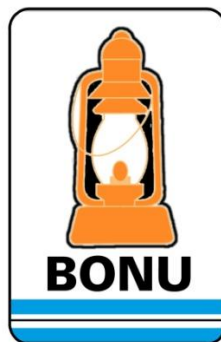


**CONSTITUTION**  
**OF THE**  
**BOTSWANA NURSES UNION**



**November 2010**

## **ABBREVIATIONS AND ACRONYMS**

AGC	Annual General Conference
BEC	Branch Executive Committee
BIEC	BONU Independent Electoral Committee
BONU	Botswana Nurses Union
CEC	Central Executive Committee
DC	Disciplinary Committee
EOGC	Extra Ordinary General Conference
GC	Governing Council
GMM	General Membership Meeting
LWRC	Local Workplace Representative Council
NAB	National Appeals Board
NDC	National Disciplinary Committee
NGC	National General Congress
NMCB	Nursing and Midwifery council of Botswana
RDC	Regional Disciplinary Committee
REC	Regional Executive Council
RGMM	Regional General Membership Meeting
RWRC	Regional Workplace Representative Council
WR	Workplace Representative

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## **PREAMBLE**

The Botswana Nurses Union (BONU) is a voluntary organization of persons which represents members of the professions of nursing and midwifery in the Republic of Botswana. It is a body corporate with a perpetual succession capable of entering into contractual and other relations and sued and being sued in its name. BONU is also an autonomous, non-sexist, non discriminatory organization for nurses and midwives. It is a dynamic and continually in touch with members and the community they serve. It shall function with transparency and shall embrace democratic values based on human rights and gender equality. The organization has both Union and Professional components.

## **ARTICLE 1: NAME AND OFFICES**

- 1.1 The name of the Union shall be the Botswana Nurses Union, hereinafter referred to as the Union or abbreviated as BONU.
- 1.2 Its Head Quarters shall be in Gaborone or at any other place determined by the Annual General Conference, herein after referred to as AGC.
- 1.3 Its postal address shall be P.O. Box 126, Gaborone.

## **ARTICLE 2: INTERPRETATION OF TERMS**

In this Constitution, unless the context otherwise requires,

- 2.1 “Act” shall mean the Trade Unions and Employers Organizations Act.
- 2.2 “Annual Conference” shall mean the annual general meeting of members represented by constituents’ delegates.
- 2.3 “Associate member” shall mean a member in terms of Article 6.1.2
- 2.4 “Central Executive Committee” shall mean the governing body in the day-to-day administration of the Union.
- 2.5 “Days” shall mean calendar days inclusive of weekends and public holidays.
- 2.6 “Full member” shall mean registered member, subscribing member of the Union, whose membership is consistent with the Act.
- 2.7 “Honorary member” shall mean a ceremonial status member recognized for his/her goodwill as set out in Article 6.1.4
- 2.8 “Industry” shall mean a collective of public and private nursing sector as a whole.

- 2.9 “Junior member” shall mean a member as set out in Article 6.1.3
- 2.10 “Registrar” shall mean the Registrar of Trade Unions and Employers’ Organizations

### **ARTICLE 3: LEGAL PERSONALITY AND PROPERTY RIGHTS**

- 3.1 The Union shall be a body corporate with perpetual succession capable of entering into contractual and other relations and of suing and being sued in its own name.
- 3.2 It shall hold property separate from its members and be an organization not for gain.
- 3.3 The liabilities of members shall be limited to the amount of the subscription or other moneys due to the Union at any times in terms of this constitution.
- 3.4 The Union shall hold and own property in its own name, apart from its members. To this end the Union may purchase or otherwise acquire land, buildings or any movable and immovable property, and/or hire or let, sell, lease, mortgage, charge, dispose of, develop, build or improve all or part of such property.

### **ARTICLE 4: AIMS AND OBJECTIVES**

#### **4.1 AS DEMOCRATIC UNION**

- 4.1.1 To build a democratic worker controlled and membership centered organization based on membership participation on policy formulation, decision making and implementation.
- 4.1.2 To develop and maintain a union free from any discrimination and or unequal treatment with respect to race, ethnicity, gender, disability, creed, age or any arbitrary ground.
- 4.1.3 To develop and maintain solidarity with other Trade Unions and Professional Associations nationally and internationally and to affiliate to anybody or any federation of trade unions that advances the cause of the working class.

## **4.2 FOR THE WORKERS**

- 4.2.1 To regulate collective relations between employees and employers or between employees and organizations
- 4.2.2 To advocate for job security of members and to advance their employment prospects and to serve their individual and collective interest.
- 4.2.3 Influence public policy and legislation affecting the nurses and nursing profession for better working conditions and socio economic status/welfare.
- 4.2.4 To organize nurses into one organization in order to promote a sense of identity and oneness amongst members of the nursing profession.
- 4.2.5 To network with other national unions, regional and international organizations/unions and professional bodies for the benefit of members.
- 4.2.6 To collectively bargain and negotiate for improved salary conditions of services for members.

## **4.3 FOR THE PROFESSION**

- 4.3.1 To advocate for nurses involvement in health and social policy formulation so as to influence health outcomes.
- 4.3.2 To recruit and unite nurses into one organization for advancing their professional, social and economic welfare.
- 4.3.3 To promote and maintain the standards of practice and research.
- 4.3.4 To promote the health and wellbeing of nurses through personal and professional support to empower them in their role as health workers.
- 4.3.5 To represent nurses locally, regionally and internationally.
- 4.3.6 To manage resources which contribute to the nursing profession.
- 4.3.7 To promote a sense of identity and oneness among members of the nursing profession.
- 4.3.8 To engage in research for the advancement of nursing knowledge and development.



## **ARTICLE 5: ORGANISATIONAL PRINCIPLES**

The Union shall function under the following general organizational principles and values:

### **5.1 THE PRINCIPLE OF DEMOCRATIC WORKER CONTROL**

This principle will be enforced by:

- 5.1.1 Creating an environment conducive for the free flow of ideas such as ideological, current or school of thought that shall earn leadership and pre-eminence through democratic debate and persuasion, rather than being declared or imposed by any person or structure.
- 5.1.2 The procedure and style of organization and management shall be such that executive officers and Union employees are servants of popular democratic mass power of Union members.
- 5.1.3 To maintain organizational unity, the Union shall endeavor as much as possible to make decisions through consensus with voting as a last resort.
- 5.1.4 The exercise of internal democracy shall be both direct (popular) and indirect (by proportional representation), with the former taking precedence.
- 5.1.5 All Union officers and representatives shall be subject to recall. They shall at all times express the popular will of the Union members and seek mandates and give reports back.
- 5.1.6 The interests of any individual Union member shall be subject to the interests of the collective, the interests of a minority subject to those of the majority and the authority of the lower organs subject to the authority of higher organ.

### **5.2 THE PRINCIPLE OF WORKING CLASS INDEPENDENCE**

To this end the Union shall:

- 5.2.1 Adopt and campaign for policy positions without fear or favour.
- 5.2.2 Hold non-neutral, independent views, guided by a set of principles and views that it shall freely adopt from time to time or those of a federation to which it is affiliated.
- 5.2.3 Not to be organically subordinate to any local or international political party, unless a Federation or other social movement, to which the Union is an affiliate, is itself affiliated to such political party.

- 5.2.4 Participate in political process only to the extent and for purpose of influencing policy decisions and governance in the interests of members, workers in general and other progressive social forces.

### **5.3 THE PRINCIPLE OF QUALITY REPRESENTATION**

By this principle the Union shall:

- 5.3.1 Emphasize good, fair and quality representation; promoting self expression over representation by a remote organ of the Union.
- 5.3.2 Promote culture and spirit of brotherhood/sisterhood, solidarity and collectivism over individualism and economic opportunism.
- 5.3.3 Prioritize employment representation over Union benefit schemes and investments. This principle shall extend to relations with employers and other trade unions or private bodies.

## **ARTICLE 6: MEMBERSHIP**

### **6.1 DEFINITION AND TYPES OF MEMBERSHIP**

There shall be five types of membership to the Union being:

#### **6.1.1 Full Membership**

- a) Full membership shall be open to any nurse who is on the General Register of the Nursing and Midwifery Council of Botswana (NMCB), or whose qualifications entitle her or him to be so registered and must be an employee in an industry with which the Union is directly concerned and these members shall have full rights and participation.
- b) No employee of this Union shall be admitted to any type of membership of the Union.

#### **6.1.2 Associate Membership**

- a) Associate membership shall be open to any nurse who is on the General Register of the Nursing and Midwifery Council of Botswana (NMCB), or whose qualifications entitle her or him to be so registered save as she or he is not an employee in an industry with which the Union is directly concerned and these members shall be a special type of membership with limited rights of participation.

- b) These members are not eligible for unionization but interested in advancing the course of the nursing profession, either within or outside Botswana.

### **6.1.3 Junior Membership**

Junior membership of Union shall be open to any person enrolled in a generic programme in nursing recognized by the NMCB.

### **6.1.4 Honorary membership**

Honorary membership shall be a ceremonial type of membership and shall be conferred by the Annual General Conference (AGC) on any person who is not a nurse and who has made a significant or special contribution to the development of the nursing profession or contributed significantly to the general health of the people of Botswana or to the Trade Union movement.

## **6.2 RIGHTS, DUTIES AND OBLIGATIONS OF MEMBERS GENERALLY**

**6.2.1** Except where otherwise provided in this constitution, all members shall have equal rights in respect to the type of membership that they have applied and been admitted for and shall be equally bound by:

- a) The constitution, its appendices and any amendments thereof.
- b) Any decisions made by the appropriate, constitutionally authorized organ and structure of the Union.
- c) Rules and regulations, and decisions made by relevant structures of the Union.

### **6.2.2 Every member of the Union:**

- a) Shall ensure that his/her subscription is paid up regularly as required by this constitution.
- b) Is entitled to freely express her or his views in relations to the affairs of the Union in a properly constituted meeting.
- c) Shall have the right to speak in meetings.
- d) Shall have the right to partake actively and freely in decision making and activities of the Union.
- e) Shall have the right to inspect documents and records.

- f) Wishing to inspect any such records must give one week's notice in writing to the accounting officer of that structure, who shall ensure that the accountable officer avails the same within fourteen (14) days.

### **6.3 RIGHTS, DUTIES AND OBLIGATIONS OF FULL MEMBERS**

**6.3.1** Whenever it is justifiable, affordable, practical and legally reasonable to do so, the Union shall act to safe guard and protect the employment interests of an ordinary member or a group of members, including the provision of legal assistance. Upon a resolution, Delegates Congress or special or special delegates Congress to this effect, all registered members shall be under obligation to contribute towards the necessary expense.

**6.3.2** **Every full member shall have the right and duty to:**

- a) Participate, attend, vote and contribute to the proceedings of the Union meeting of a structure of which he/she is a member.
- b) Learn and be informed on specific employment laws and regulations governing their employment, national labour laws and labour relations, institutions and standards, regional labour standards and international labour conventions to which the Government of Botswana is a signatory.
- c) Report any individual and collective workplace grievances to the workplace representatives and other representatives.
- d) Defend the Union Constitution and contribute to maintenance of Union standards of behavior, organization, discipline and unity.

### **6.4 RIGHTS, DUTIES AND OBLIGATIONS OF ASSOCIATE MEMBERS**

**6.4.1** **Every associate member shall be eligible to be voted into any position in the:**

6.4.1.1 CEC, except in the following positions:

- a) President
- b) Vice President Labour and Bargaining
- c) Secretary General
- d) Vice Secretary Labour and Bargaining
- e) National Treasurer

6.4.1.2 Regional Committee except in the following positions:

- a) Regional Chairperson
- b) Regional Vice Chairperson Labour and Bargaining
- c) Regional Secretary

- d) Regional Vice Secretary Labour and Bargaining
- e) Regional Workplace Representative Council

6.4.1.3 Branch Committees except in the following positions:

- a) Branch Chairperson
- b) Branch Vice Chairperson Labour and Bargaining
- c) Branch Secretary
- d) Branch Secretary Labour and Bargaining
- e) Local Workplace Representative Council

**6.4.2 Every associate member shall have the right to:**

6.4.2.1 Membership of committees and union benefit schemes.

6.4.2.2 Be delegated to represent the Union in activities where their experience and expertise would benefit the Union, except in negotiation with employers.

## **6.5 RIGHTS, DUTIES AND OBLIGATIONS OF JUNIOR MEMBERS**

**6.5.1 The junior members shall be:**

6.5.1.1 Entitled to make an input in their professional training and educational programmes.

6.5.1.2 Obligated to pay their subscription fees as required by this constitution.

6.5.1.3 Afforded educational training by the Union in order to enhance their skills

## **6.6 RIGHTS, DUTIES AND OBLIGATIONS OF HONORARY MEMBERS**

**6.6.1** The specific rights, duties and obligations of an honorary member shall be determined by the Delegates of Congress from time to time.

## **6.7 APPLICATION FOR MEMBERSHIP**

**6.7.1** Every application for membership shall be made to the CEC through the Branch Committee.

**6.7.2** Application for membership shall be made on the Union's standard application and stop-order authorization form.

**6.7.3** Consideration and approvals of membership applications shall be done by the CEC.

**6.7.4** The CEC has full and discretionary power to accept or reject an application.

- 6.7.5** If the CEC is not satisfied that the application complies with the entrance requirement and resolves to admit the applicant, then the applicant may appeal to the National Appeals Board (NAB) who shall affirm or reverse the decision of the CEC and its decision shall be final.
- 6.7.6** Successful applicants shall pay membership and subscription fees to the Treasurer General and receive a membership card.
- 6.7.7** Integration and orientation processes shall be executed by the Branch Executive Committee.

## **6.8 TERMINATION OF MEMBERSHIP**

- 6.8.1** Any member shall have the right to resign. However, the Disciplinary Committee shall have the powers to revoke or terminate a membership which is inconsistent with this constitution.
- 6.8.2** A member who wishes to resign from the Union shall give three (3) calendar months written notice to the CEC and shall pay arrears due to the Union.
- 6.8.3** The Disciplinary Committee shall have the power to expel any member from the Union in accordance with the provisions of this constitution.
- 6.8.4** A member whose membership of the Union ceases is no longer entitled to participate in the affairs of the Union or receive the normal service or benefits of Union membership.
- 6.8.5** The CEC shall remove from membership of the Union any member whose name has been lawfully removed from the NMCB register within 30 days of such removal, and the affected member shall be informed in writing of such measure.
- 6.8.6** Upon termination of membership, voluntary or otherwise, anyone who ceases to be a member shall forthwith surrender the property of the Union which may be in his or her possession or control by whatever means as a member.

## **ARTICLE 7: SUBSCRIPTIONS AND ARREARS**

- 7.1** The membership, subscription, and membership re-admission fees shall be determined by the Annual General Conference of the Union from time to time.
- 7.2** Where the union had negotiated a deduction facility agreement with an employer the member employed by such employer shall authorize the employer in writing to deduct his/her union membership subscription from his/her monthly salary.

- 7.3 Any member whose areas exceed three (3) months loses his / her membership and forfeits all membership benefits. Membership shall be regained through the Central Executive Committee after payment of arrears, and a re-admission fee.
- 7.4 No refunds of either subscription or membership fees shall be made to any member upon resignation from Union or through cessation of employment.

## **ARTICLE 8: ORGANIZATIONAL STRUCTURE OF THE UNION**

- 8.1 The Union shall be composed of the following hierarchical structure:
- 8.1.1 National General Congress (NGC)
  - 8.1.2 Annual General Conference (AGC)
  - 8.1.3 Governing Council (GC)
  - 8.1.4 Central Executive Committee (CEC)
  - 8.1.5 Regional Workplace Representative Council (RWRC)
  - 8.1.6 Regional Executive Committee (REC)
  - 8.1.7 Regional General Membership Meeting (RGMM)
  - 8.1.8 Local Workplace Representative Council (LWRC)
  - 8.1.9 Branch Executive Committee (BEC)

## **ARTICLE 9: ANNUAL GENERAL CONFERENCE (AGC)**

### **9.1 COMPOSITION**

- 9.1.1 The AGC shall be composed of all members of the CEC, members of the Gender Committee, Branch delegates, and observers. Observers shall be free to attend to General Conference and may take part in debates but shall not be entitled to vote.
- 9.1.2 Branches shall be entitled to delegates of ration: two delegates to twenty five fully paid-up members, two observers per Branch, save that Workplace Representatives shall be given priority.

## **9.2 POWERS AND FUNCTIONS**

- 9.2.1 The Annual General Conference shall be the supreme body of the Union.
- 9.2.2 It shall be the function of the Annual General Conference to adopt general and specific policies to run the affairs of the union.
- 9.2.3 All policy decisions of the AGC shall be written after adoption.
- 9.2.4 The business of the AGC shall be, amongst others to:
  - a) Appraise reports and debate motions from the CEC, Regional Executive Committees (REC) and other relevant structures appointed by it and to adopt resolutions thereof.
  - b) To appoint Trustees, and Election Officers.
  - c) To elect or recall office-bearers.
  - d) To consider all other matters included in the agenda.

## **9.3 MEETINGS**

- 9.3.1 The Annual General Conference (AGC) of the Union shall be convened by the CEC annually.
- 9.3.2 Delegates to the AGC shall include members of the Central Executive Committee, National Executive Committee of the Gender Committee, shop stewards, Union members delegated by Branches and observers, pursuant to article ??? of this Constitution.
- 9.3.3 The quorum of the AGC shall not less than fifty percent of members of the Central Executive Committee and at least two thirds of the total number of delegates eligible to attend in accordance with Article 7.1.2 above.
- 9.3.4 If a quorum is not reached one hour after the appointment time, the AGC shall be postponed to a date, time and place (not later than 14 days) that shall be determined by the Central Executive Committee.
- 9.3.5 The quorum for this re-convened AGC shall be members present.
- 9.3.6 Branches, which fail to submit names of their delegates to the Secretary General at least seven days before the date of the AGC shall be disqualified from participating in the deliberations of the General Conference but may send delegates as observers.



- 9.3.7 The meeting shall be chaired by the President or by any person delegated by him/her.
- 9.3.8 The AGC shall be conducted in terms of Rules and Procedures on Conference Proceedings adopted by it.

#### **9.4 NOTICE, AGENDA AND RESOLUTIONS**

- 9.4.1 The Central Executive Committee shall determine the place and date of the AGC.
- 9.4.2 Branches and Regions shall be given not less than two (2) months written notice of the date, time, agenda, and place of the AGC.
- 9.4.3 All motions and constitutional amendments shall be circulated to all Branches and Regions no less than one (1) month prior to the AGC. During the period Branches and Regions shall get mandates from general membership, formulae positions for debate during the AGC and shall discuss motions and constitutional amendments, and reports.

### **ARTICLE 10: EXTRA-ORDINARY GENERAL CONFERENCE**

- 10.1 An extraordinary General Conference of the Union shall be convened when:
- a) The CEC deems it necessary.
  - b) Not less than five branches or twenty-five percent (25%) of the members of the Union stating the reason (s) for such a conference, make a joint request in writing to the CEC.
- 10.2 The extra-ordinary general conference shall be called within twenty-one (21) days after the request has been received by the CEC.
- 10.3 The Extraordinary General Conference shall address itself only to specific item(s).
- 10.4 The appointment of delegates to the Extra-ordinary General Conference, and the proceedings and powers of such Conference shall be similar to such of an Annual General Conference.

### **ARTICLE 11: GOVERNING COUNCIL (GC)**

#### **11.1 COMPOSITION**

- 11.1.1 The Governing Council shall consist of members of the Central Executive Committee, National Executive Committee of the Gender Committee, Branch Executive Committee Chairpersons, Secretaries, Treasures, Publicity-Secretaries, Organizing Secretaries and Branch Gender Committee Chairpersons.

## **11.2 POWERS AND FUNCTIONS**

The Governing Council shall:

- 11.2.1 Review the progress of the Union in between the Conferences.
- 11.2.2 Make decisions pertaining to policy matters between Annual General Conferences.
- 11.2.3 Re-affirm decisions and resolutions of the Conference if there is need.
- 11.2.4 Receive reports from CEC and shall determine the way forward on all administrative and non-constitutional matters.
- 11.2.5 Have powers to appoint external Auditors for the CEC and members of the Disciplinary Committee.
- 11.2.6 Approve the national annual budget of the Union.
- 11.2.7 Have powers to demarcate localities in respect of Workplace Representatives' area of operation.

## **11.3 MEETINGS**

- 11.3.1 The CEC shall convene at least two (2) Governing Council scheduled meetings in a calendar year.
- 11.3.2 Notice of such meetings shall be given in writing on no less than one six weeks stating the place, time and agenda of the meeting.
- 11.3.3 A quorum of such meeting shall be two thirds of all registered and established Branches of the Union and not less than two thirds of members of the CEC.

## **ARTICLE 12: CENTRAL EXECUTIVE COMMITTEE (CEC)**

### **12.1 COMPOSITION**

- 12.1.1 The Central Executive Committee hereinafter referred to as the CEC, shall be composed of President, Vice President Labour, Bargaining and Negotiations, Vice President Professional, Secretary-General, Deputy Secretary-General Labour, Bargaining and Negotiations, Deputy Secretary General Professionals, Treasurer-

General, Publicity Secretary, Secretary, Secretary for International Relations, National Organizing Secretary, National Education Coordinator, Secretary for Arts and Culture Chairperson and Secretary of the National Executive Committee of the Gender Committee.

12.1.2 The Central Executive Committee shall hold office for a period of three (3) years and every member shall have a limited term of office of two consecutive terms.

12.1.3 Pursuant to articles: 15.1 and 15.6 of this constitution, workplace Representatives are eligible to be elected as members of the CEC and Branch Committees.

## **12.2 POWERS AND FUNCTIONS OF THE OF THE CEC**

### **The CEC shall:**

12.2.1 Manage the affairs of the Union between meetings of the Governing Council and the Annual General Conference and have such powers and duties which customarily vest in an executive body.

12.2.2 Be responsible for providing broader policy direction concerning organizational, political and educational issues within the Union.

12.2.3 Have residuary powers to interpret the constitution.

12.2.4 Have powers to appoint an acting capacity, any member of the Union to fill the vacancy in the event of resignation, death or disqualification of a member of the CEC; pending election, save for the position of President, elections shall be called within a period of ninety (90) days.

12.2.5 Have powers to expel any of its members, who fail to attend three consecutive committee meetings without any reasonable cause.

12.2.6 Have powers to formulate rules, guidelines, operational policies, and bye laws for efficient operation of the Union.

12.2.7 Be responsible for coordination activities of structures of the Union

12.2.8 Have powers to review, uphold, reverse, or prohibit any decision or activity of any structure, which it considers to be contrary to the spirit and interest of both this constitution and members of the Union.

12.2.9 Have powers to bargain and sign collective agreements with the employer or any other bodies in the interest of members.

12.2.10 Have powers to appoint any sub-committees it deems necessary and determine their terms of reference, in order to fulfill its mandate.

- 12.2.11 Have powers to delegate in writing, any of its powers and functions to any structure or sub-committee, provided that such structure shall not have powers to further delegate such powers.
- 12.2.12 Be responsible for recommending to the Governing Council on:
- a) Conditions of employment within the Union.
  - b) Creation of positions of employment within the Union.
- 12.2.13 Have powers to open and operate bank accounts in the name of the Union and ensure proper management, administration, and overall control of the Union finances and assets.
- 12.2.14 Have powers to acquire either by purchase, lease or otherwise any movable or immovable property on behalf of the Union.
- 12.2.15 Have powers to appoint Internal Auditors for other structures.
- 12.2.16 Have powers to freeze and/or re-possess any account of the Union and where necessary institute an enquiry on all books of accounts and assets register, and subsequently take any action necessary to protect the interest of the Union.
- 12.2.17 Be responsible for verification of credentials of delegates to the Annual General Conference and Extra-Ordinary General Conference and take necessary action.
- 12.2.18 Recruit and appoint Directors and other secretariat personnel and determine their remunerations.
- 12.2.18 Subject to provisions of this constitution and the Trade Unions, and Employers Organizations Act respectively, exercises all such powers, and performs acts it deems necessary for promoting the interests of the Union and its objectives.

### **12.3 MEETINGS**

- 12.3.1 The Central Executive Committee shall meet at least once every two months
- 12.3.2 Notice of normal meetings shall be given in no less than two weeks in advance stating matters to be discussed, venue, and date of the meeting, and calling for any notification of any further items.
- 12.3.3 The Central Executive Committee may hold an emergency meeting upon request by the majority or the President stating issues to be discussed, and its notice shall not be less than forty eight (48) hours.

- 12.3.4 The quorum of the CEC shall be at least two-thirds of its total membership.
- 12.3.5 In the event of no quorum the meeting shall be adjourned and be reconvened within two weeks in which members present shall form a quorum.
- 12.3.6 Minutes of the meetings shall be circulated to all members not later than one month after such minutes have been adopted.
- 12.3.7 All decisions of the Central Executive Committee shall be by a consensus or majority vote and the President shall have a casting vote.

## **ARTICLE 13: REGIONAL STRUCTURES**

### **13.1 DEMARCATION OF REGIONS**

- 13.1.1 The Union shall be divided into Regions with clear boundaries and each shall have a name and consist of specified registered Branches.
- 13.1.2 The Governing Council shall have the powers to demarcate Regions through a systematic delimitation process.

### **13.2 REGIONAL WORKPLACE REPRESENTATIVE COUNCIL (RWRC)**

#### **13.2.1 COMPOSITION**

- 13.2.1.1 The RWRC shall be composed of all Workplace Representatives within member branches, members of the CEC and Internal Auditors of member Branches. Election Officers in the Region attend as ex-officio members.

#### **13.2.2 POWERS AND FUNCTIONS**

The RWRC shall:

- a) Be responsible for coordination of the Union activities within the Region.
- b) Receive and access the Union activities from members branches, and effect any intervention where necessary
- c) Be a forum for peer review and information exchange between member branches.
- d) Be responsible for recommending to the governing council, in consultation with the CEC any changes on demarcation of member Branches.

- e) Be responsible for election of REC from among itself, save that only members holding similar positions at the Branch level shall qualify to contest for that similar post at the REC.
- f) Consider and approve a consolidated report, motions, of members of member Branches for presentation to the Annual General Conference.
- g) Provide a forum for debate on the current state and future challenges of the union and effectively identify strategies for membership drive, participation and control.

### **13.2.3 MEETINGS**

- a) The Regional Workplace Representative Council shall be held at least twice a year.
- b) The Regional Workplace Representative Council shall be held at least before the end of September of every year.
- c) Notice shall be sent at least thirty days before meetings.
- d) The signed copies of RWRC minutes must be submitted to the Secretary General within two weeks of its sitting.

## **13.3 REGIONAL EXECUTIVE COMMITTEE (REC)**

### **13.3.1 COMPOSITION**

The REC shall be composed of the following office bearers: Chairperson, Vice Chairperson, Secretary and Vice Secretary, Treasurer, Publicity Secretary, Gender Coordinator, Regional Organizer.

### **13.3.2 POWERS AND FUNCTIONS**

The REC shall:

- a) Coordinate the activities of the union within the Region by promoting active participation of member Branches.
- b) Be responsible for ensuring implementation of the union's policies, bye laws, rules and procedures, resolutions, strategic plans and any activities geared towards achieving union objectives.
- c) Mediate in any dispute between members Branches.

- d) Represent and bargain on behalf of members on issues delegated to itself by the CEC.
- e) Have powers to convene the Regional Workplace Representative Council.
- f) Organize fund raising activities for the Union.
- g) Liaise with the CEC and act as a link between the Branches and other structures.
- h) Have powers to co-opt on temporary bases any workplace representatives into REC with specific knowledge or experience on a particular item to be discussed.
- i) Report to the RWRC any cases of failure to deliver on mandate by particular office bearers for recall.
- j) Undertake any such activities that in its opinion shall further the objectives and are not inconsistent of any clause of this constitution.

#### **13.4 MEETINGS**

- 13.4.1 The Regional Executive Committee shall meet at least quarterly.
- 13.4.2 Notice of such meeting shall be given in writing on no less than seven (7) days stating the place, time and agenda of the meeting.
- 13.4.3 Co-opted members shall be only active participants in debates but are not entitled to vote.
- 13.4.4 A quorum of such meetings shall be five (5) members, save that co-opted members shall not be counted for this purpose.

### **ARTICLE 14: BRANCHES OF THE UNION**

#### **14.1 DEMARCATION AND DISSOLUTION**

- 14.1.1 Each member of the union shall belong to a particular Branch.
- 14.1.2 The Governing Council, with the recommendations of the Regional Workplace Representative Council shall have the power to demarcate and decide on registration of a Branch, where there are not less than twenty five (25) members of the union.

- 14.1.3 The RWRC in consultation with the CEC, shall recommend to the Governing Council, on dissolution of a Branch when the number of members falls below twenty five (25) and membership shall be integrated into the appropriate Branch.
- 14.1.4 Properties and inventory of the dissolved Branch shall be handed over to the Treasurer – General within fourteen (14) days of the dissolution of such a Branch.
- 14.1.5 The Treasurer General shall facilitate auditing and hand over relevant properties and inventory to the relevant Branch.

## **14.2 GENERAL MEMBERSHIP MEETING (GMM)**

### **14.2.1 COMPOSITION**

The GMM shall be composed of all paid up members of the union within the Branch.

### **14.2.2 POWERS AND FUNCTIONS**

The General Membership Meeting shall be:

- a) Responsible for recommending to the CEC, through the REC on demarcation of Workplace Representatives Localities and a number of workplace representatives per locality.
- b) Responsible for electing members of the Branch Executive Committee from amongst members of the Workplace Representative Council.
- c) A forum for membership participation and a forum for information exchange on the Union's activities and debate.
- d) Consulted on specific issues which may require specific mandates based on popular view of Union membership within the Branch.

### **14.2.3 MEETINGS**

GMM of the branch shall be held at least quarterly.

## **14.3 LOCAL WORKPLACE REPRESENTATIVE COUNCIL (LWRC)**

### **14.3.1 COMPOSITION**

The LWRC, similarly referred to as the Branch Workplace Representative Council (BWRC), shall be composed of all Workplace Representatives in the Branch.



### **14.3.2 POWERS AND FUNCTIONS**

The LWRC shall:

- a) Be responsible for coordination of activities of all Workplace Representatives within the Branch and shall ensure that they deliver on their mandate.
- b) Be a forum for information and experiences exchange through regular reporting
- c) Have powers to recall members of the BWEC in case of perpetual failure to deliver on his/her mandate, provided the process is consistent with article of this constitution.
- d) Be responsible for recommending to the CEC, on determination of Workplace Representatives per locality.

### **14.3.3 MEETINGS**

Meetings of the LWRC shall be held at least once every month.

## **14.4 BRANCH EXECUTIVE COMMITTEE (BEC)**

### **14.4.1 COMPOSITION**

Branch Executive Committees, hereinafter referred to as the BEC, shall be composed of the following positions: Chair person and Vice Chairperson, Secretary and Vice Secretary of the Branch inclusively, Gender Committee and other structures within the Union.

### **14.4.2 POWERS AND FUNCTIONS**

The BEC shall:

- a) Be responsible and accountable for implementation of Union policies and programmes at Branch level.
- b) Facilitate and co-ordinate activities of Workplace Representatives, Branch Gender Committee and other structures within the Union.
- c) Review or confirm any decisions of subordinate structure it considers to be contrary to the objectives and or interest of the Union, save that structures shall have the right to appeal to the Regional Executive Committee.

- d) Open and operate a bank account in the name of the Union with the approval of the CEC.
- e) Manage the financial affairs of the Branch in terms of provisions of the Union Accounting Policy.
- f) Bargain on behalf of members on matters assigned to itself by the CEC.
- g) May appoint sub committees, where it considers it necessary, and determine their terms of references in order to fulfill its mandate.
- h) Be responsible for convening General Membership Meetings on quarterly basis.
- i) Report to the General Membership Meeting where an office bearer fails to deliver on his/her mandate to recall.
- j) Do any such other acts which in its option are in the interest of the Union, provided such acts are not inconsistent with this constitution.

#### **14.4.3 MEETINGS**

- a) The BEC shall meet at least once every month.
- b) Notice of such meetings shall be given in writing at least seven days before and shall state the time, place, time and agenda of the meeting.
- c) Signed minutes of meetings shall be sent to the Secretary General of the Union and the Regional Secretary not later than fourteen (14) days after the date of such a meeting.
- d) A quorum of such meetings shall be two thirds of members of the Committees.
- e) The Chairperson shall have a casting vote.

#### **ARTICLE 15: WORKPLACE REPRESENTATIVE (WR)**

15.1 A Workplace Representative shall be a fully paid-up member, duly elected by workers in a particular locality to effectively represent their interest in relation to the employer.

15.2 The duties of a Workplace Representative shall be to represent the interests of members and Union at the locality of work. A WR

shall actively promote activities of the Union and represent workers on grievances and/or disputes with the employer.

- 15.3 At all times, in discharging his/her duties, a Workplace Representative shall ensure maximum participation of workers she/he represents.
- 15.4 The Workplace Representative cadre shall form the bedrock for ideological refinement, leadership regeneration, and development of the Union, to ensure worker control.
- 15.5 The CEC shall be responsible for determining the number of Workplace Representatives per locality, save that departments, geographic location or any other determinant factors shall be used in the process.
- 15.6 Workplace Representatives shall be eligible for election into positions of Union constitutional structures.

## **ARTICLE 16: POWERS AND DUTIES OF OFFICE BEARERS**

### **16.1 GENERAL**

- 16.1.1 In the event that an office bearer vacates his/her seat for whatever reason, the relevant structure shall have powers to appoint a member to act until the next meeting of the structure for a bye election.

### **16.2 PRESIDENT AND CHAIRPERSONS**

President and chairpersons shall:

- 16.2.1 Be the Chief Spokesperson of the Union within the relevant structure.
- 16.2.2 Be responsible for labour relations and bargaining and professional needs within the relevant structure.
- 16.2.3 Preside over all meetings of the Union of the relevant structure and ensure that the meetings are conducted in a transparent, democratic and procedural manner.
- 16.2.4 Be responsible for supervision of all office bearers in such a structure.
- 16.2.5 Be co-signatory of all the Union accounts controlled by the structure concerned.
- 16.2.6 Sign minutes of each meeting when these are passed as a correct record.

16.2.7 Generally supervise the affairs of the Union and maintain unity within the membership and structures of the Union.

16.2.8 Be responsible for the overall issues of labour relations and bargaining.\

### **16.3 VICE PRESIDENT AND VICE CHAIRPERSONS LABOUR AFFAIRS**

Vice President and Vice Chairpersons Labour Affairs shall:

16.3.1 Be under the supervision of the President and the Chairperson respectively and in the absence of the President and Chairpersons assume his/her responsibilities.

16.3.2 Assist the President and Chairpersons respectively in the performance of their duties in general.

16.3.3 Advocate for better Socio-Economic Welfare for nurses through collective bargaining with employers, securing improved wages and better conditions of services

16.3.4 Initiate and organize training programmes which adequately prepare the organization and representatives, nursing leadership and members in the practice of various negotiating skills, resolving employment concerns, that is, grievances, collective bargaining, arbitration and conciliation.

16.3.5 Chair Membership Services Committee and coordinate the activities of the Salaries and Conditions of Services.

16.3.5 Network with other trade unions and labour institutions for the benefit of members.

### **16.4 VICE PRESIDENT AND VICE CHAIRPERSONS PROFESSIONAL AFFAIRS**

Vice President and Vice Chairpersons Professional Affairs shall:

16.4.1 Be under the supervision of the President and the Chairperson respectively and in the absence of the President and Chairperson shall not be eligible to assume his/her responsibilities unless she/he has a full member status.

16.4.2 Be responsible for all health and nursing related projects and programmes.

16.4.3 Be responsible for health policy interpretation, coordination and research.

16.4.4 Be the Chairperson for Ethics and Professional Conduct Committee as well as the Policy and Nursing Standards Committee.

- 16.4.5 Develop and/or facilitate the development of project proposals tailored to contribute to the enhancement of nursing and midwifery in Botswana.
- 16.4.6 Prepare and present a comprehensive report to the CEC on all matters pertaining to professional programmes and affairs.

## **16.5 SECRETARY GENERAL, REGIONAL AND BRANCH SECRETARIES**

The Secretary General, regional and branch and secretaries shall:

- 16.5.1 Conduct the business of the Union in accordance with these Articles and be responsible for the effective, transparent and democratic administration and management of the Union offices and activities within their jurisdiction.
- 16.5.2 Carry out the instructions and resolutions of relevant Union structures.
- 16.5.3 Convene meetings in accordance with the Constitution.
- 16.5.4 Coordinate convergence of all standing and ad-hoc Committees in their respective jurisdictions.
- 16.5.5 Be one of the signatories to the organization accounts in the relevant structure.
- 16.5.6 Be responsible for conducting all correspondence and keeping all books, documents and papers belonging to his/her office in such form and manner as the CEC, REC and BEC may direct.
- 16.5.7 In the event of resignation, for whatever reasons, hand-over all records and properties in his/her possession after inspection.
- 16.5.8 Be under the supervision of the President and two Vice Presidents.
- 16.5.9 Be the Chief Executive Officer of the Union.
- 16.5.10 Be the chief spokesperson on all operations and administrative matters of the Union.
- 16.5.11 Be responsible for all organization human resources which shall include recommendations to the CEC for recruitment, retention, promotions, suspensions and dismissal.
- 16.5.12 Have the right to speak and vote at any such meeting as provided for in this constitution.
- 16.5.13 Be seconded by his/her employer on full time basis to the Union in accordance with the tenure of his/her office.

## **16.6 DEPUTY SECRETARY GENERAL, DEPUTY REGIONAL AND BRANCH GENERAL SECRETARIES LABOUR AFFAIRS**

The Deputy Secretary General, deputy regional and branch secretaries for labour affairs shall:

- 16.6.1 Assist the Secretary General Labour Affairs, Branch and Regional Secretaries in all the administrative work of the Union within the relevant structure.
- 16.6.2 Act for him/her in his/her absence except of signing cheques unless mandated to do so by the relevant structure.
- 16.6.3 Facilitate legal advice or protection for members in need when deemed so by the CEC.

## **16.7 DEPUTY SECRETARY GENERAL, DEPUTY REGIONAL AND BRANCH GENERAL SECRETARIES PROFESSIONAL AFFAIRS**

The Deputy Secretary General, deputy branch and regional secretaries for professional affair shall:

- 16.7.1 Be the Chairperson for the Research and Education and other professional Committee areas of the Union.
- 16.7.2 Develop possible professional development programmes and projects for members in order to improve quality performance.
- 16.7.3 Source materials and other resources for continuing education of members.
- 16.7.4 Develop sensitization strategies for members and potential members meant to increase and retain membership of the Union.
- 16.7.5 Develop and implement strategies to recruit new members.

## **16.8 TREASURER GENERAL, REGIONAL AND BRANCH TREASURERS**

The Treasurer General, regional and branch treasurers shall:

- 16.8.1 Be responsible for the sound financial administration, book keeping of the accounts and all monies belonging to the Union.
- 16.8.2 Prepare and present a financial statement for each business meeting of the Executive Committee, Branch General Meetings, and Regional Workplace Representative Council, and an audited financial statement to the Annual General Conference.

- 16.8.3 Prepare annually, financial statements of the affairs of the Union at Branch, regional and national levels of which every member shall receive a copy.
- 16.8.4 Endorse all payments and shall sign cheques on behalf of the Union.
- 16.8.5 In the event that the Treasurer vacates the position, for whatever reason, shall prepare and present a financial statement of the income and expenditure of the Union during his/her period of office in accordance with the provisions of the Union's Financial Policy and set standards of financial accounting.
- 16.8.6 Be the Chairperson of the Finance and Budget Committee as well as Projects and Investment Committee.
- 16.8.7 Prepare and present financial reports to AGC upon approval by CEC and GC.
- 16.8.8 Monitor and supervise all Regional and Branch finances in accordance with financial regulations of the organization.
- 16.8.9 Supervise and coordinate all matters related to personnel emoluments and officers' allowances of the Union.
- 16.8.10 Perform any other matters related to financial and fundraising ventures as may be lawfully assigned to her/him by Secretary General, CEC and AGC.
- 16.8.11 Adhere to the financial requirements as envisaged by the Act.

## **16.9 PUBLICITY SECRETARY**

The publicity Secretary shall be responsible for:

- 16.9.1 Developing and implementing the Union's communications strategy.
- 16.9.2 The publicity of Union's activities.
- 16.9.3 Publication of Union's journals, newsletters, and other related publications.
- 16.9.4 Liaising with the media and public in general on behalf of the Union.

## **16.10 NATIONAL ORGANISING SECRETARY**

The National Organizing Secretary shall be responsible for:

- 16.10.1 Maintenance of an up to date performance chart of all the Union structures with effective malfunctioning early detection measures in place.

- 16.10.2 Organizing structures with operational problems, in consultation and cooperation of relevant structures and/or office bearers.
- 16.10.3 Liaising with the relevant structures and/or office bearers to ensure distribution of all relevant documents to the members of the Union.
- 16.10.4 Undertaking any other duties as assigned by the CEC from time to time.

## **16.11 SECRETARY FOR INTERNATIONAL AFFAIRS**

The Secretary for International Affairs shall be responsible for:

- 16.11.1 All foreign relations in consultation with the President.
- 16.11.2 Keeping the CEC informed on all matters of his/her duties through presentation of reports on regular basis.
- 16.11.3 Dissemination of relevant information on international solidarity and networking.
- 16.11.4 Recommending to the CEC on bilateral relations with specific progressive organizations.
- 16.11.5 Ensuring that the Union benefits from international solidarity and networking by identifying funding sources.
- 16.11.6 Undertaking any other duties as assigned by the CEC from time to time.

## **16.12 SECRETARY FOR ARTS AND CULTURE**

The Secretary for Arts and Culture shall:

- 16.12.1 Facilitate preservation and continuity of history, culture and traditions of the working class within the Union.
- 16.12.2 Coordinate entertainment, events, and interior design during the Union's activities.
- 16.12.3 Ensure cultural renaissance within the Union with proper guidance of the working class ideology.
- 16.12.4 For efficient and effective delivery of mandate, the Secretary for Arts and Culture shall be responsible for the promotion of:
  - a) Performing arts through coordination of music, drama and recitation of poetry.



- b) Literary arts through written poetry and literature.
- c) Visual arts through drawing, painting, sculpture and design crafts.
- d) Coordination of festivals, exhibitions, essays competition and publications.

16.12.5 Report progress to the CEC on regular basis

### **16.13 NATIONAL EDUCATION COORDINATOR**

The National Education Coordinator shall:

- 16.13.1 Coordinate educational processes within the Union aimed at empowering members and leadership to actively wage the working class struggle within the framework of the working class ideology.
- 16.13.2 Ensure the creation of a questioning and critically conscious membership through the use of relevant methodologies and appropriate content.
- 16.13.3 Facilitate educational exchange programmes between the Union and progressive organizations, locally and outside Botswana in consultation with the Secretary for International Relations.
- 16.13.4 Manage the Union's Education Unit in collaboration with the relevant stakeholders.
- 16.13.5 Report progress to the CEC and other relevant structures

## **ARTICLE 17: DEPARMENTS OF THE UNION**

- 17.1 The Union shall have four departments, namely;
  - a) Department of Socio-Economic Welfare.
  - b) Department of Professional Development.
  - c) Department of Finance.
  - d) Department of Administration and Human Resources.
- 17.2 The Departments shall be headed by the Heads of Department (Directors) who shall be unelected full time employees of the union and whose job descriptions and terms of reference shall be determined by CEC.
- 17.3 The union, through the CEC and by the approval of the Governing Council may create additional departments or reduce them in number.

## **ARTICLE 18: DISCIPLINE**

### **18.1 CODE OF CONDUCT AND DISPLINARY PROCEDURES**

- 18.1.1 The Union's ability to deliver on its mandate shall be anchored upon development and maintenance of disciplined cadre from a highly disciplined rank and file. Therefore it shall be the responsibility of each and every member of the Union structure to ensure full compliance with the Union's code of conduct.
- 18.1.2 Furthermore, there shall be structures to deal with any deviation. Operations of these structures shall be guided by Disciplinary Procedures to be approved by the Annual General Conference.

### **18.2 REGIONAL DISCIPLINARY COMMITTEE (RDC)**

The RDC shall be:

- 18.2.1 Composed of three (3) members appointed by the Regional Workplace Representative Council from amongst members of the Union within the Region.
- 18.2.2 Responsible for presiding over disciplinary cases within specific Regions.

### **18.3 NATIONAL DISCIPLINARY COMMITTEE (NDC)**

The NDC shall:

- 18.3.1 Be appointed by the Governing Council with recommendation of the CEC and shall hold office for three (3) years.
- 18.3.2 Comprise three (3) members of the Union.
- 18.3.3 Be responsible for maintenance of discipline within the Union, ensue dispensation of justice in a fair, timeous and transparent manner without fear or favor.
- 18.3.4 Deal with cases against structures where violations have been committed by CEC members on national duties or for violations committed at the Branch or Regional level. Regardless of position one holds in the Union, such cases shall be referred to the Regional Disciplinary Committee.
- 18.3.5 The National Disciplinary Committee shall be independent of any structure of the Union and shall be answerable to the Annual General Conference.

#### **18.4 NATIONAL APPEALS BOARD (NAB)**

- 18.4.1 There shall be a National Appeals Board (NAB) appointed by the Annual General Conference comprising of three (3) Non Union members who shall hold office for one (1) year.
- 18.4.2 The NAB shall be responsible for considering appeals from pronouncements of the National Disciplinary Committee, those from the CEC in relation to application for membership.
- 18.4.3 Decisions of the National Appeals Board shall be final and binding to all members.
- 18.4.4 The National Appeals Board shall operate under the auspices of the Disciplinary Procedures and the Code of Conduct.

#### **ARTICLE 19: INDEMNIFICATION OF OFFICE BEARERS AND COMMITTEE MEMBERS**

- 19.1 The office bearers and committee members of the Union, unless they have acted in a manner constituting misconduct, shall be indemnified by the Union against:
- a) All proceedings, cost and expenses by reason of any omission.
  - b) Acts done in the performance of their duties on behalf of the Union.
  - c) Being held for any liability of the Union.

#### **ARTICLE 20: POWER TO RECALL AN OFFICE BEARER**

- 20.1 Any member or structure of the Union shall have power to initiate a recall of any office bearer.
- 20.2 Such recall shall be tabled in the presence of the concerned office bearer.
- 20.3 The concerned office bearer must be informed at least twenty four (24) hours in advance of such a move.
- 20.4 The final decision shall be made by the relevant structure through the secret ballot.
- 20.5 An office bearer shall be recalled by a majority of 55% of those eligible to vote in that particular structure.

- 20.6 For the purpose of this provision, a locality shall be considered to be a structure; therefore, Union members in a locality shall have powers to recall a Workplace Representative within such a locality.

## **ARTICLE 21: EDUCATION WORK**

- 21.1 The Union shall promote the education of its members through holding meetings, seminars, training workshops and study groups.
- 21.2 The Union may publish literature and take such action that will promote trade unionism, their industry, culture and social knowledge, subject to the statutory provisions relating to the expenditure of the Union funds.

## **ARTICLE 22: ELECTIONS**

- 22.1 There shall be a BONU Independent Electoral Commission (BIEC) which shall be responsible for conducting elections of all Union structures through secret ballot.
- 22.2 The Commission shall ensure that all elections are transparent, free and fair.
- 22.3 All elections shall be guided by Rules on Conduct of Elections approved by the General Conference.
- 22.4 The elected office- bearer shall assume office immediately after taking an oath of allegiance administered by the Chief Electoral Commissioner or his/her representative.

## **ARTICLE 23: FINANCIAL ADMINISTRATION OF THE UNION**

### **23.1 FUNDS AND ASSETS**

- 23.1.1 The funds of the Union shall be accrued through subscription or by any other legal means.
- 23.1.2 Funds and assets of the Union shall be owned by the Union as a corporate national body.

### **23.2 NATIONAL FINANCES**

- 24.2.1 The CEC shall operate all national banking accounts of the Union in which the subscriptions and other income and other income of the Union shall be deposited.

24.2.2 The CEC shall be responsible for the overall management of the Unions financial affairs.

24.2.3 The funds of the Union shall be used in lawful purpose as are consistent with the constitution and the Union Accounting Policy.

### **23.3 BRANCH FINANCES**

24.3.1 Branches of the Union shall operate accounts only if so approved by the CEC on recommendation by the Region concerned.

23.3.2 Branches shall open an account only if CEC is convinced that the Branch has sufficient membership and administrative capacity.

23.3.3 Such Branches shall be responsible for maintaining all records and books of accounts as per the Union Accounting Policy.

## **ARTICLE 24: AUDITING OF ACCOUNTS**

24.1 The Union financial year shall run from May to April and accounts of the Union operated by the CEC shall be audited by auditors accredited by independent and registered body of auditor's appointed by the Annual General Conference.

24.2 The books of all accounts shall be audited at least once in every financial year, and the audited financial statement shall be presented to the Annual General Conference and copy of the report shall be conspicuously displayed at the registered office of the Union.

24.3 Accounts of other lower structures shall be audited by the Union's Internal Audit Unit whose operations shall be guided by the Union's Accounting Policy. Auditors of the Unit shall be appointed by the CEC

24.4 Auditors shall have free access to all books and documents necessary for the delivery of their mandates.

## **ARTICLE 25: TRUSTEES**

25.1 The Annual General Conference or Extra Ordinary General Conference shall appoint five (5) who shall hold office for three years.

25.2 Any delegate may nominate a Trustee from the floor. A due nomination shall be supported by at least one (1) delegate from a different Branch. Voting shall be by a secret ballot.

- 25.3 In electing trustees, the following qualifications and attributes shall apply, in addition to the qualification set out in section 24 of the Act:
- a) Possession of a basic working knowledge of any of management, accounting auditing, financial management, investment or minimal experience in asset management and working knowledge of different laws of Botswana.
  - b) Trustworthiness, honesty, integrity and maturity.
  - c) Not be a serving officer of another Trade Union.
- 25.4 The first meeting of the Trustees shall elect a Chairperson and Secretary. The quorum of the meeting shall be any three (3) of the members. Trustees shall be directly accountable to the Annual General Conference or Extra Ordinary General Conference. The CEC and the Governing Council shall facilitate but not compromise the independence and accountability of the Trustees.
- 25.5 Administratively, the CEC shall have power to remove a Trustee on the following grounds:
- a) Ill health, including unsound mind such that she or he has no capacity to perform.
  - b) Conduct which creates doubt or uncertainty about the Trustee's capacity or competence.
  - c) Continuous absence from the country in excess of three (3) months.
  - d) Any other reasons which make him/her unable to perform his/her duties satisfactorily.
  - e) The AGC or Extra Ordinary General Conference shall co-opt any registered and subscribing member of other than an officer of the Union to fill any vacancy in the office of the Trustee, that may occur, which decision shall be subject to review by the Annual General Conference, provided the change is registered with the Registrar.

## **ARTICLE 26: GENDER POLICY**

- 26.1 There shall be a Union Gender Policy, approved by the Annual General Conference.
- 26.2 The Policy shall:

- a) Synthesize diverse ideological considerations in order to clarify the Union's position on the struggle for gender equality.
- b) Provide guidance on the formulation of a clear strategy of addressing gender imbalances.
- c) Outline the structure, composition, purpose and functions of the Gender Committee.
- d) Deal with any other matters relating to the struggle for gender equality.

## **ARTICLE 27: AMENDMENT OF THE CONSTITUTION**

- 27:1 The Annual General Conference or Extra Ordinary General Conference shall have the power to amend any provision of this constitution with the approval of two thirds of members present and entitled to vote.
- 27.2 The CEC shall do the spade work of amending the constitution.
- 27.3 An amendment proposal by other structures shall be sent to the Secretary General at least two (2) months before the Annual General Conference.
- 27.4 The CEC shall circulate the proposed amendment to all the structures at least 30 calendar days before the Annual General Conference. Upon approval the CEC shall register such amendments with the Registrar according to section 32 (4) of the Trade Unions and Employers' Organization Act.
- 27.5 Any amendment to this constitution shall have force and effect from the date of registration thereof by the Registrar unless at some later date as specified by the amendment itself.

## **ARTICLE 28: AMALGAMATIONS AND MERGERS**

- 28.1 The Annual General Conference may, by two thirds majority vote and through a secret ballot, resolve to dissolve the Union, for the purpose of amalgamation or merger and transfer its members and asserts to any Union, if it is in the best interest of the members.
- 28.2 In terms of merger and amalgamation, the members of the joining Union automatically become full members of the new Union on the date that is approved by the Registrar pursuant to Section 45 of the Act.

## **ARTICLE 29: DISSOLUTION OF THE UNION**

- 29.1 The Union may be voluntarily dissolved upon a resolution by 85% majority vote of the Annual General Conference called for that purpose.
- 29.2 In the event of such resolution, the CEC shall appoint an independent liquidator who shall liquidate the Union by reducing all its assets into cash and pay the claims of all creditors including the cost of liquidation. The remaining assets, after liquidation shall be donated to a labour federation, trade union or civic organization selected by a simple majority of members present at the Annual General Conference called for the purpose. The liquidator shall prepare liquidation and distribution account and lodge every copy of such an account with the Registrar.

THUS DONE AND SIGNED AT GABORONE THIS ..... DAY OF .....

.....  
SECRETARY GENERAL