

PREAMBLE

The European Trade Union Confederation, founded on 8 February 1973 by seventeen national organisations affiliated to the International Confederation of Free Trade Unions (ICFTU), has since expanded to include other organisations affiliated to the ICFTU, the World Confederation of Labour (WCL), or having no international affiliation.

The European Trade Union Confederation, consisting as it does of free, independent and democratic trade union confederations and European industry federations, aspires to be a unified and pluralistic organisation representing all working people at European level.

In particular, the European Trade Union Confederation will work throughout Europe for:

- .. the extension and consolidation of political liberties and democracy;
- .. the respect of human and trade union rights;
- .. the elimination of all forms of discrimination, based on sex, age, colour, race, sexual orientation, nationality, religious or philosophical beliefs or political opinions;
- .. the promotion of equal opportunities and equal treatment between men and women;
- .. geographically-balanced and environmentally-sound economic and social development;
- .. freely chosen and productive employment for all;
- .. the development, improvement and enhancement of education and training;
- .. the democratisation of the economy;
- .. a steady improvement in living and working conditions;
- .. a society free of exclusion and based on the principles of freedom, justice and solidarity.

The European Trade Union Confederation has, more specifically, the task of carrying out, in all events and circumstances, autonomously and with the highest degree of cohesion, the trade union initiatives at European level necessary to attain these goals as part of the process of the European integration.

The European Trade Union Confederation directs its activities towards:

- .. the European Union, and calls for the deepening of its social, political and democratic aspects, in step with that of its economic and monetary dimensions, for its enlargement to other European countries, and for its active commitment to promoting peace, development and social justice in the world;
- .. the Council of Europe, EFTA and other European institutions which promote cooperation on matters affecting working people's interests;
- .. the European employers' organisations, with a view to establishing solid labour relations at European level via the Social Dialogue and

negotiations.

The European Trade Union Confederation acts in accordance with the provisions of its Constitution.

A - MEMBERSHIP

Article 1:

The European Trade Union Confederation shall consist of National Trade Union Confederations and European Industry Federations.

Article 2:

Applications for affiliation submitted by National Trade Union Confederations and European Industry Federations shall be submitted to the Executive Committee for their decision.

These decisions shall be subject to ratification by Congress.

Article 3:

The Executive Committee may confer observer status without voting rights on those National Trade Union Confederations and European Industry Federations which request it.

These decisions shall be subject to ratification by Congress.

Article 4:

The Executive Committee shall have the right to suspend, and Congress shall have the right to expel, after charges have been proffered, any member organisation or organisation with observer status for action deemed by those bodies to be in contravention of this Constitution or against the interests of the trade union movement.

Provision shall be made for hearing of charges before a decision is taken. The procedures for such a hearing shall be determined by the Executive Committee.

Organisations expelled may only renew their affiliation following a decision by Congress.

Article 5:

The European Industry Federations are organisations of trade unions within one or more public or private economic sectors. They represent the interests of workers in their sectors at the European level, principally in negotiation.

The European Industry Federations shall be open to all national trade union organisations which are affiliated to the ETUC's National Trade Union Confederations

They shall be created on their own initiative and shall determine their own independent standing orders, in accordance with this Constitution.

The European Trade Union Confederation favours the creation and development of European Industry Federations within all spheres of economic and social activity.

B - INSTITUTIONS

Article 6:

The institutions of the European Trade Union Confederation shall be:

- a) The Congress
- b) The Executive Committee
- c) The Steering Committee
- d) The Secretariat

CONGRESS

Article 7 (Congress):

Congress is the supreme authority of the European Trade Union Confederation.

It has the following tasks in particular:

- .. To determine the strategy and general policy of the Confederation;
- .. To adopt resolutions and other policy proposals submitted by other statutory institutions and the affiliated organisations;
- .. To supervise the work of the other institutions through the discussion and adoption of Activity and Financial reports;
- .. To elect the members of the Executive Committee, the President, the General Secretary, the Deputy General Secretaries, the members of the confederal Secretariat and the Auditors;
- .. To ratify decisions made by the Executive Committee on applications for affiliation or for observer status made by National Trade Union Confederations and European Industry Federations;
- .. To change the Constitution.

Article 8 (Congress):

The Congress shall be composed of representatives from the National Trade Union Confederations, the European Industry Federations and the Women's Committee, whose seats shall be distributed as follows:

a) **National trade union confederations:**

The affiliated National Trade Union Confederations shall be allowed a number of representatives on the basis of the following distribution key:

up to 100 000 members	1
up to 250 000 members	2
<i>For each additional 250.000 members or part thereof, one extra seat will be allowed</i>	

In addition, national organisations with

- • • up to 5 00 000 members shall be entitled to an extra seat
- • • more than 500 000 members shall be entitle to 2 extra seats

b) **European Industry Federations:** three seats per European Industry Federation and one additional seat for each 500.000 members.

c) **The Women's Committee:** ten seats.

All organisations entitled to send representatives to Congress must ensure that their delegations are balanced between men and women so that they reflect the composition of the membership they represent.

These organisations may designate deputy representatives whose number shall not exceed one third of that of their full delegates.

The representatives of the European Industry Federations and of the Women's Committee shall have the right to vote except on financial questions and on applications for affiliation

The President, the General Secretary and the Deputy General Secretaries shall attend Congress as *ex officio* members.

National Trade Union Confederations and European Industry Federations with observer status shall be entitled to appoint observers with the right to speak. The number of these observers shall be determined by the Executive Committee.

EFREP, the Council of European Professional and Managerial Staff (EUROCADRES), the Interregional Trade Union Council (ITUC) Coordinating Committee and the Youth Committee shall be represented at Congress by a delegation with the right to speak, the number of whose members shall be set by the Executive Committee.

Article 9 (Congress):

Congress shall assemble at least once every four years. It shall be convened by the Executive Committee. It shall adopt its agenda and sending orders on the basis of proposals from the Executive Committee

An extraordinary Congress may be convened by the Executive Committee on their own initiative or following the request of one third of the affiliated organisations.

Article 10 (Congress):

Congress shall elect the members of the Executive Committee on the basis of the proposals provided in Article 14. It shall elect the President, the General Secretary and the two Deputy General Secretaries on the basis of the Executive Committee's proposals.

Congress shall elect three Auditors.

The role of the President shall be to chair the Congress, the Executive Committee and the Steering Committee.

Article 11 (Congress):

Congress shall endeavour to achieve the widest possible measure of agreement. If a vote is necessary, Congress shall decide by a majority of two-thirds of the votes cast.

Voting shall as a rule be carried out by a show of hands, but upon request a roll call vote shall be held. In this case, each National Trade Union Confederation, each European Industry Federation and the Women's Committee shall have a number of votes equal to the number of seats to which they are entitled.

Amendments and proposals which obtain less than two-thirds but more than half of the votes shall be referred back to the Executive Committee for examination and decision.

EXECUTIVE COMMITTEE

Article 12 (Executive Committee):

The Executive Committee shall be the supreme authority of the European Trade Union Confederation between Congresses.

The Executive Committee shall:

- .. decide on policies needed to implement the general strategy adopted by Congress;

- .. decide on the positions to be taken vis-à-vis European employers' organisations and the European Institutions;
- .. decide on trade union action to be taken in support of joint trade union demands and positions;
- .. ensure the convergence at European level of the demands and contractual policies of affiliated organisations;
- .. oversee the work of the Steering Committee and of the Secretariat; the latter shall report on their activities at each Executive Committee session;
- .. draw up the internal rules of procedure;
- .. fix the level of affiliation fees and approve the budget and the extra-budgetary resources.

If it proves necessary, between two Congresses, to replace the President, the General Secretary, the Deputy General Secretaries and the Auditors, the Executive Committee shall assume the authority of Congress to elect them.

Article 13 (Executive Committee):

The Executive Committee shall determine the composition and mandate of the delegation for negotiations with European employers' organisations in each individual case, in accordance with the voting procedures set out in Article 19. The decision shall have the support of at least two thirds of the member organisations directly concerned by the negotiations.

In cases of urgency, decisions concerning the mandate for composition of the delegation may be made in writing.

The Executive Committee shall establish the internal rules of procedure to be followed in the event of negotiations. The Secretariat shall supervise the bargaining delegation

The Executive Committee shall be given regular progress reports on bargaining in progress.

Decisions on the outcomes of negotiations shall be taken by the Executive Committee in accordance with the voting procedures set out in Article 19. The decision shall have the support of at least two thirds of the organisations directly concerned by the negotiations, which shall have had the opportunity to hold internal consultations.

Regular reports on European sectoral bargaining, carried out by European Industry Federations, shall be made to the Executive Committee. Its consistency with ETUC policy shall thus be ensured.

Article 14 (Executive Committee):

The Executive Committee shall be composed of :

- § Representatives of national trade union confederations, to be elected on the basis of proposals made by the same, whose seats shall be distributed as follows:

- 1 representative for each National Trade Union Confederation with no more than 1 000 000 members;
 - 2 representatives for each National Trade Union Confederation with more than 1 000 000 members but no more than 3 000 000 members;
 - 3 representatives for each National Trade Union Confederation with more than 3 000 000 members but no more than 5 000 000 members
 - 4 representatives for each National Trade Union Confederation with more than 5 000 000 members but no more than 7 000 000 members
 - 5 representatives for each National Trade Union Confederation with more than 7 000 000 members
- • • Representatives of the European Industry Federations, to be elected on the basis of proposals made by the same, whose seats shall be distributed as follows:
 - 1 representative for each European Industry Federation with no more than 4 000 000 members;
 - 2 representatives for each European Industry Federation with more than 4 000 000 members.
 - • • 3 representatives from the Women's Committee, elected on the basis of proposals made by that Committee.

The representatives of the European Industry Federations and of the Women's Committee shall have the right to vote except on financial matters and on applications for affiliation.

A deputy member shall be appointed for each full member.

The President, General Secretary and Deputy General Secretaries shall be *ex officio* members of the Executive Committee.

National Trade Union Confederations and European Industry Federations with observer status, shall be entitled to appoint observers with the right to speak. The number of these observers shall be determined by the Executive Committee.

Two representatives of EFREP, one representative of EUROCADRES, the President of the ITUC Coordinating Committee and the President of the Youth Committee shall take part in the Executive Committee with the right to speak.

The members of the Executive Committee may be accompanied by advisers.

Article 15 (Executive Committee):

The Executive Committee shall elect the Vice-Presidents from amongst their own membership and the members of the Steering Committee.

They shall elect the Confederal Secretaries on the basis of proposals from the General Secretary. The number of the latter shall be determined by the Executive Committee.

Article 16 (Executive Committee):

The Executive Committee shall meet at least four times a year.

An extraordinary meeting may be convened on their own decision or at the request of the Steering Committee or of one third of the members of the Executive Committee.

Article 17 (Executive Committee):

The Executive Committee shall set up a Women's Committee and a Youth Committee whose mandate, composition and procedural rules shall be determined by the respective regulations.

Article 18 (Executive Committee):

The Executive Committee shall establish standing committees in order to prepare and support their work, and shall specify the composition, the tasks and the modes of operation of such committees.

All affiliated organisations shall have access to these committees which shall meet as necessary but in principle at least once a year.

Article 19 (Executive Committee):

The Executive Committee shall endeavour to reach the widest possible measure of agreement. If a vote is necessary, decisions shall be taken by a majority of two-thirds of the votes.

At the beginning of each meeting the Secretariat will ascertain whether the Executive Committee is sufficiently representative for a vote to be taken.

The deliberations of the Executive Committee can only be valid if at least 3/4 of the full members are present or represented. The full members may be represented either by their deputies or by representatives from their organisations who have been duly delegated with a mandate in writing.

Members entitled to vote are full members and, in the event of absence, deputy members; should both be absent, another representative from the same organisation who has been duly delegated with a mandate in writing shall be entitled to vote.

Voting shall as a rule be by a show of hands, but upon request a roll call

vote shall be taken. In this case, each National Trade Union Confederation, each European Industry Federation and the Women's Committee shall have a number of votes equal to the number of seats to which they are entitled on the Executive Committee.

A proposal shall be carried if it obtains at least 2/3 of the votes of the members present or represented.

Any proposal which fails to obtain at least two thirds of the votes of the members present or represented, but obtains at least half of the votes of the Executive Committee members, shall remain on the agenda and be referred back to the Secretariat for renewed examination.

STEERING COMMITTEE

Article 20 (Steering Committee):

The Steering Committee shall be responsible for deciding on urgent and medium-term action to be taken in order to carry out policies determined by the Executive Committee, in the framework of the latter's mandate.

The Steering Committee shall be responsible for overseeing negotiations with employers' organisations and representations made to the European institutions.

The Steering Committee shall have the tasks of dealing with financial and administrative matters, and of preparing the Executive Committee's agenda and submitting recommendations to the Executive Committee.

Article 21 (Steering Committee):

The Steering Committee shall be composed of:

- a) the President, the General Secretary and the Deputy General Secretaries as ex officio members;
- b) a maximum of seventeen additional members chosen by the Executive Committee from their own membership, including at least three representatives of the European industry federations and one representative proposed by the Women's Committee.

Article 22 (Steering Committee):

The Steering Committee shall, as a rule, meet eight times per year.

SECRETARIAT

Article 23 (Secretariat):

The Secretariat, which shall include at least one woman, shall be composed of the General Secretary, two Deputy General Secretaries and Confederal Secretaries, the number of whom shall be determined by the Executive Committee.

The General Secretary shall be the chief spokesperson of the Confederation and the coordinator of all activities, and shall have overall responsibility for the internal organisation of the Secretariat.

The Deputy General Secretaries shall assist the General Secretary in these tasks and shall assume his/her responsibilities in case of absence.

The Secretariat shall be assisted in its work by the Institutes set up for this purpose by the Confederation.

Article 24 (Secretariat):

The Secretariat shall conduct its activities under the leadership of the General Secretary. The Secretariat shall carry out all tasks entrusted to it by the other institutions of the Confederation, in the framework of the present Constitution.

Specifically, and within this framework, the Secretariat shall:

- .. develop and maintain relations between the component parts of the Confederation and with all the institutions coming under its auspices;
- .. prepare the documents and agenda for all the meetings of the statutory institutions and of those bodies created by them;
- .. convene, as necessary, *ad hoc* working groups, and determine their tasks, composition and modes of operation;
- .. organise representations to be made to the European institutions and in the dialogue with European employers' organisations;
- .. plan and recommend trade union action to be taken by the Confederation and all its component bodies in order to attain objectives and support common demands.

C - SPECIAL TRADE UNION STRUCTURES

Article 25 (ITUC's)

The Interregional Trade Union Councils (ITUCs) are structures for trade union cooperation in cross border regions which bring together the regional organisations of national confederations affiliated to the ETUC.

The ITUCs shall set up a Coordinating Committee.

The Executive Committee shall determine the criteria for setting up the ITUCs and the procedural rules of their Coordinating Committee.

Article 26 (EUROCADRES):

The Council of European professional and managerial staff (EUROCADRES) is an organisation associated to the ETUC.

It shall be represented at Congress by a delegation with speaking rights, the number of whose members shall be set by the Executive Committee.

A representative of EUROCADRES shall sit on the Executive Committee with the right to speak.

Article 27 (EFREP)

The ETUC recognises EFREP as an organisation representing retired and elderly workers at the European level.

It shall be represented at Congress by a delegation with speaking rights, the number of which will be determined by the Executive Committee.

Two EFREP representatives shall sit on the Executive Committee with the right to speak.

D - FINANCE

Article 28 (Finance):

The European Trade Union Confederation shall be financed by fees from the affiliated Trade Union Confederations, set by the Executive Committee.

That does not preclude specific activities being financed by extra-budgetary resources.

Article 29 (Finance):

The fees shall be payable in Euro, half-yearly in advance, during January and July each year.

Affiliated organisations which are in arrears of their fees shall continue to sit on the Executive Committee, but shall lose their right to vote. Any organisation in arrears of two payments shall be suspended from the Executive Committee.

Payment of arrears shall lead to the restitution of the rights of the organisation in question

Only those organisations whose fees are paid up to date shall be entitled

to take part in the Congress with a right to vote.

Article 30 (Finance):

The Steering Committee shall prepare decisions to be taken by the Executive Committee on matters concerning the budget, affiliation fees and all other financial matters.

Article 31 (Finance):

Expenses arising from participation at all statutory meetings of the Confederation shall be borne by the participating organisations.

Article 32 (Finance):

The finances of the Confederation shall be submitted annually to the Auditors for examination. This annual report shall be submitted subsequently to the Executive Committee who shall give discharge to the General Secretary.

Article 33 (Finance):

The Executive Committee may create a Mutual Fund for a specific purpose and determine the contributions to be paid and the use to which they are put.