of the Union duly and lawfully making investments, prosecuting or defending any action, suit, prosecution or complaint in any court of law concerning property, right or claim to property of the Union under the direction and with the consent of the National Executive Council.
7. The Accounts of the Union shall be audited at least once every year by a public auditor or other qualified accountant appointed by the Trustees. A copy of the Auditor's Report shall be presented to each Biennial Conference and sent to each Branch and Member of the National Executive Council.
8. Every person having an interest in the funds of the Union may, at any reasonable time, inspect the books of the Union and the roll of Members of the Union.

Rule 9 FUNDS AND PROPERTY

1. All property acquired, or to be acquired by, or on account or on behalf of the Union, real or personal, including Trustees authorised investments and interest thereon, entrance fees, contributions and monies received payable or due shall be the property of the Union and shall be held in trust by the Trustees of the Union.
2. All funds and monies paid into the Union shall be lodged in a Bank or Banks approved by the National Executive Council and shall be held for and devoted to the purposes provided for by the Rules and to the expenses incurred in carrying them out.
3. The National Executive Council may create funds other than those provided for in these Rules and make provisions for their collection, allocation and disbursement, all of which shall be subject to approval by the next Biennial Conference following the setting up of such funds.

Rule 10 UNION BENEFITS AND FUNDS

10.1 SOCIAL BENEFIT FUND

1. The National Executive Council shall establish a Social Benefit Fund which shall be financed by an amount equal to 20% of each Member's basic contribution. The National Executive Council shall arrange for the transfer from time to time from the Central Fund all monies so apportioned to a separate account known as the Social Benefit Fund.
2. The National Executive Council shall submit the Accounts of the Social Benefit Fund for audit each year by a firm of qualified Chartered Accountants and submit all such Audited Accounts to Biennial Conference.
3. The administration of the Social Benefit Fund shall be under the control of the National Executive Council who will elect every two (2) years a Finance Committee to administer the Social Benefit Fund on its behalf.
4. The Finance Committee will meet twice each year for the purpose of reviewing the operation of the Social Benefit Fund and making such recommendations as it thinks fit to the National Executive Council on the operation and development of the Social Benefit Fund.
5. Subject to these Rules and on production of the requisite documentation, a Benefit Member on reduced basic pay, following a continuous or accumulative absence of either 13 or 26 weeks from duty (in accordance with the sick pay regulations of the relevant company) resulting from illness or accident may be paid an amount up to 70% of their basic pay while a Member of the Union. Requests for Sickness Benefit from Members who have not had such an absence may be considered on their merits by the Finance Committee subject to the sanction of the National Executive Council. Any such payments

will be inclusive of payments/grants from other sources, including Medisan Fund and the State Pay Related Social Insurance. In the event that the Member is successful in recovering damages at common law or through any other avenue for their accident or illness, then the Member shall reimburse the Social Benefit Fund in respect of any payments made to that Member by the Fund. The Member (and/or their legal representative) shall also provide particulars of the amount recovered to include, where requested, supporting documentation.

6. A Member may be paid €635.00 on the death of their spouse or civil partner. The estate of a Member may be paid €5,080.00 on their death. A Member may nominate during their lifetime to whom the said sum shall be payable. A Retired Member (as referred to in Rule 2.6) may be paid €635.00 on the death of their spouse or civil partner. The estate of a Retired Member (as referred to in Rule 2.6) may be paid €1,270.00 on his or her death. A Retired Member (as referred to in Rule 2.6) may during their life nominate to whom such payment may be made.
7. The benefits specified shall be paid only to Benefit Members or to the next-of-kin of Benefit Members of the Union who have paid a minimum of twenty-six weeks Union contributions following the introduction of the Social Benefit Fund.
8. All claims for payment from the Social Benefit Fund shall be submitted in writing along with the appropriate certification to the General Secretary for consideration by the Finance Committee. Any dispute arising as a result of the payment or non-payment of a claim on the Social Benefit Fund may be resolved by, and at the discretion of, the Finance Committee subject to final appeal to the National Executive Council.
9. In the event of severe financial strain on the Social Benefit Fund due to civil disorders, an unforeseen level of claims or unforeseen disasters the Finance Committee, subject to the sanction of the National Executive Council, shall have the power to limit or defer any or all of the benefits specified in this Rule.

10.2 LEGAL BENEFITS

1. The National Executive Council, or the Trustees, may institute or defend any legal proceedings and pay the whole or part of the costs thereof in any matter affecting the welfare of the Union, or on behalf of a Member or of the dependants of a deceased Member, in all matters arising out of the employment of the Member, or in respect of a Member's authorised activities as a Member of the Union.
2. No Member shall be entitled to Legal Benefits unless such person has been a Member and has paid contributions for a period of at least thirteen (13) weeks. The conditions and procedures to be observed in applying for Legal Benefit shall be as prescribed by the National Executive Council. The decision to grant or refuse Legal Benefit on all applications therefore shall be at the

absolute discretion of the National Executive Council whose decision shall be final.

10.3 DISTRESS FUND

1. The National Executive Council shall establish a Distress Fund. The Fund shall be financed by an amount equal to €0.13 per week apportioned from the contributions of Union Members for the purposes of relieving distress amongst Members of the Union paying such contributions. The National Executive Council will arrange for the transfer from time to time from the Central Fund all monies so apportioned to a separate fund known as the Distress Fund.
2. The administration of the Distress Fund shall be under the control of the National Executive Council which shall have an absolute and uncontrolled discretion as to whether any particular payment or payments should be made therefrom and if so the amounts and terms of such payment or payments.
3. All payments made by/from the Distress Fund that the National Executive Council, in its absolute discretion thinks fit to make, shall be to Members who submit claims for such payments on forms to be provided and which are signed by the claimants Branch Secretary who will submit them to the General Secretary for consideration by the National Executive Council.
4. The National Executive Council shall have the power, in the event of a serious strain on the fund, to either stop payments from the fund or diminish such payments or close the fund subject to review by Biennial Conference following such decision. No Member shall have any claim whatsoever in respect thereof on the Union or any of its Officers or Members resulting from such a National Executive Council decision.

10.4 LEVY

1. The National Executive Council shall have the power to impose a special levy on some or all of the membership to augment any of the Funds provided for under these Rules or for any other purpose deemed to be appropriate by the National Executive Council.
2. A Branch Committee shall have the power to propose a levy on the Members of that Branch. Any such levy or increase thereof must be agreed to by the Members of that Branch at the AGM or at a Special meeting of the Branch called for that purpose. Such levy or any increase thereof will only take effect when ratified by the National Executive Council.

Rule 11 INDUSTRIAL ACTION

1. The provisions of this Rule shall apply notwithstanding any other provision contained in these Rules.

2. In this Rule the term “strike” and “industrial action” shall have the same meaning as in the Industrial Relations Act 1990.
3. In this Rule the term “Member” shall have the same meaning as in Rule 2.
4. The provisions of this Rule shall apply to the Republic of Ireland only.
5. The Union shall not organise, participate in, sanction or support a strike or other industrial action without a secret ballot, entitlement to vote in which shall be accorded equally to all Members whom it is reasonable at the time of the ballot for the Union to believe will be called upon to engage in a strike or other industrial action.
6. The Union shall take reasonable steps to ensure that every Member entitled to vote in the ballot votes without interference from, or constraint imposed by, the Union or any of its Members, Officials or employees and, so far as is reasonably possible, that such Members shall be given a fair opportunity of voting.
7. The National Executive Council shall have full discretion in relation to organising, participating in, sanctioning or supporting a strike or other industrial action notwithstanding that the majority of those voting in the ballot, including an aggregate ballot referred to in Section 8 of this Rule, favour such strike or other industrial action.
8. The National Executive Council shall not organise, participate in, sanction or support a strike or other industrial action against the wishes of the majority of the Union’s Members voting in a secret ballot, except where, in the case of a ballot by more than one trade union, an aggregate majority of all the votes cast, favours such strike or other industrial action.
9. Where the outcome of a secret ballot conducted by the Union, or in the case of ballots conducted by the Union and any number of other trade unions which are affiliated to the Irish Congress of Trade Unions, an aggregate majority of all the votes cast, is in favour of supporting a strike organised by another trade union, a decision to take such supportive action shall not be implemented by the Union without the sanction of the Irish Congress of Trade Unions.
10. As soon as practicable after the conduct of a secret ballot, the Union shall take reasonable steps to make known to its Members entitled to vote in the ballot:
 - (a) The number of ballot papers issued;
 - (b) The number of votes cast;
 - (c) The number of votes in favour of the proposal;
 - (d) The number of votes against the proposal;
 - (e) The number of spoilt votes.
11. Nothing in this Rule shall constitute an obstacle to negotiations for the settlement of a trade dispute nor the return to work by Members of the Union party to the trade dispute, and any decision taken in accordance with the Rule

to organise, participate in, sanction or support a strike or other industrial action may be rescinded or amended without the necessity of a further ballot of the Members concerned.

Rule 12 ALTERATIONS OF RULES

1. No new Rule shall be made or an existing Rule suspended, amended or rescinded, except at Biennial Conference or at a Special Conference convened for that purpose and where a two-thirds majority of those present and voting are in favour, and then not more frequently than every four (4) years, provided always that the Registrar of Friendly Societies shall be notified of a change in the Union's registered Rules.
2. The National Executive Council shall be empowered to submit an amendment to any Biennial Conference or Special Conference seeking to suspend, amend or rescind any Rule which required such changes so as to comply with the Law or, at their discretion where it would be deemed to be in the best interests of the Union.

Rule 13 DISSOLUTION OF UNION

1. The Union may be dissolved at any time by the consent of five-sixths of the Members present and voting at a meeting duly summoned for this purpose.
2. This same meeting shall decide upon the disposal of the funds of the Union.
3. The dissolution shall be notified to the Registrar of Friendly Societies within fourteen (14) days, in the prescribed form.