Workers of England Union

CONSTITUTION OF THE WORKERS OF ENGLAND TRADE UNION

Name

1.1 The Union is the "Workers of England Union" and shall be called the "Workers of England Union" or such other name as the National Executive Council may determine from time to time in their absolute discretion ("the Union").

1.2 The main office of the Union is Stanmore House, 64-68 Blackburn Street, Radcliffe, Manchester, M26 2JS or such other address as the National Executive Council may determine from time to time in their absolute discretion.

Constitution

1.3 The Constitution of the Union sets out how the Union will regulate its activities so that its actions and policies reflect the will of the members of the Union and are in accordance with regulatory requirements and general standards of propriety and regularity.

1.4 The members of the Union must approve, by ballot, the Constitution of the Union and any amendments thereto. The National Executive Council ("NEC") may make interim amendments to the constitution, where the National Delegate Conference ("NDC") explicitly delegates authority for this; all such amendments must either be subsequently approved by the members or lapse. Approval of amendments must be given by at least a 50% majority of those voting.

Policy and Rule Book

1.5 The day-to-day implementation of Union policy and proposed amendment of the Union's Rule Book shall be the responsibility of the NEC. All such policy shall conform with and give expression to the general principles and objectives of the Union as set out in its Constitution and as determined by its NDC.

2 Aims

The Union's aims will be: -

21 To recruit, organise and represent all workers in England to protect and promote their interests.

2.2. To regulate the relations between its members and their employers in England or Wales.

2.3 To maintain and improve pay and conditions and make employment as secure as possible and promote industrial democracy in England or Wales.

2.4 To achieve and maintain equal pay for equal work for both women and men, promote equal opportunities for equal merit within the Union, the workplace and society in general, and end workplace discrimination against people because of their sex, race, nationality, religious beliefs, disability, age, marital status or sexuality throughout England or Wales.

2.5 Provide benefits (including legal help) to members in line with the Rules Book.

2.6 To promote training to members and educating members in relation to the activities they carry out on our behalf of the Union.

2.7 To promote or support legislation in the interest of members, especially those laws relating the legal rights of trade unions, industrial health, safety and welfare, social and economic welfare and environmental protection in England or Wales.

2.8 To promote the establishment of a democratic English Government and Parliament and, thereby, to promote the interests of the Union's members.

2.9 To promote the social, moral and intellectual interests of the Members of the Union.

2.10 To do all such things which in the opinion of the NEC are incidental or conducive to the attainment of the above aims or any of them.

2.11 Without prejudice to any other provisions of this Constitution, the Union may in furtherance of the above aims or any one or more of them:

a) Raise funds by way of subscription, levies or otherwise as may from time to time be determined and accept gifts of money or in kind and carry out any trusts in relation to any such gifts which are in conformity with the aims of the Union or any of them.

b) Acquire, purchase, lease, hold, charge, exchange, sell or otherwise deal with land and buildings of any tenure and property of all kinds which it is lawful for the Union to hold.

c) Contribute to the funds of or guarantee money for or otherwise aid, or combine with or affiliate to or enter into agreement or working arrangements with, any other organisation, whether corporate or incorporate, having all or any objects similar to those of the Union.

d) Maintain pension schemes or funds for the benefit of employees or past employees of the Union or their dependents and/or effect policies of insurance for these purposes.

e) Carry out educational work in the interests of its members and print and publish books, journals and other suitable material."

2.12 For all or any of the above aims, the Union may do all such things not specified above which will in the opinion of the NEC further the Aims of the union or any of them.

3. Memberships

3.1 The NEC shall define the categories of membership. It shall be a condition of membership that ordinary members shall be resident in the England or Wales and employed or engaged in an occupation in England or Wales. Where the Union organises, or represents persons engaged in an occupation, or seeks to do so, any person resident in England or Wales and engaged in that occupation shall be eligible for membership of the Union, subject to these rules and the Rule Book.

3.2 There shall be a category of membership known as "Associate Members" for those members resident in England or Wales but who are unable to follow employment because of retirement or disablement. The NEC shall determine the qualifications for membership of this category as well as the level of contributions and entitlement to benefit.

3.3 Any eligible person may apply for membership by completing the appropriate application form agreeing to be bound by the rules of the Union and submitting it to the Union office or by electronic means as may be provided for via the Union's website. An applicant shall become a member when his/her application has been approved and he/she has been entered on the register of members. Such approval process may require receipt by the Union of the contribution applicable under these rules and the Rule Book.

3.4 Each member must notify the Union's membership department of any subsequent change of address and in the absence of such notice the Union shall be entitled to treat the address shown on that member's application form as the member's address for all correspondence.

3.5 Each member must notify the Union's membership department of any subsequent change of workplace or contribution category status.

3.6 The NEC may reject an application if in its opinion the conduct of the applicant has at any time been such as would justify a disciplinary charge under these rules of the Rule Book if made against a member of the Union who behaved in a similar fashion.

3.7 The NEC has the power to suspend a member from benefit or ban them from holding any Union office or ban a member from taking part in Union business and affairs, in any case for as long as the NEC feels necessary.

3.8. Every member has the right to complain and can appeal in writing to the NEC. The decision of the NEC shall be final.

3.9 Any member shall, by payment of a subscription, be regarded as accepting the provisions of this constitution. The NEC shall in its absolute discretion have the power to waive any condition of membership set out in this paragraph.

4. National Delegate Conference ("NDC")

4.1 The NDC shall be the principal policy-making body of the Union, and shall determine the policies of the Union, subject to the following:

(a) Between National Delegate Conferences, the NEC shall have discretion to determine the policy of the Union on any matter, consistent with the policies established by the NDC or by the overriding authority of a membership ballot.

(b) On any matter which the NEC considers to be an issue of major policy, the NEC may hold a membership ballot under these Principal Rules, and the result of such a ballot shall where appropriate prevail over any decision taken by anybody or unit of the Union.

4.2 A National Delegate Conference (other than Special Delegate Conferences) shall be held at least once a year.

5. National Executive Council ("NEC")

The management and control of the Union, and the handling of its whole affairs, shall be vested in the NEC. The NEC shall conduct its affairs in accordance with: (a) the Rules of the Union; and (b) the policies determined by NDC or by membership ballot.

The NEC shall be elected annually. NEC elections shall be conducted on the same basis as that laid down for membership ballots under these Principal Rules, except that the General Secretary shall, after consulting the Independent Scrutineer, issue regulations for the conduct of the elections which shall be published to Branches and be binding on all members.

Industrial action shall only be authorised or endorsed by the Union following a membership ballot of the members concerned under this Constitution in which a majority of those voting vote in favour of such action.

(a) The NEC shall consist of the President, Vice President (together referred to as the Senior Lay Officers) and seven ordinary members, in each case elected by a ballot of the whole membership, and the General Secretary also so elected.

(b) There shall be an election for President, Vice President and ordinary members of the NEC by a postal secret ballot of the whole membership.

5.0 Members elected as above to the NEC shall be entitled to serve for a term of five years.

In furtherance of the Union's Aims set out in 2. above, the NEC shall have authority to exercise those powers in rule 2.11 and, without prejudice to the generality of those powers, shall further have the powers to:

(a) Organise, open, amalgamate, sub-divide or close Branches, Groups, Associations, or other parts of the Union, including units for coordinating the Union's activities within geographical areas.

(b) Make, vary, suspend or rescind regulations governing the conduct of the Union's business and subsidiary parts of the Union.

(c) Fill any casual vacancy.

(d) Require the attendance at its meetings of any Full-time Officer, member of staff, or member of the Union, to provide factual information or technical or professional advice.

(e) Invite to its meetings any non-member.

(f) Appoint NEC Committees.

(g) Appoint advisory committees which may include members who are not NEC members.

(h) Engage and discharge Full-time Officers, determine their pay and terms and conditions of employment, and enter into any agreement with them it considers appropriate.

(i) Make such levies, in addition to subscriptions, as it considers necessary.

(j) Convene consultative conferences of members or officers.

5.1 The NEC shall be responsible for:

a) determining the Union's strategies and tactics;

b) preparing the Union's campaigning strategy.

c) electing from among its members the Treasurer;

d) ensuring that proper arrangements are made for the NDC;

5.2 The NEC shall cause to be drawn up and maintained, as and when required, the following sets of Standing Orders and rules:

a) Standing Orders for the NEC;

b) Standing Orders and rules for Branches and Area Councils;

c) Financial rules;

5.3 Meetings of the NEC shall be conducted in accordance with the Standing Orders of the NEC.

5.4 Members of the NEC have basic obligations to attend NEC meetings, to present a short report to the NEC on what they have been doing on behalf of the Union since the last meeting and to take specified and agreed responsibilities and to ensure these are carried out as agreed.

5.5 A member may be removed from the NEC in the event of a NEC Member missing 3 consecutive NEC Meetings without adequate explanation and or failing to undertake agreed actions without acceptable explanation. Removal will be determined by a majority vote of the NEC.

5.6 The nomination of member(s) for election to membership of the NEC or to the position of President or Vice President of the Union shall be made by a fully paid up member of the Union and be supported by a second fully paid up Union member and neither of whom are to be the member so nominated, except in the case of the first three nominations. All nominations must have the consent of the member nominated to be valid.

5.7 Nomination for members of the NEC shall (excepting as noted in 5.12 below) be in writing and forwarded to the Union's main office [see 1.2 above] 21 days prior to the general meeting of the Union except as aforesaid.

6. Powers

In furtherance of the aims but not otherwise the NEC may exercise the following

powers: -

6.1 Power to raise funds and to invite and receive contributions provided that in raising funds the NEC shall conform to any relevant requirement of the law of England.

6.2. Power to buy, take on lease or in exchange any property necessary for the achievement of the aims and to maintain and equip it for use.

6.3. Power to sell, lease or dispose of all or any part of the property of the Union.

6.4. Power to borrow money and to charge all or any part of the property of the Union with repayment of the money so borrowed.

6.5 Power to employ such staff as are necessary for the proper pursuit of the aims.

6.6. Power to cooperate with other unions, charities, voluntary bodies and statutory authorities operating in furtherance of the aims or of similar union purposes and to exchange information and advice with them.

6.7 Power to establish or support any causes, associations or institutions formed for all or any of the aims.

6.8. Power to appoint and constitute such advisory committees as the executive council may think fit.

6.9 Power to do all such other lawful things as is necessary to make the achievements of the aims.

610. No new rules can be made, or any of these rules changed, amended or cancelled unless agreed by majority vote from the members of the NEC1.

7. Executive officers and groups

7.1 The NEC may appoint, as it sees fit, such officers or working groups to further the objectives of the Union and this may include:

a) implementing the decisions of the NDC and the NEC;
b) organising and directing national campaigns;
c) managing the organisation and finance of the Union;
d) developing policies;
e) managing the Union's assets.

7.2 The President shall preside at all NEC meetings, put such motions to the vote as may be seconded, and be the judge of order. The President may speak and vote on all questions. A decision of the President shall be complied with immediately, unless formally challenged by an NEC member. Any challenge shall be decided without debate and only upheld if supported by two-thirds of those present and voting. The President shall sign all minutes of NEC meetings once confirmed.

7.3 The President may attend any meeting of members to consider Union business and speak on any question.

7.4 In the President's absence the Vice President shall preside, and act with the authority of the President.

7.5 The Treasurer shall manage the Union's national finances.

8. The General Secretary

8.1 The General Secretary shall:

(a) Supervise the general work of the Union, ensuring that the register of the names and addresses of members is compiled and maintained, with entries which are, as far as is reasonably practicable, accurate and kept up-to-date.

(b) Keep the minutes and attendance record for meetings of the Conference, NEC and NEC Committees. Bound copies of the minutes, signed by the relevant chairperson, shall be kept by the General Secretary at the Head Office.

(c) Keep the books and documents of the Union in such manner and for such purposes as the NEC may appoint, and prepare all documents and returns required by law.

8.2 The General Secretary may:

(a) Convene (after consulting the President) meetings of the NEC and its Committees.

(b) Attend any meeting of the Union or of its subsidiary parts.

(c) Employ staff as necessary on terms and conditions and based on procedures approved by the NEC.

9. Regional Organisers

The powers and roles of Regional Organisers shall be determined by the NEC.

10. Standing orders of the National Executive Council ("NEC")

10.1.1 A quorum shall be formed by two or more of the members of the NEC, as they are defined in the constitution of the Union.

10.1.2 The Chair shall be taken by the President or in his/her absence, the meeting shall elect an acting Chair from amongst those present.

11. Financial rules

11.1 All bank accounts of the Union shall be subject to the authority of the NEC and shall only be opened or closed by resolution of the NEC. Bank mandates shall be approved at a meeting of the NEC. Authorised signatories on cheques, standing orders, direct debits etc. shall always include the person, normally the Treasurer, denoted at the time by the NEC to be responsible for keeping the Union's accounts.

11.2 The financial year of the Union will be from 1 January to 31 December.

11.3 The NEC will cause financial accounts to be prepared within 4 months of the end of the financial year and those accounts to be audited.

11.4 No paid employment or contract for the supply of goods or services shall be offered, granted or awarded on behalf of the Union except by a person or persons authorised for that purpose by the NEC.

11.5 Appointments or contracts may be awarded to members of the NEC or to companies in which such a person has a financial interest provided that such an award is:

- Approval in advance by the NEC; and
- Subsequently reported in the annual reports and accounts of the Union.

11.6 The Treasurer's reports to the NEC must be in writing and must include details of the Union's bank accounts and income and expenditure in the format approved by the NEC.

11.7 The Treasurer shall present to the Annual National Delegate Conference financial statements that shall include a statement of income and expenditure for the previous financial year and a balance sheet for the end of that year, both in a format approved by the NEC.

11.8 The Executive Council shall agree, annually, to a budget showing the projected income and expenditure for the Union in a format agreed by the NEC from time to time.

12. Dissolution

12.0 A National Delegate Conference convened according to this Constitution may by the votes of five sixths of the delegates present and voting pass a resolution to dissolve the Union and, if such a resolution is carried, a further resolution shall be taken to specify the disposition of all monies and other assets of the Union after all liabilities of the Union shall have been met, including the appointment of such person or persons thought fit to carry out such dissolution and all or any matters consequential thereon, and the decision shall be binding on all members.

13. Trustees

13.0 There will be two trustees. The trustees will be elected in any way the NEC decides, and for as long as it feels is appropriate. Trustees will no longer hold office when their membership ends.

13.1 The trustees must not sell, withdraw or transfer any of our invested funds without the authority of the NEC, which the general secretary and treasurer will give, in writing, on the NEC's behalf.

13.2 The trustees will perform such duties as the NEC has made them responsible for.

13.3 The NEC can replace any trustee.

13.4 The NEC can appoint a corporate organisation to act as custodian trustees under the public Trustee Act 1906.

13.5 All money and property we receive or obtain will belong to the Union, and will be controlled by the general trustees.

13.6 The funds of the Union will be held in one or more banks as specified by the NEC. The NEC can choose to hold part of the fund in any other bank or in any way and in any part of the world as it feels is appropriate

13.7 The NEC will have the power to use our funds in any way it feels is necessary and appropriate.

13.8 There will be a central fund for protecting and supporting members to achieve their aims in their workplaces, and for generally managing the union.

13.9 The NEC will raise the central fund in any way it feels is necessary.

13.10 The NEC will decide which costs will be met by the central fund or paid by regions.

13.11 The central fund will be managed by the NEC.

14. Auditor

14.0 Our accounts will be audited by a chartered accountant appointed by the NEC ("the Auditor")

14.1 The auditor will have the access to our books and information as required under the Trade Union and Labour Relations Act 1974.

15. Elections of NEC Members

15.0 The NEC is the governing body of the Union. The NEC meets every two months. It is elected by secret ballot of the Union members.

15.1 Elections under this rule will be held by secret ballot. Members of the NEC who are elected in this way will hold office for five years from the first Tuesday in December in the year they are elected.

15.2 Elections under this rule will be organized and held in line with by-laws issued by the NEC. These by-laws may say whether failing to keep to any by-law will disqualify a candidate from being elected. The NEC can amend or withdraw any by-law, as long as doing so would affect only the future conduct of current or future elections.

16. President

1. The president will be elected at every fifth NDC from among the members of the NEC. The president will hold office for five years, chair the NDC after that at which they are elected and be eligible to be nominated and re-elected after their five-year term of office. During their term of office, the president will chair all meetings of the NEC and other union meetings the NEC may hold. They will also: -
   i) Be responsible for making sure the NDC carries out its business in a proper way;
   ii) Sign the minutes (the general secretary and treasurer will also do this);
   iii) Make sure all members of the NDC keeps to these rules;
   iv) Go to the English Democrats Party Conferences, and other conferences as appropriate.
2. For his services, the president will receive a payment (called an honorarium), the amount of which will be decided by the NEC.

3. The general secretary must receive all nominations to elect a president by the Monday of the week before the meeting of the NDC.
4. In the event of a casual vacancy the Vice-President assumes the Presidency until the next meeting of the NDC.

17. Vice-President

1. The vice-president will be elected at every fifth Ordinary NDC from among the members of the NEC. They will hold office for five years. In the event of a causal vacancy the NEC will appoint a Vice-President to hold office until the next NDC. If the president is absent from a meeting of the NEC the vice-president will chair the meeting and be responsible for making sure business is carried out in a proper way.
2. The general secretary must receive all nominations to elect a vice-president the Monday of the week before the meeting of the NDC.
3. For his services, the vice-president will receive a payment (called an honorarium), the amount of which will be decided by the NEC.