

Sales Staff Association



RULE BOOK

1. NAME

The Association formed under these rules shall be called the Sales Staff Association (SSA)

2. REGISTERED OFFICE

The Registered Office of the Association shall be; 36 Ploughmans Walk, Bromsgrove, B60 4NN or such place as may be determined from time to time by the National Executive Committee.

3. OBJECTS

The objects of the Association shall be:

- (1) To maintain and protect the interests and improve terms and working conditions of employment for its members.
- (2) To watch over, promote and protect the common individual interest of its members, irrespective of ethnic origin, nationality, creed, sex or colour, and to regulate the relationship between members and Gallaher Limited/JTI. Hereinafter known as "The Company"
- (3) To obtain representation on and affiliation to various national and local organisations.
- (4) To provide financial assistance to members who have withdrawn their labour with the authority of the National Executive Committee.
- (5) To provide members with such benefits as shall hereinafter be defined and provided for by rule.
- (6) In every way to further the interest of the members.

4. MEMBERSHIP

The following categories of sales staff are eligible for membership:

- (a) Multiple Account Executives (MAE)
- (b) Merchandising Solutions Executives(MSE)
- (c) Trade Marketers (TM)
- (d) Tactical Trade Marketers (TTM)
- (e) Area Supervisors/Coordinators (AS) (AC)
- (f) Distributive Sales Development (DSD)

Any member moving out of these categories would automatically cease to be a member.

The National Executive Committee have the right, on reasonable grounds, to refuse to admit a person to membership.

5. CLASS OF MEMBERSHIP

There shall be one class of membership within the Association.

- (1) Full members who shall be those members of the Association eligible under Rule 4, Sections (a) to (f) inclusive.

6. CONTRIBUTIONS

The level of contributions shall be determined by a two-thirds majority decision of Annual Conference, and the rate of contributions payable by each class of membership shall commence on June 1st of that year. It is an obligation on the part of the individual member to ensure that all contributions are paid on due date.

7. ADMISSION OF MEMBERS

All applicants seeking membership of the Association must fill in the application form supplied by the Association. The applicant should forward the form to the Team Representative who will in turn send it to the General Secretary. If the check-off facility is not utilised the applicant must also include a minimum of one month's contribution.

The General Secretary can accept or reject an application subject to the endorsement of The National Executive Committee, hereinafter known as the "NEC" The decision of the NEC is final.

8. RESIGNATIONS

The National Executive Committee shall have the power to accept or reject resignations from the Association.

9. RE-ADMISSION OF MEMBERS

Any person who has either resigned or been excluded for arrears or any other reason may only be accepted after paying up all the arrears to a maximum of four months contributions, plus a re-admission fee at the discretion of the National Executive Committee. This provision may be waived at the absolute discretion of the NEC. The NEC shall not be required to give any reason for refusing an application for re-admission.

10. BRANCHES

- (1) The Association shall be divided into Branches to one of which each member shall belong.
- (2) Branches shall not be responsible for any funds of the Association.
- (3) For members eligible under Rule 4, section (c), (d), (e) and (f) each Branch will consist of as currently defined by "The Company" or as may be amended by them from time to time, and will hereinafter be referred to as a Team.
- (4) For members eligible under Rule 4 (b) there shall be one Branch consisting of all eligible members which shall be known hereinafter as MSE's.
- (5) For members eligible under Rule 4 (a) there shall be two Branches (Retail and Distributive) consisting of all eligible members which shall be known hereinafter as MAE's.
- (6) Each Team shall elect one of their number to represent the Team on the appropriate Divisional Sales Council. This representative shall be known hereinafter as the Team Representative.
- (7) Team meetings shall normally be held every four weeks. A member of the Association may attend a meeting of any Team and participate in discussions at the discretion of the Team Representative, but may only vote at a meeting of the Team to which they belong.
- (8) The Teams shall be grouped into Divisions formed by the boundaries of Sales Divisions defined by "The Company" or as may be amended by them from time to time. These Divisions shall be Electoral Divisions of the National Executive Committee in addition there shall be two electoral positions from the combined channels of MAE, MSE and DSD. One from retail and one from distributive.
- (9) All members on secondment shall still be regarded as in original position until such time as secondment ends.

11. DIVISIONAL SALES COUNCILS

Each DSC will consist of one representative from each Team within the Division. These representatives shall under normal circumstances be elected at the February team meeting or at a time as is deemed necessary and shall take office immediately. The term of office shall be for three years, but elections, for other reasons, may have to be held more frequently, an example being when a Sales Force Reorganisation is carried out by "The Company". Delegates may stand for re-election. Divisional Sales Councils shall meet at least once a year.

- (2) The function of the DSC shall be to co-ordinate the activities of teams within the Divisions, and to advance the interests and policies of the Association throughout the Divisions. It shall act as a medium, through which the National Executive Committee shall be kept informed of matters relating to the general interests and welfare of the members. Any team wishing to lay a formal resolution before the National Executive Committee must in the first instance submit the resolution to the DSC who shall forward it to the NEC if endorsed.

- (3) At the first meeting of the new Council the representatives shall elect one of their number to act as Coordinator.
- (4) All representatives including the Coordinator shall have equal voting rights.
- (5) Divisional Sales Councils may propose change of rules of an emergency nature at any Annual Conference or Special Conference.
- (6) Special Conferences of the Association may be called by:
 - (a) The National Executive Committee
 - (b) The request to the NEC of at least one Divisional Sales Council. The NEC shall call the Special Conference no later than eight weeks after receiving the request and shall circulate the material on the Special Business to be discussed.

12. NATIONAL EXECUTIVE COMMITTEE (NEC)

- (1) The general management of the Association shall be vested in the National Executive Committee. This shall consist of five/six members, elected by regional voting and the General Secretary elected on a national vote., maximum total seven. There will only be seven members if a Tactical Trade Marketeer is not elected in his/her own right and as a result has to be seconded onto the NEC.
- (2) The six regional members will be elected as follows:
 - (1) One representative of Multiple Account Executives (Distributive) to oversee all the relative MAE/Wholesale /DSD channels.
 - (2) One representative of Trade Marketeers Representative or Tactical Trade Marketeers from the Northern Divisional Sales Council.
 - (3) One representative of Trade Marketeers Representatives or Tactical Trade Marketeers from the Central Divisional Sales Council.
 - (4) One representative of Trade Marketeers Representatives or Tactical Trade Marketeers from the Southern Divisional Sales Council.
 - (5) One Tactical Trade Marketeer Representative to be seconded if not duly elected from any of the afore mentioned.
 - (6) One Representative from the MAE (Retail) to oversee MAE Convenience/Leisure/Merchandising Service Executives Department.
- (3) The officers of the Association shall be:
 - (a) **GENERAL SECRETARY**
The General Secretary shall be elected by a general vote of members of the Association. He/she shall as a necessary qualification, have been a member of the National Executive Committee for a period of not less than three consecutive years, but may be less for other reasons following a majority vote of the NEC, and be a fully paid up member of the Association.

The method of election is defined in Rule 17.

(b) **CHAIRMAN**

The Chairman shall be elected by the NEC from amongst its members. He/she shall, as a necessary qualification have been a member of the NEC for a period of not less than three consecutive years, but may be less for other reasons and be a fully paid up member of the Association.

(c) **TREASURER**

The Treasurer shall be elected by the NEC from amongst its members. He/she shall, as a necessary qualification have been a member of the NEC for a period of not less than two consecutive years, but may be less for other reasons and be a fully paid up member of the Association.

(4) **Terms of office:**

(a) The term of office of the General Secretary shall be for five years. He/she shall be eligible to stand for re-election.

(b) The term of office of Chairman, Treasurer and Minutes Secretary shall be for three years, but may be less or become vacant for other reasons or in times of a reorganisation carried out by "The Company" He/she shall be eligible to stand for re-election.

13. FUNCTIONS AND POWERS OF THE NATIONAL EXECUTIVE COMMITTEE.

(1) The National Executive Committee shall be the managing authority of the Association (subject to the decisions of Annual Conference) and its decisions shall be circulated to all Divisional Sales Council, and shall be binding upon all members.

(2) The NEC shall meet at least twice a year. Five members shall be sufficient to form a quorum.

(3) It shall be the duty of the NEC to implement decisions of the Annual Conference.

(4) The NEC shall be empowered to appoint sub-committees from within the Association.

(5) The NEC shall be empowered to institute proceedings against any member or members of the Association who wrongfully or fraudulently use any money or property belonging to the Association, or for any other reason it considers justified.

(6) The NEC shall be empowered to carry out the provisions contained in Rules 14 and 15.

(7) Only the NEC may authorise Industrial Action, and only after a lawful ballot of the relevant members has been held and a majority of those voting have voted in favour of the action.

14. FUNDS

- (1) The National Executive Committee shall invest the funds of the Association in any way it thinks beneficial to the Association.
- (2) The NEC may engage staff and pay them such salaries etc. as it thinks necessary.
- (3) The NEC may use funds for such things as obtaining legal advice, survey information and training representatives, etc.
- (4) The NEC may at its discretion pay benefit to members or the dependants of members, who are taking industrial action which has been authorised by the NEC.
- (5) The Treasurer will be responsible for keeping proper books of account.
- (6) All cheques of the Association account shall be signed by any two of General Secretary, Chairman and Treasurer.
- (7) The accounts of the Association shall be audited each year by a qualified accountant, to be appointed by the NEC. The audit shall be for a period of twelve months to December 31st and the Auditors Report together with the Annual Balance Sheet shall be issued within reasonable time after the completion of the audit.
- (8) Legal assistance may be granted and be withdrawn at the complete discretion of the NEC.

15. DISCIPLINE

- (1) Disciplinary action will be taken by the National Executive Committee on the recommendation of the Disciplinary sub-committee of the NEC.
- (2) The Disciplinary sub-committee shall consist of three members of the NEC.
- (3) A member appearing before the sub-committee shall be given reasonable written notice of the hearing and shall be entitled to be represented by a member of their choice.
- (4) If the sub-committee recommends disciplinary action the member may make representation to the NEC, when the sub-committee will report the action that has been taken by them.
- (5) Disciplinary action may be expulsion, suspension, fine, dismissal from Office, etc.
- (6) A member may be excluded from the Association if dues remain unpaid for six-months, or for conduct which is prejudicial to the Association.

16. TRUSTEES

Two trustees shall be elected at the Annual Conference and shall serve for a term of twelve months. They shall be eligible to stand for re-election. Officers of the Association shall not be eligible for the Office of Trustee.

17. ELECTIONS AND BALLOTS FOR NATIONAL OFFICE

- (1) Elections shall be classified into three groups:
 - (a) General Secretary
 - (b) Divisional Representation to NEC
 - (c) MAE/MSE Representation to NEC
- (2) In group (a) a postal ballot shall be held amongst all members of the Association providing there is more than one nominee.
- (3) In group (b) should there be more than one nominee from the same job category then an election shall be held within that particular Divisional Sales Council (DSC). The duly elected representative will automatically represent their Division on the NEC.
- (4) In group (c) Should there be more than one nominee from each, Retail or Distributive, then an election shall be held amongst all members within that group. The duly elected MAE/MSE/DSD representative will automatically represent their job category on the NEC.
- (5) When required, any person standing for election in the above group (a) shall be entitled to submit an Election Statement to members eligible to vote, at the Association expense. Any such Statement shall be limited to a maximum of 150 words

18. DUTIES OF GENERAL SECRETARY

- (1) The General Secretary shall be responsible for the correct keeping of all books and records of the Association, including the name and address of all members of the Association. The General Secretary shall engage such clerical assistance as is necessary, the remuneration for such assistance will be determined by the NEC.
- (2) The General Secretary or an appointed Deputy shall attend all meetings of the Association.
- (3) The General Secretary shall attend such conferences or other meetings as the NEC may determine.
- (4) The General Secretary shall be a non-voting member of the NEC.

In the absence of the General Secretary said duties shall befall the Chairman until such time as the General Secretary returns or a new General Secretary is elected

19. ALTERATION TO RULES

No rule shall be made, amended or rescinded without the sanction of the Annual Conference or a Special Conference.

20. INSPECTION OF BOOKS

All books and names of the members may be inspected at the Registered Office by any person having an interest in the funds of the Association after giving the General Secretary seven days' notice of their intention.

21. DISSOLUTION

The Association may be dissolved by the consent of seventy five per cent of its members voting by individual ballot or amalgamated with any other Trade Union in accordance with the Trade Union Acts and Secretary of State's regulations.

1st February 1989
Revised 19th April 1994
Revised 10th October 1996
Revised March 1999
Revised August 2003
Revised January 2007
Revised August 2008
Revised August 2011
Revised September 2016

APPENDIX

RULES FOR REFLECTION

- (1) For purposes of representation Teams shall be defined as the geographical area of sales teams as currently defined by "The Company" or as subsequently amended by them in future reorganisations.
- (2) For purposes of representation Division shall be defined as the geographical area of sales Divisions as currently defined by "The Company" or subsequently amended by them in future reorganisations.
- (3) For the position of General Secretary, a postal ballot shall be held amongst all members of the Association providing there is more than one eligible candidate.
All national ballots shall be secret postal ballots under the scrutiny of independent scrutiners.
- (4) Every member entitled to vote shall:
 - (a) Have a voting paper sent to them by post to their home address or any other address which they have requested the General Secretary in writing to treat as their postal address, and shall be given a convenient opportunity to vote by post.
 - (b) Be allowed to vote without interference from, or constraint imposed by the Association or any of its members.
- (5) Upon receipt of the Scrutinisers Report the General Secretary shall advise members of the Association of the result, and shall notify members of the Association of the contents of the Report as soon as reasonably possible but no later than three months from receipt.
- (6) Any member of the Association shall be entitled to request a copy of the Report upon payment of a reasonable fee to be determined by the NEC.