



**Rules of the Associated Society of  
Locomotive Engineers & Firemen  
Revised 2021**

# Revised Rules

of the Associated Society of Locomotive  
Engineers & Firemen  
2021

Established 1880

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*If I'm design'd yon lording's slave -  
Bye Nature's law design'd -  
Why was an independent wish  
E'er planted in my mind?  
If not, why am I subject to  
His cruelty, or scorn?  
Or why has Man the will and pow'r  
To make his fellow mourn?*

BURNS

## **Dear Brothers and Sisters**

ASLEF was created in 1880 and its first Rule Book dates from a year later. Our development as a successful trade union since then could not have happened without a successful and well organised membership. That is to say, one that is disciplined and unified with shared core values at its heart and respect and honour for its traditions.

ASLEF's Rule Book belongs to its members and can only be changed if the members agree to it through the Annual Assembly of Delegates, the parliament of our union.

Discipline and unity are essential for the future success of our development as we organise and represent our members within our industries and in our society. They are also qualities we need if we are to be equipped to defend ourselves from attack by employers, which occur from time to time.

These rules help give guidance and direction in nearly everything that is done in the name of ASLEF by its members and officials. They lay down firm instructions that govern everyone who is a member of our trade union and they help to make us the industrial and political force we are today.

We urge all ASLEF members and activists to read, understand, respect and uphold the union's rules.

*With our best wishes*  
**ASLEF Executive Committee**

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**RULES OF**

**The Associated Society of  
Locomotive Engineers and Firemen**

**List no.**

**RULE 1. TITLE/HEAD OFFICE**

(a) The name of the trade union shall be the 'Associated Society of Locomotive Engineers and Firemen, or the name in its abbreviated version 'ASLEF', may be used.

(b) The Head Office shall be at any such place as the Annual Assembly of Delegates or Special Assembly shall determine.

(c) In the event of any change in the situation of Head Office notice of such change shall be sent to the Certification Officer.

(d) All communications connected with the business of ASLEF shall be addressed to the General Secretary at the Head Office, 77 St John Street, London EC1M 4NN.

**RULE 2. CONSTITUTION OF ASLEF**

(a) ASLEF is a registered trade union, it is part of the Labour and Trade Union Movement and all who join the union are bound by its rules. These rules will apply to all genders.

(b) ASLEF shall consist of an unlimited number of branches composed of members specified in these rules who are or have been employed on any railway and such branches shall in all respects be governed by and be subject to, these rules.

(c) ASLEF shall not be dissolved or merged unless a vote of five/sixths of the whole membership of ASLEF proposes to do so. In the event of a vote reaching the required amount of five/sixths of the total membership, a Special Assembly of Delegates shall determine what shall happen to ASLEF's assets and sanction the instrument of dissolution or merger.



### **RULE 3. OBJECTS OF ASLEF**

**3.1.** The objects of ASLEF are as follows:

- (i) To ensure ASLEF achieves the maximum possible membership density within the grades ASLEF organises or represents as a trade union.
- (ii) To ensure and recognise that the only way our members shall prosper is through the promotion of unity amongst the membership.
- (iii) To gain for all our members, the best terms and conditions of employment that befits their status and professionalism and to secure for our retired members security and dignity in their retirement.
- (iv) To regulate relations between workers and employers, and to settle and negotiate differences and disputes between members of ASLEF and their employers.
- (v) To regulate relations between workers and workers who are members of ASLEF, by the promotion of unity at all times.
- (vi) To promote at all times a pride in our craft and to act in a professional manner, committing ourselves to providing a public service and safety ethos at all times.
- (vii) To assist in the furtherance of the labour movement generally towards a Socialist society.
- (viii) To promote, and develop and enact positive policies in regard to equality of opportunity of employment and treatment in our industries and ASLEF regardless of gender, sexual orientation, marital status, religion, creed, colour, race or ethnic origin or age.
- (ix) To promote and secure legislation or assist in obtaining legislation, to help protect our members during their employment or their general welfare, or the protection of the industry.
- (x) To provide assistance to our members as may be covered by these rules or which may be provided by the Executive Committee.
- (xi) To provide education and training opportunities to our activists and representatives and to promote amongst our members and their employers life long educational opportunities.
- (xii) To recognise that trade unionism is by nature an international movement, and to support and pursue international solidarity with workers globally.

**3.2.** To these ends, in helping the carrying out of Rule 3.1. the following shall be established:

- (i) The establishment of a fund or funds
- (ii) Provision of legal services or legal assistance
- (iii) The establishment of a political fund in accordance with any statutory obligation

**3.3.** For the purpose of promoting these objects and making these methods effective,

ASLEF may aid and join with other organisations having within their objects the promotion of the interests of workers within the scope of any relevant statutory provisions.

## **RULE 4. CONDITIONS OF ASLEF MEMBERSHIP AND CONTRIBUTION RATES**

### **4.1. Ordinary Members**

(a) Only persons entering into the line of promotion to train driver or train operator employed by any railway undertaking, a supervisor who has been so employed and staff involved in the operation of trains on light and volunteer railways shall be eligible to become members of ASLEF and must complete and sign the requisite application form.

(b) No person shall be admitted as a member who is not employed by an undertaking responsible for the operation of trains.

(c) No person shall be admitted into membership unless they are prepared to accept and abide by the rules of the union.

(d) No person shall be admitted into membership of ASLEF if by choice they are members of, supporters of, or sympathisers with, organisations which are diametrically opposed to the objects of the union, such as a fascist organisation.

(e) Notwithstanding anything contained within these rules an Annual or Special Assembly of Delegates may terminate the membership of any Member after giving six weeks notice.

(f) Members employed by any company other than their main employer in the driving of trains, will not be entitled to, or receive any representation or legal services when driving trains for such a company.

(g) Members shall be required to inform ASLEF head office of any changes to the information provided on their application form either directly or via their branch secretary.

### **4.2. Procedure for Applications of Membership**

(a) An application for membership must be presented to the next meeting of the branch covering the location at which the applicant is employed.

(b) A majority vote of members present at a branch meeting shall make a recommendation whether or not the applicant should be admitted as a member of ASLEF and this recommendation must be forwarded to the General Secretary within seven days of the branch meeting.

(c) In the event of the General Secretary not affirming a branch recommendation to reject an application for membership the branch will be informed of a right to appeal to the Executive Committee against the decision within a period of 6 weeks of the date of the notification sent by the General Secretary.

(d) In the event of the General Secretary deciding that the person concerned shall not be admitted in accordance with Rule 4.1, the branch shall be advised of the reasons for the decision and of a right to appeal to the Executive Committee against the decision within a period of 6 weeks of the date of the notification sent by the General Secretary.

(e) In the event of the branch appealing to the Executive Committee against the decision of the General Secretary and if the Executive Committee decide not to admit the person concerned the decision will be conveyed, in writing, to the branch. The decision of the Executive Committee shall be final.

(f) In the event of the Executive Committee deciding to admit an applicant such decision shall be conveyed in writing to the branch. The decision of the Executive Committee shall be final.

(g) Where an application for membership of ASLEF is rejected the individual concerned shall not be eligible to re-apply for a period of four months from the date of rejection.

### **4.3. Membership Contributions**

(a) Membership contributions are essential to the future of ASLEF remaining as an independent trade union and therefore contribution rates and methods of payment shall be determined by the Executive Committee. If variations in contribution rates are greater than RPI (based on February of that year) they shall be placed before the Annual Assembly of Delegates for approval.

(b) There shall be varying scale rates of contribution for ordinary members and out of grade members which are not already determined by rule.

(c) Members of the Retired Members Section shall pay the determined contribution on an annual basis, in consultation with the committee of the Retired Members Section. A proportion of these funds shall be placed into an account for organising and education

purposes.

(d) All members upon being accepted as a member shall receive a monthly copy of the ASLEF Journal, membership badge, lanyard, free diary, free rule book, membership card of branch joining with branch secretary's contact details and branch meeting venue and dates.

(e) Each member when in receipt of pay, including full sick pay from their employer shall continue to pay their contributions in accordance with their pay scale. Members who are on full time hours contracts, shall pay the appropriate scale contribution rates.

(f) Members will be excused payment of contributions under the following circumstances:

(i) Members off sick and not in receipt of sick pay

(ii) Members on Maternity leave, paternity leave or shared parental leave on reduced pay.

(iii) Members on Full Time Education Courses, and not in receipt of any monetary help from any source

(iv) Members on agreed Company career breaks (subject to the production of proof and with the endorsement of the Branch Secretary)

Contributions will resume once the criteria above no longer apply.

(g) Members who are on part time working hours, reduced hours or job share contracts, or off sick and not in receipt of full sick pay for any period of time, providing there is proof and with the recommendation of their branch secretary shall pay a contribution rate determined by the Executive Committee.

(h) Any member covered under the terms of (b) of this rule, reverting back to the conditions of employment of 4.1.(a), shall pay full contributions immediately. If there is any attempt to deliberately falsify employment details or contributions details by the member, this may render the member liable to disciplinary action as determined under Rule 17.

(i) Any member covered under the terms of clause (c) of this rule, reverting back to the conditions of employment of 4.1 (a) will be required to apply for ordinary membership as set out in rule 4.2. If there is any attempt to deliberately falsify employment details or contributions details by the member, this may render the member liable to disciplinary action as determined under Rule 17.

(j) In the event of any member allowing their arrears of contributions to exceed 12 weeks they shall be deemed to be no longer a member of ASLEF and shall have no

further claim on the union whatsoever. For membership to be retained all outstanding contributions must be paid within the 12 week period concerned. Except as determined under 4.3 (b).

#### **4.4. Dual Membership**

(a) Any member of ASLEF who is also a member of another trade union catering for or organising railway workers shall not be eligible for nomination to, or to make application to hold any position, or carry out any elected role within ASLEF.

(b) Any member of ASLEF who is also a member of another trade union catering for or organising railway workers shall not be eligible to nominate any candidate for election to any position or role as covered in Rule 4.4.(a).

(c) Any member of ASLEF who is also a member of another trade union catering for or organising railway workers shall be required to declare their dual membership to ASLEF head office either directly or via their branch secretary.

(d) Any member who is disloyal to ASLEF's interests by opposing official ASLEF candidates in elections, or a member of another railway trade union, who is also a member of ASLEF, who stands in an election on behalf of the other railway trade union against an official ASLEF candidate, shall render themselves to disciplinary action as determined under Rule 17.

#### **4.5. Out of Grade Members**

(a) Members who leave or have been removed from the line of promotion and retained in the industry outside the provisions of Rule 4.1 may remain in membership of ASLEF and will be classified as Out of Grade Members, providing they pay the appropriate scale contributions.

(b) Any member who resigns their employment in the railway industry, or retires from the railway industry, or has to leave the industry due to ill health providing they have 5 years consecutive membership, may join the Retired Members Section or pay a contribution fee as determined by the Executive Committee until they qualify for the Retired Members Section and will be classed as an Out of Grade Member.

(c) This rule will not apply to full time officials who shall remain members of their branches and be classified as Out of Grade Members and pay contributions determined by the Executive Committee.

(d) Members dismissed from the railway industry may continue to be members of ASLEF either by joining the Retired Members Section if they have 5 years consecutive membership, or remain as Out of Grade Members and pay contributions as determined by the Executive Committee. If the member resumes alternative railway employment, the member shall pay the relevant scale of contribution again.

(e) Members who are dismissed due to their trade union activities on behalf of ASLEF either by instruction from the Executive Committee, Annual Assembly of Delegates or Special Assembly of Delegates may continue free membership as Out of Grade Members or join the Retired Members Section, if they qualify.

(f) Members in accordance with 4.5 (a) to 4.5 (e) shall receive benefits as listed under rule and may receive rights to representation including legal services at the discretion of the General Secretary.

#### **4.6. Retired Members Section**

(a) Members who have reached retirement age with their employer and have been retired; have 5 consecutive years membership of ASLEF and their membership contributions are fully paid up at their date of retirement, are eligible to make an application in writing to the General Secretary to join the ASLEF Retired Members Section.

(b) Members joining the Retired Members Section will receive their first year's membership free of charge, then be required to pay an annual subscription as determined by the Executive Committee in consultation with the Committee of the Retired Members Section. An annual reminder will be sent each year by the General Secretary, at least 2 calendar months before the subscription is due for renewal.

(c) Any retiring member making an application to join the Retired Members Section but refused admittance, or refused renewal of their application by the General Secretary, shall be informed of the decision and the reason why.

(d) The person concerned may appeal against the General Secretary's decision to the Executive Committee in accordance with rule. The decision of the Executive Committee shall be final and shall be conveyed to the person concerned in writing.

(e) A record will be kept of all members of the Retired Members Section by the General Secretary and the onus will be on the members to ensure notification is provided regarding changes of address.

(f) Members of the Retired Members Section shall remain members of their branch, and

within 12 weeks of retiring and joining the section will have continuous membership of the trade union. They will also be allowed to transfer if required. They shall be entitled to participate in branch meetings. They shall have the right to participate in debates and speak but shall not have the right to move, second or vote.

(g) Members of the Retired Members Section shall not be entitled to hold any branch position except representing the branch on Trades Councils, Local Labour Parties or retired pensioners' organisations. When providing representation on behalf of the branch under this clause, members of the Retired Members Section shall be subject to, and act at all times in accordance with the policy of the ASLEF.

(h) Free initial legal advice will be available for members of the Retired Members Section other legal assistance may also be provided at the discretion of the General Secretary. Members of the Retired Members Section shall not be entitled to any form of representation or legal assistance in relation to matters concerning current employment.

(i) All members upon enrolment into the Retired Members Section will be issued with a welcome pack including a Retired Members Section membership badge, contact details for Retired Members Section committee members, and information with regard to Section AGM. Members will continue to receive a monthly copy of the ASLEF Journal, a diary and other membership benefits, as determined by these rules or the Executive Committee.

(j): The Branch membership list received by Branch Secretaries from Head Office will include a separate record of all the retired members attached to the branch.

#### **4.7. Honorary Members**

(a) Honorary membership status may be bestowed on individuals. This can be done through either a decision of the Executive Committee or Annual Assembly of Delegates or on a request for consideration to the Executive Committee from a branch or District Council.

(b) Members recommended must have made outstanding contributions to ASLEF and to the industry or the Labour and Trade Union Movement.

(c) Existing ASLEF members will normally only be considered for honorary membership on or after retirement.

(d) Individuals not normally eligible for ASLEF membership as outlined in Rules 4.1 (a) &

(b) may be considered for honorary membership in line with the conditions set out in Rules 4.7 (a) & (b).

(e) Those awarded honorary membership status will be issued with a certificate, a special badge and a membership card allowing them life long free membership of the Retired Members Section.

#### **4.8 Membership Presentation Awards**

(a) Members having achieved 5, 10, 15, 20, 25, 30, 35, 40 or 45 consecutive years membership will receive special union service badges to mark these achievements. Any member achieving 50 years consecutive membership including Out of Grade or Retired Section membership will be awarded a medallion. Members having achieved 55, 60 (and then in increments of 5 years) consecutive years membership will receive special union service certificates to mark these achievements.

(b) Where branches consider it appropriate they can endorse the presentation of special loyalty badges and branch certificates to branch members for outstanding services, subject to Executive Committee approval.

(c) Any retiring Member shall be awarded a retirement certificate provided that they have completed a minimum of 5 years consecutive membership.

### **RULE 5. ASLEF FULL TIME OFFICERS**

**5.1** There shall be a General Secretary, an Assistant General Secretary and eight District Organisers. All full time officers shall report to the General Secretary and be under the control of the Executive Committee.

#### **5.2 Duties of The General Secretary**

(a) The General Secretary shall act under the control of and implement all decisions of the Executive Committee and the main duties of the post shall include:

- i. being the lead spokesperson and main ASLEF point of contact
- ii. at all times upholding the authority of and carrying out the instructions of the Executive Committee.
- iii. keep all documents, accounts and papers associated with the position in such a manner as the Executive Committee shall direct.
- iv. Not hold the dual position of General Secretary and Member of Parliament.
- v. consideration to initial membership applications.
- vi. ensuring the operation of all disciplines and appeals procedures as determined by



rule.

vii. control and authorisation of legal assistance to members.

viii. attend the Annual Assembly of Delegates.

ix. attend all meetings of the Executive Committee and ensure that decisions are implemented.

x. arrange meetings with officers.

xi. oversee Industrial Relations issues and Health & Safety issues.

xii. arrange officers and Executive Committee safety meetings.

xiii. arrange meetings of the Representative Committees.

xiv. be a delegate to the Trades Union Congress, Labour Party Conference and ITF Congress except when otherwise decided by the Executive Committee.

xv. be responsible for and have sole charge of ASLEF Head Office.

xvi. transact all the union's business, conduct the general correspondence keeping copies of all letters written and received for such periods as deemed necessary or required by relevant statutory obligation.

xvii. send to the Certification Officer every year before the first day of June, the Annual Report and Financial statements along with a copy of the rules in force at the end of the previous year.

xviii. keep ASLEF's accounting records in a form and for such period that accords with any relevant statutory obligations.

xix. keep a register of branches and members' names and addresses stating where and when admitted, gender, age, ethnic origin and the members' employers and grade of employment, along with scale of membership.

xx. provide the necessary books, cards and instruction for new branches and instruct the District Organiser concerned to examine the transfers of members into the branch concerned and to take charge at the inaugural meeting until branch officers are elected.

xxi. publish each year a directory containing branch meeting dates/venues etc., telephone, email, mobile phone, fax of ASLEF representatives

xxii. keep a record of the retired members section

xxiii. to do all other matters that are in the best interests of ASLEF and the membership.

xxiv. to arrange and attend the diarised monthly finance committee meetings and ensure that the provisions of rule 20 are carried out.

xxv. to arrange financial training for Officers, Executive Committee members and Trustees as appropriate

### **5.3 The General Secretary shall also:**

i. not write any circular, letter or other document, or take part in any meeting to oppose the Executive Committee, or in any way act in opposition to their wishes.

- ii. only write or answer correspondence through the medium of the Branch Secretaries or other representatives authorised by the Executive Committee, the Annual or Special Assemblies of Delegates, unless provided elsewhere within the rules.
- iii. make available to members and other persons, records of the union in accordance with relevant statutory obligations.

#### **5.4 Duties of Assistant General Secretary**

(a) The Assistant General Secretary shall work in accordance with the instructions of the General Secretary and the Executive Committee. The post holder must at all times uphold the authority of the Executive Committee and not write any circular, letter or document, take part in any meeting or in any way act in opposition to their wishes. In the prolonged absence of the General Secretary the post holder shall be responsible for covering the General Secretaries duties if authorised by the Executive Committee in accordance with Rule 6.3(k)

##### **The post holder shall be responsible for:**

- i. Company Negotiations as determined from time to time by the General Secretary.
- ii. The implementation of ASLEF equality agenda and training policy.
- iii. Recruitment and recognition agreements.
- iv. inter-union relations.
- v. Provide cover for District Organisers who may be on leave or sick leave.
- vi. Attending officers' meetings.
- vii. Attending officers' and Executive Committee Safety meetings.
- viii. Attending Company specific safety committees.
- ix. Attend inquiries following a railway accident.
- x. Attend Executive Committee sessions with Company Representatives to report on negotiations or other developments when asked to do so.
- xi. Attendance at AAD and the Executive Committee meetings when instructed to do so.

#### **5.5 Duties of District Organisers**

(a) District Organisers shall work in accordance with the instructions of the General Secretary and the Executive Committee.

The post holder shall be responsible for:

- i. Acting as lead officer in Company Council negotiations, as determined from time to time by the General Secretary.
- ii. Attending officers' meetings.

- iii. Attending officers' and Executive Committee Safety meetings.
- iv. Attending Company specific safety committees.
- v. Attendance at branch meetings in their Districts on a regular basis.
- vi. Organise meetings of members and representatives on a regular basis.
- vii. Provide representation at disciplines and appeals.
- viii. Attend Inquests.
- ix. Attend inquiries following a railway accident.
- x. Attend Executive Committee sessions with Company Representatives to report on negotiations or other developments when asked to do so.
- xi. Organisation of educational forums for members and representatives.
- xii. Examination of branch books and reports to the Executive Committee.
- xiii. Quarterly reports to the Executive Committee on their activities and business transacted on behalf of ASLEF.
- xiv. Attendance at AAD and the Executive Committee meetings when instructed to do so.
- xv. Assist in the recruitment of new members.

## **RULE 6. ASLEF EXECUTIVE COMMITTEE**

### **6.1 Executive Committee Duties**

- (a) There shall be eight Executive Committee members who shall meet for the ordinary business of ASLEF for a minimum of one week in each calendar month.
- (b) Special sessions may be convened if the General Secretary and Executive Committee President agree there is a requirement.
- (c) They shall publish an annual report after the close of year which shall be in such form and be signed by such persons as the Certification Officer may require and shall contain detailed items of income and expenditure, assets and liabilities. It shall also contain the wages, railway fares and expenses of the Executive Committee, General Secretary, Assistant General Secretary, District Organisers, Company Council Representatives or their equivalent and the wages of the office staff, each item to be separate.
- (d) It shall be the duty of the Executive Committee to provide the General Secretary with a sufficient number of copies of the Annual Report and Financial Statements, and it shall be his/her duty to supply gratuitous copies, on application, to every member or person interested in the funds of the union.
- (e) The Executive Committee shall determine anything upon which the rules are silent.

(f) They shall attend meetings organised by the members for the purpose of organising or giving their report, upon receiving instructions from the General Secretary to do so.

(g) The President and Vice President or their nominated deputies shall attend the Annual Assembly of Delegates of the union but no member of the Executive Committee shall attend as a delegate.

(h) They shall provide suitable offices and staff for the transaction of the business of the union.

(i) They shall ensure the provision of educational opportunities for the membership.

(j) They shall make available to branches a full and concise monthly report on the whole of the work performed by them on behalf of the union, which shall include both the individual and collective activities of the Executive Committee members, and a complete record of the voting.

(k) The President or in their absence the Vice-President, of the Executive Committee, shall attend the diarised monthly finance committee meeting and carry out the provisions of rule 20.

(l) Executive Committee members are to attend financial training courses as organised by the General Secretary.

## **6.2. Executive Committee Terms of Office**

(a) The Executive Committee shall consist of eight members. The normal term of office shall be 4 years and nominees for these positions must have had 5 years consecutive membership, be clear on the membership records and able to complete a full term in office.

(b) Elected members who on expiry of their terms of office are unable to complete a full term of office but able to complete 12 months of office prior to attaining normal retirement age, shall be permitted to continue in office until they attain normal retirement age.

(c) The Executive Committee shall order the election of members to fill the vacancies.

(d) The Executive Committee shall divide the whole of the branches into eight districts. Each district shall elect one member each branch being allowed to nominate one

member. The method of voting shall be in accordance with Rule 9.A.(3).

(e) Every vacancy occurring on the Executive Committee, whether by death, removal, expulsion or resignation, shall be filled by the district concerned and the election will be conducted in accordance with Rule 9.A.

### **6.3 Executive Committee Powers**

(a) The Executive Committee shall appoint each year its own President and Vice President. Five members shall form a quorum

(b) The Executive Committee shall have the power to suspend from office pending investigation into a disciplinary offence if the matter is of a serious nature, one of their own, and any Full Time Official.

(c) The Executive Committee shall exercise full control over the funds of ASLEF in strict accordance with these rules and shall have the power to appoint a special audit.

(d) All monies received on account of contributions, levies, donations or otherwise, shall be applied towards carrying out the objects of the union according to its rules. Should any officer or member take any sum of money from the funds of the union which may have been entrusted to them and appropriate same for their own use, or otherwise dispose of it without authority, or commit an offence against any statutory obligations, they shall be dealt with by the Executive Committee under Rule 17.

(e) Whenever they consider it necessary, the Executive Committee shall institute legal proceedings against any officer or member who may in any way defraud the union. Also against any Trustee or Trustees who may refuse to sign and deliver up to any person appointed by the Executive Committee to receive same, all bank books, cheques and other documents and materials which may be in their possession, or under their control, or which require their signatures.

(f) The Executive Committee shall institute all legal proceedings on behalf of the union and have power to take any lawful steps they think proper to enforce their decisions and the decisions of the Appeals Committee.

(g) The Executive Committee may submit any question they think fit to the members of the union for the purpose of obtaining instructions thereon and the votes of the members shall be final.

(h) The Executive Committee has the power to make an order upon any branch monies

to discharge any bills or debts contracted by or on account of the union by such a particular branch.

(i) Should any branch or branches refuse to remit monies upon the order of the Executive Committee directing such a remittance the Executive Committee may suspend the branch.

(j) The Executive Committee shall give instructions to the General Secretary in relation to the duties of that post and shall have the power to appoint assistants in the office when required, who shall act under the control of the General Secretary and the Executive Committee.

(k) In the event of the General Secretary being unable through illness or any other cause to carry out the duties of that post the Executive Committee shall have the power to fill the position pro tem.

(l) The Rules of ASLEF and the resolutions and instructions of the Annual Assembly of Delegates shall be enforced by the Executive Committee.

(m) Should any dispute arise amongst the members of the Executive Committee, branches shall accept the statement of the majority, signed by the President of the Executive Committee.

(n) The opening of new branches or the closure of branches shall be endorsed by the Executive Committee.

(o) The Executive Committee shall have the power to decide at any time to withdraw members from their employment or take any other form of industrial action.

(p) The Executive Committee shall have the power to inaugurate proposed industrial action in the interests of the members in whatever form. No single branch or group of branches may enter into an agreement with the headquarters or branch of any other trade union or organisation for the purpose of negotiating industrial action or withdrawal of labour unless application has been received from the Head Office of the other trade union concerned or other organisation. The Executive Committee sanction must be obtained in the first instance.

(q) Unless proposals for industrial action are submitted to the Executive Committee and receive their sanction, no benefits or payments from the union's funds will be allowed.

(r) So much of the funds of the union as may not be wanted for immediate use shall,

with the consent of the Executive Committee, be invested in the names of the Trustees in such of the following ways as such committee shall direct, namely, upon a deposit account with any bank, in the National Savings Bank, in the Public Funds, or upon Government real or leasehold securities, or upon the debentures or mortgages or other securities of any company incorporated by charter or Act of Parliament paying a dividend, or upon the security of any County, Borough, or other rates authorised to be levied or mortgaged by Act of Parliament.

(s) The Executive Committee shall ensure that a proportion of the union's funds are held in a separate account for the sole use of relieving distress/hardship of members who have withdrawn their labour under the instruction or sanction of the Executive Committee or Annual Assembly of Delegates or Special Assembly of Delegates. The details of such account, shall be printed under separate heading in the Annual Report and Financial Statements.

(t) The Executive Committee may, in the names of the Trustees of the union, hold, purchase, or take on lease, any land and may sell, exchange, mortgage, lease or build upon the same (with power to alter and pull down buildings and again rebuild), and no purchaser, assignee, mortgage, or tenant shall be bound to inquire as to the authority for any sale, exchange mortgage, or lease by the Trustees, and the receipt of the Trustees shall be a discharge for all monies arising from or in connection with such sale, exchange, mortgage, or lease.

#### **6.4. Complaints and Disputes**

(a) Should any claim or complaint be made or dispute arise concerning the actions or activities of members, branches or officers of ASLEF which is related to the provisions or application of the Rules of ASLEF, but to which the provisions of Rule 17 do not apply, the matter shall be determined by the Executive Committee in accordance with the Rules of ASLEF.

(b) The Executive Committee shall also hear appeals regarding applications for membership but only as outlined in 4.2 (c) and 4.2 (d).

#### **RULE 7. ASLEF APPEALS COMMITTEE**

(a) The Appeals Committee shall consist of eight members, one from each district and elected in accordance with Rule 9.C. Non Statutory Election procedures. The term of office shall be three years with a certain number of members of the Appeals Committee retiring each year, every vacancy or casual vacancy shall be filled in accordance with Rule 9.C. The successful candidate for a casual vacancy shall only complete the previous

member's term of office. All Appeals Committee members shall be eligible for re-election.

(b) Members eligible for election must have five years' consecutive membership of the union, and their membership contributions are fully paid up. The General Secretary, Assistant General Secretary, District Organisers, members of the Executive Committee, Trustees of ASLEF shall not be eligible to serve on the Appeals Committee.

### **7.1. Appeals Committee Duties and Power**

(a) The Appeals Committee shall elect a Chair from their own number. Five members shall form a quorum. Secretarial assistance to the Appeals Committee shall be provided by the General Secretary.

(b) The Committee shall arrive at its decisions by a majority vote of those members present at the hearing. In the event of equality of votes the Chair shall exercise an additional casting vote.

(c) The Appeals Committee shall hear appeals from members against any expulsion or other disciplinary decision by the Executive Committee. The Appeals Committee shall have the power to endorse, to set aside, or to vary any such decisions of the Executive Committee. Any variation made by the Appeals Committee to any penalty imposed by the Executive Committee must comply with the provisions of Rule 17.

(d) The Appeals Committee shall be convened once each quarter, provided there are appeals to be heard which have been lodged with the General Secretary in accordance with the provisions of Rule 17 or otherwise when determined by the Executive Committee. The applicant shall be given not less than 28 days' notice in writing of the date, time and place and the procedures to be followed at the hearing before the Appeals Committee. Any written evidence submitted in connection with the hearing of the case before the Executive Committee in accordance with Rule 17, shall be circulated to the members of the Appeals Committee and the applicant.

(e) The applicant shall be afforded a full and fair hearing before the Appeals Committee.

(f) The applicant and the Executive Committee shall be allowed to submit further written evidence or testimony to the Appeals Committee in support of their respective cases not later than 21 days before the hearing by the Appeals Committee. Such evidence will be forwarded to the Applicant or the Executive Committee as appropriate at least 14 days before the hearing by the Appeals Committee. The applicant will be able orally to supplement any written evidence or testimony submitted, to call other



members of ASLEF as witnesses, to hear the evidence against them and to have an opportunity of answering it, and to question the applicant's own and the union's witnesses.

(g) The President of the Executive Committee and the General Secretary or appointed deputies shall have responsibility for presenting the case on behalf of the Executive Committee. They shall be able orally to supplement any written evidence or testimony submitted by the Executive Committee, to call other members of ASLEF as witnesses and to question the applicant's and the union's witnesses. At the hearing of appeals by the Appeals Committee against decisions of the Executive Committee under Rule 17 the President of the Executive Committee and the General Secretary or appointed deputy or deputies shall attend the hearing of the appeal in order to explain the reasons for the decision of the Executive Committee.

(h) At the appeal no new charge or issue may be raised by the applicant or the Executive Committee.

(i) ASLEF will reimburse all reasonable travel and food expenses in accordance with the provisions of 17.3.(e).

(j) The findings of the Appeals Committee shall be final and binding and shall be conveyed to the General Secretary within seven days of the hearing, who shall inform the applicant within seven days thereafter and the Executive Committee at their next following meeting.

(k) That any member whose application for an appeal has been rejected by the Executive Committee, the relevant documentation applicable to the matter be forwarded to the members of the Appeals Committee for their records.

## **RULE 8. ASLEF TRUSTEES**

### **8.1. Trustee Powers**

(a) The Trustees shall take action, with the consent of the Executive Committee, to bring or defend, or cause to be brought or defended, any action, suit, prosecution or complaint, in any court or equity, touching or concerning the property, right or claim to property of ASLEF

(b) Any Trustee having been removed from office who shall refuse, or neglect to convey, assign, or transfer or deliver up any property of the union as the Executive Committee shall direct, shall be dealt with in accordance with the provisions of Rule 17.

## **8.2. Trustee Duties**

(a) At least one Trustee shall attend the Executive Committee, as stipulated in rule 20 – Finance Committee, on a monthly basis which is to be diarised, for the purpose of reporting the activities of the committee which the Executive Committee may take into account in carrying out it's functions.

(b) One Trustee shall attend the Annual Assembly of Delegates on the designated finance day for the purpose of providing factual information on financial matters which the AAD may take into account in carrying out its functions. The designated Trustee attending shall have the right to speak and to reply to questions.

(c) Each Trustee shall be entitled to sit exofficio with the Executive Committee to discuss the monthly Finance Committee report.

(d) Trustees shall invest and withdraw the funds of ASLEF as instructed by the Executive Committee subject to the instructions not being in contravention of any statutory obligation and the rules of the union.

(e) All investments in the name of ASLEF shall, as far as practicable be invested with due regard to certain social and environmental responsibilities and ethical based approach, based on the best traditions of the Labour and Trade Union movement.

(f) The trustees are to attend the training sessions as authorised by the Executive Committee for the purpose of fulfilling their obligations.

## **8.3. Trustee Terms of Office**

(a) There shall be three Trustees.

(b) They shall be elected in accordance with Rule 9.C, Non Statutory Election Procedures. The normal term of office shall be three years and nominees must be clear on the membership records and have 5 consecutive years membership. They must also be able to complete their period in office prior to attaining their normal retirement age.

(c) One Trustee's term of office shall end each year but be eligible for re-election subject to the qualification requirements.

(d) Vacancies occurring by reason of death, resignation, discipline, or retirement from the rail industry shall be filled by the Executive Committee by way of an election under

Rule 9.C Non Statutory Election Procedures for the remaining period of office for the person concerned. Where the period remaining is less than six months the Executive Committee may appoint a member pro tem.

(e) Members elected to the post of Trustee shall take up office on the first Monday of July for a period of three years

(f) The General Secretary, Assistant General Secretary, District Organisers, members of the Executive Committee and Appeals Committee members of ASLEF shall not be eligible to serve as an ASLEF Trustee.

**RULE 9. ASLEF ELECTION PROCEDURES**  
**SECTION A STATUTORY ELECTIONS**  
**ELECTION PROCEDURES FOR: GENERAL SECRETARY AND EXECUTIVE COMMITTEE MEMBERS**

**9.A.1. General Secretary**

(a) The General Secretary shall be elected by the members of the union in accordance with the statutory elections under Rule 9.A.3 procedures.

(b) Any member who is clear on the membership records of their branch and who has been a member of ASLEF for five consecutive years immediately preceding the date on which the Executive Committee seeks nominations and is able to complete a five year term of office is eligible for nomination. If elected the member concerned must continue their membership of the ASLEF.

(c) Members elected to the position of General Secretary shall take up their position:

- i) immediately following the date of the Executive Committee's adoption of the scrutineers' report where a vacancy exists; or
- ii) In line with the statutory provision but no longer than 6 weeks following the closing date of the ballot, where a candidate will be declared the winner of the election.

Any member elected to the position of General Secretary may occupy the position for a period of five years from the date they take office but not beyond their 65th birthday. Any member elected to the position of General Secretary and unable to complete the further full 5 years term in office prior to attaining 65 years of age shall be permitted to stand for reelection. Where they have less than 12 months prior to their 65th birthday the member will be allowed to continue in office as the General Secretary without an election.

(d) Members elected to the position of General Secretary on completing 5 years in office and under the age of 64 may submit themselves for reelection.

(e) Any member on being elected to the position of General Secretary shall reside in a place compatible with their duties and requirements of the post. Where necessary such residence will be provided by the union, as determined by the Executive Committee and only for the duration of the term of office in question.

### **9.A.2. The Executive Committee**

(a) The Executive Committee shall consist of eight members. The normal term of office shall be 4 years and nominees for these positions must have had 5 years consecutive membership, be clear on the membership records and be able to complete a full term in office. If elected, the member concerned must continue their membership of the ASLEF.

(b) Elected members who on expiry of their terms of office are unable to complete a full term of office but able to complete 12 months of office prior to attaining 65 years of age shall be permitted to continue in office until their birthday at 65 years of age.

(c) The Executive Committee shall order the election of members to fill the vacancies.

(d) The Executive Committee shall divide the whole of the branches into eight districts. Each district shall elect one member, each branch being allowed to nominate one member.

(e) The method of voting shall be in accordance with Statutory Elections Section 9.A.3. procedures

(f) Members of the Executive Committee may hold any office in their branch, except branch or assistant branch secretary.

(g) Executive Committee members cannot hold the dual posts of Full Time Officer or Company Councillor or its equivalent.

(h) Every vacancy occurring on the Executive Committee, whether by death, removal, expulsion or resignation, shall be filled by the district concerned and the election will be conducted in accordance with the Statutory Elections Section Rule 9.A.3. procedures.

### **9.A.3. Statutory Election Procedures A**

- (a) Elections will be conducted in accordance with any relevant statutory obligations and at such times as the Executive Committee may determine in accordance with the union's rules.
- (b) The candidate receiving the highest number of votes shall be the elected candidate provided an absolute majority over the other candidates is achieved. Failing this a second ballot will be taken between the two candidates receiving the highest number of votes.
- (c) The Executive Committee will set a deadline for receipt of nominations. This date will not be less than 42 days after the circular is issued by the General Secretary seeking nominations. Nomination papers must bear the branch stamp, show the meeting date, show a mover and a seconder of the nominee(s) and be signed by the branch chair and secretary or in their absence by their elected deputies. All nominees must be clear on the membership records.
- (d) A standard list of abbreviations will be issued to candidates with their nomination form. The Executive Committee will set a deadline for receipt of election addresses and photographs from candidates. This will be not less than 7 days after the date for receipt of nominations.
- (e) The candidate's address must not exceed 500 words. Additionally, a candidate may submit for inclusion in their election address, one photographic image not exceeding 4cm in width and 6cm in depth.
- (f) An election address which exceeds the number of words stated will be terminated at the point it exceeds the permitted number of words. Where the photographic image does not comply with the requirements set out in the immediately preceding paragraph, then the photograph will be returned to the candidate and not issued to the electors. ASLEF will not sanction an election address to be printed that contains material that is offensive, libellous, threatening or contains abusive remarks.
- (g) The union will initially bear the costs of producing copies of election addresses.
- (h) An election address will not be changed unless the change is a necessary part of the production process.
- (i) Any civil or criminal liability in respect of publishing or copying an election address for the purpose of the election rests solely with the candidates concerned.

(j) So far as reasonably practicable, copies of every election address received before any deadline set and which comply with the requirements set out in 9.A. will be sent by post, with the voting papers, to all the members who are entitled to vote in the election.

(k) ASLEF will reclaim all allowable expenses defined in any relevant statutory provisions.

(l) Except as provided for in 9.A.3 no branch, member or members may issue or cause to be issued any circulars, letters or other material, seeking support for a candidate in an election.

(m) Branch officers and or other members who have acted contrary to 9.A.3. (l) of this rule will be liable to disciplinary action by the Executive Committee under Rule 17.

(n) Every current member paying contributions in accordance with Rule 4.3.(b) and eligible to vote in an election, will be sent a voting paper by post to their home address or any other address which they ask the union , in writing, to treat as their postal address, and be given a convenient opportunity to return it by post.

(o) The Executive Committee will, before a ballot takes place, appoint a qualified independent scrutineer to carry out the functions specified in any relevant statutory provisions.

(p) The independent scrutineer will be required to:

- (i) supervise the production and distribution of all the voting papers used in the ballot ;
- (ii) be the person to whom the voting papers are returned by the union's members who take part in the ballot ;
- (iii) take whatever steps considered necessary to enable the production of a report on the conduct of the ballot ;
- (iv) make a report to the General Secretary as soon as reasonably practicable after the closing date for the return of voting papers;
- (v) retain custody of all returned voting papers for a period of one year following the announcement of the result of the ballot, or for any longer period that the Certification Officer or Court may require;
- (vi) carry out any additional functions that the Executive Committee requires the scrutineer to undertake;
- (vii) state in the report on the ballot to the General Secretary:
  - the number of voting papers distributed;

- the number of voting papers returned to the scrutineer;
- the number of valid votes cast for each candidate;
- the number of returned voting papers which were spoiled or otherwise invalid;
- there are no reasonable grounds for believing that the conduct of the ballot contravened any legislative requirements;
- that security arrangements for the production, storage, distribution, return or other handling of the voting papers and for the counting of them were, so are as reasonably practicable sufficient to minimise the risk of any unfairness or malpractice; and
- that the scrutineer was able to carry out all functions without any interference which would cast reasonable doubt on the independence from the union.

(q) If the scrutineer is not satisfied on the above matters an explanation should be given as to why that is the case.

(r) The scrutineer's report will be submitted to the Executive Committee who will direct the General Secretary to notify all branches of its content and advise the successful candidate the date on which they take up office. Such notifications will be made within 3 months following the date of receipt of the report.

(s) The notification to branches will contain a statement that ASLEF will on request, supply any member with a copy of the report, on payment of a reasonable fee as specified by the Executive Committee.

## **SECTION B NON STATUTORY ELECTIONS ELECTION PROCEDURES FOR ASSISTANT GENERAL SECRETARY AND DISTRICT ORGANISERS**

### **9.B.1. Assistant General Secretary**

(a) The Assistant General Secretary shall be elected by the members of the union in accordance with the Non Statutory Elections, Rule 9.B.3 procedures. Any member who is clear on the membership records of their branch and who has been a member of ASLEF for five consecutive years immediately preceding the date on which the Executive Committee seeks nominations and is able to complete a five year term of office is eligible for nomination. If elected the member concerned must continue their membership of the ASLEF.

(b) Members elected to the position of Assistant General Secretary shall take up their position:

- (i) immediately following the date of the Executive Committee's adoption of the scrutineers' report where a vacancy exists; or

(ii) Within a 6 week period following the closing date of the ballot, where a candidate will be declared the winner of the election.

Any member elected to the position of Assistant General Secretary may occupy the position for a period of five years from the date they take office but not beyond their 65th birthday.

Any member elected to the position of Assistant General Secretary and unable to complete the further full 5 year term in office prior to attaining 65 years of age shall be permitted to stand for reelection. Where they have less than 12 months prior to their 65th birthday the member will be allowed to continue in office as the Assistant General Secretary without an election.

(c) Members elected to the position of Assistant General Secretary on completing 5 years in office and under the age of 64 may submit themselves for reelection.

(d) Any member on being elected to the position of Assistant General Secretary shall reside in a place compatible with their duties and requirements of the post. Where necessary such residence will be provided by the ASLEF, as determined by the Executive Committee.

### **9.B.2. District Organisers**

(a) District Organisers shall be elected by the members of their respective districts for periods of 5 years commencing:

- (i) from the Monday following the date of the adoption of the relevant scrutineers report by the Executive Committee in cases where vacancies exist; or
- (ii) from the Monday prior to the retirement and/or resignation date of the District Organiser concerned.

(b) Retiring District Organisers shall be eligible for reelection.

(c) Any elected District Organiser seeking another term of office and able to complete 12 months in office but unable to complete the further full 5 years term in office prior to attaining 65 years of age shall be permitted to stand for reelection. Where they have less than 12 months prior to their 65th birthday District Organisers will be allowed to continue in office without an election.

(d) Candidates seeking nomination and election for the positions of District Organisers must:

- (i) be clear on the membership records;
- (ii) have been members for 5 consecutive years;



(iii) be a member of a branch in the respective Districts where the vacancy arises; (iv) and must reside in an area which in the opinion of the Executive Committee is compatible to being able to service the District concerned.

(v) Branches in Districts where the vacancies arise may nominate candidate(s) for such vacancies and voting will be in accordance with Rule 9.B.(3) nonstatutory election procedures.

(vi) District Organisers must continue to be members of their branches within their respective districts and continue to reside in accordance with 9.B.2.(d).(iv). However, if in exceptional circumstances, they are unable to continue to reside within their respective district, the Executive Committee shall be empowered to permit them to continue in office.

(vii) District Organisers, where relevant, not complying with Rule 9.B.2.(d).(iv) shall be immediately removed from office by the Executive Committee.

(viii) Should two thirds of the branches in any particular district be dissatisfied with their representative, they shall have the power to demand a poll of the members of that district.

### **9.B.3. Non Statutory Election Procedures**

(a) Elections will be conducted at such times as the Executive Committee may determine in accordance with the union's rules.

(b) The candidate receiving the highest number of votes shall be the elected candidate provided an absolute majority over the other candidates is achieved. Failing this a second ballot will be taken between the two candidates receiving the highest number of votes.

(c) The Executive Committee will set a deadline for receipt of nominations. This date will be not less than 42 days after the circular is issued by the General Secretary seeking nominations. Nomination papers must bear the branch stamp, show the meeting date, show a mover and a seconder of the nominee(s) and be signed by the branch chair and secretary or in their absence by their elected deputies. All nominees must be clear on the membership records.

(d) A standard list of abbreviations will be issued to candidates with their nomination form. The Executive Committee will set a deadline for receipt of election addresses and photographs from candidates. This will be not less than 7 days after the date for receipt of nominations.

(e) The candidate's address must not exceed 500 words. Additionally, a candidate may submit for inclusion in their election address, one photographic image not exceeding

4cm in width and 6cm in depth.

(f) An election address which exceeds the number of words stated will be terminated at the point it exceeds the permitted number of words. Where the photographic image does not comply with the requirements set out in the immediately preceding paragraph, then the photograph will be returned to the candidate and not issued to the electors. ASLEF will not sanction an election address to be printed that contains material that is offensive, libellous, threatening or contains abusive remarks.

(g) The Union will initially bear the costs of producing copies of election addresses.

(h) An election address will not be changed unless the change is a necessary part of the production process.

(i) Any civil or criminal liability in respect of publishing or copying an election address for the purpose of the election rests solely with the candidates concerned.

(j) So far as reasonably practicable, copies of every election address received before any deadline set and which comply with the requirements set out in Rule 9.B.3. will be sent by post, with the voting papers, to all the members who are entitled to vote in the election.

(k) Except as provided for in Rule 9.B. no branch, member or members may issue or cause to be issued any circulars, letters or other material, seeking support for a candidate in an election.

(l) Branch officers and or other members who have acted contrary to 9.B.3.(k) of this rule will be liable to disciplinary action by the Executive Committee under Rule 17.

(m) Every current member paying contributions in accordance with Rule 4.3.(b) and eligible to vote in an election, will be sent a voting paper by post to their home address or any other address which they ask the union, in writing, to treat as their postal address, and be given a convenient opportunity to return it by post.

(n) The Executive Committee will, before a ballot takes place, appoint a qualified independent scrutineer to carry out the functions specified in any relevant statutory provisions.

(o) The independent scrutineer will be required to:

- (i) supervise the production and distribution of all the voting papers used in the ballot ;
- (ii) be the person to whom the voting papers are returned by the union's members who

take part in the ballot;

(iii) take whatever steps considered necessary to enable the production of a report on the conduct of the ballot;

(iv) make a report to the General Secretary as soon as reasonably practicable after the closing date for the return of voting papers;

(v) retain custody of all returned voting papers for a period of one year following the announcement of the result of the ballot, or for any longer period that the Certification Officer or Court may require;

(vi) carry out any additional functions that the Executive Committee requires the scrutineer to undertake;

(vii) state in the report on the ballot to the General Secretary:

- the number of voting papers distributed;
- the number of voting papers returned to the scrutineer;
- the number of valid votes cast for each candidate;
- the number of returned voting papers which were spoiled or otherwise invalid; there are no reasonable grounds for believing that the conduct of the ballot contravened any legislative requirements;
- that security arrangements for the production, storage, distribution, return or other handling of the voting papers and for the counting of them were, so are as reasonably practicable sufficient to minimise the risk of any unfairness or malpractice;
- that the scrutineer was able to carry out all functions without any interference which would cast reasonable doubt on the independence from the union.

(p) If the Scrutineer is not satisfied on the above matters an explanation should be given as to why that is the case.

(q) The Scrutineers report will be submitted to the Executive Committee who will direct the General Secretary to notify all branches of its content and advise the successful candidate the date on which they take up office. Such notifications will be made within 3 months following the date of receipt of the report.

(r) The notification to branches will contain a statement that ASLEF will on request, supply any member with a copy of the report, on payment of a reasonable fee as specified by the Executive Committee.

## **SECTION C NON STATUTORY ELECTION PROCEDURES**

**9.C.1.** Elections for Trustees; Appeals Committee; Delegates to Annual Assembly of Delegates; Members of the Arrangements Committee; Delegates to TUC Annual Congress; TUC LGBT / Women's/ Black and Ethnic Minority Conferences; STUC, Wales TUC; Regional Councils of TUC; Labour Party Conference; Scottish Labour Party; Wales Labour Party; ITF Congress, ASLEF BAME, LGBT+, Women's, Young, and Disabled Members' Representative Committees; Company Councillors or their equivalent, Learner Representatives or their equivalent will be conducted by the following clauses.

(a) A circular will be issued from Head office to the branch or branches concerned giving details of the position or positions concerned for which nominations are required and an appropriate form or forms will be provided for the submission of same.

In normal circumstances six weeks will be allowed for the submission of nominations except where special circumstances arise. Nomination papers must bear the branch stamp, show the meeting date, show a mover and a seconder of the nominee(s) and be signed by the branch chair and secretary or in their absence by their elected deputies. All nominees must be clear on the membership records.

Where more than one valid nomination is received for one position ballot papers will be issued by Head Office.

(b) In the case of nominations for Company Councillors or their equivalent, Learner Representatives or their equivalent where only one branch is involved the nominations process must be included within Branch Standing Orders. Any such election process is to be decided by a simple majority.

(c) The method of voting shall be on the block voting system, according to the number of members involved in any specific election as shown on the membership database on the day the election is called, or the number of members paying the political levy, as appropriate. Forms will be available for any member from the branch secretary who disagrees with the candidate selected by the branch to forward their individual vote direct to Head Office. Where the branch secretary is a candidate in the election, this process will be conducted by the assistant branch secretary. All elections covered by this rule shall be determined by a simple majority.

(d) Any member who is disloyal to ASLEF's interests by opposing official ASLEF candidates in elections, or a member of another railway trade union, who is also a member of ASLEF, who stands in an election on behalf of the other railway trade union against an official ASLEF candidate, shall render themselves to disciplinary action under Rule 17.

(e) Branch or individual ballot papers must be forwarded to, and arrive at, Head Office not later than the date determined by the Executive Committee. This date shall not be less than 40 days after the date of issue of the ballot papers.

(f) Branch ballot papers must bear the branch stamp, show the meeting date, show a mover and a seconder of the nominee(s) and be signed by the branch chair and secretary or in their absence by their elected deputies. Individual ballot papers must bear the branch stamp and be fully completed showing the name, address and signature of the member concerned.

(g) Envelopes containing branch or individuals' ballot papers must not contain any other letter or material and must be clearly marked on the front left hand corner "Election Communication Delegate to Annual Assembly of Delegates", "Election Communication Appeals Committee" and so on, as the case may be, which will be supplied by Head Office.

(h) On no account may ballot papers for more than one election be placed in the same envelope. Individual ballot papers must be forwarded direct to Head Office by the members concerned.

(i) The scrutineers shall be two members of the Executive Committee appointed by the Executive Committee and one Officer of the union.

(j) The scrutineers shall collate all branch and individual papers received. They must then prepare and submit a report to the Executive Committee setting out the names of branches voting, not voting, disqualified and the numbers of individual votes recorded and disqualified.

(k) If the report of the scrutineers is adopted by the Executive Committee they will direct the General Secretary to circulate the report in full to all branches.

(l) In an election to which Rule 9.C applies, no branch, member or members may issue or cause to be issued any circular, letter or other material seeking support for a candidate in an election for any office without having previously received the sanction of the General Secretary, Assistant General Secretary or President of the Executive Committee.

(m) Branch Officers and/or other member or members who have acted contrary to this Rule will be liable to disciplinary action by the Executive Committee under Rule 17.

(n) In elections where Rule 9.C.1 applies, only members who form part of the voting block in question shall be eligible to move, second or vote in relation to branch nominations, or casting of the branch block vote.

## **SECTION D NON STATUTORY ELECTION**

### **9.D.1. Elections for Local Level and Health & Safety Representatives**

(a) The election of Local Level representatives and Safety representatives is the respon-

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sibility of the branch concerned depending on the agreement with the company concerned. The normal term of office shall be 3 years and the nomination and election process at branch level must be included within the Branch Standing Orders. Head Office to be given full details of the members appointed or elected, each year on a schedule sent to the branch.

(b) Any member who is disloyal to ASLEF's interests by opposing official ASLEF candidates in elections, or as a member of another railway trade union, who is also a member of ASLEF, who stands in an election on behalf of the other railway trade union against an official ASLEF candidate, shall render themselves to disciplinary action under Rule 17.

### **RULE 10. ASLEF BRANCHES**

(a) At any work place location where there are 12 ASLEF members or at least 51% of the membership at that location, whichever is the greater, inclusive of members eligible to transfer; or twelve supervisors having been employed in the line of promotion to train driver or operator are desirous of having a branch, they shall convey their wishes to the General Secretary.

(b) The General Secretary may, subject to the authority of the Executive Committee, consult with relevant existing branches directly affected in the first instance before making arrangements for the opening of a new branch of the union. If the majority of members affected decide against opening a new branch or branch(es) the Executive Committee will decide what is in the best interests of all members affected.

(c) The ordinary meetings of branches shall be held as the majority of members shall decide except the December meeting which shall be the Annual General Meeting when all branch officers for the ensuing year shall be elected.

(d) Special general meetings shall be summoned for business as the committee think fit.

(e) The Branch Committee shall comprise of:

Branch Chair,  
Branch Vice-Chair,  
Branch Secretary,  
Assistant Branch Secretary,  
Branch Equality Representative,  
Two Trustees,  
Committee members,

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(f) The Branch shall also elect one member to attend as delegate to the respective District Council who should, ideally, be the Branch Secretary or Assistant Branch Secretary. The District Council Delegate, or if unavailable, a suitable deputy must attend each District Council meeting and give a full report to the branch.

(g) Two members shall also to be elected, but shall not be members of the Branch Committee, to act as Branch Auditors.

(h) It shall be the duty of the Branch Auditors to examine and certify all the financial transactions of the branch for the year and that the Branch Secretary returns the Financial Statement to Head Office in accordance with the provisions of these rules.

(i) The Branch Secretary shall give notice in writing to those members elected to office within seven days. In the event of the members of a branch being dissatisfied with any officer they shall have power to remove him/her from office by a vote of a majority of the members present at a meeting specially convened for this purpose.

(j) Any branch may transfer from one District to another provided that the Executive Committee considers the interests of the branch can best be served by the transfer and the geographical area is not materially altered.

(k) Branch meetings should not be held in the public area of a licensed premises unless it is closed to non members for the duration of the branch meeting.

### **10.1. Branch Committee**

(a) The Committee shall at all times be under the control of the Executive Committee and have full power to superintend and conduct the business of its branch according to these Rules, and shall in all things act for and in the name of its branch, and all acts and orders under the powers delegated to them shall have the like force and effect as the acts and orders of its branch at any branch meeting.

(b) The Committee of each branch shall ensure the accounts of its branch to be regularly entered in the proper books.

(c) The Committee shall do all they can to assist the Executive Committee in enforcing the provisions of these Rules, and requiring the payment of all fines to which any committee member, officer or member may become liable by virtue of any such Rules.

(d) Any two members of the Branch Committee may call a special meeting of the Branch Committee by giving seven clear days' notice in writing to the Secretary, but at

such special meeting no other business than that specified in the notice shall be taken into consideration.

## **10.2. Branch Meetings**

(a) Each branch must have standing orders for meetings of the Branch Committee and Ordinary and Special Branch meetings which have been adopted at a meeting of the branch and will be read out on request at any branch meeting. No standing orders may undermine or be contrary to any part of the ASLEF rule book.

(b) The proceedings of every branch shall be subject to the control of the Executive Committee and the Annual Assembly of Delegates as provided in the Rules, and in all matters not provided for by these Rules.

(c) Every question at any meeting shall be decided by a majority of votes of members present at the meeting and if the votes are equal, the Chair shall have a casting vote

(d) Any member who has paid one month's contribution shall have the right to speak on any question at the Branch but only members who are on the Branch membership list may move, second or vote on a motion, with the exception of Retired members as stipulated in rule 4.6 (j).

## **10.3. Branch Secretary Duties**

(a) It shall be the duty of the Branch Secretary to ensure the smooth organisation and running of the branch. Where the normal methods of payment are unavailable or withdrawn, to collect and receive contributions, and other monies and forward the same with list of members' names, showing amount paid by each member, so as to reach Head Office not later than the twenty-first day after the end of the recognised quarters or as the Executive Committee may decide.

(b) The recognised quarters shall be from January 1st to March 31st, April 1st to June 30th, July 1st to September, 30th October 1st to December 31st.

(c) No monies whatever must be retained in the branches other than with the consent of Head Office.

(d) The Branch Secretary shall attend to all communications, keep correct minutes of the resolutions and proceedings of the branch and of the Committee, and give such information as may be required appertaining to the office of Branch Secretary.



(e) The books and accounts and the names of the members of each branch shall be open to inspection of any member or person having an interest in the funds at all reasonable times at the office of the branch, or any other place where such books and accounts are kept and it shall be the duty of the secretary to produce the same for inspection accordingly when due notice of such inspection is given.

(f) Branch Secretaries, who must be members, shall be allowed expenses of 2.5% of members' contributions per annum for the first 100 members and 1.25% for every additional member for the Branch Secretary's services. All correspondence from head office will show this as expenses. They shall also be entitled to reclaim reasonable telephone and postage expenses, providing such expenses are detailed on the appropriate Head Office claim form, on an annual basis. Details of these expenses will be printed in the Annual Report and Financial Statements. All claims made must be supported with the relevant receipt(s).

(g) The Branch Secretary shall carry out all duties as defined in rules and shall also keep an account of the receipts and disbursements of the branch which shall be entered into the branch accounts book.

(h) The Branch Secretary shall be answerable for all accounts paid, the relevant paper work of which shall be forwarded to Head Office as detailed in the Annual Branch Statement to be laid before the Auditors.

(i) When a member moves from one location to another and there is a branch covering that location the Secretary of the branch shall be advised of the member's move to ensure a Welcome. All members must belong to the branch covering their location, or if employed in a management/supervisory role the relevant managers or supervisors branch if there is one. All members moving into such positions must be transferred to the supervisors or managers branch if there is one in the District.

(j) Branch Secretaries shall inform Head Office immediately, when a member moves from their branch, to ensure that the member concerned does not fall into arrears with their contributions.

(k) In all cases of movement of member(s) moving to or from a branch(es) the relevant Branch Secretary shall contact Head office to check on the membership status of such person(s) to ensure a smooth transition and updating of records. Also such information should be submitted each month on the monthly membership form from Head Office.

(i) In accordance with Clauses (j), (k), (l), (m) due to legal requirements Branch Secretaries must each month check their membership lists received from Head Office, which details the members records. Any discrepancy with the membership list must

immediately be informed to Head Office. Branch Secretaries can enlist the help of the Assistant Branch Secretary and the Local Representatives.

(ii) When a ballot for industrial action is called, Head Office immediately sends a new membership list to the Branch Secretary for a legal check on the correct membership status of all members that are to be balloted. It is essential to prevent legal action being taken against ASLEF for incorrect membership data, that Branch Secretaries return this information within five days, or other specified period. Again, they may enlist the help of other Committee members.

(iii) Branch Secretaries that do not carry out the requirements of (i) or (ii) above it may involve disciplinary action being taken against such person, or other persons on the Branch Committee who were delegated to do such work.

(iv) If the provisions of (i) or (ii) have been carried out by the Branch Secretary and Head Office fail to update the membership records, the General Secretary should be informed immediately in writing by the Branch Secretary.

(v) Head Office will advise the Branch Secretary and enter an endorsement on the Branch Membership List of any member who is suspended from benefit due to non payment of subscriptions.

(l) The necessary books, cards, materials and instructions will be issued to new branches by the General Secretary who will also instruct the attendance of a District Organiser at the inaugural meeting. The District Organiser shall examine the transfer of members from other branches and take charge of the meeting until the branch officers are appointed.

(m) The books and other property of the union must be returned to Head office when a branch closes.

(n) The Secretary of the branch is required to present an annual statement to the first monthly meeting of the branch following 31st December each year, of receipts and expenditure. This statement must be signed by the branch secretary, the Chair and two Auditors.

(o) In the event of dues and other returns not being sent to Head Office by a Branch Secretary within six weeks the General Secretary shall advise the Branch Chair accordingly who shall give the matter immediate attention within four weeks. Failing any action by the Branch Secretary the General Secretary will place the matter before the Executive Committee.

#### **10.4. Duties of Assistant Branch Secretaries/Branch Chair and Vice Chair**

(a) It shall be the duty of the Assistant Branch Secretary to act in accordance with

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instructions received from the Branch Secretary and, in the absence of the Branch Secretary, to act in accordance with the Rules and instructions received from the branch.

(b) The Branch Chair will:

- preside at all meetings of the branch and branch committee
- ensure that branch business is properly conducted
- advise in respect of matters relating to procedures or interpretation of the union's rules.
- sign the annual branch statement and ensure the Branch Secretary returns the Branch Financial Statement to Head Office
- Where required to authenticate with the branch secretary all branch nomination or ballot papers.
- read out the financial correspondence received from Head Office.

(c) The Vice Chair will:

chair all meetings of the branch or branch committee and perform all duties required in the absence of the Branch Chair. also assist the Branch Chair

### **10.5. Duties of Branch Equality Representatives**

Branch Equality Representatives will:

- Liaise with the branch on Equality Issues.
- Promote and distribute information relating to the equality agenda
- Have regular contact with their District ASLEF Representative Committee members, providing them with feedback from the branch.
- Attend network meetings with other Branch Equality Representatives within their own District.
- Ensure any new policy discussions are 'Equality Proofed'
- Keep abreast of new equality legislation
- Attend National workshop meetings when required

### **10.6. Branch Funds**

(a) Branches are allowed to reclaim 2 per cent of members contributions to the General Fund per annum based on the branch membership as at the preceding 31 December.

(b) Head Office will furnish every branch with a form each November upon which all the expenditure and receipts for the branch shall be entered. This annual branch statement must be signed by the Secretary, the Chair and the branch auditors. The Secretary is then required to present this statement at the first branch meeting following 31st

December each year and on the branch endorsement of same, return the Annual Branch Statement to Head Office by the first Tuesday in February.

(c) The return of an Annual Branch Statement to Head Office is conditional before any payment can be made to branches or Branch Secretaries under rule(s) 10.3 (f), 10.6 (a) and 10.6 (i).

(d) No branch shall be entitled to reclaim monies for more than one year immediately preceding the date of application i.e.:1st January to 31st December. In exceptional circumstances a branch can submit a claim to the Executive Committee for consideration.

(e) Branches to have discretionary power over their general fund monies, but such discretion can only apply when the object which the branch desire to assist is clearly within the terms and intentions for which the money was original subscribed under Rule 3.

(f) A receipt shall be signed for all monies received by persons receiving same and all expenses incurred by members or delegates appointed by branches for any conference, local committee etc, or by management shall be defrayed from this fund, unless they are appointed by written instruction or sanction from Head Office.

(g) All transactions involving the monies of the branch, receipts and expenditure must be signed for at all times by two persons.

(h) Expenditure on any contribution to the funds of, or on the payment of expenses incurred directly or indirectly by or on behalf of a political party cannot be paid for from the branch general fund but must be paid for by branches from the branch portion of the political fund.

(i) The branch portion from the political fund shall be calculated at the rate of 20 per cent of each member's contribution to the fund per annum based on the number of members contributing to the political fund as at 31 December the preceding year.

(j) Alternatively, if it proves to be the greater amount, payment can be a sum equal to the minimum required to permit a branch affiliation to its local Constituency Labour Party.

(k) Branches should affiliate to relevant Constituency Labour Parties, and to local Trades Councils or Federation of Trades Societies where they exist and may be represented and become members of the Council or Federation.

## **RULE 11. DISTRICT COUNCILS**

(a) District Councils, may be formed throughout ASLEF on a geographical basis, such basis to be determined by the Executive Committee.

The objects of these Councils shall be:

- (i) The holding of District Meetings, with a view of mutual assistance to branches;
- (ii) To consolidate the members in each district;
- (iii) Arrange mass meetings and other meetings for propaganda purposes;
- (iv) Co-operate with the Executive Committee in any national or other movement, as required;
- (v) Organise and recruit the non-unionists in the district;
- (vi) Assist in promoting, as far as possible, any movement having for its object the betterment of our fraternity generally.
- (vii) Co-operate with the Executive Committee with the provision of educational opportunities for the membership.

### **11.1. District Councils Powers**

(a) The powers of such Council are confined to mutual consultation and advice, and shall be in accordance with the declared policy of the union as set forth from time to time by the AAD and Executive Committee.

(b) Except where they are acting in accordance with the instructions of the AAD, or the Executive Committee they shall in no case authorise or endorse industrial action.

(c) No member shall hold any office or participate in any business of the Council unless they are the elected representative of their branch, ideally being the Branch or Assistant Branch Secretary, the Executive Committee Member, District Organiser and Representative Committee delegates for that particular district.

(d) Each District Council shall meet four times per annum which shall be diaried by the General Secretary.

(e) District Council Committees may meet if authority is obtained in the first instance from the Executive Committee. The cost of these meetings shall be met by the General Fund.

(f) The District Council shall ensure that provision is made within their meeting agendas for the issues involved with sufficient time for a report from the Representative Committees and the answering of questions. In addition, Retired Members Section

Committee members may be invited to address District Councils

### **11.2. Duties and Finance**

(a) Delegates attending meetings of District Councils shall give detailed reports to such meetings on the following:

- (i) the membership position (including political) at all depots and/or stations covered by their respective branches;
- (ii) the trade union to which Local and Health & Safety representatives representing member grades belong at depots and/or stations covered by their respective branches;
- (iii) staffing and membership problems in depots and/or stations covered by their respective branches; and
- (iv) problems in their respective branches.
- (v) recruitment efforts and progress at all depots and/or stations covered by their respective branches

(b) The Secretary of each District Council shall submit a copy of the minutes of meetings of District Councils to Head Office for the attention of the Executive Committee, within 28 days of the meeting.

(c) The General Secretary shall forward one copy of the minutes of meetings of District Councils to branches, delegates and officials to such District Councils within 28 days of receipt of minutes.

d) Resolutions passed at District Council must only be sent to the General Secretary who shall place them before the Executive Committee for their consideration, as appropriate.

(e) District Councils shall meet four times per annum and the General Fund shall defray the entire cost of delegates expenses as per rule(s). The General Secretary will coordinate the dates of District Council Meetings and will advise each District Council Secretary of such dates for the ensuing year before the last meeting of the current year.

(f) District Councils organising accounts funding to be based on 5p per member of the district, four times per annum, based on the membership figure as at the preceding December 31st.

(g) All transactions involving the monies of the District Council, receipts and expenditure must be signed for at all times by two persons.

(h) Minutes of meetings, correspondence, the register of attendance shall be sent to Head Office within 28 days of the meeting being held.

(i) Payments will not be authorised to delegates or to organising accounts until the minutes and the register of attendance are received at Head Office in accordance with 11.2. (h).

(j) District Councils may affiliate to their Regional Labour Parties covering the areas or part of the areas covered by such District Councils. Head office shall defray from the political fund such affiliation fees in addition to accommodation for up to two lay delegates attending Regional Labour Party conferences. Such members attending annual meetings may reclaim expenses under Rule 19.2.(b) and 19.2(g).

### **11.3. District Council Audit of Finances**

(a) The auditors must sign the annual financial statement along with the Secretary and the Chair and the District Council.

(b) It shall be the duty of the Auditors to examine and certify all the financial transactions of the Council for the year and that the District Council Secretary returns the Financial Statement to Head Office.

### **11.4. District Council Meetings Standing Orders**

(a) At each District Council AGM (in March of each year) the District Council will elect from its number the following:

- (i) Chair
- (ii) Vice Chair
- (iii) Secretary
- (iv) Assistant Secretary
- (v) Committee Members, not to exceed five.

In addition to officers and the five committee members, the committee will include, the District Organiser and EC Member for the district and the elected Representative Committee Members. Each Council shall also appoint two auditors each year who will sit on the committee as ex officio to audit the Councils, financial records.

(b) Duties of District Council Chair/Vice Chair

The Council's Chair will:

- preside at all meetings of the District Council
- ensure that the Council's business is properly conducted

- advise in respect of matters relating to procedures or interpretation of the union's rules.
- sign the annual financial statement and ensure the District Council Secretary returns it to Head Office

The Vice Chair will;

chair all meetings of the Council and perform all duties required in the absence of the Chair and also assist the Chair

(c) Duties of District Council Secretary/Assistant Secretary

- (i) The District Council Secretary shall carry out all duties as defined in rules and shall also keep an account of the receipts and disbursements of the Council.
- (ii) The District Council Secretary shall attend to all communications, keep correct minutes of the resolutions and proceedings of the meetings and of the Committee, and give such information as may be required appertaining to the office of District Council Secretary.
- (iii) The District Council Secretary shall be answerable for all accounts paid, the receipts of which shall be presented to the Auditors of the Council and which shall be entered into the Annual Financial Statement.
- (iv) The Secretary of each District Council shall submit a copy of the minutes of meetings of District Councils to Head Office for the attention of the Executive Committee, within 28 days of the meeting.
- (v) Head Office will furnish every District Council with a form each November upon which all the expenditure and receipts for the Council's shall be entered. This annual financial statement must be signed by the Secretary and the Chair and the District Council auditors. The Secretary is then required to present this statement at the meeting of the Council following 31st December each year and on endorsement of same return the annual financial statement to Head Office within 28 days.
- (vi) The annual financial statement shall be returned within 28 days of the meeting. Failure to do so will result in the General Secretary placing the matter before the Executive Committee.
- (vii) The Assistant Secretary shall assist the Secretary and carry out the duties in the absence of the Secretary.

**11.5 District Council Secretaries Meeting**

- (i) The elected District Council Secretary shall attend the meeting of District Council Secretaries twice a year with the General Secretary and President of the Executive Committee.
- (ii) The General Secretary shall ensure that District Council Secretaries are supplied with copies of minutes and agenda's for meetings.



(iii) When attending the District Council Secretaries meeting members will be paid in accordance with Rule 19.2.

## **RULE 12. ASLEF REPRESENTATIVE COMMITTEES**

(a) There shall be six Representative Committees; BAME, LGBT+, Women's, Young, Disabled and the Retired Members' Section.

The objects of these Representative Committees shall be;

- To provide a point of contact and support for our members from Minority Groups within ASLEF.
- To assist in the development and promotion of the equalities agenda in the Rail Industry and ASLEF.
- To raise the profile of the difficulties and issues faced by our minority group membership.
- To advise the Annual Assembly of Delegates on future policy making in respect of the equalities agenda.
- To advise the Executive Committee on future policy making in respect of the equalities agenda.

(b) The BAME, LGBT+, Women's, Young, and Disabled Members' Representative Committees shall each consist of eight members elected by branches and based on the geographical locations of District Councils. The method of election shall be in accordance with Rule 9.C. The Chair and Secretary of District Councils who are elected at each of the District Councils Annual Meeting.

(c) Delegates elected to serve on Representative Committees shall also attend District Councils.

(d) Representative committees shall meet three (3) times per annum, 1 additional meeting shall be a joint BAME, LGBT, Women's, Young, and Disabled Members' meeting, with the General Secretary and the President of the Executive Committee of their appointed deputies.

(e) The General Secretary will ensure that delegates of Representative Committees are supplied with copies of minutes and agendas for meetings and allow such time to permit the submission of items by elected representative committee members.

(f) Matters arising from meetings of the Representative Committees will with agreement be placed before with the Executive Committee by the General Secretary.

(g) When attending Representative Committee meetings members will be paid in accordance with Rule 19.2.

(h) The Retired Members Section shall hold an Annual meeting in October each year. The BAME, LGBT+, Women's, Young, and Disabled Members' Representative Committees shall hold their AGMs at the last meeting of each year.

(i) Each Representative Committee shall have a Chair and Secretary which they shall elect at their AGM.

(j) The term of office for the BAME, LGBT+, Women's, Young, and Disabled Members' Representative Committees shall be three years with districts 2, 4, 6, and 8 elected one year. Districts 1, 3, 5 and 7 elected the next year. No elections taking place in the 3rd year. Casual vacancies shall be filled by the Executive Committee by way of an election under Rule 9.C Non Statutory Election Procedures for the remaining period of office for the vacancy concerned.

(k) The Retired Members Section Committee shall comprise of eight members with a maximum of four reserves. The committee shall be elected at the AGM in October each year with the chair and secretary being elected at the AGM. Retired Members Committee representatives shall only be able to reclaim reasonable food and travel expenses. Relevant receipts must be produced when presenting any claim for reimbursement

(l) Organising accounts will be provided for the BAME, LGBT+, Women's, Young, and Disabled Members' Representative Committees and Retired Members Section which shall be determined by the Executive Committee in consultation with the appropriate Representative Committee. Such monies can only be used for organising and educational purposes and may be carried over to the following year subject to a maximum sum as determined by the Executive Committee.

(m) ASLEF Representative Committee Members shall be allowed to claim reasonable travel, postage and telephone expenses. This will be subject to submitting a claim with a detailed explanation on the relevant authorised form to Head Office once per quarter.

**RULE 13. ASLEF MACHINERY REPRESENTATIVES, HEALTH & SAFETY REPRESENTATIVES AND LEARNING REPRESENTATIVES**

(a) All ASLEF Staff Side representatives, are subject to the control and authority of the Executive Committee and the General Secretary and are required by these rules to carry out and promote union policy.

(b) ASLEF Staff Side representatives will attend and report to their branches on a regular basis, to give account of their activities.

(c) Failure to comply with Clauses 13.(a) and 13(b). above will render the member liable to disciplinary action under the provisions of Rule 17.

(d) Only ASLEF Staff Side Secretaries of Company Councils or their equivalents shall be allowed to claim reasonable postage and telephone expenses, which shall be 1 secretarial day per quarter. This will be subject to the Executive Committee receiving a satisfactory report every quarter on their activities.

(e) Only ASLEF Staff Side members, who are Local Level Secretaries, or Health & Safety representatives are allowed to reclaim reasonable telephone/postage, expenses, by submitting such claim with detailed explanation on the relevant authorised form to their branch secretary who shall forward same to Head Office once per quarter.

(f) Learning Representatives will develop awareness and knowledge of the learning opportunities available and where possible facilitate workplace learning by working with providers and other parties.

They will help identify members learning needs, signpost advise and guide them. Learning Representatives will work in partnership with other reps to negotiate on learning as part of the bargaining procedure.

**13.1. Terms of Office**

(a) Safety representatives are elected at branch level and their normal term of office shall be 3 years and the branch level nomination/election process must be included within the branch standing orders. Head Office to be given full details of the members appointed or elected.

(b) The election of Local Level representatives is the responsibility of the branch concerned depending on the agreement with the company concerned. The normal term of office shall be 3 years and the nomination and election process at branch level

must be included within the Branch Standing Orders. Head Office to be given full details of the members appointed or elected.

(c) ASLEF nominees for Company Councillors or their equivalent, Learner Representatives or their equivalent are elected under election procedures included within Rule 9.C. Where only one branch is involved the nominations process must be included within Branch Standing Orders. Where ASLEF are opposed the election process to be agreed with the Company concerned within the machinery provided.

(d) The normal term of office for ASLEF nominees as Learning Representatives shall be 3 years unless agreements with the company state otherwise.

#### **RULE 14. ANNUAL ASSEMBLY OF DELEGATES OR SPECIAL ASSEMBLY**

(a) ASLEF shall be under the control of the parliament body the Annual Assembly of Delegates.

(b) The Annual Assembly of Delegates shall meet before July of each year, and special meetings shall be held as may be determined by the Executive Committee or Annual Assemblies.

(c) The delegates to the last preceding Annual Assembly of Delegates shall normally be the delegates to any subsequent Special Assembly of Delegates.

(d) There shall be a minimum of 46 delegates in attendance at an Annual Assembly or Special Assembly of Delegates. This shall include a delegate elected by the BAME Representative Committee, a delegate elected by the LGBT+ Representative Committee, a delegate elected by the Women's Representative Committee, a delegate elected by the Young Members' Representative Committee, a delegate elected by the Disabled Representative Committee and a delegate elected from the Retired Members Section Committee.

(e) The representative rights of branches to send delegates to the Annual Assembly of Delegates or Special Assembly of Delegates shall be based on the following:-

(i) A branch with 200 members or more, based on the membership at the 30th June, shall automatically be entitled to send a delegate.

(ii) Branches with less than 200 members based on membership figures as at the 30th June shall be grouped into 50 constituencies by the Executive Committee in such manner as to secure equal representation.

(iii) All branch delegates shall be endorsed by the Executive Committee or in the case of late changes by the delegates at the assembly concerned.

(f) Each constituency shall elect one delegate, each branch being entitled to nominate one member, who is clear on the membership records, as a candidate.

The method of voting shall be in accordance with Rule 9.C, Non Statutory Election procedures. Election procedure for delegates to AAD shall start by 31st August each year.

(g) There shall be an Arrangements Committee composed of delegates attending the Assembly who have been elected in accordance with rule. Arrangements Committee members will be elected from 3 of ASLEF's 8 districts which shall be rotated on a yearly basis to ensure fair representation. The method of voting will be in accordance with Rule 9.C, Non Statutory elections procedures. Additionally the EC shall appoint one of their number as an exofficio member of the Arrangements Committee but such EC member shall not be allowed to vote on any issue. Election procedure for the Arrangements Committee shall start by 28th February each year.

(h) The Arrangements Committee shall elect its own Chair and shall determine all decisions by a majority vote. If the voting is equal, the result shall be determined by the casting vote of the Chair of the committee.

(i) Every second Annual Assembly of Delegates shall be known as a biennial assembly and shall have the power to make new rules, alter, amend or rescind any existing rules, in addition to the powers vested in the Annual or Special Assemblies under rules.

(j) Only the Annual Assembly of Delegates and every special meeting shall have power to make new rules, alter, amend or rescind any existing rules, in addition to the powers vested in the Annual, or Special Assembly of Delegates by these rules.

(k) If a delegate or Arrangements Committee Member cannot attend due to unforeseen circumstances at short notice the Executive Committee shall make special arrangements to ensure that branches in the AAD constituencies concerned are represented at the AAD and on the Arrangements Committee, or the AAD or Special Assembly of Delegates will sanction replacements.

(l) The Annual Assembly of Delegates shall complete its business in four consecutive working days, biennial assemblies to complete business in five consecutive working days.

#### **14.1. Powers of Annual Assembly of Delegates or Special Assembly of Delegates**

The Annual or Special Assembly of Delegates shall have power;

(i) to determine the number of Assistant General Secretaries and District Organisers to

be elected by the members.

(ii) to initiate any proceedings in the interests of ASLEF or its members, or to instruct the Executive Committee to inaugurate industrial action

(iii) It shall govern the Executive Committee and exercise all or many powers and authorities vested in the Executive Committee under these rules, or to direct the Executive Committee to put such powers and authorities, or any of them, into operation.

(iv) As given by 14.(j) of this Rule, to make new rules and alter, amend or rescind any existing Rules but, unless the assembly is a biennial assembly, only on the prior recommendation of the Executive Committee and Officers, and the ASLEF Financial Report.

(v) To do all such other things, whether of the kind before specified or desirable in the interest of ASLEF and its members.

(vi) To approve the Annual Report of the Executive Committee.

(vii) To remove the appointed Auditors from office and appoint New Auditors.

#### **14.2. Agenda for Annual Assembly of Delegates**

(a) Any proposed alteration to Rules, rescinding of Rules, or New Rules, or items for the consideration of the Annual Assembly of Delegates, must have been submitted and passed by a majority at a branch meeting or a meeting of a representative committee or the Executive Committee, and must be received at the Head Office on or before 10:00 on the second Monday in December each year.

(b) The Executive Committee shall ensure they are printed and issued to the branches and representative committees on or before the second Monday in January each year.

(c) Any amendments thereto, or emergency resolution passed at a meeting of a branch and representative committee or by the Executive Committee must be at the Head Office on or before the first day of March in each year.

(d) The Executive Committee shall ensure they are to be printed with the original propositions, which shall become the Agenda for the next Assembly of Delegates, which shall be issued to the branches and consultative committees not later than the 15th day of March in each year.

(e) The Arrangements Committee shall meet two clear days, at least two weeks before the Annual Assembly of Delegates also one day prior to the commencement of the AAD to decide the order of business and debates, the marrying of items of a like nature and to determine associate rule changes. Except where specifically stated in the decisions of the Arrangements Committee rules items should be taken by the Chair to be debated

individually.

(f) It shall not be within the power of the Assembly of Delegates to deal with any proposed alteration, recession, or addition to rules, resolutions or amendments which have not been previously submitted to the branches and representative committees for their consideration except in the case with matters not related to branch membership. In that case providing the branch appeal is in writing to the Executive Committee at least 21 days before the Annual Assembly of Delegates, the appeal will be heard as first business by that Annual Assembly of Delegates.

(g) Resolutions or amendments arising out of reports of Officers, and the Executive Committee shall not be subject to the foregoing clauses.

(h) No branch or representative committee shall be allowed to send in more than four items to be placed on the Agenda, this shall not apply to Alterations of Rules, emergency items and appeals.

(i) No propositions or amendments regarding the dissolution of ASLEF, or amalgamation or fusion of the union with any others, shall be placed on the Agenda for the next Assembly of Delegates unless it is sent in by not less than 51 per cent of branches.

(j) No agenda item which is materially the same as any item which was contained within the Agenda of the preceding Annual Assembly of Delegates, except an item concerning wages, unless the Executive Committee decide that such item is a matter of urgency, shall be accepted for inclusion on the agenda. Further, no policy item for which adoption would require a rule change shall be accepted for inclusion on the agenda.

(k) The Executive Committee and Officers Annual Report and the ASLEF Financial Report shall be printed and a copy sent to all delegates at least 14 days prior to the first working day of the AAD. A copy of the Executive Committee Report to the AAD will also be sent to branches and representative committees for information.

(l) Details of all important recommendations or agreements that appear in the Executive Committee's Report to the Delegates and which have not been previously submitted to the branches and representative committees for discussion, shall be printed, and copies supplied to each delegate when conference assembles.

### **14.3. Standing Orders of Annual and Special Assemblies of Delegates**

(a) Immediately following the Presidential Address the Assembly shall separately elect a

Chair and Vice-Chair from the Delegates attending the Assembly except those previously elected to the Arrangements Committee and will be provided with a copy each of Citrines ABC of Chairmanship by the General Secretary.

(b) The Nominee receiving the highest number of votes for the position of Chair and Vice-Chair shall be elected provided there is an absolute majority over the other candidates. Failing such a majority being obtained then a second ballot will be held between the two candidates receiving the highest number of votes.

(c) Two of the elected members of the Arrangements Committee will act as conference tellers when required.

(d) The times of meeting of the Assembly shall be as follows; Assembly to meet at 9.00 a.m and adjourn at 12.30p.m; reassemble at 1.30pm and sit until 5.30 p.m each day.

(e) No delegate shall be allowed to leave the building where the business is being conducted, without leave of the Chair, or be absent from any committee on which they may be appointed.

(f) It will be the responsibility of the Chair at conference to keep a timetable of debates, ensure adherence to strict debating procedures and non repetitive contributions by delegates or officials and to ensure all contributions are made in an appropriate and comradely manner. The Chair may restrict the length of debates, as required, to ensure they are conducive to the completion of conference business. In all such matters the Chair's decision shall be final.

(g) The Chair shall on all questions be entitled to vote as a delegate but such vote to be given at the time of putting the question. If the voting is equal the results shall be determined by the casting vote of the Chair.

(h) The mover of a motion shall be allowed 10 minutes, seconder 10 minutes, and each succeeding speaker five minutes (except the President of the Executive Committee and the General Secretary who shall be allowed 15 minutes).

(i) No delegate shall speak more than once upon any motion or amendment, except the mover of the motion who has the right of reply immediately after which the question shall be put.

(j) No proposition or amendment shall be entertained unless the delegate making the same states that it is their intention to move its adoption.



(k) Any motions to rescind a decision of Assembly must be given before the termination of the sitting at which the decision was made, but the Chair may decline to accept such motion, if, in the Chair's opinion, no fresh evidence is adduced to justify this course being taken.

(l) No amendment to any proposition or motion shall be considered unless the proposed amendment shall have been handed to the Chair in writing, nor shall a second amendment be proposed or considered until the first amendment is disposed of, and only one amendment shall be before the Assembly at one time;

(i) If an amendment be carried it displaces the original question and becomes itself the question, where upon any further amendment may be moved.

(ii) If an amendment be negatived then another may be moved to the original question.

(iii) No resolution or amendment shall be declared carried unless a majority of the delegates present vote in its favour.

(m) Should it be moved "That the question be put" it shall take precedence over all other business even if it interrupts a speaker. If seconded, it must be voted on without any further discussion. If carried, the mover of the original motion may reply to the debate before the vote. If "that the question be put" is moved during debate on an amendment and carried, it only refers to the amendment and does not affect the original motion, nor prevent any further amendments being moved.

(n) Voting will be the use of an electronic system except when the said system fails to operate when the Chair will accept voting by a show of hands. The Chair will declare the result using the following terms: Unanimous, Majority, Nem.Con or falls except in the event of elections when all votes will be counted.

(o) The ruling of the Chair shall be final, unless challenged by at least four delegates; in the event of such a challenge the Chair will vacate and the Vice-Chair will immediately put the motion 'That the Chair's ruling be upheld' to a vote without speeches or contributions and unless two thirds of the delegates present vote against such a ruling the Chair's decision stands.

(p) No proposition to suspend Standing Orders shall become operative unless two-thirds of the delegates present vote for same.

(q) No visitors shall be allowed in the Assembly hall unless they produce a special permit signed by the General Secretary, or produce satisfactory evidence that they are members of ASLEF. Strict silence is to be observed by all visitors.

**RULE 15. AFFILIATIONS: THE LABOUR PARTY: TRADES UNION CONGRESS: INTERNATIONAL TRANSPORT WORKERS' FEDERATION: SCOTTISH AND WALES TRADES UNION CONGRESSES: SCOTTISH AND WALES LABOUR PARTY AND LABOUR REPRESENTATION COMMITTEE.**

(a) ASLEF shall be affiliated to the Labour Party; the Trades Union Congress; The International Transport Workers' Federation; the Scottish and Wales Trades Union Congresses; and the Scottish and Wales Labour Party and the Labour Representation Committee. Branches and District Councils shall not under any circumstances affiliate or make donations to any political party whether nationally, regionally or locally to which ASLEF is not centrally affiliated.

(b) Delegations attending the Annual Conferences of The Labour Party shall be composed of one member of the Executive Committee, the General Secretary and the maximum number of delegates permitted by the rules of The Labour Party, elected by the membership.

(c) Delegations attending the Annual Congress of the Trades Union Congress shall be composed of one member of the Executive Committee, the General Secretary and the maximum number of delegates permitted by the rules of the Trades Union Congress, elected by the membership.

(d) Delegations attending ordinary and Special Congresses of the International Transport Workers' Federation shall be composed of one member of the Executive Committee the General Secretary and the maximum number of delegates permitted by the rules of the ITF, elected by the membership.'

(e) Should the General Secretary be not available to attend as laid down in Clauses 15.(b), 15.(c), 15 (d) the Executive Committee should appoint a substitute to take the General Secretary's place.

(f) Delegations attending Annual Congresses of the Scottish and Wales Trades Union Congress shall be composed of a District Organiser appointed by the Executive Committee and the maximum number of delegates permitted under the rules of the organisations concerned, elected by the membership.

(g) Delegations attending the Annual Conferences of the Scottish and Wales Labour Party shall be composed of a District Organiser appointed by the Executive Committee, and the maximum number of delegates permitted under the rules of the Scottish and Wales Labour Party, elected by the membership.

(h) For the purpose of appointing delegates elected by the membership in accordance with the provisions of Clauses 15.(b), 15 (c), 15.(d) of this Rule the following shall apply:

(i) the Executive Committee shall divide the branches into the appropriate number of electoral districts. So far as is practicable such districts shall be composed of the same number of members;

(ii) branches must not nominate more than one nominee per branch who must be clear on the membership records; and

(iii) the method of voting shall be in accordance with Rule 9.C.

(i) The General Secretary, Assistant General Secretary, Executive Committee Members or District Organisers of ASLEF shall not be eligible to be nominated by branches for the position of delegate to the congresses/conferences referred to in Clauses 15.(b), 15.(c), 15.(d), 15.(e) and 15.(f) of this Rule.

(j) Resolutions from ASLEF for the Agenda of the congresses/conferences of this Rule must be submitted by the Executive Committee.

#### **RULE 16. PROTECTION OF MEMBERS, LEGAL ASSISTANCE, DISTRESS AND HARDSHIP FUND, PAYMENTS OR COMPENSATION TO MEMBERS DISMISSED**

(a) Members who are subject to victimisation, or a bad disciplinary decision by an employer may have their case dealt with at a meeting of their Branch subject to notifying the Branch Secretary within 28 days of the incident. In the event of the meeting of the Branch adopting a resolution supporting the aggrieved member the Branch Secretary must forward all the relevant correspondence and information appertaining to the case to the General Secretary for the attention of the Executive Committee. Providing the Executive Committee is satisfied that the victimisation has occurred the Executive Committee will institute proceedings to rectify the position of the member.

(b) Members who require representation for disciplinary or grievance matters must inform their District Organiser or their Branch Secretary in the first instance.

(c) Only a District Organiser or the General Secretary can authorise another official, or representative to represent an ASLEF member.

(d) Members not carrying out the provisions of 16.(b) will not have any further claim on ASLEF.

(e) Members receiving representation, or such other official or representative not receiving the sanction to provide the representation in accordance with 16.(c), such representation shall not be provided, nor shall it be done in the name of ASLEF.

(f) District Organisers shall not be permitted to utilise or make use of officials, representatives or other deputy in the provision of disciplinary representation and matters involving individual grievance or potential claims that may involve discrimination or harassment or other such serious matter, unless such official representative or deputy has sufficient experience and training to undertake such duties, and are competent and have such knowledge of members rights and time limits.

(g) In the event of any member being dismissed the District Organiser or authorised deputy must inform the General Secretary immediately so the members rights can be protected and that ASLEF is also protected.

### **16.1. Legal Assistance to Members and Dependants**

(a) ASLEF shall have the power to grant legal assistance to members in connection with matters arising out of their employment, and to members who sustain injury by accident whilst off duty and to the dependants of such members. Also, ASLEF shall grant legal assistance to members of the union who have suffered harassment, physical or verbal, racial or sexual abuse, or being subjected to any actions contrary to Rule 3.1, Equal Opportunities Statement.

(b) The powers set out in 16.1.(a) above shall be exercised by the General Secretary on behalf of the ASLEF subject to the General Secretary's discretion. Where any such legal assistance is not granted or a case not pursued, the General Secretary will notify in writing the member and branch concerned explaining the reasons why. 'Any correspondence to the branch will not include any details of a personal or private nature.

(c) Where legal assistance is granted, the solicitors will inform the claimant that they have received instructions to act on the claimant's behalf. The member or dependant, as appropriate, should notify the General Secretary and the Branch Secretary if further communication is not received from the union's solicitors within a period of 50 days from the date on which claim was submitted.

(d) ASLEF shall have the power to grant legal assistance to the partner of a deceased member in connection with matters involved in payment of lump sums from their Pensions Funds.

(e) Any member who has used all the stages of the Individual Grievance Procedures and is not satisfied with the outcome may take their grievance to the member's own Branch. If the members of the Branch support the member's claim then all of the correspondence should be sent by the Branch Secretary to the General Secretary for the

attention of the Executive Committee with the recommendation that legal guidance be sought.

(f) If a member has been dismissed, the ASLEF person who represents the member shall immediately advise Head Office to protect the members rights on time limits, in accordance with ASLEF procedures.

## **16.2. Distress/Hardship Payments**

(a) There shall be a benefit for members or their orphans in hardship or distress as follows:

(i) Any such payments, other than those made under Rule 16.2.(a)(ii) shall be made directly from the General Fund.

(ii) Payments for members who have suffered financial hardship as a result of withdrawing their labour under the instruction or sanction of the Executive Committee, AAD or Special Assembly of Delegates shall be made from the ASLEF Fighting Fund. This fund shall be held in a separate account, the details of which shall be published in the Annual Report and Financial Statements.

(b) All appeals for benefits must be endorsed by the branch and forwarded to the General Secretary in accordance with the appropriate rule for consideration and placed before the Executive Committee. Consideration to any such branch appeal shall be dependant on a report from the relevant District Organiser. Appeals on behalf of ex-members from relatives or organisations may also be placed before the Executive Committee at the discretion of the General Secretary.

## **16.3. Payments or Compensation to Dismissed and Suspended Members**

(a) In the event of any member who has been deputed by their branch and received the sanction of the Executive Committee to take an active part in any question relating to Procedure Agreements, or looking after the interests of the members so far as their work is concerned, being either dismissed or suspended for taking such action the member shall if dismissed, or if suspended, make a claim under 16.2. (a) and in accordance with 16.2. (d).

(b) Should any member be dismissed/suspended or reduced in grade by their employer and the Branch adopts a resolution expressing the view that the member has been unfairly and/or harshly treated the Branch Secretary must forward all the relevant correspondence appertaining to the case to the General Secretary within 28 days of the date of dismissal for the attention of the Executive Committee.

(c) The Executive Committee may sanction payment of a Benefit under 16.2. (a) for the full period permitted subject to:

- (i) the member being clear on the membership records and having been a member not less than one year on the date of dismissal;
- (ii) the member not having been dismissed due to being under the influence of alcohol or drugs or being convicted of any criminal act committed whilst on duty, or of consuming alcohol or drugs whilst on duty; and
- (iii) the member being unemployed during the period that such Benefit is paid.

(d) If the Executive Committee have reason to believe that the dismissed member continues to be unemployed because they have not done their best to obtain alternative employment the Executive Committee have the power to terminate the payment of Distress/Hardship Benefit until such member satisfies the Executive Committee that they have done their best to obtain alternative employment.

(e) In the event of a dismissed member being reinstated in their own grade the case shall be treated as a suspension case and paid Distress/Hardship Benefit for the whole of the period of the suspension providing the employer did not pay any loss of earnings during the period of suspension.

(f) Should the member or members be dismissed and unable to find employment equivalent to that from which they are withdrawn, the Executive Committee may give a lump sum in accordance with 16.2. (a).

## **RULE 17. DISCIPLINARY**

(a) Members of ASLEF who have breached the following or have knowingly breached union rules may be subject to disciplinary action by the Executive Committee under rule 17.1:

- (i) Failing to comply with a decision of the Executive Committee or an Assembly of Delegates to withdraw their labour, or not taking part in authorised industrial action.
- (ii) Accepting employment where other members are withdrawn.
- (iii) Making agreements for themselves.
- (iv) Displaying or contributing to literature that is offensive in that it contains racist, sexist or libellous material.
- (v) Being a member or active sympathiser of an organisation that is diametrically opposed to the aims and objects of ASLEF and the Trade Union and Labour Movement; such as a fascist organisation.
- (vi) Actions which have brought ASLEF into disrepute.
- (vii) Attempting to obtain, or knowingly continue to obtain, benefits or monies from, or belonging to ASLEF, to which they are not entitled.

- (viii) Working or having worked a train without assistance of a conductor train driver/operator over a route which the member(s) has or have not been over for more than six months (or such other period as shall have been agreed with the member or member's employer).
- (ix) Wilful misrepresentation of members or constituents.
- (x) Displaying or contributing to literature that is displayed on a web site(s), or any other electronic form, that is offensive in that it contains racist, sexist, libellous or demeaning material.
- (xi) Members who are employed to work in their substantive role for other than their main employer, other than through normal buying in between companies.
- (xii) Opposing the official ASLEF candidates in any election process.
- (xiii) Nominating, supporting or campaigning for any candidate standing in opposition to the official ASLEF candidate or candidates in any election process.
- (xiv) Breaching the Code of Conduct for All ASLEF Members as outlined in Appendix A of this rule book.
- (xv) Acting contrary to, or in a manner that undermines the Objects of ASLEF as outlined in section 3.1 of this rule book while representing or carrying out duties on behalf of ASLEF.

**17.1. The Executive Committee shall have the power to:**

- (i) censure and to warn any member as to future conduct;
- (ii) suspend from holding any office in ASLEF for a period not exceeding five years;
- (iii) suspend from receiving any benefits for a period not exceeding five years;
- (iv) impose a fine not exceeding £750. Failure to pay this fine within 28 days of notification will result in automatic expulsion.
- (v) expel from membership of the union any member who has been found to have acted in any way specified in 17.(a) above.
- (vi) any member who has gained financially by breaking an ASLEF rule should be fined one and a half times the amount gained, up to a maximum fine of £750. Failure to pay this fine within 28 days of notification will result in automatic expulsion.
- (vii) suspend from office, or dismiss from office a full time official or an Executive Committee Member.

**17.2. Investigation Procedure**

- (a) Any complaint by a member or branch against another member in relation to potential charges against such member shall in the first instance be put in writing to

the General Secretary (except in the case where the complaint is against the General Secretary, where the matter should be addressed to the Assistant General Secretary).

(b) The General Secretary shall then carry out an investigation, or appoint another officer not connected with the complaint, to investigate the complaint expeditiously.

(c) If the complaint is of a serious nature the General Secretary and the President of the Executive Committee shall have the power to suspend from office the member concerned during the investigation pending any decision of the disciplinary procedure.

(d) Where the complaint is against any full time officer(s) or Executive Committee member(s), and the matter is of a serious nature then the power to suspend such member(s) from holding office during the investigation or pending any decision arising from a disciplinary hearing shall rest with the Executive Committee.

(e) For the purpose of clarification, suspension from holding office during a disciplinary investigation is not to be regarded as a punishment.

(f) Disciplinary matters for full time officers not relating to their membership shall be dealt with as determined by the procedure within their contract of employment.

### **17.3. Disciplinary Procedure**

(a) The Executive Committee upon receipt of the report may instruct the General Secretary to give written notice to any member of their intention to proceed against them under this rule. The written notice must contain the full details of the charges for taking such disciplinary action and must include any written evidence and correspondence submitted in the investigation report to the Executive Committee.

(b) The member must be given twenty one days notice in writing of the charge, date, time and place of, and the procedure to be followed at, the hearing before the Executive Committee. The member shall be allowed to submit, not later than 10 days prior to the hearing before the Executive Committee, any written evidence or testimony in support of the case.

(c) At the hearing before the Executive Committee no new charge may be raised.

(d) The member shall be afforded a full and fair hearing before the Executive Committee. The member will be entitled to representation by an ASLEF member and will be able orally to supplement any written evidence or testimony which has been submitted, to call other members of the union as witnesses, to hear the evidence



against them and to have an opportunity of answering it, and to question their own and the union's witnesses.

(e) ASLEF will reimburse all reasonable travel and food expenses of a member called before a disciplinary hearing of the Executive Committee. The union will also reimburse all reasonable travel and food expenses of not more than two witnesses called to attend the hearing on behalf of the member. This is subject to the relevant receipts being submitted to substantiate the claim in accordance with rule 19.2 (c) and 19.2 (d).

(f) The decision of the Executive Committee shall be communicated to the member in writing within one week of the hearing and, in those cases where one or more of the penalties set out in 17.1. above have been imposed on the member, the procedure for appeals to the Appeals Committee under Rule 7.1.(c) against the decision of the Executive Committee.

(g) Any member must notify the General Secretary in writing of their wish to appeal to the Appeals Committee under Rule 7.1.(d). against a decision of the Executive Committee within 6 weeks of the decision being communicated in writing to them and of the reasons for so doing. In the case of any penalty imposed by the Executive Committee, this penalty will not take effect until the expiry of the time in which the member can submit an appeal or once the appeal process has been exhausted if sooner.

(h) Should the member be unable to attend the hearing because of illness certified by a medical practitioner or other reason acceptable to the Executive Committee, a new date for the hearing will be arranged as soon as practicable and the period of notice specified in 17.3.(b) will apply.

#### **17.4. Unofficial Circulars**

(a) No branch, member, or members may issue or cause to be issued, in any form, any circular or communication in hard copy or electronic format bearing the title of ASLEF, or a branch or branches of ASLEF which is offensive, libellous, abusive or detrimental to the aims, ideals and policy of ASLEF.

(b) Members seeking support for election to any position contained within Rule 9 must have their correspondence authorised by the General Secretary, Assistant General Secretary or President of the Executive Committee, prior to circulation.

**RULE 18. OFFICERS AND STAFF SUPERANNUATION FUND**

(a) The Executive Committee are hereby empowered to enter into a Trust Deed providing for the establishment of a superannuation fund for the benefit of ASLEF's present and future Officers and Head Office staff; and to allocate such sums from the funds of ASLEF as are necessary to meet any commitments contained within the provisions of such Trust Deed.

**RULE 19. AUDITORS, BANK ACCOUNTS, WAGES & EXPENSES**

(a) The accounts, books, vouchers, deeds, etc., relating to the funds of the union at Head Office shall be duly examined by professional auditors who shall have qualifications in compliance with any relevant statutory obligations. They shall be appointed by the Executive Committee or by the Annual Assembly of Delegates. In the event of the auditors being appointed by the Executive Committee such appointment shall be included in the Executive Committee Report to the next Annual Assembly of Delegates.

(b) It shall be the duty of the auditors to prepare an Annual Report and Financial Statements and in preparing same to carry out such investigations as will enable them to form an opinion on the following matters, that is to say:

- (i) whether Head Office has kept proper records.
- (ii) whether Head Office has maintained a satisfactory system of control over its transactions: and
- (iii) whether the accounts to which the balance sheet refers are in agreement with the accounting records.

(c) The auditors shall append a detailed report on such investigations to the Annual Report and Financial Statements.

(i) Auditors appointed in accordance this Rule shall not stand for reappointment at regular intervals of time but where (an) item(s) appear on the Agenda of an Annual Assembly of Delegates to either remove the Auditors from Office, or appoint new Auditors in their place and where such (an) item(s) cannot be proceeded with at the aforementioned Assembly because of death, incapacity or lack of qualifications, etc., on the part of one or more of the proposed Auditors the Existing Auditors must be reappointed by a decision of the Assembly.

(d) The Auditors may only be removed from office by a decision of an Annual Assembly of Delegates.

(e) The Auditors appointed to audit the accounts for the previous year shall also be appointed Auditors for the current year unless;

- (i) A resolution has been adopted by an Annual Assembly of Delegates appointing Auditors other than the appointed Auditors; or
- (ii) The Auditors have given the union notice in writing of their unwillingness to be reappointed; or
- (iii) The Auditors are, or one or more of their number are ineligible for appointment for the current year; or
- (iv) The Auditors have, or one or more of their number have ceased to act as an Auditor or Auditors by reason of incapacity.

(f) The Auditors shall receive all notices, of, and other communications relating to any Annual Assembly of Delegates and one of their number shall attend such Assembly when financial matters are dealt with. The Auditor, attending an Annual Assembly of Delegates in accordance with the provisions of this Clause shall be permitted to address the Assembly and answer questions on any part of the business which concerns the Auditor.

### **19.1. Bank Accounts**

(a) There shall be a uniformed system of banking for branches, District Councils and other ASLEF accounts to allow electronic banking operation by Head Office.

### **19.2. Payment of Wages & Expenses**

(a) Members acting on behalf of the union, subject to being sanctioned by the General Secretary, and when not in receipt of the payment of wages by their employer, shall be paid the union's daily rate as determined by the Executive Committee.

(b) Members of the Executive Committee, Delegates to the AAD and other members acting on behalf of the union during their holiday periods shall be paid the appropriate rate as above.

(c) Executive Committee Members, Delegates, Representatives and Members when authorised to act for and on behalf of the union and working away from home shall be paid as follows, where food is not provided and an overnight stay is required, then reasonable food expenses for a meal can be reclaimed to a maximum amount as determined by the Executive Committee on the production of a valid receipt, provided this is authorised by the General Secretary, in all other circumstances food expenses will not be paid.

(d) When acting on ASLEF business Executive Committee Members, Delegates Representatives and Members may claim Standard class rail fares (or special saver fares

where applicable) and/or bus fares and/or the cost of other forms of transport in the absence of suitable public transport services subject to being authorised to do so by the General Secretary. All claims have to be supported by a receipt and failure to provide a receipt could result in non payment of the claim.

(e) Delegates, Executive Committee members, will not be paid for attending branch or any other meetings or for giving reports of meetings, or other purposes, unless they have instructions from the General Secretary to do so. When the members of a branch are desirous of having such a report, they must decide by a resolution to request the General Secretary to summon the Delegate or Executive Committee member to attend.

(f) All Full Time officials shall be paid a salary commensurate with their duties, and to be negotiated by two of their number with representatives of the Executive Committee. This shall be printed under separate headings in the Annual Report and Financial Statements. They shall not be paid any food expenses except in the case of Rule 19, Clause 2.(c) applying. Travel expenses may also be reclaimed when acting on ASLEF business, and when using own transport mileage expenses may be reclaimed at a rate as determined by the Executive Committee.

## **RULE 20. FINANCE COMMITTEE**

(a) Finance Committee meeting(s) are to be convened by the General Secretary

(b) Dates for the meetings are to be diarised for the year and must be in the morning of each normal (monthly) Executive Committee session commencing no later than 10:30am. The Finance Committee will on conclusion of their meeting report to the Executive Committee on the same day. If it is required special meeting can also be arranged subject to approval of the Executive Committee.

(c) The Finance Committee is to be comprised of; General Secretary, President of the Executive Committee, Head of Finance and the Trustees, all of whom are entitled to attend and participate but a minimum of one must attend. If any of the above mentioned persons are unable to attend they may be covered by an agreed substitute which has been approved by the Executive Committee in the January session of that year.

(d) An agenda is to be prepared and circulated to all attendees by the General Secretary. The agenda is to contain as a minimum the following; Minutes of the previous meeting. Matters arising Merchandise sold Expense Claims Membership Contributions Banking Transactions Debtors/Overpayments Management Accounts

## Report of the Trustee on Investment and Property Portfolio

(e) A written record of the meeting is to be kept and signed by all attendees confirming it as a true record of the recommendations made to the Executive Committee. The report is to be made available to the Executive Committee members.

(f) All information that is supplied to the Finance Committee and Executive Committee is to be treated as confidential so as to ensure the daily operations of ASLEF are protected. Any unauthorised distribution or use of this information may result in disciplinary action being taken against the person or persons involved.

## PART II

### RULES FOR THE POLITICAL FUND

The objects of the Associated Society of Locomotive Engineers and Firemen shall include the furtherance of the political objects to which section 72 of the amended Trade Union and Labour Relations (Consolidation) Act 1992 (the Act) applies. These objects are:-

- 1.1 The expenditure of money -
- a) on any contribution to the funds of, or on the payment of expenses incurred directly or indirectly by, a political party;
  - b) on the provision of any service or property for use by or on behalf of any political party;
  - c) in connection with the registration of electors, the candidature of any person, the selection of any candidate or the holding of any ballot by the union in connection with any election to a political office;
  - d) on the maintenance of any holder of a political office;
  - e) on the holding of any conference or meeting by or on behalf of a political party or of any other meeting the main purpose of which is the transaction of business in connection with a political party;
  - f) on the production, publication or distribution of any literature, document, film, sound recording or advertisement the main purpose of which is to persuade people to vote for a political party or candidate or to persuade them not to vote for a political party or candidate.

Where a person attends a conference or meeting as a delegate or otherwise as a participator in the proceedings, any expenditure incurred in connection with their attendance as such shall, for the purposes of paragraph (e) above, be taken to be expenditure incurred on the holding of the conference or meeting.

- 1.2 In determining, for the purposes of paragraphs (a) to (f) above, whether the trade union has incurred expenditure of a kind mentioned in those paragraphs no account shall be taken of the ordinary administrative expenses of the union.
- 1.3 In these objects -
- "candidate"** means a candidate for election to a political office and includes a prospective candidate;
- "contribution"** in relation to the funds of a political party, includes any fee payable for affiliation to, or membership of, the party and any loan made to the party;

**"electors"** means electors at any election to a political office;

**"film"** includes any record, however made, of a sequence of visual images, which is capable of being used as a means of showing that sequence as a moving picture;

**"local authority"** means a local authority within the meaning of section 270 of the Local Government Act 1972 or section 235 of the Local Government (Scotland) Act 1973; and

**"political office"** means the office of member of Parliament, member of the European Parliament or member of a local authority or any position within a political party.

2. Any payments in the furtherance of such political objects shall be made out of a separate fund of the union (hereinafter called the political fund).
3. The particular rules which apply to those people that joined the Union before 1st March 2018 and to political funds set up before 1st March 2018 are set out in Schedule 1 to these rules.
4. The particular rules which apply to those people that joined the Union on or after 1st March 2018 and to political funds set up on or after 1st March 2018 are set out in Schedule 2 to these rules.
5. For the purpose of enabling each member of the union who may pay a political contribution to know in respect of any such contribution, what portion, if any, of the sum payable is a contribution to the political fund of the union, it is hereby provided that 4% of each annual contribution is a contribution to the political fund, and that any member who is exempt shall be relieved from the payment of that sum and shall pay the remainder of such contribution only. A breakdown of the various banded contribution scale rates and the associated political fund contributions will be made available to any member on request and will be published annually in the ASLEF Journal which is circulated to members, and mailed direct to their home address, additionally this will be notified via circulars to branches.
6. A member who is exempt from the obligation to contribute to the political fund of the union shall not be excluded from any benefits of the union, or placed in any respect either directly or indirectly under any disability or disadvantage as compared with other members of the union (except in relation to the control or management of the political fund) by reason of their being so exempt.

7. If any member alleges that they are aggrieved by a breach of any of these rules for the political fund, being a rule or rules made pursuant to section 82 of the 1992 Act, they may complain to the Certification Officer, and the Certification Officer, after making such enquiries as they think fit and after giving the complainant and the union an opportunity of being heard, may, if they consider that such a breach has been committed, make such order for remedying the breach as they think just in the circumstances. Any such order of the Certification Officer may, subject to the right of appeal provided by section 95 of the 1992 Act, be enforced in the manner provided for in section 82(4) of the 1992 Act.
8. Contribution to the political fund of the union shall not be made a condition for admission to the union.
9. The union shall include in the annual return that is submitted to the Certification Officer details of political expenditure as required by section 32ZB of the 1992 Act.
10. The union shall ensure that a copy of the political fund rules is available, free of charge, to any member of the union who requests a copy.



### **Appendix A: Code of Conduct for All ASLEF Members**

(i) ASLEF is committed to eradicating from our Trade Union all forms of harassment, bullying, victimisation and discrimination on the grounds of an individual's actual or perceived race, nationality, ethnicity, sex, disability, age, sexual orientation, gender identity and/or religion or belief, or their association to an individual with such a characteristic.

(ii) All ASLEF representatives and officials should at all time uphold, and act in accordance with, the values and objectives of the Trade Union by ensuring members are treated with respect and dignity at all times.

(iii) Every ASLEF Official and representative has a responsibility to create a supportive environment where it is clear that harassment, bullying or discrimination will not be tolerated and that unacceptable language and behaviour will be challenged.

(iv) Harassment is defined as conduct of a physical, verbal or non-verbal nature that is unwanted by the recipient and has the purpose or effect of violating another person's dignity or creating an offensive, intimidating, hostile, degrading or humiliating environment.

(v) Bullying is defined as offensive, intimidating, malicious or insulting behaviour, or an abuse or misuse of power or authority through means intended to undermine, humiliate or denigrate the recipient or which could be reasonably perceived by the recipient to be so intended.

## **Appendix B: Model Standing Orders for Branches**

Branches may adopt Standing Orders to suit local arrangements based on the following principles.

(a) The branch shall meet monthly or as required on a set date agreed by the Branch Annual General Meeting. Special meetings shall be called by agreement of the Chair and Secretary or by a decision of the branch committee.

(b) Meetings shall commence at the time agreed by the Branch Annual General Meeting.

(c) The first ordinary meeting in the month of December shall be the Annual General Meeting at which all branch officials for the ensuing year shall be elected.

(d) The quorum shall be determined by the Branch Annual General Meeting.

(e) An agenda will be prepared by the Secretary for each meeting and this shall appear on the meeting notice board which shall be posted at least seven days prior to the meeting.

(f) Notices of motion shall be submitted in writing and be in the hands of the secretary seven days before the meeting. The Chair in consultation with members present may relax this Standing Order. Any motions received within the above time scale must be posted in accordance with rule 10.6(e).

(g) The Secretary shall read the agenda and any Minutes from previous meetings and place any correspondence before the meeting at the opening of the meeting and any query should be dealt with at this time.

(h) No member shall speak more than once on each motion, except for the mover of the motion who shall have the right of reply. When an amendment is being discussed a member may speak on the amendment even though they have spoken on the original motion.

(i) The mover of the original motion shall have the right of reply to following amendments and the vote on the amendment is then taken. This right of reply does not operate where an amendment subsequently becomes the proposition being amended.

(j) Normally voting will be by a majority vote on a show of hands and the Chair will declare the result in the appropriate terms i.e:unanimous; carried; or falls.

(k) Where the voting is equal the result to be determined by the casting vote of the Chair.

(l) Standing Orders can only be suspended when the motion to do so is supported by two thirds of the members present at the meeting.

(m) Honorary members and members of the retired members section may participate fully in debates but are not entitled to vote.

(n) The Branch shall place a suitable item on the agenda of the first ordinary branch meeting following the meeting of the District Council thereby giving the District Council delegate adequate time to report back to the branch on the business transacted at the meeting of the District Council.

(o) Nominations and elections for Health & Safety and local level representatives to be carried out at branch level in accordance with the provision of Rule 9.D.

(p) Local representatives are elected based on groupings determined by the Company Council, or in accordance with any relevant company procedures.

### **ELECTIONS FOR LOCAL REPRESENTATIVES AND HEALTH & SAFETY REPRESENTATIVES**

- candidates must have six months service with the company
- work within the relevant constituency
- The period of office is three years (except if a company procedure states otherwise).
- I When casual vacancies arise the term of office will be for the remainder of the predecessor's term of office.

(q) Where the singular responsibility for nomination of Company Council representatives or equivalent lays with one branch the nomination and election procedure of the ASLEF nominee should be carried out at branch level in accordance with the provisions of Rule 9.D.

## **DATA PROTECTION**

In the interest of keeping all data secure and protected, members are asked to please bear the following in mind:

All members should keep their contact details up to date (this can be done by logging in to the members' area of the website).

Personal email addresses must be used for union business instead of company-controlled email addresses.

Elected representatives are responsible for ensuring that any personal information they hold is saved and transmitted securely and that it is only used and retained for legitimate purposes.

Care is required when using email facilities: Use the blind copy (BCC) function when sending emails to multiple individuals. Before replying to a group email, review the participants and before adding anyone to an email conversation, review the conversation history and participants.

Care should also be taken in the conduct of branch meetings, so that any personal data that is disclosed is limited to that which is necessary and relevant. Do not share sensitive information on notice boards, social media, or WhatsApp group conversations.

Personal information must not, under any circumstances, be used for any purpose other than for union business and as directed or instructed by the union.

Members taking up any representative position within the union must be reachable by other members and once elected their contact details will made available via the relevant channels for the purpose of carrying out their trade union activities.

Members should refer to guidance previously issued by ASLEF, available on the members' area of the website.