

STATUTES OF THE UNION SYNDICALE I.U.E. - FLORENCE

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I. Name and registered office of the organisation

- 1. The staff members of the European University Institute (E.U.I.) with headquarters in Florence, having accepted the present Statutes, constitute an employees union with registered office in Florence.
- 2. This union is affiliated to the Union Syndicale Fédérale (U.S.F.) of the European and International Public Services and, by way of the latter, to the Public Services International (PSI) with headquarters in Ferney-Voltaire (France) as well as with the International Trade Union Confederation (ITUC), the European Trade Union Confederation (ETUC), and the European Movement, all with headquarters in Brussels.
- 3. The union bears the following name:
"Union Syndicale – I.U.E. - Florence".

II. Purposes of the organisation

- 1. The main purposes of the union are:

- to serve and defend the economic, social, professional and moral interests of its members and of the entire staff of the European University Institute;
 - to share in the principles and objectives of the Union Syndicale Fédérale, the PSI, the ITUC, the ETUC, and the European Movement, in the sense of real solidarity with the European and international work world.
2. In accordance with these objectives, the union's action will aim at:
- defending the independence, competence, and permanent nature of the European civil service, these being the conditions necessary for achieving the objectives of European integration;
 - obtaining recognition of, or maintaining, the right of the union to take part in determining the employment and working conditions of its members and of the staff as a whole, by means of free negotiation and participation in management;
 - making every effort such that the structures and working methods of our institutions are adapted to the requirements of a modern, humane multinational administration.

III. Principles of independence and solidarity, not-for-profit

1. The union shall be independent of all national and international institutions, governments, administrations, political parties, denominational or philosophical movements.
2. In order to safeguard the common interests, the union may affiliate itself with any federation bringing together the unions of staff from European organisations belonging to the PSI.
3. The union affirms its willingness to cooperate with other democratic trade union organisations which have the same objectives.
4. The Union Syndicale – I.U.E. – Florence is a non-profit association which shall not:
 - 4.1. distribute, even indirectly, gains and administrative surpluses, or funds, reserves or capital, so long as the association exists, unless such distribution is imposed by law;
 - 4.2. transfer the union fees to others;
 - 4.3. use the assets for profit.
5. The Union Syndicale – I.U.E. is also under the obligation:
 - 5.1. to allocate any administrative surplus to the institutional activities envisaged in the Statutes;
 - 5.2. to donate the assets of the union, in case of its disbandment for whatever reason, to another association having similar aims or, in any case, for purposes in the public interest.

IV. Membership, expulsion, and resignation

1. Any active or retired staff member as well as any member of the teaching staff of the Institute may seek admission to the union. No one may simultaneously be a member of the Union Syndicale and of another trade union or professional organisation of European or international officials. Other staff members belonging to a national union of the same family may be considered members of the Union Syndicale by decision of the Executive Board.
2. Admission to the union shall be by way of a written declaration which shall imply acceptance of these Statutes. For this purpose, the member shall sign a form which shall include the privacy clause and instructions on how to pay the membership fee.

It is the Executive Board that shall decide on the application. In the event of the Executive Board rejecting the application, the applicant may appeal against such decision to the Executive Board, which shall be obliged to submit the appeal to the next General Assembly, the matter being included explicitly on the agenda. The General Assembly can only reject the appeal if the majority of members present decide in favour of such rejection.

3. A member may submit his or her resignation from the union at any time. It must be notified to the Executive Board in writing.
4. Membership shall cease automatically following a voluntary delay in excess of three months in the payment of the subscription amount which the member owes.
5. Expulsion from the union may be requested by the Executive Board in respect of any member whose behaviour is such as to be harmful to the union. The Executive Board's request shall be communicated in writing to the person concerned and addressed to the Disputes Board, which shall give a ruling within 30 days after having heard the person concerned. An appeal against a ruling by the Disputes Board may be addressed in the last resort to the next General Assembly, which shall decide by a majority of two-thirds of the members present, after having heard the person concerned, the matter being entered explicitly on the agenda. The membership of the person concerned shall remain suspended until the General Assembly has taken its decision.

V. Rights of members

1. In participating in union meetings and elections, each member has the right to contribute to determining the union's policy and to setting up the union bodies, and to state their attitude towards any matter relating to the organisation.
2. Any member shall be entitled to consultation with the union's legal advisers in respect of any matter concerning his or her professional life. In case of need, legal assistance may be granted by the Executive Board, which shall decide in each individual case the nature and extent of such assistance.
3. The benefit of legal assistance and the services of the legal advisers may also be granted to spouses and orphans of deceased members.
4. The Executive Board shall be empowered to confer, by a two-thirds majority of its members, honorary membership upon former staff who merit this distinction for services rendered to the trade union movement of the statutory staff.

VI. Duties of members

1. Every member shall undertake to defend the union's interests and to take an active part in fulfilling the objectives set out in these Statutes and in implementing the decisions of the union's bodies. Members shall be bound by the decisions of the union's bodies.
2. Any member elected to the Staff Committee or to a body set up under the Staff Regulations or to any other administrative body, shall undertake in that body to defend the principles and purposes of the union as set out in Articles II and III.
3. Members shall pay their union dues regularly.

VII. Resources and dues

1. The union's resources consist of members' dues, donations and other revenue.

2. The General Assembly shall determine, on a proposal from the Executive Board, the amount of the dues, in relation to members' basic salaries.
3. The method of payment of dues shall be determined by the Executive Board acting in agreement with the Treasurer.

VIII. Union bodies

1. The union's bodies shall be:
 - the General Assembly;
 - the Executive Board;
 - the Treasurer;
 - the Disputes Board (to be set up if needed).

IX. The General Assembly

1. The General Assembly is the supreme body of the Union. It shall consist of all paid-up members. The Ordinary General Assembly shall be convened once a year by the Executive Board. The draft agenda and the activity report shall be drawn up by the Executive Board. The Ordinary General Assembly shall be validly convened by a written invitation sent to each member of the union at least 10 days before the date of the Assembly.
2. The Executive Board shall convene the Extraordinary General Assembly whenever it considers it necessary. The Executive Board shall be obliged to convene an Extraordinary General Assembly at the written request of at least 25% of union members. Any Assembly is validly convened by a written invitation sent to every member of the union.
3. The tasks and functions of the General Assembly include in particular:
 - defining the guidelines for union policy;
 - voting on the activity report, and adopting the financial report after hearing the opinion of the Treasurer;
 - voting on any report from the Disputes Board;
 - determining the amount of the dues;
 - voting on motions submitted to it.
4. Decisions of the General Assembly shall be taken by a simple majority of the members present. Members who have given a written proxy to another participating member are equally considered to be among those present. A participant may not hold more than a single written proxy. Such a proxy shall not be accepted in the case of elections of the statutory bodies. Decisions relating to the amendment of these Statutes and to appeals brought under Article IV-5 above shall require a quorum of 10% of the members and a majority vote of two-thirds of the members present. If the quorum requirement is not fulfilled at the first General Assembly, a second General Assembly duly convened with the same agenda shall be held without any quorum requirement.
5. Any proposal for amending the Statutes shall be transmitted beforehand to union members and included explicitly on the agenda of the General Assembly. An amendment proposal may be considered only if it has been submitted by the Executive Board or by at least 10 members. For the purposes of this provision, any member has the right to submit a proposal for amending the Statutes to the Executive Board, which shall examine whether it can support it.

6. To oversee elections to the union's statutory bodies and the counting of votes, the General Assembly designates an electoral President, who may ask for support among the members present on this occasion.

X. The Executive Board

1. The Executive Board shall be responsible for putting into effect the guidelines defined by the General Assembly and for managing union business between one General Assembly and another. In particular, it shall draw up the budget estimate and the financial state. It cannot, however, draw up a budget estimate in which the sum of expenditure exceeds that of revenue by more than one fifth, unless this has been approved by an Extraordinary General Assembly convened specifically for the purpose.
2. The Executive Board shall consist of at least 5 members who shall be elected for the period between two Ordinary General Assemblies, which may not exceed 36 months. If serious events so warrant, the Executive Board's term of office may be extended by decision of the General Assembly up to a maximum of 48 months in total.
3. Any member affiliated for at least six months with one of the unions belonging to the Union Syndicale Fédérale (and having a contract with an expiration date that covers at least 2 years of the Executive Board's term of office) is eligible. At least twenty days before the Ordinary General Assembly, the outgoing Executive Board sends out a call for candidatures to all members.
4. The President, Vice-Presidents, Secretary-General, Organisational Secretary, and Treasurer shall be designated from amongst the elected members of the Executive Board during their first meeting following the Ordinary General Assembly.
5. If one of the members of the Executive Board should resign before the end of the term of office, the vacancy shall be filled by the non-elected candidate who had obtained the most votes.
6. The Executive Board alone shall represent the union vis-à-vis its members, vis-à-vis the outside world, and in all legal matters. Valid representation of the union in legal proceedings shall be assured by the joint signatures of the President and the Vice-President if nominated. In the event that either of them is prevented from signing, the signature of the President or of the Vice-President may be accompanied by that of the Treasurer.
In the event that both the President and the Vice President are prevented simultaneously, the union may be represented in legal proceedings by the joint signatures of three members of the Executive Board.
7. The responsibilities of the Executive Board shall include:
 - implementing the decisions of the General Assembly;
 - carrying out the tasks laid down by these Statutes and by the guidelines defined by the General Assembly and taking all the necessary measures to this end.
8. The decisions of the Executive Board shall be taken by simple majority. Moreover, the distribution of tasks and procedural matters are laid down by internal regulations. The Executive Board may also consult individually members of the union with specialist knowledge or ask them to assume responsibility for specific tasks.
9. When a problem is submitted to it concerning a group of staff members or other employees, the Executive Board shall be obliged to first consult the members of the union belonging to this group.

XI. The Treasurer

1. A Treasurer shall be responsible for supervising the union's treasury and assets.
2. The Treasurer shall receive any complaint regarding the Executive Board's administration of the union's treasury and assets.

XII. The Disputes Board (cf. VIII) - Disputes

1. The Disputes Board shall consist of three full members belonging to the union for at least one year. It shall be elected for the duration of two terms of office of the Executive Board.
2. Membership of the Disputes Board shall not be compatible with the mandate of elected member of the Executive Board or of Treasurer.
3. The Disputes Board shall have jurisdiction over any internal dispute within the Union. Disputes may be brought before it by the Executive Board or by members of the union. It must give a hearing to the parties concerned before handing down a ruling.
4. The Disputes Board shall rule on the expulsion of a member from the union within 30 days. Appeal against a ruling on exclusion is provided for in Article IV-5. Any other decision by the Disputes Board may also be the subject of an appeal to the Ordinary General Assembly lodged by one of the parties to the dispute.

XIII. Disqualification of a member of a statutory body

When a member of one of the statutory bodies of the union is absent, without valid justification, at three consecutive meetings of that body, which he or she was properly called upon to attend, that member shall be considered to have resigned and shall be replaced according to the procedure provided in Article X-5.

XIV. Manner of electing the statutory bodies

1. The Executive Board shall be elected by the Electoral Congress from amongst the members who have put forward their candidatures.
 - The Treasurer shall be elected on the basis of the list of full members.
 - Announcement of the elections must precede the election date by at least 30 days.
 - On the basis of a written request signed by at least 25% of the full members, a General Assembly may be convened within the 15 days following announcement of the elections.
 - The elections can be held only if the number of candidates to the Executive Board is equal to or greater than 5.
 - The terms of office of the bodies to be renewed shall be automatically extended until the bodies newly elected under Article X-2 are constituted.
2. All members of the union whose dues payments are in order shall have the right to take part in the elections to the union's statutory bodies.
3. The elections shall be overseen by an Electoral President appointed by simple majority of the members present at the Electoral Congress.
4. The voting may be carried out in one of the following ways:

- Ballot paper:
Voting is done directly by depositing the ballot paper in the ballot box put at disposal by the President of the Electoral Congress. Each voter shall receive a ballot paper indicating the maximum number of votes corresponding to the number of seats reserved (see point 7 below).
A voter who is unable to take part in the Assembly may vote by proxy. The proxy form shall be presented by another voter at the Congress. Each voter present may bring no more than one proxy form.
 - Direct suffrage:
Nevertheless, by unanimous agreement of the members present, the voting may take place by direct suffrage (for ex., by a show of hands).
 - Electronic/e-mail:
In the case of electronic or e-mail voting, with an appropriate means of identification, authorised by the President of the Electoral Congress.
5. In the case of secret vote, the Electoral President shall proceed in the first instance to count the ballot papers deposited by the voters present at the Assembly.
Next, the voters who have been delegated to vote will receive a second ballot paper to deposit in the ballot box.
In the case of electronic or e-mail voting, the Electoral President will be present during the counting of votes to ensure respect for the procedures.
 6. The President of the Electoral Congress shall draw up the minutes of the election proceedings and shall publish the results. These shall be notified in writing to all members of the union.
 7. The candidates receiving the most votes shall be deemed elected, up to a ratio of 1/10 of registered union members. The Executive Board cannot consist of less than five members.

XV. Decision to strike

The Executive Board can only decide to strike after consulting the General Assembly, specifically convened for that purpose; in case of force majeure, however, it may take such a decision by a majority of full members, provided the General Assembly is called within 15 days following this decision. The convening of a General Assembly is not required when the decision to strike is submitted to a form of consultation of all staff which is accepted by the Executive Board.

XVI. Civil liability

Notwithstanding the provisions of law concerning the liability of the legal representative and of the delegate counsellor, the liability of the union or of its members shall in all cases be limited to the union's own assets.

XVII. Disbandment of the union and use of assets

1. Disbandment of the union may only be decided by a majority of at least 4/5 of all its members. Nevertheless, the President is authorised to disband the association and carry out the liquidation, completing all the consecutive acts, if the General Assembly called for the disbandment goes deserted for three times. The General Assembly is to be

considered deserted if no members present themselves other than the Executive Board members.

2. Without prejudice to the provisions of Article III-5, in the event of disbandment, the General Assembly, duly convened and acting by simple majority, shall decide as to the use of the assets belonging to the union and the allocation of the association's holdings.
3. The Treasurer shall make a final audit of the financial administration, shall determine the amount of the assets, and shall use them as decided by the General Assembly.

XVIII. Entry into force of these Statutes

These Statutes are adopted by the General Assembly on 12 March 2018 and enter into force on that same day.