

Aegis the Union

Rules

These rules dated January 2020 supersede all previous rules

Aegis the Union - Rules

1. Title

- (a) The name shall be “Aegis the Union”, hereinafter called "the union".
- (b) The union shall be a trade union for workers in the United Kingdom and shall be registered as a trade union in the UK under such statutes as may from time to time be relevant.
- (c) The union shall have a registered office at an address to be determined from time to time by the National Council.

2. Objectives

- (a) To organise and service the members of the union within this Constitution and Rules of the union.
- (b) To be recognised by the employers of the union’s members for the purpose of regulating the relations between those employers and their employees, and to provide a means for communication, consultation and negotiation between members and representatives of their employers.
- (c) To further the employment interests of the members by negotiating with employers on all matters which may improve the prosperity of the employing companies and the union's members, and by facilitating good relations to this end.
- (d) To support individual members in all matters connected to their employment but any such support whether financial or otherwise where relevant shall only be provided with the specific agreement of the Branch Central Council, endorsed where necessary by the National Council. In particular nothing in these rules shall grant or imply any right to individual members or branches to utilise any funds, assets or services of the union for any purpose whatsoever.
- (e) To raise and deploy such funds as may be necessary to pursue the stated objectives of the union.
- (f) To provide for the acquisition of property, investment of funds and borrowing on mortgage or otherwise as may be directed by the National Council.
- (g) To enter into any arrangement or scheme with any financial or other institution as the National Council shall direct for the benefit of the members.
- (h) To engage in such other lawful activities as may be conducive to the attainment of the stated objectives of the union.
- (i) The union has a clear commitment to promote equality for all and to eliminate all forms of harassment, prejudice and unfair discrimination, both within its own structures and through all its activities, including its own employment practices.

- (j) The union shall not affiliate to or subscribe to any political party.
- (k) To do all things as will assist in achieving the objectives of the union.

3. Membership

- (a) All workers in the UK who belong to a group listed in the Eligibility Policy shall be eligible for membership.
- (b) Applications for membership shall be made to the union on the prescribed application form. The Membership Secretary shall consider within the framework of current legislation whether or not to accept the application and shall notify the applicant of their decision.
- (c) A member may terminate his or her membership of the union by giving two months' notice in writing to the Membership Secretary
- (d) Honorary membership can be bestowed on any retired member who is not in employment. Applications should be made to the Membership Secretary.
- (e) During the first three months of membership, individual representation shall not be provided except at the discretion of the Branch Central Council, endorsed where necessary by the National Council.
- (f) Honorary Members and any member ceasing to be a member, resigning, being expelled or suspended from membership shall have no right or claim upon the union or upon its funds or effects.
- (g) Trade Union Officials and any other specified Official who is appointed and is not a member of the union in their own right shall be deemed to have membership of the union but shall have neither voting rights, the right to stand for election nor any rights to claim upon the funds or effects of the union other than by any individual contract to which they may be a party. Trade Union Officials and any other specified Official who is member in their own right shall retain all rights bestowed by way of their ordinary membership.

4. Subscriptions

- (a) Members shall pay subscriptions to the union at rates determined from time to time by the National Council. Honorary Members shall not pay a subscription
- (b) Subscriptions may be paid by deduction from salary, where suitable arrangements with the employer exist. Otherwise, subscriptions shall be paid by way of an automated payment system
- (c) A member whose subscriptions fall into arrears by the equivalent of two months' subscriptions will be referred to the Branch Central Council by the Membership Secretary. The Branch Central Council has the authority take action to resolve the situation, including

the authority to terminate membership. The decision of the Branch Central Council shall be duly notified to the member or former member by the Membership Secretary.

- (d) Trade Union Officials (and other Officials) who are not members of the union in their own right, shall only pay a subscription if they are also an employee of a recognised Company or it is specifically incorporated in their contract.

5. Union Employees

- (a) The National Council shall appoint such full-time or part-time officials as it deems necessary. The National Council shall also be responsible for employing such clerical, administrative and secretarial staff as may be required.
- (b) The General Secretary shall have overall responsibility for the administration of the union and for the control of the staff of the union in accordance with the operating policies and guidelines in force from time to time.
- (c) An employee of the union shall have the right to appeal to the National Council against any decision of the General Secretary regarding that employee taken in accordance with the Grievance & Disciplinary Policy. The appeal shall be made in writing within fourteen days of such decision, and the resulting decision of the National Council shall be final.

6. Union Learning Funds

The union manages learning projects in conjunction and in accordance with various ULFs. Union Learning Representatives are not obliged to be members of the union. Those staff and UL representatives who choose not to be part of the union shall be subject to the policies of the union but shall have no voting rights nor any rights to claim upon the funds or effects of the union.

7. Discipline

- (a) All members of the union are required to act in accordance with these Rules and not to conduct themselves in any way prejudicial to the interests of the union
- (b) Any member may refer to the National Council charges relating to breaches of union rules or conduct detrimental to the interests of the union on the part of another member, officer or official and may in support of such charges submit such written evidence as he or she wishes. The National Council shall consider such charges and determine whether a disciplinary hearing should be convened. The hearing will be conducted by a sub-committee of up to 4 members of the National Council (and appointed by the National Council), held for the purposes of judging the case and, if the charges are upheld, taking disciplinary action against the member concerned.
- (c) A member charged under this rule shall be entitled to 14 days' notice of any hearing and shall be entitled to attend the hearing to present such evidence or summon such witnesses, at his or her own expense, as he or she thinks fit, and the same entitlements shall be extended to the member who brought the charges to the attention of the National Council.

- (d) If the hearing finds against a member at a disciplinary hearing, it shall be entitled to discipline the member including by way of reprimand, suspension from benefit or from holding office in the union, for a period of time, or by expulsion from the union. The decision of the hearing shall be communicated in writing to the member concerned as soon as practicable, but in any event not later than fourteen days after the date of the hearing.
- (e) If a member is expelled from the union under the provisions of these rules, he or she shall not be entitled to re-join the union, except with the consent of the National Council.

8. Branches

- (a) The union will be organised into branches. Where Aegis has a recognition agreement with an employer there should be a branch, which shall be established or dissolved on the authority of the National Council. Where no such recognition agreement exists, members shall be deemed to be part of the General Branch.
- (b) Each branch should elect Divisional Committees from its membership to represent the interests of its branch members. The Divisional Committees elect from their number a Branch Central Council to manage its affairs within the overall policy of the union. The Branch Central Council will also regulate the relationship between the union and the employer at local level, if required with the assistance of a Trade Union Officer or Trade Union Official.
- (c) Each Branch Central Council will determine the make up of its Divisional Committees.
- (d) The number of members of each Branch Central Council and Divisional Committee shall be determined by the National Council. There shall be a ratio of a minimum of 1 Divisional Rep per 100 members and a minimum of 1 rep per 200 members to sit on each Branch Central Council. The members of each committee shall be elected every 4 years.
- (e) Each Branch Central Council and Divisional Committee shall serve for a period of 4 years, and shall make arrangements for the election as prescribed in Rule 11 to be conducted before the 31st December of each year. The new committees so elected shall meet no later than the end of February.
- (f) Elections to the Divisional Committee shall be open to any member who has held membership of the union for a period of 1 year prior to the elections.
- (g) At the first meeting of the union year, each Branch Central Council shall elect from its number the roles required by the branch CC.
- (h) Any member of the Branch Central Council may be removed from office if a resolution to this effect is put to a meeting of the Branch Central Council and supported by two thirds or more of the voting members present, provided that at least fourteen days' notice of such a resolution shall have been circulated to all members of the branch.

- (i) Meetings of the Branch Central Council shall be conducted in accordance with common good practice and adapted to suit the circumstances and locations of the members represented.
 - (j) Meetings of the Branch Central Council shall normally be called by the Branch Chair, but a special meeting of the Branch Central Council shall also be called within twenty-eight days if the Branch Central Council secretary receives a written request to this effect, signed by
 - (i) at least one fifth of the membership of the branch, or
 - (ii) at least one half of the members of the branch committee, setting out the matter requiring discussion.
- Additionally, the General Secretary may call a meeting of any Branch Central Council by giving fourteen days' notice to all members of the Branch Central Council.
- (k) A motion passed at a Branch Central Council meeting that has an impact on the union as a whole shall be submitted to the General Secretary within fourteen days of the meeting for due consideration at the next National Council meeting.
 - (l) A Branch Central Council shall have the power to fill temporary vacancies, and committee members so appointed shall have the same rights as previously elected members. It may also co-opt additional members, who shall not be entitled to vote. Members of such branch committees shall be called Union Representatives.
 - (m) The General Secretary may appoint a Senior Union Representative or Trade Union Official to act on behalf of the union in an area/branch agreed by the General Secretary. The role scope and duties of the Senior Representative shall be determined by the General Secretary. This may or may not require agreement with a relevant employer and be established under suitable arrangements agreed with that employer.

9. The National Council

- (a) The National Council shall be the principal policy making body of the union when it is sitting. It is responsible for the overall government of the union, for the determination of policy and of the rates of subscription payable by members, for the maintenance and upholding of the union's Constitution and Rules, for ensuring that the union's policy is consistent with the objectives of the union as stated in Rule 2, and for any other purpose consistent with the Rules of the union.

In particular the National Council shall:

- (i) Appoint scrutineers to supervise ballots as and when necessary to act in conjunction with the General Secretary.
- (ii) Consider and approve the accounts of the union for the previous year.
- (iii) Recommend auditors to the Annual General Meeting.

- (iv) Consider all matters affecting the members brought to its attention in writing, by any resolution passed at a Branch Central Council or by non-voting representatives attending the meetings.
 - (v) Debate and approve any deletions, additions or alterations to the Rules of the union in accordance with rule 13.
 - (vi) Have power to borrow such monies as may be required by the union from time to time and for this purpose may deposit or pledge any or all of the union's assets.
 - (vii) The National Council only shall have power to authorise industrial action by some or all of the union's members. In all cases, a secret ballot of the members concerned shall be held for the specific purpose of determining whether industrial action should be authorised, and such action shall only be authorised if a simple majority (or higher level of acceptance as determined at the time by the National Council) of those voting so determine.
 - (viii) The National Council shall be responsible for the appointment of trade union officials and the employment of the union's staff and full-time officials, for financial controls and budgets and for the auditors as may be required under these rules.
- (b) The National Council shall be comprised of the General Secretary and the elected representatives from each Branch Central Council (whether or not appointed as Assistant General Secretaries)
- One Branch Central Council member shall be elected for every 400 members employed in the Branch's recognised company. One additional Branch Central Council member shall be elected for each Branch, save for the General Branch, to facilitate appointments of Assistant General Secretaries.
- (c) In addition, other individuals may be invited to attend meetings of the National Council in a non-voting capacity for the purpose of providing factual information or technical and professional advice or services to the committee.
 - (d) The National Council shall meet as and when required, but in any event not less than once a year. Meetings of the National Council shall normally be called by the General Secretary. However, the General Secretary can, in the event of urgent business call additional meetings. In addition the General Secretary shall be required to call a meeting of the National Council within twenty-eight days, upon receipt of a written request to this effect, signed by a majority of the current members of the National Council, and setting out the matter requiring discussion.
 - (e) Every member of the National Council shall have a vote at meetings of the National Council. This will be on a one member one vote basis.
 - (f) Meetings of the National Council shall normally be presided over by the General Secretary. However, in his or her absence, the committee shall appoint a deputy chair for that meeting only from the members present. The General Secretary or deputy chair shall not exercise a casting vote at meetings of the National Council.

- (g) The General Secretary shall be directly elected by the total membership for a period of four years, although an interim election shall be held if the position becomes vacant for whatever reason or if a resolution to this effect is carried by a majority of two thirds or more of the elected National Council members entitled to attend and vote at a meeting of the National Council. National Council will determine eligibility conditions for nominations for the position of General Secretary in recognition of the professional and technical attributes and qualifications required for this position. Eligibility conditions will be determined separately in respect of each election for General Secretary.
- (h) The Assistant General Secretaries shall be appointed by the National Council from its own number for a period of 4 years, although an interim appointment shall be made if the position becomes vacant for whatever reason or if a resolution to this effect is carried by a majority of two thirds or more of the elected National Council members entitled to attend and vote at a meeting of the National Council. Nominations for these positions shall be restricted to members of the National Council union with at least two years' current experience as a member of the National Council or such other criteria set by the National Council. If there is more than one nomination for the role of branch AGS then the branch CC shall select the successful candidate. There shall be no Assistant General Secretary for the General Branch.
- (i) Members of the National Council, shall be elected by their respective branch memberships in line with statutory requirements for a period of four years, although an interim election shall be held if the position becomes vacant for any reason or if a resolution to this effect is carried by a majority of two thirds or more of the elected National Council members entitled to attend and vote at a meeting of the National Council.

Until the General Branch has 400 members, each member of the General Branch shall be entitled to vote in National Council elections in one of the other three Branches. The National Council will allocate General Branch members to Branches for voting purposes on the basis of members' previous employment or (for members with no relevant previous employment) equally as between the Branches.

Nominations for National Council (other than General Secretary)

Nominations for these positions are restricted to members of the union who are currently members of a branch Central Council and have at least two years' experience as members of a branch Central Council. However, the experience criterion may be reduced or waived altogether if in the judgment of the National Council its application would at any time unduly restrict the number of members eligible to stand for election.

Candidates in a Branch must be nominated by at least one member of the respective Branch Central Council. Each nomination must be seconded by another member of the same Branch Central Council. No Branch Central Council member may nominate or second more than one candidate.

- (j) The National Council shall have power to appoint such sub-committees and working parties as it shall deem necessary in connection with any purpose consistent with the objectives of the union, as stated in Rule 2, including union members of joint sub-committees or working parties established in consultation with an employer.

In all cases, the National Council shall have power:

- i. To remove a member or members of the sub-committee or working party
 - ii. To appoint new members
 - iii. To determine if necessary the terms of reference under which the sub-committee or working party shall operate
 - iv. To wind up any sub-committee or working party.
- (k) The National Council shall be deemed quorate if one more than half of those holding office as stated in (b) above are present.
- (l) The Deputy General Secretary and Treasurer shall be appointed by the General Secretary. Neither shall be members of the National Council. The General Secretary, Treasurer and Assistant General Secretaries shall comprise the Trustees of the union.

10. Annual General Meeting & Special General Meetings

The Secretary, under the guidance of the Officers and the National Council shall administer Annual General Meetings and Special General Meetings of members.

(a) Annual General Meetings

An Annual General Meeting of members shall be held by the end of each calendar year in order to consider;

- (i) The Annual Reports and Annual Accounts for the previous year;
- (ii) The appointment of auditors; and
- (iii) Any other resolution, notice of which shall have been received at least 14 days prior to the date of the Meeting submitted by either the National Council or any member supported by 20 other members.

At the conclusion of the formal proceedings an Open Forum shall take place. This gives members the opportunity to raise matters of interest with senior officials of the union. The Open Forum will not be minuted, but the National Council reserves the right to discuss topics of merit at their subsequent meetings. Such items will appear as topics raised by the respective committees.

(b) Special General Meetings

- (i) Special General Meetings shall be called at the request of the National Council or if a request in writing, supported by 10% of the members, is received by the General Secretary. The resolution must state the reason for requesting the calling of the Meeting and must be formally proposed and seconded.
- (ii) No business shall be discussed at the Special Meeting other than that for which the Meeting was called.

(The accidental omission to give Notice of a Meeting or the non-receipt of a Notice of a Meeting by any person entitled to receive Notice shall not automatically invalidate the proceedings at that Meeting).

(c) Administration

At least 28 days written notice of the meeting, stating the business to be transacted there at, must be given of General Meetings. An Agenda (or in the case of a Special General Meeting, any amendments to any resolution to be laid before that Meeting)will be issued 14 days before the meeting, 20 members attending shall constitute a quorum; voting shall be by show of hands, unless ten or more members request a ballot of the meeting. The Officer chairing the meeting does not have a casting vote. The result shall be binding on all members of the union unless 20 or more members require a ballot of all members. Members not present may give a proxy vote (in writing) on any resolution that appears on the Agenda.

11. Voting, Elections and Ballots

- (a) Unless otherwise prescribed in these Rules any member of any committee of the union may propose or second a motion at a meeting of that committee, and all voting members present at that meeting shall have one vote.
- (b) Except where otherwise prescribed in these Rules, voting shall normally be conducted by a show of hands of the voting members then present of the committee concerned. However, if a resolution is carried requiring a secret ballot, the chair of the committee concerned shall provide for such a ballot to be conducted. Members not present may give a proxy vote (in writing) on any resolution that appears on the Agenda.

(c) Supervision of National Council and General Secretary elections

The National Council shall appoint an independent scrutineer(s) to supervise the issue of and scrutiny of nomination papers. The membership of each branch shall elect its required number of National Council members in accordance with TULRCA 1992. In the event of there being the same number or a lesser number of nominees as vacancies then the nominees will be considered duly elected. In the event of there being more nominations than vacancies, then the Scrutineers will supervise a paper based ballot of the branch membership.

(d) Workplace Ballots

Divisional Committee and Central Council elections are considered as workplace ballots. Workplace ballots can be carried out by either an electronic or paper based ballot.

- (i) All those entitled to vote must be given voting rights.
 - (ii) Every member must be allowed to vote without interference or constraint.
 - (v) The voting paper will be distributed electronically or by using an internal postal system and returned electronically or by an internal postal system in a sealed envelope to await counting by the independent Scrutineer.
 - (vi) So far as practicable, every Member must be allowed to vote without incurring any costs.
 - (vii) Each candidate will be afforded the opportunity of addressing the membership by way of an election address (not to exceed 200 words) which will accompany the voting paper/email.
- (e) The election of the General Secretary

In the case of all ballots that are specified by statute, then the National Council shall take those steps necessary to comply with the relevant statute(s).

12. Finance

- (a) The National Council, and the Treasurer, shall be accountable for the financial affairs of the union, and shall be responsible for allocating and monitoring budgets and for ensuring that proper financial records are maintained.
- (b) The National Council shall recommend the appointment of Auditors at the AGM.
- (c) The National Council shall commission such other professional accounting services as it deems necessary in the interests of the members from time to time.
- (d) The National Council, and in particular the Treasurer, shall be responsible each year for the preparation and presentation of audited accounts for the previous financial year, in accordance with statutory requirements.
- (e) The union's financial year shall be from 1st July to 30 June each year.
- (f) The Trustees, as provided for in Rule 9 (b) are the persons in whose names all property belonging to the union shall be vested. Such Trustees shall also perform any other duties as required from time to time by the National Council.

13. Alteration to Rules

- (a) A resolution to alter the union's Rules may be proposed by the National Council or any member thereof, or by any branch committee and submitted to the General Secretary, who shall circulate it to all branch officials, National Council members and full-time officials of

the union to initiate a consultation period of not less than 14 days, after which time the resolution along with any written responses received shall be placed before the next meeting of the National Council. Such a resolution shall specify the number or numbers of the Rule or Rules to be amended and shall include the exact wording of the proposed new Rule or Rules. It shall also state the date from which the alteration is to take effect.

- (b) A resolution to alter the Rules shall require a simple majority of the elected National Council members entitled to attend and vote at the relevant meeting of the National Council in order to be deemed carried.

14 . Amalgamation and Transfer of Engagements

A proposal to approve an Instrument of Amalgamation or an Instrument of Transfer of Engagement pursuant to the relevant legislation shall first be considered by a meeting of the National Council and if passed shall be referred to the membership for a decision in a ballot to be conducted in accordance with statutory requirements.

15. Dissolution

The union shall be dissolved if the membership falls to fifty or less or if a motion proposing dissolution is carried by a meeting of the National Council and supported in a referendum by 80% or more of the total membership of the union. Dissolution shall take effect after the discharge of all debts and liabilities of the union, any surplus funds or assets being distributed in accordance with the direction of the members at the time of dissolution.

16. Interpretation

In the event of any question arising in connection with the interpretation of these Rules, or with regard to any matter upon which the Rules are silent, the National Council shall decide the question. The decision of the National Council shall be final.

Union Policies

Policies do not form part of the rules and do not require a ballot for amendment. However, and where appropriate, these policies should be read in conjunction with the rules.

Additional Paid Employment Policy
Alcohol and Substance Policy
Business Need Car Scheme
Car & Drivers Information
Dependence and Emergency Time Off Policy
Disciplinary Policy
Diversity & Equality Policy
Dress Code Policy
Driving for Work Policy
Eligibility Policy
Essential Driver Information Policy
Expenses Policy
Flexitime Guidelines
Grievance Policy
Internet Acceptable Use Policy
Job Descriptions
Jury Service Policy
Maternity Policy
Mobile Computing and Remote Working User Responsibilities
Parental Leave Policy
Personal Safety and Travel Security Guidelines
Redundancy Policy
Smoking at Work Q&A

Telephone Guidelines
Time off for Training Policy
Travel Disruption Policy
Unionlearn Expenses Policy
Legal Spend Policy
Resignation Procedure for members