

CONSTITUTION

OF THE

Public Services Association



**Of
Trinidad And Tobago**



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**RULES
OF THE
PUBLIC SERVICES ASSOCIATION
OF
TRINIDAD AND TOBAGO**

NAME AND OFFICE

1. The name of the Association shall be "THE PUBLIC SERVICES ASSOCIATION OF TRINIDAD AND TOBAGO" hereinafter called "The Association.
2. The registered office of the Association shall be No. 89 Abercromby Street, Port of Spain, or such other place as the General Council may from time to time determine.

OBJECTS

3. The objects of the Association shall be:-
 - (a) To promote and to protect the interest and welfare of its members;
 - (b) To promote a cordial relationship between its members and Government and to settle disputes amicably whenever possible;
 - (c) to improve the Service generally;
 - (d) To provide benefits for its members;
 - (e) To promote liaison with other Associations or Groups having similar aims and objects;
 - (f) To do all other such lawful things as are incidental or conducive to the attainment of the above objects or any of them;

MEMBERSHIP

4. Membership of the Association shall be of the following classes:-
Ordinary and Honorary.

- (a) (i) **Ordinary Membership** shall be open to all public employees that is to say all employees of the Central Government, of Local Authorities, of Statutory Authorities, of Statutory Boards or Corporation or of any other Agency or Authority or body carrying out functions of a public nature. Ordinary membership shall also be open to any worker and all workers in areas where a service is delivered in Trinidad and Tobago, who are desirous of becoming members of the Association.
- (ii) In these rules the term "member" wherever it appears without qualification means an ordinary member and the term "membership" shall be interpreted accordingly.
- (b) Notwithstanding the provisions of Rule 4 (a)(i) a person who is a Civil Servant or employee of the Central Government or of any Local Authority or Statutory Authority or Corporation or of any other Agency or Company or business or undertaking in any area where service is delivered and who is a member of an Association or Trade Union which enjoys recognition (i.e. sole bargaining rights) in respect of any group of employees which includes such person, shall not be admitted to membership.
- (c) Application for Ordinary Membership shall be subject to the approval of the General Council and shall be made on the form prescribed in Schedule 1 of these Rules. Membership in the Association shall take effect from the date on which the full payment of Entrance Fee and the first month's subscription is made.

- (d) **Honorary Membership** :An Ordinary Member of the Association who has retired from employment, shall upon retirement, be automatically transferred to Honorary Membership of the Association and shall be exempted from payment of all dues but, except where otherwise provided for in this Constitution, shall not be eligible to vote for or be voted for any office.
- (e) (i) The Conference may invite to Honorary Membership such persons as it thinks fit and proper.
- (f) (i) A person who becomes an Honorary Member of the Association by virtue of Rule 4(d) and who is re-employed shall become eligible for Ordinary Membership. Should such member, however, decide not to re-apply for Ordinary Membership he/she shall continue as an Honorary Member but shall not be eligible for any representation by the Association in matters concerning his/her new employment.
- (ii) Where a person becomes eligible for Ordinary Membership i.a.w. the provisions of this rule he/she shall, upon application for Ordinary Membership and provided such application is made within two months of his/her re-employment be re-admitted without being required to pay any entrance or re-admission fee, but shall become eligible to pay the appropriate monthly subscription. Where a period of two (2) months has elapsed after re-employment, the ordinary entrance fee shall be paid.
- (iii) Where an **Honorary member** is **re-admitted as an Ordinary member** under Rule 4(f)(ii) above, his/her Honorary Membership shall be suspended . In addition he/she shall become entitled to all other rights and benefits in the Association subject only to such limitations (including age) as are related to each of such benefits. Such member shall automatically regain his/her Honorary membership upon subsequently ceasing to be an ordinary member.

OFFICERIAL MEMBERSHIP

- (g) Officerial Membership shall include all fulltime and parttime officers of the Association who are not Ordinary Members of the Association.
- (h) Any former officer of the Association who ceases to be eligible for Ordinary Membership and who does not qualify for Honorary membership under Rule 4(d) shall become an Honorary Member of the Association.

5. ENTRANCE FEE AND MONTHLY SUBSCRIPTION

- (i) Ordinary members shall pay an entrance fee of ten dollars (\$10.00) and a monthly subscription of one hundred dollars (\$100.00) , or any other rates as may be determined by the Conference from time to time. Such monthly subscription shall be payable in advance.
- (ii) The Entrance Fee and/or subscription and/or any other payment due to the Association may be paid by cash or by deductions from salary paysheets or in such other manner as the General Council or Conference may from time to time determine.
- (iii) Notwithstanding any other Rule, the Conference shall have authority, in special circumstances as it may determine, **to waive payment of subscriptions** due by any member or all members of the Association for a specified period.

6. UNFINANCIAL MEMBER

- (a) A member whose subscription is two months in arrears or who has not paid a levy within three (3) months of its declaration shall be deemed unfinancial. A member whose subscription is six (6) months in arrears or who has not paid a levy within six (6) months of its declaration shall cease to be a member of the Association and his/her name shall be removed from the roll of members, provided that

such a person may, with the approval of the General Council, be reinstated into full membership in the Association after satisfying terms and conditions laid down by the General Council or the Conference.

- (b) Where a member becomes **unfinancial** he/she shall, upon the payment of all arrears due, become financial, but shall not be eligible to take part, vote for, or be voted for in any elections or other business of the Association until a period of ninety (90) days shall have elapsed after the date on which such arrears have been paid.
- (c) An **unfinancial** ordinary member shall not be permitted to vote, or be voted for at any meeting of the Association, or Section, and he shall not be eligible to serve as a delegate to the General Council or to the Conference. An **unfinancial member** shall not be counted to form a quorum. In addition, he/she shall not be eligible to serve as a member of any Committee or body in the Association, or as a representative of the Association.

7. **ELIGIBILITY TO VOTE AND STAND FOR NATIONAL OFFICE**

- (i) An Ordinary Member (including a re-admitted member) shall be permitted to vote in National Elections, or be voted for at any meeting of the Association or Section, and he/she shall be eligible for election to such with the exception of national office after the expiration of **six (6) months** from the date of his/her admission to membership.
- (ii) An Ordinary Member (including a re-admitted member) shall be counted to form a **quorum** after the expiration of **ninety (90) days** from the date of membership.
- (iii) A member shall be **eligible for nomination** to any national office in the Association only after he/she shall have completed **twenty four (24) months continuous membership** and must have been a financial member on the date of the election

8. **RE-ADMISSION TO MEMBERSHIP**

- (1) A person who ceases to be a member of the Association by reason of:-

- (a) Arrears of subscription or a levy may be re-admitted to membership at the discretion of the General Council on the payment of sixty dollars (\$60.00) or any other rate as determined by the Conference provided, however, that where a person's membership ceases as a result of arrears of subscription on account of such person being on no-pay leave, such person shall be re-admitted to membership, free of charge upon application, provided that he/she applies for re-admission within sixty (60) days of his/her resumption of duty from no pay leave.
- (b) **Voluntary resignation**, A member who voluntarily resigns may be readmitted to membership at the discretion of the General Council, provided that the re-admission fee shall be sixty dollars (\$60.00) or such other sum as determined by the Conference is paid.

(c) Retrenchment

- (i) Where not more than twelve (12) months elapsed between the date of the Officer's retrenchment and that of his/her application for re-admission to membership, he/she shall on his/her re-absorption into the service be allowed to continue membership from the time of his/her re-employment and be classified as a member whose membership has been continuous on payment of the amount due for subscription which he/she did not pay during the period of his/her retrenchment.
- (ii) When more than twelve (12) months elapsed between the date of the officer's retrenchment and that of his/her application for re-admission to membership of the Association, he/she shall be re-admitted free of charge, provided that he/she applied for re-admission within sixty (60) days of his/her reabsorption into the Service. In all other applications for re-admission the sum of sixty dollars (\$60.00) shall be paid, or any other rate as may be determined by the Conference.

- (iii) For the purpose of these Rules, any member whose services were terminated for reasons other than voluntary resignation, discipline or retirement, shall be considered to have been retrenched.
- (2) Notwithstanding anything contained in this Constitution a person who ceases to be a member of the Association by virtue of Rule 6 and who, within twelve (12) months of such cessation of membership pays all arrears due (including such sums which would have been paid had he/she continued in membership) shall be reinstated in membership and shall after a period of ninety (90) days of reinstatement, enjoy all rights and privileges due to him/her as though his/her membership had not ceased.
- (3) Where any person loses membership i.a.w. provisions of any of the above Rules, or in any other manner not provided for under these Rules, the General Council, may in its discretion, re-admit such person to membership in the Association on such terms and conditions which the General Council may determine provided, however, that nothing in this rule may be interpreted to give the General Council the Authority to waive the payment of subscriptions.
- (4) **Preservation of Membership while on no pay leave :**
A member of the Association who is proceeding on leave without pay may, if he/she so desires, apply to the General Council for a suspension of membership during the period of his/her leave and such application, if granted, would have the effect of enabling the member, upon his/her return to work to have the entire period of his/her no pay leave counted as though he/she was a fully paying member.
- 9. **Loss of Membership due to Dismissal or Suspension :** A person who has lost his/her qualification for membership by virtue of dismissal or suspension from his/her or place of employment shall continue to enjoy the rights of representation for as long a period as the General Council thinks fit.
- 10. A member requiring access to the privileges shall be required to submit a written request as provided at Rule 8 (4) and 9 to the General Council within sixty (60) days of such suspension, dismissal or commencement of no pay leave.

THE CONFERENCE

11. The **SUPREME AUTHORITY** of the Association shall be vested in the Conference. The Conference shall comprise delegates elected by Sections in accordance with Rule 57 (1) (b), the Officers of the Association and one (1) representative elected by the members of each Consultative Committee which is organised outside of a Section.
12. (i) There shall be an **Annual General Conference** to be held within the first quarter of the Financial Year.
 - (ii) The Annual General Conference shall, among other matters, consider the following:-
 - (a) Report of the President as approved by the General Council on the activities of the Association over the past year;
 - (b) Report of the General Secretary on the Industrial Relations activities for the preceeding year as approved by the General Council.
 - (c) An Estimate of Receipts and Expenditure for the new year;
 - (d) A Statement of Income and Expenditure and a Balance Sheet for the past financial year.
 - (e) Matters proposed by the General Council.
 - (f) Motions proposed by Sections to the General Council.
 - (iii) All Conference Documents must be sent to delegates at least fourteen (14) days before the Conference.
 - (iv) The Conference shall have the authority to make rules governing Elections and Election Procedures
 - (v) The Conference shall have the power to interpret the Rules of the Association.

13. SPECIAL CONFERENCE

(i) A Special Meeting of the Conference:-

- (a) May be called by the President, or by the person acting in the position of President;
 - (b) Shall be called by the President within thirty (30) days of receipt of a requisition signed by the majority of the members of the General Council;
 - (c) May be requested by a majority decision of the General Council. Such request shall be relayed to the President who shall summon a Conference within thirty (30) days of receipt of the request.
 - (d) Shall be called by the President within thirty (30) days of receipt of a requisition in writing signed by not less than one hundred (100) financial members of the Association not being members of the General Council or of the Conference, provided, however, that a meeting requested under this rule must be requested as a result of some decision taken by the General Council. Where a meeting of the Conference has been called i.a.w. this Rule, any member of the Association who signed the request for the meeting shall be entitled to address the meeting on the subject matter for which it is called.
- (ii) At a Special Meeting, the Conference shall deal only with those matters for which the Special Meeting was called.
- (iii) **Terms and Conditions of full time officers** :The Conference shall have the authority, acting upon the advice of the General Council, to make regulations governing the pay and other conditions of service of full time officers and employees.

14. **NOTICE** :Notice in writing of any meeting of the Conference to gether with a copy of the Agenda for any such meeting shall be forwarded by the President or General Secretary to each delegate via the Secretary of each Section. At least fourteen (14) days notice must be given in the case of Ordinary Meetings and at least seven (7) days in the case of Special Meetings.
15. **Quorum at Conference** :At all meetings of the Conference thirty (30) delegates representing not less than twelve (12) Sections and not counting any Officers, shall form a quorum.
16. **CHAIR** :The **Chair** at a meeting of the Conference shall be taken by the President, or in his/her absence by the First Vice President, or in his/her absence by the Second Vice President. If none of these are present, the Chair shall be appointed by the meeting.
17. The Chair of a meeting of the Conference may with the consent of the meeting, **adjourn** any business from time to time and from place to place but no business shall be transacted at any adjourned meeting other than the business left unfinished at a meeting at which the adjournment took place.

THE GENERAL COUNCIL

18. **Authority of the General Council** :The General Council shall be responsible for directing the affairs of the Association between meetings of the Conference.
19. **Composition of the General Council** :The General Council shall comprise the officers of the Association, together with one member nominated by each Section.
20. **Temporary Vacancy in General Council** :
 - (i) Any member of the General Council leaving the country on leave of absence shall give notice in writing to the General Secretary informing on the period of time he/she would be unavailable. In the case where the member was appointed by a Section, the vacancy shall be filled by the Section at its discretion.

- (ii) Where for any reason a representative of a Section is unable to attend any meeting of the General Council or ceases to be a member of the Section or General Council the Management Committee of the particular Section shall be empowered to nominate a representative to replace him/her for the period of his/her absence from among members of the Section.
21. **Meetings of the General Council** : The General Council shall meet as often as it considers necessary but at least one meeting shall be held each month. Such a meeting shall be referred to as the Ordinary Monthly Meeting and shall be held on the third Thursday in each month, unless the Executive Committee or the General Council or the President or the person acting as President directs otherwise.
22. **Absenteeism of General Council Members** : Where the General Council becomes aware that one of its members has been absent from three consecutive ordinary monthly meetings of the General Council, it may, in the absence of a reasonable excuse from the member, declare his/her seat vacant. Where the General Council declares a seat vacant, the Section shall be informed of the vacancy. It shall be the duty of the General Secretary to draw to the notice of the General Council any instance in which a member has been absent from three(3) consecutive ordinary monthly meetings.
23. **Notice in writing of an Ordinary Monthly meeting** of the General Council with a copy of the Agenda shall be forwarded to each member by the General Secretary at least seven (7) days before such meeting.
24. **A Special Meeting of the General Council** :
- (a) may be called by the President or in his/her absence by the person acting as President;
 - (b) may be called by the Executive Committee;
 - (c) may be fixed by the General Council;
 - (d) shall be called by the President within seven (7) days in accordance with a decision of the majority of members of the General Council taken at a duly constituted meeting of the Council or by a request signed by fifty percent (50%) plus one of the members of the said Council.

25. **Quorum of the General Council** :At all meetings of the General Council fifteen (15) members excluding Officers shall form a quorum. If after thirty (30) minutes from the time appointed for the meeting such quorum is not present, the meeting may be adjourned to the same day in the following week at such time and place as the Chair shall direct.
26. **The Chair at a meeting of the General Council** shall be taken by the President or in his/her absence by the First Vice President or in his/her absence by the Second Vice President. If none of these officers are present a member appointed by the meeting shall chair the proceedings.
27. **Dissenting Vote** :Where a decision of the General Council has been taken and fifteen (15) or more members voted against the said decision, not less than fifteen (15) of those who voted against the motion may request that their dissenting votes be recorded and that the matter be referred to the Conference. The matter shall be put on the Agenda for the next meeting of the Conference.
28. **The General Council shall conduct the business** of the Association in conformity with the policies determined from time to time by the Conference.
29. (a) The General Council shall, subject to the ratification of the Conference, **have authority to interpret the Rules of the Association** and to give rulings on any matter on which the rules are silent.
- (b) Any ruling given or interpretation made by the General Council shall be reported by the General Secretary to the next meeting of the Annual Conference. Such report shall be regarded as a motion for ratification of the decision of the General Council and the Annual Conference may, upon giving consideration to such motion either:-
- (i) ratify the decision of the General Council, or
 - (ii) vary the decision of the Council; or
 - (iii) change the ruling which has been given

30. APPOINTMENT OF SUB COMMITTEES :

- (i) The General Council shall have the power to appoint Committees and shall, after each Annual Meeting of the Conference appoint the following Standing-Committees:
 - (a) Grievance Committee;
 - (b) Organisation Committee;
 - (c) Women's Arm;
 - (d) Youth Arm
 - (e) Male Caucus

31. GRIEVANCE COMMITTEE

- (i) The Grievance Committee shall make recommendations on all grievances to the General Council for its consideration.
- (ii) A complaint by a member shall be submitted to the Association either directly or through the Secretary of the Section to which the member belongs. Where the complaint is submitted through the Section's Secretary he/she shall, as soon as possible after receiving same, submit such complaint to the General Secretary with the written comments of the Section. As far as practicable Sections should be involved in the processing of grievances of members.
- (iii) The Grievance Committee shall within twenty one (21) working days of receipt of such a complaint inform the member or the Section on the steps taken to resolve the complaint.
- (iv) Reports from the Grievance Committee to the General Council shall be in writing.
- (v) One of the Vice Presidents shall, on the recommendation of the President, be the Chairman of the Grievance Committee and he/she shall be appointed by the General Council at the time the said Committee is being appointed.

ORGANISATION COMMITTEE

32. The duties of the Organisation Committee shall be:-

- (a) To recommend to the General Council the names and number of Sections of the Association;
- (b) To examine the terms of employment of members and recommend to the General Council the Section to which they should belong.
- (c) To report to the General Council on matters dealing with the organisation of members from time to time, as the need arises.

WOMEN'S ARM

33. (i) The Women's Arm may include female members of the Conference or the General Council, or ordinary female members of the Association.
- (ii) shall advise the General Council on any matters affecting the welfare of our female members and women in the wider society.

YOUTH ARM

34. The Youth Arm may include persons thirty five (35) years and under

- (a) To promote the awareness and active involvement and participation of young people in the Trade Union Movement and its various activities.
- (b) (i) To cater for the interests of young people in general and young workers in particular, including their health, welfare and recreational needs.
- (ii) To be registered and establish links with other bodies whether they be local, regionally or internationally.
- (iii) To engage in any other activity organised by those bodies at (ii) above.

MALE CAUCUS

35. (i) The Male Caucus shall comprise male members of the Conference or General Council or ordinary members of the Association

- (ii) shall advise or contribute and participate in any matters affecting the welfare of our male members and men in the wider society.
- 36. Subject to Rules 38(g) the General Council on the recommendation of the Executive shall have the power to appoint any member or Officer as a representative or delegate of the Association to any national or international body to which the Association is or may become affiliated.

NATIONAL OFFICERS

- 37. (a) **The National Officers of the Association** shall be the President, First Vice President, Second Vice-President, General Secretary, Deputy General Secretary, five (5) Industrial Relations Officers, Treasurer and two (2) Trustees to be elected by a poll from among all members of the Association who are eligible to vote. The Conference may from time to time vary the number of offices of Industrial Relations Officer as it considers necessary in the interest of the Association.
- (b) **The President, the First Vice President, the General Secretary, the Deputy General Secretary, and Five (5) Industrial Relations Officers**, shall be fulltime paid officers of the Association and shall be entitled to vote and be voted for in any national elections or at any meeting or Committee of the Association of which they are members.
- (c) The Second Vice President, Treasurer and Two (2) Trustees shall be part-time officers
- (d) Notwithstanding anything contained in this Constitution to the contrary, an ordinary member of the Association who becomes a fulltime Officer shall continue to enjoy all rights and privileges of an ordinary member of the Association during the whole of his/her period of fulltime employment with the Association.
- (e) Persons elected under (a) of this Rule shall take office and carry out the duties of the respective offices on the day after the date on which the first elections are held under these rules.
- (f) Notwithstanding any other Rule, a National officer shall:-
 - (i) **Retire from the service of the Association** on attaining the age of sixty (60) years.

- (ii) Be made to proceed on all the vacation leave to which he/she is entitled, to expire on the date immediately preceding his/her sixtieth (60) birthday.
 - (iii) **Cease to hold office** from his/her sixtieth (60) birthday.
 - (iv) And shall, when elected, **show proof of age** either by a birth certificate or other legal document.
- (f)
- (i) **When, through any circumstances, an office to which election is made falls vacant**, the vacancy shall be filled by a bye-election in accordance with the Election Rules; save that
 - (ii) the Conference, may in its discretion, decide whether the vacancy should be filled by appointment or whether it should remain vacant for such time as Conference may decide;
 - (iii) the Conference shall decide within three (3) months of the coming into being of such vacancy:
 - (a) if a bye-election should be held as at (i) above;
 - (b) if an appointment should be made as at (ii) above;
 - (c) if the post should remain vacant as at (ii) above.

DUTIES AND RESPONSIBILITIES OF PRESIDENT

38. The President:

- (a) shall be the **Chair of all meetings** of which he/she is a member and as such have a deliberative and casting vote.
- (b) shall have power to suspend until the next following meeting of the General Council any Officer of the Association for failure to carry out his/her instructions or the instructions of the General Council. Where the Officer is full time, suspension shall be with full pay until the first meeting of the General Council following

the suspension. If the matter is unresolved the General Council shall determine whether or not the Officer shall be on full pay or partial pay, pending the resolution of the matter.

- (c) shall have the power to suspend with pay any employee of the Association until the next following meeting of the General Council. At the meeting of the General Council, if the matter is still unresolved, the General Council shall decide whether the suspended employee shall continue to receive full-pay, or partial pay pending the resolution of the matter.
- (d) shall have the authority to conduct correspondence on behalf of the Association.
- (e) shall be the Chief Executive and Administrative Officer of the Association and shall, within the provisions of the Rules and subject to such directions which may be given from time to time by the General Council and/or the Conference have full authority for the management of the Association's business and the direction of its affairs within the context of this rule. All Officers and employees of the Association shall be subject to his/her instructions.
- (f) shall be Chief spokesperson of the Association and shall be responsible for all Press Releases.
- (g) shall be the principal delegate of the Association to any national, regional or international bodies to which the Association is or may become affiliated.
- (h) shall be responsible for any Reviews, Newspapers, Magazine or other publication issued by the Association and in the exercise of these functions shall be assisted by a Committee appointed by the General Council for the purpose. He/She may share this responsibility with any other Fulltime Officer of the Association. In the event of any disagreement between the President and the Committee, the issue shall be resolved by the General Council.

- (i) In any case where time does not permit for the Executive Committee to be convened, may take action after consultation with the First Vice President and/or General Secretary and with the agreement of any five(5) members of the General Council. He/ She shall report such action taken to the next meeting of the Executive Committee.
- (j) shall generally perform such duties and take such actions as are necessary to protect or advance the interests of the Association and shall report any such action taken to the next following meeting of the Executive Committee, and of the General Council and of the Conference.
- (k) shall be a signatory to all cheques for withdrawals of monies from the Association's Banking Accounts.
- (l) shall be the Chief Negotiator of the Association.

DUTIES AND RESPONSIBILITIES OF VICE PRESIDENTS:

- 39. (a) In the absence of the President, the First Vice President shall preside at meetings and in his/her absence the Second Vice President, an elected part time Officer, shall preside.
- (b) The Vice Presidents shall generally assist the President in the performance of his/her duties and may carry out such duties or assignments as are specifically delegated to them by either the President or the General Council.
- (c) The Vice Presidents shall as far as practicable be delegates of the Association to any national, regional and/or international bodies to which the Association is or may become affiliated.
- (d) To assist or represent the President who is the Chief spokesperson of the Association in researching and analysing facts and information pertinent to facilitating the articulation of the Union's positions on issues.
- (e) To undertake as required responsibilities for drafting and/or editing Reviews, Magazines, Newspaper or other publications issued by the Association.

- (f) To represent the Association as directed at symposia meetings and other fora in the event of the absence or unavailability of the President.
- (g) To actively assist the President with preparations for negotiations with employers.
- (h) To perform such other duties pertinent to the status of a Principal Officer, as directed by the President, Executive, General Council, or Conference from time to time.

DUTIES AND RESPONSIBILITIES OF GENERAL SECRETARY

40. The General Secretary shall:-

- (i) Aid and assist the President in the performance of his/her duties and in the exercise of his/her duties shall be subject to the directives of the President.
- (ii) Keep the roll of members of the Association and such other books as the General Council may direct.
- (iii) Have the authority to conduct correspondence of the Association.
- (iv) In consultation and agreement with the President prepare the Agenda for all meetings of the Executive, or of the General Council or of the Conference and make arrangements for the taking of Minutes of such meetings.
- (v) For the Annual Meeting of the Conference, forward the following documents to each delegate to the Conference in accordance with Rule 14:
 - (a) A Notice of the Meeting indicating the date, time and place of the meeting.
 - (b) The Report of the President as approved by General Council
 - (c) The Report of the General Secretary as approved by General Council

- (d) A Statement showing the attendance of delegates of Sections and Consultative Committees to meetings of the Conference during the preceding year.
- (e) A Statement showing the attendance of Sections to meetings of the General Council during the preceding year.
- (f) an audited Financial Report for the previous year
- (g) a Draft Budget for the succeeding year
- (vi) Supply all Sections with copies of the Minutes of the meeting of the General Council during the preceding year.
- (vii) Supply all members of the General Council with copies of all reports of Sub-Committees submitted under these rules.
- (viii) Perform such other duties as may be assigned to him/her from time to time by the General council.
- (ix) Preserve or cause to be preserved all important documents, papers, books, records, and letters that are in the possession of the Association.
- (x) As far as is practicable, be a delegate of the Association to any National, Regional or International bodies to which the Association is or may become affiliated.
- (xi) Be responsible for the day to day processing of grievances of members, for making representations on behalf of individual members or Sections or Staffsides of Joint Consultative Committees or Regions or any other groups of members with regard to their conditions of service.

DUTIES AND RESPONSIBILITIES OF DEPUTY GENERAL SECRETARY

41. The Deputy General Secretary:
- (i) shall assist the General Secretary in the performance of his/her duties and shall act for him/her in his/her absence.
 - (ii) ensure compliance by members with all Agreements concluded with the Employer
 - (iii) supervise the co-ordination of Management Committees of Sections, Staffsides of Joint Consultative Committees and Regions.

DUTIES AND RESPONSIBILITIES OF INDUSTRIAL RELATIONS OFFICERS

42. (a) An Industrial Relations Officer shall assist the General Secretary in the performance of his/her duties by carrying out such functions as may be assigned to him/her from time to time.
- (b) Other duties shall include:
- (i) advise members on the operation of industrial awards and agreements
 - (ii) assist in the maintenance of good relationships between Staffsides, Management Committees, Region Representatives and Management
 - (iii) examine and resolve industrial disputes and grievances at the workplace
 - (iv) study and interpret relevant industrial legislation
 - (v) conduct research into particular industrial relations issues
 - (vi) represent members before tribunals
 - (vii) advise, develop and assist in negotiating enterprise-based agreements
 - (viii) oversees the formation and conduct of workplace Consultative Committees and members participation

DUTIES AND RESPONSIBILITIES OF TREASURER

43. (i) The Treasurer shall:
- (a) Have the authority to co-sign cheques for withdrawal of monies from the Banking Accounts of the Association.

- (b) Receive all monies paid to the Association and shall be responsible for ensuring that such monies are lodged with the Bankers of the Association in the name of the Association.
- (c) Keep the Accounts of the Association and present a monthly Financial Statement of receipts and expenditure for such periods as the General Council may decide from time to time. Such statement shall include:
 - 1. The financial commitments of the Association;
 - 2. The amount of money paid towards the commitments.
 - 3. The amount of money due and owing the Association
 - 4. The current financial status of the Association
 - 5. The amount of money standing to the credit of each Fund
- (d) Submit for audit when required, the accounts, books and vouchers of the Association, and present the audited Accounts to the next following meeting of the General Council.
- (e) Prepare and present to the Annual Conference a copy of the Balance Sheet and Statement of Receipt and Expenditure
- (f) After agreement with the President and Executive Committee, prepare and submit a draft Budget to the General Council in time for the Annual Meeting of the Conference.
- (g) At least one month before the date fixed for the Annual Meeting of the Conference, present to the General Council a report for the preceding financial year, including an Income and Expenditure account and Balance Sheet.
- (h) In the absence of the Treasurer either of the Trustees may be assigned the duty of the Treasurer by the General Council.
- (i) In the event of an emergency the President may assign either of the Trustees to carry out the duties of the Treasurer after consultation with the Executive Committee and agreement with five (5) members of the General Council. He/she shall report such action taken to the next meeting of the General Council.

44. DUTIES AND RESPONSIBILITIES OF TRUSTEES:

Trustees shall be responsible:

- (a) To hold in trust for the use and benefit of the Association and the members thereof, and the real and/or personal property of the Union/Association.
- (b) to bring or to defend or to cause to be brought, or to cause to be defended, any action, suit, prosecution, or complaint in any Court, in the furtherance or protection of the interests of the Association in all/any matter, concerning the real or personal property of the Association/Union.
- (c) Where the Trustee defaults in his/her responsibilities, to discharge the duties in the manner prescribed by this Constitution, or by the Executive, the General Council or the Conference Rule 82 shall apply
- (d) To do such other lawful things as are conducive to the discharge of their statutory functions as prescribed in the Trade Union Act. 88:02

45. EXECUTIVE COMMITTEE;

- (a) There shall be an Executive Committee comprising all Officers of the Association.
- (b) The Executive Committee shall, subject to directives given from time to time by either the General Council or the Conference, have the authority to act on behalf of the Association between meetings of the General Council and shall report any action to the next meeting of the General Council.
- (c) The Executive Committee shall meet as often as it is considered necessary and at such time and place as may be decided upon from time to time.
- (d) The Executive Committee shall, subject to the ratification by the General Council employ staff or other workers for the effective and efficient operation of the Association's business.
- (e) Five (5) members of the Executive shall form a quorum.
- (f) Meetings of the Executive Committee may be called by the President or may be fixed by the Committee itself.

- (g) A Meeting of the Executive Committee shall be called by the President within three (3) days of his receipt of a requisition signed by not less than five (5) other Officers stating the precise issue.
- (h) It shall be the duty of the Executive Committee, either acting on its own, or at the request of the General Council or the Conference, to consider any matter in which the Association has an interest, and to offer advice and/or recommendation on same.
- (i) minutes shall be kept of all meetings of the Executive Committee.

TENURE OF OFFICE

- 46. (i) **A member of the Management Committee of a Section** or of a Joint Consultative Committee shall hold office in that position until the date on which the next Biennial Elections of the Section or of the Consultative Committee are held.
 - (ii) **A member elected to represent a Section** or Joint Consultative Committee on the Conference or on the General Council as the case may be, shall subject to Rule 20(i) continue to represent that Section or Joint Consultative Committee until the date following the first day on which the Annual Meeting of the Conference is held in the year in which the next following Biennial Elections of the Section should be held.
 - (iii) **Where no elections are held by either a Section** or by a Joint Consultative Committee in the year when the Biennial Elections were due, all members of Management Committees or representatives of Sections on the Conference or on the General Council shall cease to hold office and shall not be eligible to be seated at the Annual Meeting or any Special Meeting of the Conference.
47. **Resignation from any elected position** :A member of the Conference or a member of the General Council, or a holder of any office to which election is made may at any time give notice in writing of his/her wish to resign and on the acceptance of his/her resignation but not before, his/her seat or his/her office shall become vacant.

A member who resigns under this rule shall not necessarily be disqualified from being at any time thereafter re-elected.

48. Any person, upon resignation, suspension or dismissal from membership of the Association or from any office or Committee of the Association **shall surrender to the General Secretary all books, papers, documents and other effects of the Association in his possession.**
49. A member of any Section Committee, a member of the Conference, a member of the General Council or of the Executive Committee or other Committee or the holder of any office to which election is made shall ipso facto **vacate his/her seat or office on ceasing to be a financial member** of the Association, or on being suspended for any period from membership in the Association.

SECTIONS

50. (i) Each member of the Association shall be a member of a Section and/or Joint Consultative Committee.
(ii) **Membership of a Section shall be determined by the office the member holds in the Public Service.**
51. The Conference may upon the recommendation of the General Council vary the number of names of Sections.
52. (i) Not less than twenty (20) members of a Section may apply through the Secretary of the Section to the General Council for a recommendation to the Conference that they be allowed to form **a new Section**. Such application shall not be supported by the General Council unless the applicants show to its satisfaction:-
 - (a) That the terms of their appointment to the Public Service are such that they have a common employment interest;
 - (b) That their interest may be better served by the proposed new Section of which they are members.
- (ii) Before the General Council makes a recommendation to the Conference, it shall seek the views of the Organisation Committee.

53. The **Officers of a Section** shall be a Chairperson, a Vice Chairperson, a Secretary and an Assistant Secretary.
54. A Section **shall meet not less than once a quarter** during the year. Seven (7) members shall form a **quorum** except for Sections of which the membership exceeds one hundred (100) when the quorum shall be fifteen (15).
55. A Special Meeting of a Section:-
- (a) may be called by the Chairperson of the Section; or in an emergency in his/her absence by the Vice Chairperson.
 - (b) shall be called by the Chairperson within seven (7) days on the request in writing of ten (10) members of the Section.
 - (c) may be called by the President of the Association or by the General Secretary of the Association.
56. (1) **Notice in writing of any meeting of a Section and the Agenda** for such meeting shall be issued to members of the Section by the Secretary of the Section or by the President of the Association or by the General Secretary of the Association:-
- (i) in the case of the Annual General Meeting at least fourteen (14) days before such meeting;
 - (ii) in the case of any other meeting at least seven (7) days before such meeting.
- (2) (i) Notice for either a meeting of the Management Committee or of a general meeting of a Section must be dated and a copy of the said notice shall be delivered to any office of the Association on the same date on which the notice is issued addressed to the Deputy General Secretary.

- (ii) A record of all decisions taken at any meeting of a Section shall be made together with the names of all persons who were present at such meeting and transmitted to the Deputy General Secretary not later than seven (7) days following any such meeting. Where, however, any such decision is taken to appoint or replace or substitute any delegate or representative on the Conference or on the General Council, such decision shall be forwarded to the Deputy General Secretary by delivering same by hand to any officer of the Association not later than two (2) working days before the date set for a meeting of such Conference or General Council.
57. (i) A Section at its Biennial Meeting shall elect:-
- (a) its Officers and not more than five (5) or less than three (3) other members who, together with the officers shall form the Management Committee;
 - (b) the delegates of the Section to the Conference. Each Section shall be entitled to elect two (2) delegates for the first fifty (50) members or part thereof; and one for each succeeding one hundred (100) members or part thereof.
 - (c) one representative to the General Council.
- (ii) the results of the elections shall be forwarded to the General Secretary of the Association immediately thereafter.
58. The affairs of a Section shall be managed by a Management Committee which shall meet at least once a month with four members forming a quorum. The Section Committee shall comprise:-
- (a) The Officers;
 - (b) The members of the Section Committee, elected under Rule 57(i)(a) above;
 - (c) The representative of the Section on the General Council, provided that he/she is not already a member of the Management Committee or by virtue of paragraphs (a) or (b) of this rule.

59. (1) The Chairman of a Section shall:-
- (a) Summon and preside over all meetings;
 - (b) Have a deliberative and casting vote;
 - (c) Have a right to inspect all papers and books of the Section
 - (d) Supervise the working of the Section and its Officers;
- (2) In a case where a meeting is called by the President or the General Secretary i.a.w. Rules 55(c), the Chairperson of that meeting shall be the President or General Secretary as the case may be or any Officer of the Association designated by him/her.
60. The Vice Chairperson of the Section shall in the absence of the Chairperson have the same powers and perform the same functions as the Chairperson.
61. (i) Should an office to which election is made by the Section fall vacant, the Section shall fill the vacancy by election at the next following meeting, save that the Management Committee of the Section may in its discretion nominate a temporary holder of the office until the date of such meeting.
- (ii) Should a member of the Management Committee absent himself/herself from three (3) consecutive monthly meetings of the Committee, his/her seat, in the absence of a reasonable excuse, shall become vacant and shall be so declared by the Chairperson.
62. Special Meetings of the Management Committee of a Section:-
- (a) may be called by the Chairperson or in an emergency in his absence by the Vice Chairperson, or
 - (b) shall be called by the Chairperson within seven (7) days of his /her receipt of a request in writing signed by four (4) members.

- (c) may be called by the President of the Association or by the General Secretary of the Association.
63. Any member of the Section Committee proceeding out of the Country on leave of absence **shall give notice in writing** to the Section Secretary and the temporary vacancy may be filled at the discretion of the Committee.
64. The Management Committee of a Section may, with the approval of the General Council co-opt additional members but such co-opted members shall not be permitted to vote at meetings of the Section Committee.
65. (i) The General Council shall have power by a vote of not less than two thirds of its members present to suspend a Section which violates the Constitution of the Association, save that a Section so suspended shall have the right to appeal to a Special Meeting of the Conference or the next Annual General Conference.
- (ii) A suspended Section shall have the right to apply to the General Council for reinstatement within twenty-one (21) working days of such suspension.
- (iii) A Section so suspended shall have the right to appeal to a Special Conference or the next Annual General Conference provided the next Annual General Conference is scheduled to be convened within ninety (90) days.
66. (i) A member of a Section which is suspended under Rule 64 unless individually suspended or expelled under Rule 84 shall continue as a member of the Association and shall be entitled to personal benefits of membership.
- (ii) When any Section is likely to be affected by disciplinary action under this Rule, that Section shall be entitled to a statement in writing of the reasons why such action is under consideration, and shall also be entitled to make representations to:-
- (a) The General Council either in writing or through representatives for the purpose;

(b) The Conference on Appeal.

67. (i) Notwithstanding the provision of Rules 58 and 59 the General Council shall have the power, to initially organise or re-organise a Section in the manner which it thinks will be more appropriate for the proper representation of the members of the Section.
- (ii) In making arrangements for the organisation or the re-organisation of a Section the General council shall not be limited by the provisions of Rule 57(1)(a) and may if it so desires, provide for more than five (5) members on the Management Committee who are not officers of the Section.
68. The property of any Section which has been dissolved shall be come the property of the Association.

69. DUTIES AND RESPONSIBILITIES OF FINANCE COMMITTEE

- (i) The Finance of the Association shall be administered by a Finance Committee.
- (ii) The General Council of the Association shall be the Finance Committee and shall be constituted as such whenever it meets.
- (iii) The Finance Committee shall:
- (a) at its monthly meeting receive from the Treasurer the financial statement of receipts and expenditure in respect of the preceding month.
- (b) authorise any extra-ordinary expenditure that may be necessary.
- (c) consider and make recommendations for a Budget to be submitted to the Annual General Conference
70. The **Financial Year of the Association** shall be from 1st January to 31st December.

71. The General Council shall have **power to declare levies**. Any levy so declared and the reasons for its declaration shall be reported to the Conference at its next meeting.
72. The Bankers of the Association shall be any Bank approved by the General Council.
73. (i) Cheques and other orders for withdrawals from any banking account of the Association shall be signed by the President and the Treasurer or any one of the following officers, the First Vice President, the General Secretary, the Deputy General Secretary, and either of the Trustees. Each cheque for withdrawal shall be supported by a statement showing the number of the cheque, the name of the payee, the amount for which the cheque is prepared and the purpose for which the payment is being made.
- (ii) Any person acting in any of the above mentioned offices shall be entitled to also carry out the function of signing cheques.
74. Funds of the Association which are not required for current expenses may be invested as the General Council thinks fit.
75. (i) The General Council shall have the power to vest in Special Trustees, to be designated "Trustees of the Welfare Fund" and be appointed in accordance with rules to be approved by the Council for the control and operation of the Welfare Fund, such funds being part of the funds of the Association as it may think fit to be utilised by the Trustees of the Welfare Fund in making advances to members in such manner, in such amounts and subject to such terms and conditions as may be prescribed by such rules or, in default thereof, as the Trustees of the Welfare Fund may think proper. Any funds so vested in the Trustees of the Welfare Fund together with any accruals thereto shall comprise and be designated "The Welfare Fund" but nothing herein contained shall limit or restrict or otherwise affect the right of the General Council to require the Trustees of the Welfare Fund at any time or from time to time to retransfer the whole or any part of the Welfare Fund to the General Funds of the Association.

- (ii) The accounts of the Welfare Fund shall be submitted for audit when required and shall be presented so audited to the next meeting of the Conference.
- 76. The Association shall have power upon resolution of the Conference to borrow money for the furtherance of its objects.
- 77. No person, unless specially authorised by the General Council or by the President, and acting within the limits of the authority so conferred enter into any contract so as thereby to impose any liability on the Association or otherwise to pledge the credit of the Association.
- 78. (i) The income and property of the Association whensoever derived shall be applied solely towards the promotion of the objects of the Association, provided that nothing herein contained shall prevent the payment in good faith of an honorarium to any officer or members of the Association in recognition of services rendered to the Association.
 - (ii) No honorarium shall be paid to any officer or member of the Association except by approval of the General Council or of the Conference. Any honorarium authorised by the General Council shall be reported to the next meeting of the Conference.
- 79. Any member may inspect the books of the Association at the office of the Association by giving two (2) day's written notice to the Treasurer.

GENERAL MEETINGS:

- 80. (i) A **General Meeting of members of the Association** may be called upon a majority decision of a duly constituted meeting of the General Council or upon the direction of the Annual Conference or decision of a Special Conference.
- (ii) A general meeting shall be called by the President within thirty (30) days of the receipt by him/her of a request in writing signed by not less than one hundred (100) financial members.

(iii) The **purpose of the meeting shall be clearly set out** in the request and in the notice of such meeting. No business shall be transacted at such meeting other than specifically stated in such notice or request.

(iv) The **quorum** for a general meeting shall be one fifty (50) financial members.

81. RECONSIDERED VOTE

Without prejudice to any right of appeal or challenge granted by these rules, no matter decided at any meeting of the Conference or of the General Council, shall be reconsidered by the Conference or the General Council within six (6) months from the date of such meeting except it can be shown by the member wishing to reopen the matter that:-

- (a) Important facts concerning the particular matter were not brought to the attention of the meeting.
- (b) Some result not intended by the Meeting has been brought about by the decision.
- (c) It is in the interest of the Association to reconsider the matter in the light of later developments.

82. DISCIPLINE

The General Council shall have power, either on the recommendation of the Executive Committee or acting in the first instance, to take disciplinary action against any officer or ordinary member or Section who in its opinion:-

- (a) has been guilty of misconduct calculated or likely to bring the Association into disrepute.
- (b) has refused to comply with any Rules of the Association after receiving due notice so to do.
- (c) has refused to comply with any ruling of the Conference and/or
- (d) while being a member was guilty of conduct prejudicial to the interest of the Association.

(e) has been guilty of any other act or omission which merits disciplinary action.

83. Where an allegation has been made against a person under Rule 82 that person shall be informed in writing of the exact nature of the allegation and be afforded reasonable opportunity to defend himself/herself.

84. A decision as to the guilt or innocence of any person shall be arrived at by a simple majority vote of the General Council i.e. a majority of the persons voting on the issue and the penalty to be imposed shall be i.a.w. the provisions of Rule 85(i) unless otherwise stated in these rules.

85.(i) Disciplinary action to be taken by the General Council i.a.w. the provisions of Rule 82 shall, in respect of each offence, be either:

- (a) a warning or reprimand or caution
- or (b) suspension of membership
- or (c) expulsion from membership,
- or (d) a decision to debar the person concerned from holding of office in the Association or in any Section of the Association.

(ii) (a) Subject to Rule 85(i)(c), in the case of expulsion the decision must be supported by a vote of not less than two-thirds (2/3) of the members present and voting on the issue. In the case of any other form of disciplinary action, the decision shall be at by a simple majority of the members voting on the issue.

(b) A person whose membership has been suspended shall continue to pay his/her monthly subscription to the Association and shall be liable therefore. During the period of suspension such a member may only be eligible for representation benefits.

(iii) any disciplinary action taken against a member or Officer shall be conveyed to him/her in writing by either the President or the General Secretary.

86. Where the disciplinary action taken is in relation to an Officer of the Association that decision shall be submitted to the next following meeting of the Conference for ratification and if ratified, shall have immediate effect, provided that if the decision taken against the Officer is one of suspension or expulsion he shall immediately cease to perform all functions in the Association pending determination of the matter by the Conference. Where a Conference is already scheduled to be held within sixty (60) days of the decision of the General Council that decision shall automatically become an item on the Agenda of that Conference and shall take precedence over all other matters on that Agenda. Where no such meeting has been scheduled the General Council shall summon a Special Conference to be held within sixty (60) days of its decision to deal with the matter.
87. (a) A person (other than an officer) against whom disciplinary action has been taken i.a.w. the provisions of Rules 82, 83 and 84 shall have the right to appeal to the Conference. Such right of appeal shall be exercised by a written notice to the President or General Secretary within fourteen (14) days of receipt of notice conveying the decision relating to the disciplinary action.
- (b) In the event of an appeal being lodged i.a.w. the provisions of this Rule against a decision of expulsion the member shall, pending determination of the appeal by the Conference, continue to be eligible only for Representation Benefits.
- (c) An appeal made under this Rule shall automatically become an item on the Agenda of the next Conference.
88. (a) For the purpose of Rule 82, the following shall be included in action considered to be prejudicial to the interest of the Association.
- (i) encouraging one or more members to either leave the Association or to stop paying subscription to the Association.
- (ii) discouraging any person or persons from joining the Association.
- (iii) forming or lending support to a rival organization.

- (iv) encouraging by word or deed the formation of any rival organization to the Association.
 - (b) A decision as to the guilt or innocence of any member in relation to any action enumerated in this Rule shall be arrived at by a simple majority vote i.e. a majority of the members voting on the issue and notwithstanding the provisions of Rule 85(i) the penalty to be imposed shall be automatic expulsion, and no other.
89. For the purpose of Rule 82 the following shall not either separately or together, be regarded as conduct prejudicial to the interest of the Association:
- (a) criticism of any officer of the Association or of the Executive Committee or of the General Council or of the Conference.
 - (b) criticism of any action or decision taken by the Association.
90. Where the disciplinary action taken against a member i.a.w. the provisions of Rule 85(i) is suspension of membership or expulsion from membership and a period of twelve (12) months has elapsed after the decision has been put into effect, that person may at any time thereafter apply to the General Council for a review of the said decision.
91. (a) The General Council shall have the power to take disciplinary action against any employee (including a Fulltime/Part-time Officer) for any act of misconduct, or of negligence, or for inefficiency, or for any other act or omission which in its opinion justifies disciplinary action, provided that before any action of a disciplinary nature is taken, the person concerned shall be informed in writing of the exact nature of the allegation made against him/her and be afforded reasonable opportunity to defend himself/herself.
- (b) The disciplinary action to be taken against any employee in respect of any offence may be any of the following:-
- (i) a warning or caution or reprimand;
 - or (ii) suspension with or without an interference in pay for 3 months
 - or (iii) demotion with or without loss of pay (not applicable to Fulltime /Part-time Officers)
 - or (iv) dismissal

- (c) Where the disciplinary action taken is in relation to a FullTime or Part-time Officer, that decision shall be submitted to the next following meeting of the Conference for ratification and if ratified, shall take effect from the date on which the General Council's original decision was taken, provided that if the decision taken is one of suspension he/she shall immediately cease to perform all functions in the Association pending determination of the matter by the Conference. Where a Conference meeting is already scheduled to be held within sixty (60) days of the decision of the General Council, that decision shall automatically become an item on the Agenda of that Conference and shall take precedence over all other matters on the Agenda. Where no such meeting has been scheduled, the General Council shall summon a Special Conference meeting to be held within sixty (60) days of its decision to deal with the matter.
 - (d) Where disciplinary action is taken against an employee other than a Fulltime or Part-time Officer, that employee shall have the right to appeal to the Conference by giving notice in writing to the General Secretary within fourteen (14) days of receipt of the written notice conveying the decision. Such appeal shall engage the attention of the next following meeting of the Conference.
92. (a) Notwithstanding the provisions of any Rule, the General Council shall have the power to at any time suspend any employee of the Association or to require any employee to cease reporting for duty pending the determination of any disciplinary charges against that employee or the outcome of enquiry in which the employee is involved.
- (b) Where the employee is suspended under this Rule there shall be no interference with his/her pay.
- (c) Where the employee is requested not to report for duty, there shall be no interference with his/her pay,
93. Notwithstanding the provisions of Rules 87 or any other Rule, where an employee of the Association takes legal action which results in the General Council or the Conference being unable to deal with any matter concerning that employee he/she shall receive no pay unless and until both the matter before the Court and the matter giving rise to the Court action are resolved.

GENERAL

94. All acts done by any meeting of the Conference, or of the General Council or other Committee, or by any member of the Conference or of the General Council or other Committee shall, notwithstanding that it shall afterwards be discovered that there was some defect in the appointment or election of any such Conference, General council or Committee or that they or any of them were not qualified at the time of their appointment or election or had been disqualified at the time of their appointment or election or had been disqualified, be as valid as if such Conference, General Council or other Committee or member had been duly appointed or elected and was qualified to act.
95. No member of the Conference or of the General Council or other Committee, or Officer shall be liable for any other member of the Conference or of the General council or other Committee, or Officer or for joining in any receipt or other act of conformity, or for any loss or expense happening to the Association or to any other person arising out of facts or proceedings of the Association or the Conference or the General Council or other Committee, unless such loss or expense happen from his/her own wilful act of default.
96. The members of the Conference, members of the General Council and other Committees, Officers of the Association **shall be indemnified by the Association** from all losses and expenses incurred by them in or about the discharge of their respective duties except such as happen from their own respective wilful act or default.
97. A **notice** may be served upon any member either personally or by transmission through the post to the last known address of such member. Any notice if served by post shall be deemed to have been served on the third day following that on which it was posted unless it can be proven that the notice has not been received. When it is required to give a certain number of days notice, the day of service shall be counted in such number of days.

98. TRAVELLING AND OUT OF POCKET EXPENSES

- (i) Officers of the Association, members of the Executive Committee, members of the Conference or General Council, Officers of Sections, members of the Management Committee of Sections and Consultative Committees, **when on Association's business** shall be paid travelling and out of pocket expenses in accordance with provisions in regulations framed by the Finance Committee.

- (ii) The Association shall pay the travelling and subsistence expenses of all Officers of the Association in a sum to be fixed by the Finance Committee from time to time.
 - (iii) Travelling expenses and out of pocket expenses may be paid to ordinary members of the Association when on Association's business under such conditions as may be determined by the Finance Committee from time to time.
99. (1) **Elections For National Officers** shall be held once in every period of four (4) years on a date to be fixed by the General Council or by the Conference but in any event the date shall not be earlier than ninety (90) days before or later than ninety (90) days after the date on which a period of four (4) years shall have elapsed from the date on which the last national elections were held.
- (2) **The first National Election under this Constitution shall be held on 25th November, 2005**, or such other date as may be determined by the Annual General Conference.
- (3) All persons who hold the position of Officers in the Association shall be entitled to canvás in any National Elections of the Association.
100. Should an office to which election or appointment is made falls vacant, the Conference shall fill the vacancy by election or appointment as the case may be at the next following meeting save that the General Council may, in its discretion, nominate a temporary holder of the office until an election or appointment is made by the Conference as the case may be.
101. (i) All Fulltime/Part-time Officers in the employment of the Association on the date on which this Constitution were accepted **(28th. October,2004)** shall be eligible to stand for election to any Fulltime/Part-time office in the next ensuing National Elections.

- (ii) A Fulltime/Part-time Officer referred to in para (i) above shall continue to hold office up to and including the day on which the next ensuing National Elections are held.
 - (iii) A Fulltime/Part-time Officer referred to in para (i) above who does not stand for re-election to a Fulltime/Part-time post, or who stands for election to a Fulltime/Part-time post at the next ensuing elections, but is not elected shall, subject to Rule (ii) of this rule from the day after the elections are held, cease to be an Officer of the Association.
102. Where a person ceases to be an Officer of the Association i.a.w. the provisions of Rule 101(ii) above he shall be entitled to either:-
- (a) Opt in writing to leave the service of the Association immediately in which event he shall become entitled to:-
 - (i) Compensation for all vacation leave due to him/her calculated on the basis of his/her existing salary and allowances.
 - (ii) The payment of any superannuation benefits to which he/she was entitled under his/her employment with the Association.
 - (iii) The payment of all salary and allowances accruing on the date he/she shall leave the service of the Association.
 - (b) Opt in writing to proceed on any leave to which he/she is entitled at the expiration of which his/her employment with the Association shall cease. In relation to such a person the following conditions shall apply:-
 - (i) While on leave such a person shall be entitled to receive all salaries and allowances (including any increases which may accrue in the interim) attached to his office. In addition he/she shall retain the title of the office which he/she held immediately before the election but such title shall be for the purposes of leave only and shall not give that person any authority or right to take part in or be involved in or to interfere in any way with the affairs of the Association.

- (ii) At the expiration of all leave to which he/she is entitled, the person concerned shall cease to be in the employment of the Association and shall then be entitled to any Superannuation Benefits accruing under his/her previous employment with the Association.
- (iii) The General Council may, if it so desires make **ex-gratia payments** to any person who ceases to be an Officer of the Association i.a.w. the provisions of Rule 101 (i)-(iii) above.
- (iv) All Acts done by the former Executive Committee of the Association before the coming into force of this Constitution shall be regarded as acts done by the General Council and be considered as such.
- (v) All acts done by the former Conference of Delegates of the Association before the coming into force of this Constitution shall be regarded as Acts done by the Conference and be considered as such.

AMENDMENT OF CONSTITUTION:

103. The Constitution of the Association shall be amended or altered only at a meeting of the Conference.

REPRESENTATION

104. In dealing with matters which are peculiar to any Section of the Association only, the views of the Section shall be supported by the Association provided that they are not in conflict with the policy of the Association, and in this regard representatives of the Section shall be permitted to participate in discussions at all levels. **This shall not abrogate the right of the Executive or the General Council or the Conference to advise,** to point out flaws in the representations, to indicate weak cases or to ask for reconsideration.

STANDING ORDERS

- 105.(1) Except where otherwise stated, all decisions of any Committee of the Executive Committee or of the General Council or of the Conference or of any body functioning under the Constitution of the Association shall be by a **simple majority** i.e. a majority of the members voting on the issue.
- (2) At the meeting each member shall present to the person or persons duly authorised by the General Council his or her credentials.
- (3) The President shall be the Chair of all meetings of which he/she is a member and shall formally open the business of the meeting. In the event that the President is absent one of the Vice Presidents will preside in order of seniority and in the absence of the Vice Presidents, the members present shall proceed to elect a Chair from amongst themselves. The Chair shall have a deliberative and casting vote.
- (4) Each member on addressing the Chair shall rise and be **limited in speaking to ten (10) minutes** on each subject. A member shall not speak except in reference to a resolution or amendment, nor shall he speak twice on one subject unless he be the mover of an original proposition where he shall have the right to reply. The Chairman and General Secretary are exempted from this order. Asking or answering a question by permission of the Chair shall not be considered a speech.

- (5) In the event of a proposition "to proceed to the next business" or "that the question be put" being moved and seconded during the course of a debate or discussion in the meeting, that question shall be put to the vote. If the proposition is not accepted, the debate or discussion shall continue. Where, however, the proposition is accepted the following procedure shall apply:-

"All debate or discussion on the issue before the House shall cease, save that the mover of the original resolution and/or the mover of an amendment shall have the right of reply. The Chair and General Secretary are exempted from the provisions of this paragraph and may contribute to the debate or discussion, if any of them so desires."

- (6) No proposal or amendment shall be discussed unless it is seconded, except the proposal of the General Council which shall be taken as having been moved and seconded. No second amendment or rider shall be voted on until the first amendment is disposed of.
- (7) **The ruling of the Chair on all matters shall be strictly obeyed.**
No member shall leave the meeting except he first intimates his desire to leave.
- (8) **An Agenda on the business of the meeting shall be supplied to each member.** The Agenda shall be adhered to until its completion, unless a proposition to suspend the Standing Orders be made and carried by a majority of two-thirds of those present. For the purpose of this Rule of the Standing Order, a majority of two-thirds shall be construed to mean 'two-thirds' voting in favour of the measure.
- (9) Except with the approval of two-thirds majority no resolution, amendment or appeal which could have been submitted by any Section in time to be included in the Agenda shall be admissible. For the purpose of this Rule of the Standing Order a two-thirds majority shall be construed to mean two-thirds of the members of the Conference entitled to be present at the meeting.

- (10) A majority of two thirds of the members present may suspend and exclude from the meeting any **member who is insubordinate** or who improperly conducts himself/herself. A member so dealt with may be re-instated on tendering an apology acceptable to the meeting.
- (11) The meeting shall have **power to appoint Committees** for the furtherance of its business. Such Committees may sit during the hours of the meeting should it be necessary for them to do so.
- (12) At a meeting of the Conference each member shall be entitled to a **single vote on any matter** subject to Rule105(1) and decisions shall be arrived at by simple majority of the members voting on any matter before the House. Where, however, a decision is taken on simple majority and is not a unanimous decision any three (3) members may call for a division whereupon there shall be another vote by roll call. If the decision is not then supported by delegates coming from at least one third(1/3) of the Sections represented at the meeting it shall become null and void.
- (13) The **Standing Orders shall apply to all meetings** held within the Association and shall be read as such with appropriate changes.
106. This **Constitution shall come into force on 1st September, 2005** and shall be fully operative from that date save and except where otherwise stated herein.

DISSOLUTION

107. The Association shall not be dissolved except with the consent of not less than five-sixth of the members voting by ballot at a general meeting called for the purpose.
108. If upon dissolution of the Association there remains after the satisfaction of all its debts and liabilities any property whatever, the sums shall be paid to or distributed among the financial members of the Association or transferred to some other Association or Associations having objects similar to the objects of this Association.

ADDENDUM

SPECIAL CONFERENCE OF DELEGATES HELD ON MAY 28TH, 2007 AMENDED THE CONSTITUTION TO PROVIDE FOR ENTRANCE FEES & MEMBERSHIP DUES PAYABLE BY

MEMBERS OF PROPOSED BARGAINING UNITS

Article 5 (1) to be amended to read:

" Ordinary members shall pay an entrance fee of ten (\$10.00) and a monthly subscription of fifty dollars (\$50.00), or any other rates as may be determined by the Conference from time to time. However, the General Council may by SIMPLE MAJORITY VOTE, accept as members, workers/employees who fall within any shared community of interests where it is proposed that the said workers/employees be organized into new Bargaining Unit/s on such terms as the General Council may decide. Such monthly subscription shall be payable in advance"

ENTRANCE FEES & MEMBERSHIP DUES PAYABLE BY TRAINEES AND APPRENTICES

Include after article 5 a new article 5 (IV) :

" The general Council may by SIMPLE MAJORITY DECISION, accept into membership Trainees and Apprentices. Such members shall be required to pay monthly membership dues in the sum of twenty (\$20.00) until graduation into the status of workers/employees"

Thereafter, the monthly membership dues shall be the sum of fifty dollars (\$50.00) per month or such other sum/s as Conference may decide from time to time.

**AMMENDMENTS TO ARTICLES 53 & 58 OF THE
PSA'S CONSTITUTION
BY A SPECIAL CONFERENCE OF DELEGATES
HELD ON TUESDAY 3RD JULY, 2007**

- [i] Insert after **Article 53** the following, Article 53A which shall empower the President to supervise the work of full-time Section Officers.

"53A The Officers of Sections are normally volunteers. But where in a Collective Agreement it is provided that Section Officers shall be granted full-time leave to perform the Association's business and the leave is applied for and obtained by the President of the Association on behalf of the Section Officers in accordance with that Collective Agreement, the Section Officers shall perform their duties full-time and shall be supervised by the President as the Chief Executive and Administrative Officer of the Association."

- [ii] Insert after **Article 58** the following, **Article 58A** to provide for duties and responsibilities of Section's Officers.

DUTIES AND RESPONSIBILITIES OF SECTION OFFICERS

*"58A Section Officers who perform their duties full-time as provided for in **Article 53A** shall have the following duties and responsibilities:*

- [a] *to ensure that the President is appraised of all issues affecting the membership of the Section: activities events and meetings conducted at the Section by;*
 - [i] *weekly meetings with the President or an Officer designated by the President;*
 - [ii] *submission of weekly itineraries outlining the issues to be addressed daily or at meetings scheduled for attendance by the Section Officer/s;*

- (iii) submission of a monthly Report no later than the 10th day of the month following the month for which the Report is submitted. The Report shall include, but shall not be limited to, all industrial relations activities or issues attended to or brought to the attention of the Officer;
- (b) Section Officers shall report daily for duty at the designated PSA Office or the designated workplace. Where a Section Officer is absent he/she shall forthwith report the absence to the President or other Officer designated for such purpose by the President.
- (c) The Chairperson of the Section or such other designated Officer shall ensure that all Section Officers referred to at Article 53A including himself/herself, apply for and are granted Paternity/Maternity Leave; Sick Leave; Casual/Vacation Leave and any other approved Leave in accordance with the procedures and rules determined by the General Council from time to time;
- (d) Ensure that the Section for which he/she has responsibility identifies a monthly date for the conduct of its Statutory Management Committee meetings as provided for by Article 58 of the Constitution;
- (e) Ensure that the Section shall conduct a meeting with the membership once every quarter as provided for by Article 54 of the Constitution;
- (f) Ensure that concerns or issues intended for the attention of Boards of Directors, Commissioners, Ministers and Senior Company or State Officials are forwarded to these persons under the hand of the President or with the expressed approval in writing of the President.
- (g) Section Officers shall not communicate with the media on any issue without the expressed approval of the President or an Officer at the level of the National Executive Authorized by the President.

Passed at the Special General Council of July 3rd 2007.

31 For, 0 Against, 0 Abstentions

**AMENDMENT TO ARTICLES 66(i), 82, 85,86,87,89 & 91
OF THE PSA'S CONSTITUTION
BY A SPECIAL CONFERENCE OF DELEGATES
HELD ON THURSDAY 26TH JUNE, 2008**

The following Amendments to the Constitution were approved by a Special Conference of Delegates held on June 26, 2008.

1. In Article 66(i) change "Rule 64" to "Article 65" and change "Rule 84" to "Article 85".
2. Insert a new Article 82(i) as follows:

82(i) In this Constitution "Officer" means National Officer as defined in Article 37, and Section Officers as defined in Article 53.

3. Article 82 in its present form to be renumbered and Amended to read as follows Article 82 (ii)

"The General Council shall have power, either on the recommendation of the Executive Committee or acting in the first instance, to take Disciplinary action against any National Officer, Officers of a Section, or Ordinary member who in its opinion:-

- (a) has been guilty of misconduct calculated or likely to bring the Association into disrepute.
- (b) has refused to comply with any Rules of the Association after receiving due notice so to do.
- (c) has refused to comply with any ruling of the Conference, and/or
- (d) while being a member was guilty of conduct prejudicial to the interest of the Association.
- (e) has been guilty of any other act or omission which merits Disciplinary action.

4. Insert a New Article 82(iii) to read as follows:

" The General Council shall have the authority to suspend any National Officer, Section Officer or ordinary member who it is alleged, committed an act of misconduct or who is charged for any felony/misdemeanor and /or criminal act in the Courts of Trinidad and Tobago pending the outcome of the matter".

5. Amend Article 85(i) as follows:

Disciplinary action to be taken by the General Council in accordance with the provisions of Article 82 shall, in respect of each offence be either:

- (a) a warning or reprimand or caution
- or (b) suspension of membership
- or (c) expulsion from membership
- or (d) suspension from any office held in the Association
or in any Section of the Association
- or (e) removal from any office held in the Association or in any
Section of the Association
- or (f) a ban from holding any office in the Association or in
any Section of the Association

- 6.** In Articles 86 and 89 change the words "Officer of the Association" to "National Officer".
- 7.** In Article 87(a) substitute the words "(other than an Officer)" for the words "(other than a National Officer)"
- 8.** In article 91 change the words "Fulltime/Part-time Officer" to "Fulltime/Part-time National Officer".



**PUBLIC SERVICES ASSOCIATION
OF TRINIDAD AND TOBAGO**



SPECIAL CONFERENCE HELD ON JUNE 12TH, 2009

**AMENDMENT TO ARTICLE 7 OF THE
P.S.A.'S CONSTITUTION**

June 18, 2009

The following Amendment to the Constitution was approved by a Special Conference of Delegates held on June 12th, 2009.

In Article 7 of the Constitution change "**six (6) months**" to read "**twelve (12) months**"

Article 7 now reads:

7. ELIGIBILITY TO VOTE AND STAND FOR NATIONAL OFFICE

- (i) An Ordinary Member (*including a re-admitted member*) shall be permitted to vote in National Elections, or be voted for at any meeting of the Association or Section, and he/she shall be eligible for election to such with the exception of national office after the expiration of **twelve (12) months** from the date of his/her admission to membership.



The Government of the Republic of Trinidad & Tobago

PERSONNEL DEPARTMENT

Office of the Chief Personnel Officer

Valpark Building, 76-78 St Vincent Street, Port of Spain, Tel. No. 623-1621-5 Fax No. 623-2640

PD(bm): 11/12/1

May 29th, 2015

Mr. Watson Duke
President
Public Services Association
Of Trinidad and Tobago
89 Abercomby Street
PORT OF SPAIN

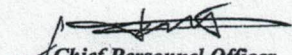


Dear Sir,

Increase in Membership Dues – Public Services Association

I refer to your letter dated May 12, 2015 on the subject at caption and forward three copies of the Circular Memorandum dated May 28, 2015 on the subject at caption for your information and records.

Yours faithfully


Chief Personnel Officer



Resource Policy, Planning and Research Division/Legal Services Division - ARMA BUILDING, LEVEL 3, 55-57 ST. VINCENT STREET, PORT OF SPAIN Tel. Nos. 623-7125, 623-9425 Fax: 624-3406/62
Personnel Management Division - 30 FREDERICK STREET, PORT OF SPAIN Tel. Nos. 623-7115, 9664, 624-7534 Fax: 623-9397
Resource Management Services Division - PARK PLAZA, LEVEL 1, COR. PARK & ST. VINCENT STREETS, PORT OF SPAIN Tel. Nos. 623-6784, 625-4705, 625-1753 Fax: 623-8149
Services Division/Industrial and Labour Relations Division/Recruitment Management Division - VALPARK BUILDING, 76-78 ST VINCENT STREET, PORT OF SPAIN Tel. Nos. 623-1621-5
Fax: (623) 623-5733/623-1621-5/623-1621-5

Our Vision: To be the most respected and valued organization in the country.



MEMORANDUM

PD(bm) : 11/12/1

FROM : Chief Personnel Officer

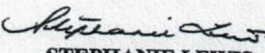
TO : Permanent Secretaries, Heads of Department,
Chief Administrator, Tobago House of
Assembly and Heads of Statutory Authorities,
subject to the Statutory Authorities Act, Ch. 24:01

DATE : May 28, 2015

SUBJECT : *Increase in Membership Dues – Public Services Association*

The Public Services Association (PSA) has advised that, by a decision taken by the General Council at a Special Meeting of the Conference of Delegates held on Friday 24th April, 2015, the monthly contribution of members of the Association has been increased from \$50.00 to \$100.00 with effect from June, 2015.

2. As you know, officers who are members of the PSA have signed authorization forms for the deduction from salary of a prescribed sum each month **"OR AT ANY OTHER RATE AS MAY BE DETERMINED BY THE ASSOCIATION FROM TIME TO TIME."**
3. Accordingly, where officers have signed authorization forms which include the provision at paragraph 2 above, the increased monthly contribution of \$100.00 should be deducted, with effect from June, 2015 without requiring the officers concerned to sign new authorization stating the increased sum.
4. This Circular Memorandum is issued with the agreement of the PSA.


STEPHANIE LEWIS
Chief Personnel Officer

NOTE

NOTE

Printed by:
The Public Services Association
2021

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