

Rule 1

Title, Constitution and Objects

- (a) The British Association of Journalists (the BAJ) is a Trade Union. The office of the BAJ shall be virtual with a postal address at PO BOX 742, Winchester, Hampshire, SO23 3QB, or at such address as the National Executive Committee (NEC) shall decide.
- (b) Members of the BAJ comprise journalists as defined in Rule 2 below.
- (c) The objects of the BAJ are:
 - (i) To be a non-political, industrial, union for journalists which seeks to protect and improve pay, conditions, pensions, rights and fees for its members.
 - (ii) To be an independent union which may, if mutually agreed, engage in joint claims and activities with other unions.
 - (iii) To defend and promote Freedom of the Press, Freedom of Broadcasting and Freedom of Information.
 - (iv) To promote harmonious relations with employers.
 - (v) To seek legally binding agreements with employers for staff and freelancers. Such agreements shall include, where mutually acceptable, binding arbitration and no-strike clauses.
 - (vi) To make available legal advice to members on employment, intellectual property and general legal matters in connection with their professional work.
 - (vii) To campaign for Parliament to give trade unionists the right to recognition and collective bargaining for two or more members in an office and the legal right to strike, provided all conciliation procedures have been followed.
 - (viii) To run an efficient, cost-effective administration which gives members good value for their membership fee.

Rule 2

Membership

- (a) Members are defined as follows:
 - (i) Full members: Staff journalists and freelance journalists whose main occupation is journalism, whether photographic, reporting, digital, PR or who earn the majority of their income from journalism activity, and shall include any freelance authors and full time officials of the union. The General Secretary of BAJ has ultimate discretion in determining whether an applicant meets these requirements.
 - (ii) Life members: Journalists who, having been BAJ members for at least five years, are aged 70. In addition, full members who join BAJ aged 61 or more and have consecutively paid subscriptions for a five year period.

- (b) Applications for membership must be made on the official online form which is then electronically sent to the BAJ email address. The applicant will be admitted after the General Secretary has assessed the application and supporting documents and provided he is satisfied that he/she meets the criteria for eligibility in accordance with clause (a) (i) or (iii) of this rule. Every member shall conform to the Rules of BAJ.
- (c) A member may terminate his/her membership at any time by giving 28 days' notice in writing to the BAJ office and returning, where applicable, their BAJ Press Card, and where issued the UK Press Card or payment of a £10 admin fee if within the 28 day period or cancellation of a Direct Debit without notification to the BAJ office. This fee will be collected by electronic payment from held bank account details using BACS.
- (d) A full member's membership shall be terminated when he/she has failed to pay one month's monthly subscriptions without notice. A journalist whose membership has been terminated for failed payments will not be readmitted unless 6 months' subs is paid in advance and at the desecration of the General Secretary.
- (e) Members who join BAJ with a pre-existing employment or legal problem are required to pay 6 months retrospective subscriptions.
- (f) Members are not eligible to apply for assistance from the BAJ hardship fund within 12 months of the date of joining the BAJ.
- (g) Members are not eligible to apply for a reduced subscription for reasons of hardship within 12 months of joining the BAJ under Rule 3, point 4.

Rule 3 Subscriptions

The preferred method of payment of subscriptions is monthly by Direct Debit.

Subscriptions are:

1. National Newspaper staff, National broadcasting staff, National News agency staff: £16.00 per month.
2. Other journalists, including magazine journalists, press officers, PRs and freelancers who earn the majority of their income from journalism: £11.50 per month.
3. The NEC shall review the subscriptions annually in the November NEC meeting and can determine whether to not to increase the subscriptions provided members are given 60 days' notice in advance of the increase.
4. The NEC may set a temporarily reduced membership rate not exceeding one year for members who demonstrate financial hardship.

Rule 4 Members of Honour.

Members who give exceptional service to the union or who suffer victimisation for serving their colleagues as lay union officials may become Members of Honour. Suitable candidates for the honour will be nominated by the NEC for decision by conference. The General Secretary shall become a nominated Member of Honour at the end of his/her service to the union.

Rule 5

Chapel and Area Branches

- (a) The BAJ shall have a democratic organisation based on Chapel Branches in big offices and Area Branches for small chapels, freelancers and retired members.
- (b) Each chapel Branch shall meet at least four times a year, including the annual meeting at which members shall elect an MOC/FOC, deputy MOC/FOC, a treasurer, a clerk and a committee. All officers shall be members of the committee.
- (c) Each Area Branch shall meet at least four times a year, including the annual meeting at which members shall elect a Secretary, Chairperson, vice chairperson, treasurer, clerk and committee. All officers shall be members of the committee.
- (d) Each Chapel Branch and Area Branch shall have Rules which conform to BAJ Rules and the principle of natural justice and shall fix a quorum. Members shall be given at least 7 days' written notice of a meeting and the agenda.
- (e) The Chapel Branch Committee and the Area Branch Committee shall have power to act between meetings, but any action shall be reported to the next full meeting.
- (f) Reasonable notice shall be given to members of any special meeting of a Chapel Branch or an Area Branch, including notice of the matters to be considered.
- (g) All Branches shall raise their own funds to pay for their activities. The accounts shall be audited annually.
- (h) If any member of a Chapel Branch or Area Branch proposes that an official should be dismissed from office for misconduct or incompetence, all members of the branch concerned shall be given 28 days' notice of the branch meeting at which the proposal is to be considered. A majority of two-thirds shall be required to uphold dismissal.
- (i) Any dismissed officer shall cease to hold office immediately. The dismissed officer shall have the right of appeal to the NEC. Such appeal must be made, in writing, within 28 days. The appeal shall be heard by a Complaints Committee composed of three NEC members elected by the NEC, within 28 days of the appeal being received at the BAJ office. The appellant and the Branch may be represented at the hearing by another person. The Complaints Committee's decision shall be final.
- (j) Until the appeal is heard and decided, the dismissed official's position shall remain open. If the appeal is successful, the official shall be reinstated. If not, the Branch will hold an election to fill the vacant position. The dismissed official shall not be allowed to stand for office again for a period of 12 months.

Rule 6

National Executive Committee

- (a) There shall be a National Executive Committee consisting of the General Secretary, the Deputy General Secretary (if this post is held) and up to five but no less than three lay representatives.
- (b) The General Secretary shall preside over meetings of the NEC and shall have one vote. The NEC shall meet routinely every 4-6 weeks. The quorum shall be three. An emergency meeting may be called by the General Secretary or at the request of at least two lay members.
- (c) In the absence of the General Secretary, the BAJ's National Chairperson shall chair an NEC meeting. In the absence of the General Secretary and the National Chairperson, the Deputy General Secretary shall chair the meeting.
- (d) The Deputy General Secretary (when appointed) shall attend NEC meetings to assist the General Secretary and shall be a member of NEC with full voting rights.
- (e) The lay representatives shall be appointed for two years. The elections shall be announced in the BAJ's email newsletter. Candidates may nominate themselves and must be BAJ members. Written nominations shall be sent to the General Secretary. If the same number or fewer nominations than positions on the NEC are received by the General Secretary, the General Secretary, the Deputy General Secretary and the incumbent chair of the NEC shall have the absolute discretion to accept or reject the candidate. If a ballot is required this shall be by email voting of BAJ members sent to the General Secretary.
- (f) If more than five lay people are nominated for office, each candidate shall be invited to supply a statement not exceeding 250 words together with full details of career and BAJ membership, and the names of any other organisations with which each candidate has been associated over the previous two years. All this information will be included in the voting information which will be emailed to members. The ballot shall be conducted as per single transferrable vote and in accordance with trade union laws. The ballot results shall be announced within four weeks after the conclusion of voting. Any new NEC members elected shall take office upon announcement of their election.
- (g) The NEC shall formulate policy and strategy and act in accordance with the Rules. The NEC shall have power to determine any question where the rules are silent and no policy has been laid down by the Biennial Conference.
- (h) The General Secretary will advise NEC regarding the number of staff necessary to carry out the work of the BAJ efficiently and, subject to rule 9(f), determine the level of remuneration of all staff and, when financially possible or relevant, the level of BAJ contributions to their pensions.

- (i) The NEC shall have the power to authorise the General Secretary to spend BAJ money in accordance with the Rules and BAJ policy and on promoting the interests of members. The General Secretary has authority to spend up to £500 on any individual item or expenditure but should advise NEC at the next meeting.
- (j) The General Secretary shall provide the NEC with report on the BAJ's finances as advised by the BAJ bookkeeper at each NEC meeting.
- (k) The General Secretary shall provide the agenda for NEC meetings and shall provide NEC members with full information on all relevant matters.
- (l) NEC members shall have the right to speak at any meetings of the BAJ.
- (m) If any NEC member should resign, die, or be incapacitated or otherwise be unable to attend more than three consecutive meetings, the NEC shall declare a vacancy and call for fresh nominations.
- (n) The organisers of the petition shall provide a 500 word statement making the case for dismissal. The NEC member concerned shall be shown this statement and have the right to a 500 word reply. Both statements shall be included in the ballot paper. A majority of two-thirds shall be required to uphold dismissal. The ballot shall be conducted in accordance with the principles of natural justice and shall be carried out by the Electoral Reform Society.
- (o) If the NEC member is dismissed, the General Secretary shall call for fresh nominations to fill in the vacancy if the Biennial Conference is more than nine months away. If the Biennial Conference is less than nine months away, the position will be left vacant until the usual NEC elections. The dismissed NEC member shall not be allowed to stand for office again for a period of two years.
- (p) If any lay NEC position is uncontested, BJA's newsletters will within three months publish the names of any other organisations with which the elected lay representative(s) has or have been associated over the previous two years. This information shall be published in the union's journal at the time the elections are announced in regard to anyone whose candidature is known at that time.

Rule 7

NEC Meetings

- (a) The NEC shall endeavour to hold meetings every 4-6 weeks, which can be held by conference call or in face to face meetings.
- (b) The General Secretary shall appoint a member of NEC to take minutes of the meetings which shall be circulated to members of NEC within 7 working days.

Rule 8

National Chairman

- (a) The first NEC meeting after the Biennial Conference shall elect, from among the lay NEC members, the lay National Chairperson of the BAJ for the following two years.
- (b) The National chairperson shall have the responsibility of representing the BAJ or delegated to any member of the BAJ at appropriate social events.
- (c) The National Chairperson shall chair any NEC meeting in the absence of the General Secretary.
- (d) If the National Chairperson should resign/die/be incapacitated or otherwise be unable to fulfil his/her duties, the NEC may elect a replacement to remain in office until presiding at the Biennial Conference following the completion of at least two years in office.

Rule 9

Biennial conference

- (a) A conference shall be held every two years in a town and location chosen by the NEC. The chairman of NEC has discretion to determine whether the conference is quorate, according to the number in attendance.
- (b) All full and life members have the right to take part and vote in the proceedings.
- (c) The lay National Chairperson who shall preside over the conference shall have only one vote.
- (d) The conference shall:
 - (i) Receive the General Secretary's Speech and Report on the state of the BAJ.
 - (ii) Receive and approve the Auditor's reports on the finances of the BAJ since the previous conference.
 - (iii) Revise the rules every four years or as appropriate. The NEC has discretion to review the rules as they deem necessary.
 - (iv) Decide questions of general policy proposed by Chapel Branches, Area Branches, the NEC and individual members.
- (e) Motions shall reach the General Secretary four weeks before the date of conference. The list of motions to be considered will be circulated to all intending participants fourteen days before the conference.
- (f) Any motion or amendment shall need a simple majority to be carried. The General Secretary and all NEC members may speak to any Motion or Amendment and vote thereon.
- (g) Emergency motions, amendments or Rule changes shall be accepted for consideration at conference itself provided conference decides by at least a two-thirds majority that the emergency item should be debated. The General Secretary shall hold an email ballot of all members if at least ten members petition the General Secretary to ask for a ballot over any decision of the Biennial Conference.
- (h) The current NEC, excluding the GS and DGS, will resign their post before the end of the conference and new elections for lay NEC members will be immediately held. All eligible members are permitted to stand for the vacant positions with members present having a single vote on nominees wishing to be elected. Following the election, a National Chairman will be selected under Rule 8(a).

Rule 10

General Secretary

- (a) The General Secretary and the Deputy General Secretary shall be the representative, negotiator and spokesperson for the BAJ and shall perform his/her duties in accordance with trade union laws, the Rules, the Biennial Conference decisions, NEC decisions and ballot decisions.
- (b) The General Secretary shall be responsible for the day to day running of the BAJ office, administration, finances, communications and shall line manage any staff.
- (c) The General Secretary shall be responsible for the content of BAJ News and/or any other communications sent to members.
- (d) The General Secretary shall have a contract of employment agreed between him/her and the NEC.
- (e) The General Secretary shall be elected every five years by a postal ballot of the whole membership. The position will be advertised in the BAJ newsletter. The election will be arranged by the Deputy General Secretary (if the BAJ has one) provided he/she is not seeking the post. In other circumstances, the NEC shall choose the National Chairperson, if practicable, or some other NEC member, who is not seeking the post, to handle the election. The postal ballot shall be conducted as per single transferrable vote and in accordance with trade union laws.
- (f) The salary of the General Secretary shall be determined by the NEC according to the experience and qualifications of the individual but subject to the financial stability of the BAJ.
- (g) Candidates must be BAJ members and must have been working journalists. They shall provide a 500-word statement and full details of their working career, BAJ membership and the names of any other organisations with which they have been associated over the previous two years. All this information shall be included in the ballot papers. If the General Secretary position is uncontested, BAJ News shall within three months publish the names of any other organisations with which the General Secretary has been associated over the previous two years.
- (h) Candidates shall, before the ballot papers are issued, be given equal space in BAJ News to expand on their reasons for seeking the role.
- (i) A proposer of a no-confidence motion to the NEC or the proposer of a no-confidence motion at the Biennial Conference shall put the no-confidence case against the General Secretary who shall be shown this statement and shall have the right to a 1000 word reply. Both statements shall be printed on any ballot form. A simple majority shall be required to carry the no-confidence motion. The ballot shall be arranged by the Deputy General Secretary (if the BAJ has one). If not, an NEC member may conduct the ballot in accordance with the principles of natural justice. The ballot shall be carried out by the Electoral Reform Society.
- (j) If the no-confidence proposal is passed, the General Secretary shall leave office immediately. The provisions under Rule 9(e) on the election of a new General Secretary and rule 9 (i) on the appointment of an Acting General Secretary shall then apply. Pending the election of the new General Secretary, NEC meetings will be chaired as per Rule 6 (c).
- (k) The dismissed General Secretary will receive payment in lieu of notice under his contract of employment in accordance with employment statute. If the General Secretary is dismissed under this clause he or she shall not be eligible to stand for election on NEC or again as General Secretary.

Rule 11

Officials and Staff

- (a) The BAJ may employ such other officials and staff as may be deemed by the NEC to be necessary and affordable. The posts will be advertised in appropriate publications. Officials must be BAJ members.
- (b) The NEC shall have sole responsibility for the appointment of any officials or staff. The General Secretary shall, however, be accompanied by, and have the advice of, two NEC members at interviews of employment or of a BAJ official.
- (c) The contracts of employment and job descriptions for officials and staff shall be drawn up by the NEC.
- (d) The Deputy General Secretary shall cover for the General Secretary when he/she is on leave or sick. He/she shall become Acting General Secretary in the circumstances stipulated under Rule 9(i) and 9(l).
- (e) The NEC shall have the power to acquire by purchase or otherwise, any property whether real or personal including investment and securities and to develop, manage, charge, mortgage, sell, lease, dispose of or grant rights and privileges in respect of such property or deal with such property in any manner as the NEC in its absolute discretion thinks fit. The NEC shall in all instances first take advice from reputable professional advisers.

Rule 12

Discipline

- (a) If a chapel branch, an area branch, an individual member or NEC member receives a complaint about the conduct by a BAJ member which he or she believes may be detrimental to the financial or reputational interests of the BAJ, the alleged conduct must be referred to the Chair of the NEC.
- (b) The NEC shall convene a complaints panel comprising a minimum of two NEC members to hear any complaint against a member. The proceedings shall be conducted in accordance with the principles of natural justice. The members of the Complaints panel must not be connected with the complaint or the complainant.
- (c) The panel shall determine whether the complaint can be considered by a review of documents or whether a hearing is required. If a hearing is deemed necessary in order to serve the interests of natural justice, both parties to the complaint may be represented by another person of his/her choice who shall be a BAJ member.
The panel will inform the parties to the complaint within seven days of either the hearing or of review of the documents. This time may be extended with the agreement of the parties. If the panel upholds the complaint, the panel can either issue a ruling of censure, suspension from the BAJ for up to twelve months, or termination of membership of the BAJ.
- (d) If the complainant does not reply to the ruling within ten days he or she will be taken to have accepted the panel's decision.
- (e) If the complainant informs NEC within ten days that they wish to appeal the panel's ruling the NEC will convene an appeals panel comprised of NEC members who were not involved in the initial panel. The decision of the appeal panel shall be final.

Rule 13

Equality and Diversity

The BAJ will uphold the Equality Act 2010 and will support members who are affected by any of the protected characteristics defined in section 4 of the Act, namely: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

Rule 14

Press Freedom, Broadcasting Freedom, Freedom of Information.

- (a) The BAJ believes that freedom of the press, freedom of broadcasting and freedom of information are essential to the freedom and democracy of the people of our country. Journalists, as defenders of fair play, justice and civil liberties, should have free access to full information involving all public bodies and all levels of central and local government by the lawful means adhering to the Freedom of Information Act, the Data Protection Act 1998, GDPR and the BAJ Code of Conduct.
- (b) The General Secretary, the NEC, Chapel Branches, Area Branches and individual members shall be ever vigilant to protect and promote the freedom of journalists and citizens of our country.
- (c) The BAJ believes that journalists should act responsibly in doing their job, but is opposed to statutory sanctions against journalists.
- (d) The BAJ supports IPSO and its Code of Practice.
- (e) The BAJ will make suggestions to IPSO and relevant authorities as and when appropriate.

Rule 15 Employment

Issues

- (a) The BAJ supports legally binding agreements with employers for staff and freelancers. These could, where mutually acceptable, include no strike clauses provided the agreements include a conciliation procedure culminating in legally binding arbitration.
- (b) If no agreement has been reached which contains legally binding arbitration, the BAJ will support members who take industrial action to defend themselves against unlawful or unfair treatment by their employer, defend colleagues being treated unfairly, defend terms and conditions or to secure the fair settlement of a claim for improved terms and conditions provided always that all agreed procedures have been followed as far as possible.
- (c) Industrial action shall take place only after a postal ballot has been held in accordance with trade union laws and the dispute shall be conducted in accordance with trade union laws.
- (d) The General Secretary shall have power to authorise industrial action by any Chapel Branch provided the ballot shows that a simple majority of the votes cast are in favour of the action.
- (e) The General Secretary shall have a duty to encourage conciliation in any industrial dispute at all times.
- (f) The BAJ shall not pay strike pay, but the NEC in its absolute discretion may make such payments as may be necessary to help anyone in financial difficulties as a result of taking industrial action from the BAJ Hardship fund

[to be reconstituted as a charity]. The NEC shall be entitled to seek a declaration of hardship and the disclosure of relevant financial documents in assessing a request for financial support from a member.

Rule 16

Affiliations

- (a) As a non-political organisation, the BAJ shall not affiliate to any political party or express any political view.
- (b) The BAJ shall be independent but may, if mutually agreed, engage in joint claims and activities with other unions.
- (c) The NEC may affiliate the BAJ to any non-political organisation which promotes the interests of professional journalists.

Rule 17

Rule Changes

- (a) The NEC shall amend the rules in accordance with the decisions of the Biennial Conference and publish on the members' section of the BAJ website the updated version as soon as possible, but in any case within sixty days.
- (b) The NEC shall amend the rules to meet any requirements of the Certification Officer to comply with trade union laws.

Rule 18

Dissolution

- (a) Provided reasonable notice has been given to all members either by letter, email or prominent announcement in BAJ News of a conference at which a proposal will be made that the BAJ will be disbanded, conference may decide by a majority that the BAJ shall disband. The arguments for dissolution will be explained fully in the announcement to members.
- (b) Following a decision to disband the BAJ, the NEC shall realise the BAJ's assets, discharge all the BAJ's liabilities, and shall deposit any surplus in the hardship fund to be distributed to beneficiaries in accordance with the objects of the trust.

Rule 19

Auditors and Accounts

- (a) The BAJ shall appoint qualified accountants to audit its accounts. Such appointment shall be made by the NEC and shall comply with all legal requirements.
- (b) The BAJ NEC may change auditors at its discretion upon giving six weeks' notice to the incumbent auditors.
- (c) The accounts of the BAJ shall be audited annually by the BAJ's auditors and sent to the Certification Officers (Northern Ireland and London Office) in accordance with trade union statute.

BAJ Rules Feb 2019



the union

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