



**NATIONAL  
EMPLOYEES  
UNION**

85 Great Portland Street  
London  
W1W 7LT  
[www.n-e-u.co.uk](http://www.n-e-u.co.uk)

# **CONSTITUTION & RULES**

## **Preamble**

National Employees Union is apolitical and independent of any employer.

National Employees Union principal purposes include the regulation of relations between workers of that description or those descriptions and employers.

## **1. Title and registered office**

- 1.1. The Union formed under these rules will be known by the title of the National Employees Union and hereinafter referred to as the Union.
- 1.2. The Registered Office of the Union will be 85 Great Portland Street, London W1W 7LT or such other address as may be decided by the Executive Committee.

## **2. Objectives and aims**

- 2.1. To recruit, organise and represent workers of one or more descriptions.
- 2.2. To regulate relations between workers of that description or those descriptions and employers.
- 2.3. To seek to protect and improve pay, terms, and conditions of all members.

- 2.4. To assist in the settlement of collective disputes between members and their employers through representation, negotiation, collective bargaining, industrial action, and as a last resort court.
- 2.5. To promote ACAS best practice to workers and employers.
- 2.6. To provide members with verbal and written advice to help them resolve disputes with employers informally.
- 2.7. To train members to accompany and represent colleagues in informal meetings.
- 2.8. To assist in the settlement of individual disputes between members and their employers by an objective application of relevant law and employer policy through representation at grievance and disciplinary hearings towards mutually agreeable outcomes.
- 2.9. To advise and represent members in claims to the Employment Tribunal.
- 2.10. To provide resources and training to help members secure new employment.
- 2.11. At all times to adhere to the highest standards of integrity and professionalism to demonstrate to employers the value of trade unions in the workplace.

### **3. Representation and support**

- 3.1. Representation and support are available to members as soon as they join the Union.
- 3.2. Representation and support include, telephone, email, and written advice, being accompanied to informal meetings, being represented in formal meetings, advice as to the reasonable chance of success of claims to the Employment Tribunal, representation for the purpose of ACAS conciliation, case management and representation at the Employment Tribunal, and resources and training to help find new employment.
- 3.3. The Union will not pursue unreasonable expectations of members at any stage of representation or support in the workplace.
- 3.4. The Union will not represent members for ACAS conciliation or Employment Tribunal claims if there is no reasonable chance of success, or the claim/s are frivolous or vexatious.

#### **4. Membership**

- 4.1. The Union shall be a general trade union and membership shall be available to all class of employees, workers, self-employed, apprentices, students, and volunteers, who accept the Rules and maintain their Union subscription, without distinction of race, ethnic origin, religion, age, gender, disability, or sexual orientation.
- 4.2. There shall be two categories of membership:
  - 4.2.1. Full Membership: receipt of the full benefits of membership.
  - 4.2.2. Free Membership: receipt of subscription to the Union monthly newsletter.
- 4.3. Every application for membership shall be made in a form approved by the Union, either in hard copy or online.
- 4.4. Applications for membership can be accepted by any officer authorised for the purpose by the Executive Committee.
- 4.5. An applicant for membership whose application has been refused may appeal to the Executive Committee, which may accept or refuse the application at its discretion.
- 4.6. The Executive Committee may, at its discretion, admit any person as an Honorary Member of the Union subject to a simple majority vote of the committee.
- 4.7. The Executive Committee will decide upon the most appropriate category of membership for an Honorary Member.
- 4.8. Additional membership categories may be provided and must be approved by no less than a two thirds majority vote by the Executive Committee.

#### **5. Membership benefits**

- 5.1. The Executive Committee shall establish a general account into which all membership fees, contributions, donations, or any other monies received by virtue of the activities of the Union, will be paid, administered, and directed as appropriate.
- 5.2. Membership fees shall be established by the Executive Committee and reviewed in September of each year.
- 5.3. It shall be the personal responsibility of the Member to maintain their contributions and avoid arrears in any circumstances.

- 5.4. The Executive Committee will determine the period of membership necessary prior to the member attaining eligibility for benefits. Any period during which contributions are in arrears shall automatically remove eligibility for benefits except at the sole discretion of the Union.

## **6. Obligations of members**

- 6.1. A member of the Union must comply with these rules and with any duty or obligation imposed on that member by or pursuant to these rules whether in his/her capacity as a member, a holder of a lay office or as a full-time officer.
- 6.2. A member must not knowingly, recklessly or in bad faith provide the Union with false or misleading information relating to a member or any aspect of the Union's activities.
- 6.3. A member must inform the Union of any changes to their position within their employer and to the organisation by which they are employed.
- 6.4. A motion shall not be submitted by or on behalf of the Union or any group or body within the Union to an organisation or body outside the Union if that motion is inconsistent with existing Union policy.
- 6.5. When acting as a representative of the Union at a meeting of an organisation or body outside the Union, a member shall speak and vote in accordance with the policy of the Union and with any decision taken by the Union's representatives at that meeting which is consistent with the Union's policy.
- 6.6. Where existing policy has not yet been formed, those members acting as a representative of the Union at a meeting of an organisation or body outside of the Union, a member shall abstain from voting.

## **7. Equality and inclusion**

- 7.1. The Union will actively oppose prejudice and discrimination on grounds of race, ethnic origin, religion, age, gender, disability or sexual orientation.

## **8. Executive Committee**

- 8.1. The Executive Committee of the Union will consist of 3-7 Committee Members.
- 8.2. The Executive Committee will vote on any relevant motion or decision that needs to be made and will accept the majority vote either way.

- 8.3. At the commencement of any Executive Committee meeting, any one of the attendees may be elected by those present as the Chair of that meeting.
- 8.4. Each meeting will also elect from those present a secretary, responsible for taking notes of each meeting and circulating them within a reasonable timescale.
- 8.5. An Executive Committee meeting will be considered quorate with the presence of at least 50% of current Executive Committee members.
- 8.6. Meetings of the Executive Committee and any sub-committees established by the Executive Committee are permitted to take place in person and/or with the use of appropriate technology.

## **9. Election of Executive Officers**

- 9.1. The General Secretary, National Secretary, National Officer, and other Executive Officer roles that might become necessary and available at any time shall be elected by a national vote of members by way of a statutory postal ballot as prescribed by the Trade Union and Labour Relations (Consolidation) Act 1992 as amended.
- 9.2. Members shall have the right to make nominations. No person shall be eligible to be a candidate in an election for any Executive Officer role unless she/he has received a minimum of 25 valid nominations, and at the time of nomination both nominees and nominators are full members of the Union and have been full members for at least one year.
- 9.3. S/he so elected shall remain in office during the will and pleasure of the members who, through the Annual General Meeting/Conference have power to dismiss or call upon her/him to resign in accordance with the same provisions for electing officers.

## **10. Trustees**

- 10.1. In accordance with relevant legislation all property of the union shall be vested in trustees in trust for it.
- 10.2. The Executive Committee shall appoint at least one and no more than three Trustees.
- 10.3. All and any payments from the general account are strictly for the benefit of members in accordance with the objectives and aims of the Union.

## **11. Disciplinary procedures**

- 11.1. Where an allegation is received by the Executive Committee, of a breach of Union rules, conduct incongruous with the interests of the Union, or of conduct unbecoming of a member of the Union, a sub-committee of two Executive Committee members shall have the power to investigate such breach or conduct.
- 11.2. Wherever possible, the Executive Committee members involved in the investigation of an allegation, or the imposition of a penalty under the disciplinary procedures, shall not be from the same employer as the individual/s subject to the investigation or penalty.
- 11.3. Members of the Union against whom an allegation has been made shall be afforded details in writing of any allegation contained in such complaint or report and the source.
- 11.4. The provision of the information at 10.3 shall be no less than one week before the meeting of the sub-committee at which such allegation shall be heard and determined.
- 11.5. The member subject to an allegation shall be entitled to hear all the allegations made against them and to respond, either in writing or before the sub-committee.
- 11.6. If a serious allegation against a member arises, and it would be in the interests of the Union for the person to be suspended from official duties and/or membership pending an investigation, and if a simple majority of a quorum of the Executive Committee agrees that the situation merits suspension, then they shall have the power to suspend on behalf of the Union.
- 11.7. Suspension is not a penalty, and any temporary suspension should only last until the investigation and decision has been made.
- 11.8. A member who is deemed guilty of an allegation may be subject to one or more of the following penalties as the sub-committee may decide:
- 11.9. Receipt of a formal caution regarding future conduct.
- 11.10. Removal of the right to attend relevant Union meetings for a period as decided.
- 11.11. Removal of the right to hold office or participate in any Union administration for a period as decided.
- 11.12. Suspension from membership for a period as decided.
- 11.13. Expulsion from the Union.
- 11.14. A person suspended from membership shall be deemed a non-member for the full period of the suspension.

## **12. Rule changes**

- 12.1. These rules may be amended by a two-thirds majority of voting Executive Committee members or by a simple majority of voters at a General Meeting called by the Executive Committee.

## **13. Dissolution of the Union**

- 13.1. The Union may at any time be dissolved by the consent of a ballot of all members of the Union resulting in a three-quarters majority of those voting, such majority to represent more than 50% of the membership.
- 13.2. Upon the result of the notification of a dissolution at Rule 12.1 the Executive Committee will agree upon the way any Union funds or assets will be returned to creditors and members of the Union.
- 13.3. Consent to dissolve the Union will be recorded and available for inspection by any member of the Union upon request.

Executive Committee  
22 September 2021 – Version 1  
(Last updated 23 January 2023) – Version 2