

A. EC GUIDANCE LAY OFFICE – RIGHT OF RECALL

The 2nd Rules Conference carried an Amendment to Rule 6 requiring the publication of Guidance on the recall of lay representatives.

- 6.6 The Executive Council shall issue guidance to establish the right of recall over members elected to lay office.

Workplace Representatives

An ‘accountable representative of workers’ elected in a workplace shall cease to hold office when more than 50% of the members in the constituency that they were elected to represent vote or petition to hold a new election for that post.

As per Rule 6.3, the definition of an ‘accountable representative of workers’ shall be in the exclusive power of the Executive Council. Under the current terms of EC Guidance Clause 6.3.2 the following roles will count as ‘accountable representative of workers’:

- Convenor
- Shop Steward) or ‘Workplace representative’ / ‘Father/Mother of the Chapel’, etc. where such phrases are the local colloquial term for such representative as represents members in bargaining and disciplinary and grievance matters).
- Health & Safety representative
- Equalities representative
- Learning representative
- Environmental representative

It may be the case that a ‘Convenor’ is not directly elected by members but elected to that position by a committee of workplace representatives. In such circumstances, the Convenor’s ‘Constituency’ shall be the committee of workplace representatives and if he/she is subject to more than 50% of members of that committee voting or petitioning to hold a new election for that post then the Convenor shall cease to hold office as Convenor.

Should this proposed Guidance Note be adopted, amendment will be made to existing EC Guidance on Rule 6, specifically EC Guidance Clause 6.5.2.

Constitutional Committees

New Rule 6, Clause 7: All Unite full-time officers assigned to the Union’s constitutional committees are responsible for maintaining an up-to-date record of constitutional committee members’ credentials in order to ensure compliance with Rule 6. This record is to be reported to all constitutional committee meetings and included in the minutes.

Regional Committee/National Industrial Sector Committee/National Equalities Committee

Should a member of these committees cease work during the period of office, particularly if such cessation is due to retirement, the member of the committee shall report to the constituent committee that elected her/him (RISC, AAC or Regional Equalities Committee) and seek majority approval of that lower committee for the member to see out his/her term of office on the higher committee.

Executive Council

The General Secretary shall be empowered to call a vacancy and a fresh election arising from the failure of any member of the Executive Council without good reason, to attend 3 consecutive Executive Council meetings.

Branch Officers

A branch should elect four officers as set out in Rule 17:

- Chair
- Secretary }
- Treasurer } may be the same person
- Equalities officer

Plus other such officers as it may choose to elect.

A motion of 'no confidence' in any Branch Officer may be lodged with the Branch Secretary (or Branch Chair if no motion concerns the Branch Secretary) and will be deemed valid if signed by at least 25% of members of that branch.

The Branch Secretary (or Branch Chair) shall convene a meeting of the branch within one calendar month of receiving such a motion – members must be advised (by notice, post or electronically) that this motion will be dealt with at the branch meeting.

A Branch officer shall cease to hold office if such a 'no confidence' motion is carried by a simple majority at this branch meeting so long as the meeting is quorate.