

ETUC Constitution

As amended by the ETUC 15th Statutory Congress

ETUC Constitution

PREAMBLE

The European Trade Union Confederation, consisting as it does of free, independent and democratic trade union confederations and European trade union 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 and notably freedom of association, the right to organise, the right to collective bargaining and the right to strike;
- 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;
- sustainable development;
- freely chosen, productive and high-quality employment for all;
- the development, improvement and enhancement of education and training and lifelong learning;
- 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 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 contents, 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 an industrial relations system at European level via the Social Dialogue and negotiations.

The ETUC cooperates with the ITUC, its Pan-European Regional Council and ITUC regional organisations, as well as other organisations, to advance ETUC objectives world-wide.

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

MEMBERSHIP

Article 1:

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

Article 2:

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

These decisions shall be subject to ratification by Congress.

Observer Organisations

Article 3:

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

These decisions shall be subject to ratification by Congress.

Withdrawal of Membership

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.

European Trade Union Federations

Article 5:

The European Trade Union 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 Trade Union Federations shall be open to all national trade union organisations affiliated to member Confederations. These organisations should be part of the relevant European Trade Union Federation.

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

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

Article 6:

Member organisations recognise the right of cross-border trade union protection of their members irrespective of their national affiliation; the Executive Committee shall take the necessary steps to promote the implementation of this provision.

INSTITUTIONS

Article 7:

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 8:

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

It shall assemble every four years, convened by the Executive Committee. It shall adopt its agenda and standing orders on the basis of proposals from the Executive Committee.

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 the Executive Committee and the affiliated organisations;
- To examine and adopt the Activity Report;
- To approve the composition of the Executive Committee;
- To elect the President, the Vice-Presidents, the members of the 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 Trade Union Federations;
- To change the Constitution.

Composition

Article 9:

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

a) National Trade Union Confederations

- up to 100 000 members 1
- up to 250 000 members 2

For each additional 250 000 members or part thereof, one extra delegate will be allowed.

In addition, national organisations with:

- up to 500 000 members shall be entitled to an extra delegate
- more than 500 000 members shall be entitled to 2 extra delegates

b) European Trade Union Federations:

three delegates, and one additional delegate for each 500 000 members.

c) Women's Committee:

ten delegates.

d) Youth Committee:

ten delegates.

Gender balance

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.

In any event, the difference in numbers of members of either gender in each delegation shall not be higher than one.

If a delegation is not gender-balanced, its voting rights should be reduced proportionally.

Youth balance

All organisations¹ entitled to send representatives to the Congress shall ensure that their delegations include members younger than or aged 35.

In any event, every fourth delegate per delegation must be younger than or aged 35. If a delegation with four or more delegates does not fulfil this criterion, its voting rights should be reduced proportionally.

Deputy delegates

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

Voting rights

The delegates of the European Trade Union Federations, of the Women's Committee and of the Youth Committee shall have the right to vote except on financial questions and on applications for affiliation.

Specific Structures

The Coordinating Committee of the Interregional Trade Union Council (IRTUC) and FERPA are entitled to a delegation with speaking rights. The Executive Committee decides the number of members of these delegations. Each of those delegations is also entitled to two votes except on financial questions and on applications for affiliations.

Observers

National Trade Union Confederations and European Trade Union 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.

Elections

Article 10:

The President, Vice-Presidents, members of the Secretariat and Auditors shall be elected by the Congress by absolute majority of the votes cast.

Candidatures for President, Vice-Presidents, members of the Secretariat and Auditors shall be presented by member organisations to the Executive Committee.

The Executive Committee shall present to Congress a list of candidates for membership of the Secretariat on the basis of proposals from the General Secretary. Member organisations may propose to Congress amendments to that list.

Congress shall carry out elections by secret ballot.

All mandates expire at Congress. The mandates of members of the Secretariat shall not as a rule exceed two Congress terms at the same level. Congress shall decide with a two-thirds majority whether a candidate may derogate from that provision.

The President shall be elected for a single term.

Congress shall elect five Auditors.

The President and the members of the Secretariat are ex-officio members of the Congress, the Executive Committee and the Steering Committee.

Voting Procedures

Article 11:

¹ With the exception of FERPA

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 Trade Union Federation, the Women's Committee and the Youth Committee shall have a number of votes equal to the number of delegates 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:

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;
- approve the composition of the Standing Committees;
- ratify the composition of the Interregional Trade Union Councils;
- convene and prepare Congress, including the list of Secretariat members for election by Congress on the basis of proposals by the General Secretary;
- convene an extraordinary Congress on their own initiative or following the request of one third of the affiliated organisations;
- convene a conference on specific issues, such as organisation issues, mid-term between congresses and define its composition and participation.

If it is proved necessary, between two Congresses, to replace the President, Vice-Presidents, a member of the Secretariat and the Auditors, the Executive Committee shall act with the authority and the voting procedures of the Congress.

The General Secretary is entitled to propose to the Executive Committee the replacement of Secretariat members.

Social Dialogue mandates

Article 13:

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 representatives in the Executive Committee from member organisations directly concerned by the negotiations.

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 representatives in the Executive Committee from organisations directly concerned by the negotiations. Their organisations shall have had the opportunity to hold internal consultations.

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

Composition

Article 14:

The Executive Committee shall be composed of:

Representatives of national trade union confederations, 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 Trade Union Federations, as follows:

- 1 representative for each European Trade Union Federation with up to 3 000 000 members;
- 2 representatives for each European Trade Union Federation with between 3 000 000 and 5 000 000 members;
- 3 representatives for each European Trade Union Federation with more than 5 000 000 members.

Representatives from the Women's Committee:

- 3 representatives

Representatives from the Youth Committee

- 2 representatives

The representatives of the European Trade Union Federations, of the Women's Committee and of the Youth 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 members of the Executive Committee may be accompanied by advisers.

Observers

National Trade Union Confederations and European Trade Union 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.

Specific Structures

The President of the IRTUC Coordinating Committee shall take part in the Executive Committee with the right to speak.

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

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

The President and Vice-Presidents

Article 15:

The role of the President shall be to chair the Congress, the Executive Committee and the Steering Committee and to carry out other duties at the request of the General Secretary. The role of the Vice-Presidents shall be to support the President or to replace him/her if needed.

The group of Vice-Presidents shall be composed of Executive Committee members representing national trade union confederations and European trade union federations.

The number of the Vice-Presidents shall be determined by the Executive Committee.

Meetings

Article 16:

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.

Committees

Article 17:

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:

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.

Voting procedures

Article 19:

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.

In cases of urgency, decisions may be made in writing.

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 2/3 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, the Women's Committee and the Youth Committee shall have a number of votes equal to the number of seats to which they are entitled on the Executive Committee. Each National Trade Union Confederation and each European Trade Union Federation shall have a number of votes equal to the number of Congress delegates to which they are entitled.

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:

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 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:

The Steering Committee shall be composed of members chosen by the Executive Committee from their own membership, including representatives of the European Trade Union Federations, of the President of the Women's Committee and of the President of the Youth Committee.

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

The Vice-Presidents who are not members of the Steering Committee, shall be permanent observers.

SECRETARIAT

Article 22:

The Secretariat 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.

Gender balance shall be taken into account and the difference in numbers of members of the Secretariat and separately of the President and Vice-Presidents elected by the Congress of either gender shall not be higher than one.

The General Secretary shall be the 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 23:

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.

SPECIFIC STRUCTURES

Article 24: IRTUCs

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

The IRTUCs shall set up a Coordinating Committee.

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

Article 25: 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.

Article 26: FERPA

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

FINANCES

Article 27:

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 28:

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 29:

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 30:

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

Article 31:

The finances of the Confederation shall be regularly checked by the Auditors. Their annual report will be submitted to the Executive Committee which shall give discharge to the General Secretary.

Article 32:

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.

HEADQUARTERS

Article 33:

The headquarters of the Confederation shall be determined by the Congress.

DISSOLUTION

Article 34:

Dissolution of the Confederation shall be by decision of a Congress especially convened for that purpose.

Such a decision shall require a three quarters majority of delegates to Congress.

The Congress shall also decide on the final distribution of the funds of the Confederation.

AUTHORITATIVE TEXT

Article 35:

In the case of a conflict in meaning between different language versions of the text of the Constitution, the English text shall prevail.

ETUC MEMBER ORGANISATIONS

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

[... list of ETUC member organisations]