

# **Irish Federation of University Teachers**

## **RULES**

**6 December 2024**

**Trade Union Acts 1871-1990**

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## **Rule 1**

### **NAME, OFFICE AND REGISTRATION**

- |              |     |                                                                                                                                                                                                                                                   |
|--------------|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| NAME         | (a) | The name of the association shall be the Irish Federation of University Teachers, hereinafter referred to as the Federation.                                                                                                                      |
| OFFICE       | (b) | The headquarters of the Federation shall be in Dublin and its registered office shall be at 11 Merrion Square. In the event of a change in the address of the registered office, the Registrar of Friendly Societies shall be notified forthwith. |
| REGISTRATION | (c) | The Federation shall be registered as a trade union.                                                                                                                                                                                              |

## **Rule 2**

### **OBJECTS**

- |                       |       |                                                                                                                                                                                                                                                                                                                                               |
|-----------------------|-------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| LIST                  | (a)   | The objects of the Federation shall be:                                                                                                                                                                                                                                                                                                       |
| Education & Research  | (i)   | the advancement of higher education and research;                                                                                                                                                                                                                                                                                             |
| Academic Freedom      | (ii)  | the promotion and protection of academic freedom;                                                                                                                                                                                                                                                                                             |
| Social Justice        | (iii) | the promotion of equity, justice and equality in both the workplace and broader society;                                                                                                                                                                                                                                                      |
| Employment Conditions | (iv)  | the safeguarding and advancement of terms and conditions of employment of members;                                                                                                                                                                                                                                                            |
| Members' Interests    | (v)   | the safeguarding and advancement of the professional interests of the members;                                                                                                                                                                                                                                                                |
| Benefits              | (vi)  | the provision of appropriate benefits to members;                                                                                                                                                                                                                                                                                             |
| Property              | (vii) | the acquisition of property, both real and personal, for any lawful purpose, by way of purchase, mortgage, lease, devise or gift, and the sale, mortgage, exchange, letting or disposal of such property.                                                                                                                                     |
| FUNDS                 | (b)   | The funds of the Federation shall be applied for the purpose of furthering these objects and defraying the working and other expenses of the Federation.                                                                                                                                                                                      |
| AMENDMENT             | (c)   | Any proposed amendment to this Rule must be the subject of a ballot of the entire membership and must receive a simple majority of those voting. Such a proposed amendment shall be put to the membership following a resolution to that effect passed by a two-thirds' majority of those present and voting at an Annual or Special Delegate |

Conference. Ballots shall be dispatched three weeks in advance of the date of the count.

### **Rule 3**

#### **MEMBERSHIP**

|            |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|------------|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| TYPES      |                      | The Federation shall consist of Full, Retired, Postgraduate and Associate Members as defined hereunder.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| FULL       | (a)                  | Full Membership of the Federation shall be open to such categories of the academic and professional staffs of such institutions of higher education and related bodies as the Executive shall designate by simple majority vote and in which the Federation claims negotiating rights.                                                                                                                                                                                                                                                                                                             |
|            | Designation          | (i) Designation of a category of staff may be confined to one or a number of institutions and this may occur by way of modification of an existing designation providing no member is thus disbarred.                                                                                                                                                                                                                                                                                                                                                                                              |
|            | Rescission           | (ii) Any prior designation of an institution or category of staff may be rescinded providing there is no member in that institution or category. In the case of an institution, rescission may also take place where it has effectively ceased to exist.                                                                                                                                                                                                                                                                                                                                           |
|            | Related Motions      | (iii) Notice of a motion pertaining to any of the foregoing actions shall be sent to the Branches at least three weeks prior to the meeting of the Executive at which such a motion is considered.                                                                                                                                                                                                                                                                                                                                                                                                 |
|            | Appendix             | (iv) Designated categories of staff and institutions shall be listed in an Appendix to these Rules.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|            | Members & Rescission | (v) Where a designated institution has effectively ceased to exist and where some or all of its staff who are Members have been redeployed by any means to any other designated institution, such members shall be deemed to be staff of the institution to which they have been redeployed for the purposes of this Rule. Members from an institution which has effectively ceased to exist who have not been redeployed or Retired Members from such an institution who were not redeployed prior to their retirement shall become members of the Central Branch and shall be represented by it. |
| ASSOCIATES | (b)                  | Associate membership shall be open to those in designated categories of staff in designated institutions where the Federation does not claim negotiating rights and such persons shall be                                                                                                                                                                                                                                                                                                                                                                                                          |

referred to as Associates. They shall be entitled to receive the services of the Federation other than those concerned with negotiations with their institutions and matters relating thereto.

- |              |     |                                                                                                                                                                                                                                                                                                                                                                          |
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| RETIRED      | (c) | Retired Membership of the Federation shall be open to any person who shall have left service in a designated institution by reason of age or otherwise, providing that such person was entitled to be a Full Member of the Federation at the time of leaving such service.                                                                                               |
| POSTGRADUATE | (d) | There shall be a special category of membership called Graduate Membership, which shall be open to all Graduate students for any academic year during any part of which they are employed in a designated institution in a teaching capacity. Graduate members shall not hold office or have the right to participate in ballots on a strike or other industrial action. |
| SPECIAL      | (e) | Special Membership of the Federation shall be open to persons according to any reciprocal membership agreement entered into by Council with another, appropriate body outside the State.                                                                                                                                                                                 |

#### **Rule 4**

#### **MEMBERSHIP RIGHTS AND OBLIGATIONS**

- |                     |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|---------------------|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| APPLICATIONS        | (a) | Any person who wishes to become a member of the Federation shall complete and sign an application form and return it to the headquarters of the Federation. The Branch shall be informed immediately of each application received and, unless the Branch Committee contests the eligibility for membership of the applicant at its next subsequent meeting, or the Executive deems the application to be otherwise unacceptable, he or she shall become a member on payment of the appropriate subscription. Ineligibility may be established, apart from circumstances relating to the Appendix, by previous behaviour which, in the opinion of the Branch Committee or the Executive, was injurious to the interests of the members. Any decision in the latter regard or in regard to initial unacceptability may be subject to a right of appeal by the person concerned to Council. |
| TRANSFER TO RETIRED | (b) | Full Members of the Federation may transfer to the category of Retired Member by notifying the Executive of the Federation of their departure from                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |



service in a designated institution and by paying the appropriate subscription. The Branch shall be informed immediately by the Executive of such transfer.

- |              |     |                                                                                                                                                                                                                                                                                                                                         |
|--------------|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| PUBLICATIONS | (c) | Every member of the Federation shall be entitled to receive gratis a copy of the Rules and of any revision thereof. All other publications of the Federation shall be available to members under such conditions as the Council or the Executive may determine.                                                                         |
| RESIGNATION  | (d) | A person shall cease to be a member of the Federation upon the receipt by the General Secretary of a written resignation.                                                                                                                                                                                                               |
| ARREARS      | (e) | When a person's subscription is outstanding by more than two months and this comes to the attention of the Branch Treasurer or the General Secretary, such person shall be advised of the situation and the contents of this Rule. Any person whose subscription is more than three months outstanding shall have lapsed in membership. |
| DISCIPLINE   | (f) | A member may be suspended from membership or expelled from the Federation for persistent breaches of these Rules or for conduct prejudicial to the best interests of the Federation.                                                                                                                                                    |

#### Charge and Representation

(i) The Executive shall inform the member in writing of the nature of the charge and provide the member with a reasonable opportunity to make a defence, including the right to be represented.

#### Executive Decision

(ii) The decision of the Executive shall be communicated to the member concerned by registered post who shall be entitled to appeal to Council within three weeks of the decision being sent.

#### Appeals Committee

(iii) If an appeal is communicated to the Council within this period, Council shall constitute, at the earliest opportunity, an Appeals Committee comprising five members of the Council, no one of whom shall be a member of the Branch to which the suspended or expelled person had previously belonged.

#### Rehearing

(iv) The Appeals Committee shall rehear the case preferred against such a person who shall be provided with all reasonable opportunity to make a defence, including the right of representation.

#### Appeal Decision

(v) The decision of the Appeals Committee, which shall be communicated to Council and the appellant, shall be final.

## CASES

- (g) The Federation reserves the right to decide what cases it will take and whether or not to engage a solicitor or seek external legal advice. The Federation retains control of the process at all times.

## **Rule 5**

### **REGISTER OF MEMBERS**

#### REGISTER

A register of members shall be kept at the headquarters of the Federation. This register shall include former members, other than those who are deceased and those who have been non-members for more than five years. The register of members shall be open to inspection by any interested person, as defined in the Trade Union Act of 1941. The register shall show as regards each member:

#### Details

- (i) Name and address.
- (ii) The date of commencement of membership.
- (iii) Where membership has ceased, the date of the cesser, and whether it was caused by resignation, suspension, expulsion or otherwise.
- (iv) Where membership has ceased by suspension or expulsion, the date of the order directing and a reference to the Rule or other provision authorizing such suspension or expulsion.

## **Rule 6**

### **BRANCHES**

#### ASAs

- (a) The Academic Staff Associations attached to designated institutions shall constitute Branches of the Federation.

#### Central Branch

- (i) In any institution where the number of full members is fewer than fifteen, the members may be placed in an existing Branch with the consent of that Branch or shall be enrolled in a Central Branch whose functions shall be assumed by the Executive and by Council until fifteen members at least have been enrolled. The Central Branch may also comprise such Members as provided for in Rule 3(a)(v).

#### Formation of a Branch

- (ii) A new Branch shall be constituted by a resolution of the Executive in response to a written

request, addressed to the General Secretary, by not less than fifteen Full Members desirous of forming such Branch.

## DUTIES

- (b) Each Branch shall organise its activities under the general supervision of the Executive or Council of the Federation, as the case may be. Each Branch shall represent the interests of the members of the Federation employed in its institution and shall organise functions and activities, subject to these Rules. Together with the Council or Executive, as the case may be, Branches shall be responsible for recruiting members for the Federation and shall be entitled to co-operate with other bodies in each institution for the purpose of forwarding the academic and social interests of members and potential members in accordance with the objects of the Federation.

## RULES

- (c) Branches shall generally have power to make their own Rules provided that no such Rule shall be in conflict with any of the Rules of the Federation. Such Rules shall be subject to approval by Council or, if the Council directs, by the Executive and must make provision for or specify:

- |               |                                                                                                                                                                                                                                                                                                 |
|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Committee     | (i) the election of a Committee and for its re-election at reasonable intervals;                                                                                                                                                                                                                |
| Removal       | (ii) the manner in which members of the Committee can be removed from office;                                                                                                                                                                                                                   |
| Officers      | (iii) the election or appointment of officers including a Chairperson, Honorary Treasurer and Honorary Secretary and for the manner in which officers can be removed from office;                                                                                                               |
| Powers        | (iv) the powers and duties of the Committee, of each of its officers and each of its officials who are not officers;                                                                                                                                                                            |
| Amendment     | (v) the manner in which any of the Rules of the Branch can be made, altered or revoked;                                                                                                                                                                                                         |
| Ballots       | (vi) the manner in which elections can be held or a ballot taken, the procedures preparatory to any such election or ballot, the procedure for counting and scrutiny of votes in a ballot, and the procedure for the declaration or notification of the results of any such election or ballot; |
| Funds         | (vii) the manner in which the funds of the Branch shall be held and for the auditing of the accounts;                                                                                                                                                                                           |
| Timing of AGM | (viii) the holding of the Annual General Meeting of the Branch.                                                                                                                                                                                                                                 |

## GROUPS

- (d) The Committee of a Branch may designate a number of members with distinctive salaries or conditions of employment within that Branch as a

Group. In designating such members as a Group, the Committee shall provide for:

- |          |                                                                                                                                                       |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------|
| Convenor | (i) The annual election of a Convenor of the Group who shall provide liaison between the Group and the local and national officers of the Federation. |
| Meetings | (ii) The procedure for convening meetings of the Group.                                                                                               |

- |          |                                                                                                                                                                                                                                                                                                                                    |
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| SECTIONS | (e) Council may, by simple majority vote, designate as a Section of a Branch, for the purpose of industrial relations, a number of members in that Branch with distinctive salaries or conditions of employment. The Committee shall provide for a Section Convenor in the same manner as in clause (d) (i) and (ii) of this Rule. |
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## **Rule 7**

### **COUNCIL**

- |        |                                                                                                                                                                                                                                           |
|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POWERS | (a) There shall be a Council which shall be the governing body of the Federation and which shall determine the general policy of the Federation, subject to these Rules and to Annual and Special Delegate Conferences of the Federation. |
|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

- |                                          |                                                                                                                                                                                                             |
|------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MEMBERSHIP                               | (b) The Council shall consist of:                                                                                                                                                                           |
| President                                | (i) The President ex officio.                                                                                                                                                                               |
| Outgoing President or Incoming President | (ii) The outgoing President of the Federation or the Incoming President of the Federation as appropriate, ex officio.                                                                                       |
| Representatives                          | (iii) Representative Members elected annually by the Branches from among their Full and Retired Members in accordance with the scheme referred to in the Schedule.                                          |
| Alternates                               | (iv) Alternative Delegates for representative members may be appointed by the Branch Chairperson for specific Council meetings.                                                                             |
| Co-options                               | (v) Not more than four Co-opted Members, being members of the Federation, co-opted by the Council for a period ending at the termination of the last Council meeting before the Annual Delegate Conference. |

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| ELECTION | (c) The Representative Members of the Council shall be elected by the Branch. For the purpose of the Schedule, the membership of a Branch shall be the number of its Full and Retired Members at the date of the election. |
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REMOVAL (d) Any member of the Council, as defined in Section (b) of this Rule, may be removed from office by a two-thirds majority vote at a Special Delegate Conference requisitioned for that purpose in accordance with Rule 17 (c).

#### NOTIFICATION OF REPRESENTATIVES

(e) Not later than four weeks before the Annual Delegate Conference, or, in the case of a new Branch, immediately upon its constitution, every Branch shall notify to the General Secretary the names of its representatives on Council who shall serve until the next Annual Delegate Conference. The national officers shall supervise the election by the Full and Retired Members of the Central Branch of their representatives, not later than ten days before the Annual Delegate Conference. Each Branch shall have power to fill any vacancy among its representatives according to its Rules.

RESIGNATION (f) A representative member of Council may resign by notice to the Branch in such form as the said Branch may require, or, if the member belongs to the Central Branch, by written notice to the General Secretary of the Federation. A co-opted member may resign by written notice to the General Secretary. Membership of Council shall cease forthwith upon the cessation of membership of a Branch.

### **Rule 8**

#### **COUNCIL MEETINGS**

NUMBER (a) Council shall meet at least three times per year and may decide to hold one or more of these meetings outside Dublin.

CONVENING (b) Meetings of the Council shall be convened by the President or on the request of ten members of Council.

QUORUM (c) The quorum for a meeting of Council shall be one third of the validly appointed representative members of Council. A meeting declared to be quorate shall be deemed to remain so unless challenged by a member of Council. A meeting which is declared inquorate may decide to take decisions on routine business following a resolution to that effect. In such circumstances, no decisions shall be taken on more serious

matters, although the collective or majority views of those present on any issue may be recorded. The Chairperson shall decide on the status of the business in this respect, subject to ratification of this judgement at the immediately subsequent quorate Council, if this is then called for by any Council member.

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| NOTICE          | (d) | For every meeting of Council, written notice, whether in paper or electronic form, of the meeting together with an agenda for the meeting shall be sent to the Secretary of each Branch and to each member of Council not less than one week prior to such meeting. |
| STANDING ORDERS | (e) | Subject to the Rules of the Federation, the Council shall have power to make, amend or revoke Standing Orders for the regulation of its business.                                                                                                                   |
| VOTES           | (f) | Save as may be provided to the contrary in the Rules, every question shall be decided by a simple majority of the votes of members of Council present. The Chairperson shall have a casting vote as well as a deliberative vote.                                    |
| MINUTES         | (g) | Minutes shall be kept by the General Secretary of the proceedings of Council and copies thereof shall be made available for inspection by members of the Federation.                                                                                                |
| CHAIRPERSON     | (h) | The Incoming or Outgoing President (as appropriate) shall chair meetings of Council. In their absence the Vice President (Finance) shall take the chair and in their absence, one of the members of Council, chosen by the meeting, shall take the chair.           |
| BUSINESS        | (i) | The Executive Committee of the Federation shall report to each Council Meeting on the activities of the Executive since the last meeting of the Council.                                                                                                            |

## **Rule 9**

### **COUNCIL AND EXECUTIVE SUBCOMMITTEES**

|             |     |                                                                                                                                         |
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| COMMITTEES  | (a) | The Council of the Federation and the Executive of the Federation shall have power independently to appoint committees.                 |
| APPOINTMENT | (b) | In the appointment of their committees, the Council or Executive, as appropriate, shall have particular regard to the necessity for the |

representation of different interests. They shall have power to appoint members of the Federation to such committees and, in addition, not more than two non-members of the Federation.

REPORTING (c) Committees shall report to the body that appointed them.

## **Rule 10**

### **THE PRESIDENT**

PRESIDENT (a) There shall be a President of the Federation, elected from the members of the Federation.

TERM (b) The term of office of the President shall be two years beginning at the end of the Annual Delegate Conference at which they assume the office.

INCOMING PRESIDENT (c) The following procedures shall govern the election of the President.

#### **Request for Nominations**

(i) During the first year of office of the President of the Federation, nominations for the post of Incoming President shall be requested by the General Secretary from all members of the Federation not less than twelve weeks prior to the date of the Annual Delegate Conference in question.

Nominations (ii) Nominations, signed by any six members of the Federation, together with the signature of the candidate nominated, shall reach the General Secretary not less than eight weeks prior to the date of the Annual Delegate Conference in question.

Single Nomination (iii) If there is only one nomination for the Incoming Presidency, the person so nominated shall be deemed to be elected.

Election (iv) If there is more than one nomination for the Incoming Presidency, an election by ballot of all the members shall be held; the date for the counting of votes in the election shall be determined by the Executive and shall be prior to the Annual Delegate Conference in question; the Executive shall also appoint at least two Returning Officers to supervise the conduct of the election.

Ballots (v) Not less than four weeks prior to the date fixed for the counting of votes, ballots shall be dispatched to all members.

Voting (vi) Subject to these Rules and to the provision that voting shall be by means of the single

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|                      |     | transferable vote, the Executive shall be empowered to draw up Regulations for the conduct of the election.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Result               |     | (vii) The result of the election will be notified to the Annual Delegate Conference and the person so elected will be designated Incoming President from the conclusion of the ADC.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Assumption of Office |     | (viii) The person elected as Incoming President will become President of the Federation at the conclusion of the Annual Delegate Conference at which the current President of the Federation completes their term of office.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| OUTGOING PRESIDENT   | (d) | Upon completion of their term of office as President of the Federation, the President shall become the Outgoing President and serve for one further year in that role.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| VACANCY              | (e) | In the event of the President becoming unable, either through protracted absence or through incapacity, to carry out the duties of that office, Council may, on the recommendation of the Executive, declare the office to be vacant. The Incoming President will immediately assume the office of President. They will continue to serve for two years from the ADC immediately following their assumption of office. In the event that there is no Incoming President, the Outgoing President will assume the role of President until such time as an election for President, conducted in accordance with the procedures outlined above for an Incoming President, has taken place and a person is appointed to the role. In the event of the post of Incoming President becoming vacant due to resignation, death or dismissal, Council shall, at its next meeting after the notification of such vacancy, set in motion the procedures to elect an Incoming President as provided for in this Rule. |

## **Rule 11**

### **EXECUTIVE**

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| MEMBERSHIP | (a) | The Executive of the Federation shall consist of the President, the outgoing President or the incoming President as appropriate, the Vice President (Finance) and the ordinary members as provided for in Section (b). |
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### **VICE PRESIDENT AND MEMBERS**

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| (b) | Ordinary members of the Executive shall be nominated by Branches of the Federation, not later |
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than four weeks before the Annual Delegate Conference. Each full Branch of the Federation shall be entitled to nominate one person as a member of the Executive. In so far as is practicable, any person nominated by a Branch in this manner should be an office holder in that Branch. The members of the Executive so nominated shall be representatives of their respective Branches and each Branch may nominate an alternate member for specific meetings of the Executive. At its first meeting, the Executive shall elect a Vice President (Finance) from amongst its members.

EXECUTIVE TERMS      (c)      Members of the Executive (other than the President, Incoming or Outgoing President as appropriate) may not serve on the Executive for more than four consecutive years.

VACANCY              (d)      In the event of a member of the Executive, other than the President, Incoming President or Outgoing President, becoming unable, either through protracted absence or through incapacity, to carry out their duties of that office, the Branch of which they are a representative may nominate a replacement member of the Executive.

QUORUM & VOTES      (e)      The quorum for meetings of the Executive shall be one third of its members and every question shall be decided by a simple majority of the members present.

BYE-LAWS & CASTING VOTE      (f)      The Executive is empowered to draw up, amend or repeal bye-laws for the conduct of its meetings. The President shall have a casting and a deliberative vote at meetings of the Executive.

EXECUTIVE POWERS AND DUTIES      (g)      The Executive shall have the authority conferred on it under these Rules but is generally responsible for the implementation of the Federation's policy and the management of the affairs of the Federation on a day-to-day basis. It shall report to the Council of the Federation on the discharge of its duties at each meeting of the Council. Where a majority of the Council, expressed in a motion properly put and voted upon, is of the view that any action of the Executive is not in accordance with the Federation's Policy, the Executive shall take the necessary steps to meet the wishes of the Council in that regard.

## **Rule 12**

### **GENERAL SECRETARY**

- DUTIES & APPOINTMENT (a) There shall be a General Secretary of the Federation who shall be a permanent and fulltime official of the Federation and who shall be responsible for the duties laid down by these Rules, by the Standing Orders of Council and by the authority of the Executive. The General Secretary shall be appointed by the Executive following procedures approved by Council. The contract of employment shall specify the nature of the relationship between the General Secretary and the Federation. The Executive shall have power to appoint other officials to perform such duties as the Executive shall determine.
- LAPSE IN FUNCTIONS (b) In the event of the post of General Secretary becoming vacant or the functions thereof ceasing otherwise to be exercised, in part or in whole, through any cause, the Deputy General Secretary shall assume the responsibility for such functions and take such steps as are necessary, with the approval of the Executive, if need be, to ensure their fulfilment, until such time as the post of General Secretary is filled. If the Deputy General Secretary is not in a position to assume this function, the President will assume the responsibility.

## **Rule 13**

### **SUBSCRIPTIONS AND FUNDS**

#### **SUBSCRIPTIONS & MOTIONS**

- (a) The monthly subscription shall be such stated sums or percentage deductions from salary as may be determined by the Executive. A motion to change the subscription or proportion of subscription income going to the Branches shall be sent to Branches at least three weeks before the meeting of the Executive at which it is to be put and must then be passed by a two-thirds majority of those members present and voting at the Executive meeting concerned.

#### **BRANCH SHARE**

- (b) Such amount as Council shall decide from time to time, being a per capita annual entitlement for the membership of the Branch, shall be credited to the Branch for its expenses, but Branches are

empowered to raise any additional amount from among their members for their own use.

#### PAYMENT OF SUBSCRIPTIONS

- (c) Subscriptions shall be paid, as the Executive approves, either by a scheme of deduction at source or directly by members to the Federation. Direct payments shall be made to the General Secretary in advance of the period concerned, which may be no less than one calendar month. Payment by deduction at source shall relate to the calendar month in which the deduction is made and nobody shall be deemed to be in arrears between any two such deductions. Any scheme for deduction at source shall require that the deductions are remitted to the General Secretary at appropriate intervals. A person re-joining the Federation after a period of non-membership, which was not due to ineligibility, shall be liable for the amount of subscriptions relating to the intervening period, unless this is waived in part or in whole by the Executive.

#### LEVIES

- (d) The Council may, under these Rules, impose special levies upon every Full Member or on a group or groups of Full Members, provided that three weeks notice of the intention to impose such a levy shall be given to each Branch. Council may pass a motion imposing such a levy providing at least two-thirds of the members of the Council, present and voting, vote in favour of such a motion. Such levies shall be paid within two weeks of such Full Members having been informed of the imposition. Failure to do so within six months shall result in the defaulting member ceasing to be a member ipso facto; such a person shall not be readmitted except by decision of the Executive, in the light of special circumstances and subject to such policy as may be decided by Council from time to time.

#### USE OF FUNDS

- (e) The funds of the Federation may be employed for any purpose, which, in the opinion of Council or the Executive, furthers or tends to further the aims of the Federation. Any surplus funds of the Federation shall be invested in such trusts or securities, including real property, as the Executive may, from time to time, decide, subject to any resolution of Council.

#### BENEFITS

- (f) The Executive may, with the approval of Council, provide from the funds such sums as it shall consider appropriate to alleviate the financial

hardship of members who are involved in a strike or other industrial action or who have, in the opinion of Council, been unjustly suspended or dismissed from their employment. Such payments shall be made under whatever conditions the Executive may decide.

FINANCIAL RECORDS (g) The Vice President (Finance) shall be responsible for the keeping of proper accounting records, and the books of the Federation shall be open for inspection by any interested person, as defined in the Trade Union Act of 1941.

#### ELECTION OF TRUSTEES

(h) There shall be three Trustees of the union who shall be elected by a simple majority vote at the Annual Delegate Conference. Trustees shall have been members for not fewer than ten years. They shall hold office for one year and shall be eligible for re-election, but in no case shall the term of office exceed five years. If the number of valid nominations before the Annual Delegate Conference is less than three or if, from any cause, the number of Trustees should fall below three, Council shall elect a Trustee or Trustees to bring the number up to three. Any Trustee so elected shall hold office until the conclusion of the next Annual Delegate Conference. Trustees may not be members of the Executive. Trustees should meet at least twice per year.

TRUSTEES & AUDITORS (i) The Trustees shall be supplied with all information which they request on the financial affairs of the Federation. They shall be entitled to require the General Secretary or the Auditors to supply them with any further information relevant to those affairs. They may issue a report in writing to Council on any matter concerning the finances of the Federation. They shall appoint, annually, Auditors to the Federation and shall receive any report issued by the Auditors.

BRANCH PROPERTY (j) Where the number of members in a Branch falls, through any cause, to fewer than ten, all securities, monies, equipment, books, documents and other property held by the Branch shall be transferred to the Trustees of the union by the Branch officers through such means as may be necessary.

MANAGEMENT (k) The property of the Federation shall be under the management of the Executive, subject to any

resolution of Council concerning its management, and shall be vested in the Trustees.

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| ANNUAL RETURN | (l) An annual return of the assets, liabilities, income and expenditure, as audited, of the union shall be made to the Registrar of Friendly Societies before the first day of June in every year. |
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## **Rule 14**

### **LEGAL ASSISTANCE TO MEMBERS**

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| FRAMEWORK | The Federation recognises the need on occasion to arrange for the provision of legal assistance to members. The nature of this provision will be agreed in advance between the member and the General Secretary, in consultation with the Executive. Members who engage the Federation to act on their behalf must inform the Federation immediately if they independently engage legal assistance in relation to any matter which the Federation is pursuing on their behalf. |
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## **Rule 15**

### **DEFINITION OF STRIKES & OTHER INDUSTRIAL ACTION**

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| APPLICATION      | (a) The provisions of this Rule shall apply notwithstanding any other provision contained in these Rules.                                                                                                                                                                                                                                   |
| TERMS            | (b) In this Rule the terms 'strike' and 'industrial action' shall have the same meaning as in the Industrial Relations Act 1990 as quoted in the Addendum to these Rules.                                                                                                                                                                   |
| MEMBER           | (c) In this Rule the term 'member' shall have the same meaning as in Rule 3(a).                                                                                                                                                                                                                                                             |
| SCOPE            | (d) The provisions of this Rule shall apply to the Irish Republic only.                                                                                                                                                                                                                                                                     |
| BALLOT           | (e) The union shall not organise, participate in, sanction or support a strike or other industrial action without a secret ballot, entitlement to vote in which shall be accorded equally to all members whom it is reasonable at the time of the ballot to believe will be called upon to engage in the strike or other industrial action. |
| NON-INTERFERENCE | (f) The union shall take reasonable steps to ensure that every member entitled to vote in the ballot                                                                                                                                                                                                                                        |

votes without interference from, or constraint imposed by, the union or any of its members, officials or employees and, so far as is reasonably possible, that such members shall be given a fair opportunity of voting.

- EXECUTIVE DISCRETION (g) The Executive shall have full discretion in relation to organising, participating in, sanctioning or supporting a strike or other industrial action notwithstanding that the majority of those voting in the ballot, including an aggregate ballot referred to in Section (h) of this Rule, favours such strike or other industrial action.
- MAJORITY RIGHTS (h) The Executive shall not organise, participate in, sanction or support a strike or other industrial action against the wishes of a majority of the union's members voting in a secret ballot, except where, in the case of a ballot by more than one trade union, an aggregate majority of all the votes cast favours such strike or other industrial action.
- ICTU APPROVAL (i) Where the outcome of a secret ballot conducted by the union, or in the case of ballots conducted by the union and any number of other trade unions which are affiliated to the Irish Congress of Trade Unions an aggregate majority of all the votes cast, is in favour of supporting a strike organised by another trade union, a decision to take such supportive action shall not be implemented by the union without the sanction of the Irish Congress of Trade Unions.
- DETAILS OF VOTE (j) As soon as practicable after the conduct of a secret ballot, the union shall take reasonable steps to make known to the members of the union entitled to vote in the ballot:
- (i) The number of ballots issued.
  - (ii) The number of votes cast.
  - (iii) The number of votes in favour of the proposal.
  - (iv) The number of votes against the proposal, and
  - (v) the number of spoiled votes.
- SETTLEMENTS (k) Nothing in this Rule shall constitute an obstacle to negotiations for the settlement of a trade dispute nor the return to work by members of the union party to the trade dispute, and any decision taken in accordance with this Rule to organise, participate in, sanction or support a strike or industrial action may be rescinded or amended

without the necessity of a further ballot of the members concerned.

## **Rule 16**

### **INDUSTRIAL ACTION PROCEDURES**

#### **CONCILIATION & ARBITRATION**

The Federation shall, at all times and on all matters, conduct its affairs by joining in conciliation procedures and the Executive and the Council are empowered to participate, after consulting the Branches, in arbitration machinery. In the event of a strike or other industrial action the procedures in sections (a) to (d) shall be followed.

#### **LOCAL ACTION**

(a) A strike or other industrial action involving the partial or complete withdrawal of labour by the members of one or more Branches or a Section shall only be taken when the following sequence has been observed:

Ballot

(i) A secret ballot of the members of the Branch or the Section, as the case may be, conducted by the Executive of the Federation at the request of the Branch Committee, shall have approved the action proposed; the majority required shall be a two-thirds majority of those Full Members who have voted.

Executive Approval

(ii) The Executive shall have approved the action proposed, prior or subsequent to the ballot.

#### **NATIONAL ACTION**

(b) A strike or other industrial action involving the partial or complete withdrawal of labour of all the members of the Federation shall be taken only by the decision of the Executive. The Executive may not so decide unless:

Ballot

(i) A secret ballot among all Full Members on the issue is held as to whether to take such action.

Majority

(ii) The ballot so held shall have resulted in a majority in favour of the action recommended. The majority required shall be a two-thirds majority of those Full Members of the Federation who have voted.

#### **NATIONAL BALLOT**

(c) The Executive shall hold such a ballot referred to in Rule (16) (b) when a request for a ballot has been received from a majority of Branches. In all other situations, the Executive shall act in its

discretion as to whether a ballot should or should not be held.

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| TERMINATION | (d) All ballots conducted to determine the views of the members on a strike or other industrial action shall normally include details of a procedure for terminating a strike or other industrial action, if such action is undertaken. If no such procedure has been agreed in a specific case, the decision to terminate a particular course of action may be taken by the Council, or by the Executive, after consultation with the Branches. |
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## **Rule 17**

### **CONFERENCES AND MOTIONS**

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| REQUIREMENT          | (a) There shall be an Annual Delegate Conference of the Federation on a date fixed by the President in consultation with the Executive.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| INFORMATION          | (b)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Notice of Conference | (i) Notice of an Annual or Special Delegate Conference ('the meeting') shall be sent to all members not less than twelve weeks before the meeting, together with a preliminary agenda and an invitation to submit motions for debate at the Annual or Special Delegate Conference concerned.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Motions on Policy    | (ii) Motions on policy shall be received by the General Secretary not less than eight weeks before the date of the meeting. Motions may be submitted by individual members. Motions may also be submitted by the Executive or Council or by the committee of a Branch and shall be signed by the President or Chairperson thereof as appropriate.<br>(iii) The Executive, acting as the Standing Orders Committee, shall consider all such motions on policy received and determine whether or not they are in order – i.e. in conformity with the Law and the Rules. All motions and all proposed amendments to the motions shall refer to matters which come within the scope of the objects of the Federation as laid down in Rule 2 section (a). In exceptional circumstances, in order solely to protect the integrity of the Federation and fulfil its duty of care to the entire membership, a motion may be deemed out of order despite coming within the scope of the objects of the Federation. In the event of a vote relating to such a decision, a two-thirds majority of the Executive who have voted will be required to rule such a motion out of order. |



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| Notice of Motions on Policy | (iv)   | Notice of all motions on policy deemed to be in order shall be circulated to members not less than two weeks before the meeting.                                                                                                                                                                                                                                                                                                                                             |
| Advance Amendments          | (v)    | Proposed amendments to motions may be submitted to the General Secretary at any time prior to the start of the debate on the motion to which they refer. They may be submitted by individual members or by the Executive or Council or by the committee of a Branch. All such proposed amendments shall be in writing and, in the case of amendments proposed by individual members, they shall be signed by any two such persons.                                           |
| Amendments on Day           | (vi)   | Proposed amendments to a motion may be suggested by any participant during the course of the debate on a motion. It shall be for the Chairperson of the meeting to decide whether to accept such a proposed amendment for debate subject to any provisions of the Standing Orders Report.                                                                                                                                                                                    |
| Objects & Motions           | (vii)  | All motions and all proposed amendments to motions shall refer to matters which come within the scope of the objects of the Federation as laid down in Rule 2 Section (a).                                                                                                                                                                                                                                                                                                   |
| Accounts                    | (viii) | A financial statement, approved by the auditors, shall be circulated to the members prior to the Annual Delegate Conference.                                                                                                                                                                                                                                                                                                                                                 |
|                             | (ix)   | Nominations for the positions of the three Trustees to be elected at the Annual Delegate Conference shall also be requested in the notice of an ADC and any such nominations must be notified to the General Secretary four weeks in advance of the Annual Delegate Conference.                                                                                                                                                                                              |
| SPECIAL                     | (c)    | <p>(i) A Special Delegate Conference may be called at any time by Council.</p> <p>(ii) A Special Delegate Conference may also be requisitioned by one-tenth of the membership of the Federation. Such a meeting shall be called within thirty days of receipt by the General Secretary of such a requisition. At such a meeting, only such business shall be discussed as the Council shall decide, in addition to the business for which the meeting was requisitioned.</p> |
| VOTES                       | (d)    | Any motion on policy shall be passed by a simple majority of the delegates present and voting at an Annual or Special Delegate Conference.                                                                                                                                                                                                                                                                                                                                   |
| QUORUM                      | (e)    | The quorum for an Annual or Special Delegate Conference shall be one-third of the delegates notified to Head Office in advance of the meeting.                                                                                                                                                                                                                                                                                                                               |

## MOTIONS & COUNCIL & EXECUTIVE

- (f) Motions passed at the Annual Delegate Conference, which request action by the Council or the Executive, shall be placed on the agenda of the Council meeting, or the Executive meeting as appropriate, immediately following that Conference. It shall be the duty of the officers of the Federation to report back on such motions to the next Annual Delegate Conference of the Federation.

## DELEGATES

- (g) Delegates to the Annual or Special Delegate Conference shall be appointed by the Branches in accordance with their Rules and Rule 6 (c) above, using the criterion of twice the number of delegates they are entitled to send to Council. The names of delegates shall be notified to the General Secretary not less than four weeks before the Conference concerned. The Executive members shall be ex officio delegates.

## NON-VOTING ATTENDEES

- (h) Head Office Officials and members of the Federation, other than delegates, may attend and speak but may not vote at Annual or Special Delegate Conferences.

## STANDING ORDERS

- (i) In relation to Annual or Special Delegate Conferences, the Executive shall prepare a Standing Orders Report dealing with the times of sessions, motions and amendments which are in order, delegates' credentials, duration of speeches, and procedure generally. This shall be presented as the first item of business at an Annual or Special Delegate Conference, as the case may be, for acceptance, rejection or amendment.

## CONSULTATIVE

- (j) The Executive may call Consultative Delegate Conferences according to provisions and for purposes specially laid down for them, subject to the Rules of the Federation.

## **Rule 18**

### **CHANGES TO RULES AND SCHEDULE**

## RULES

- (a) No change to the Rules shall be made, other than Rule 2, except at an Annual or Special Delegate Conference ('the meeting') and after due notice

has been given of a motion to amend under the procedures set out below.

- (b) A motion to change the Rules, appropriate to the meeting concerned, shall be passed by a two-thirds majority of those delegates present and voting.

#### MOTIONS TO CHANGE THE RULES

- (c) Motions to change the Rules shall be received by the General Secretary not less than fifteen weeks before the date of the meeting. Motions to change the Rules may be submitted by individual members. Such motions may also be submitted by the Executive or Council or by the committee of a Branch and shall be signed by the President or Chairperson thereof as appropriate.
- (d) The Executive, acting as the Standing Orders Committee, shall consider all such motions to change the Rules which have been received and determine whether or not they are in order – that is, are in conformity with the Law and would not, if approved, lead to inconsistency with other sections of the Rules.
- (e) Motions to change the Rules and that are in order shall be communicated to members no later than eight weeks before the date of the meeting.
- (f) If a motion to change the Rules is deemed to be out of order, this shall be communicated to the proposers no later than eight weeks before the date of the meeting. The reasons for deeming a motion to change the Rules out of order shall form part of the Standing Orders Report at the meeting.

#### AMENDMENTS

- (g) Amendments to proposed Rule changes, which have been deemed to be in order, may be submitted to the General Secretary no later than four weeks before the meeting.
- (h) Save for minor textual changes, no amendments may be proposed to motions to change the Rules later than four weeks before the meeting. The Chairperson of the meeting shall have absolute discretion in determining if a proposed amendment is of a minor textual nature.

#### SCHEDULE

- (i) The provisions of the Schedule may be amended, varied or repealed by the Council, provided that a motion so amending, varying or repealing any of the provisions of the Schedule has been passed by

a two-thirds majority of those members of the Council present and voting. Notice of such a motion must be given to the Branches at least three weeks before the meeting of the Council when the motion is to be moved.

- REGISTRAR (j) Any changes to the Rules or the Schedule pertaining thereto shall be notified to the Registrar of Friendly Societies forthwith.

## **Rule 19**

### **INTERPRETATION & AVAILABILITY**

- WORDING (a) In these Rules, words importing the singular shall, unless the contrary be stated, include the plural number and vice versa.

- VOTING (b) Voting at union meetings shall be taken to include those for and against the motion and recorded abstentions.

#### **SOURCE OF INTERPRETATION**

- (c) At an Executive or Council meeting, or at an Annual or Special Delegate Conference, the Rules shall be interpreted by the Chairperson of such meeting or Conference, subject to a vote of endorsement from those in attendance, if called for. The ultimate authority in interpreting the Rules shall be an Annual or Special Delegate Conference.

- ANNOTATION (d) In order to facilitate reference to these Rules, copies distributed to members may be annotated in such manner as the Council may authorise; but in interpreting a Rule regard shall not be had to any annotation.

- AVAILABILITY (e) Every member of the Federation shall be entitled to receive a copy of the Rules.

## **Rule 20**

### **VALIDATION**

No act done in good faith by the Council, the Executive or officers, or any other person or body under these Rules, shall be invalidated by reason only of the subsequent discovery of a defect in, or the expiry of, the appointment of such person or body of persons or any of them.

## **Rule 21**

### **DISSOLUTION**

The Federation may be dissolved by the following procedure:

- |            |     |                                                                                                                                                                                 |
|------------|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| RESOLUTION | (a) | A motion for a ballot of the members for dissolution shall be submitted to Council and shall be passed by three-quarters of members of Council at a meeting specially convened. |
| BALLOT     | (b) | On the passing of such motion, a ballot for dissolution shall be conducted by the Executive among all the members of the Federation.                                            |
| MAJORITY   | (c) | If three-quarters of the members voting in such a ballot vote in favour of dissolution, the Federation shall be dissolved at a date to be determined by Council.                |
| FUNDS      | (d) | Any motion submitted in accordance with Rule 21 (a) shall also state the manner in which funds of the Federation remaining at the time of dissolution shall be disbursed.       |
- REGISTRAR OF FRIENDLY SOCIETIES
- (e) The dissolution of the Federation should also be notified to the Registrar of Friendly Societies.

## **SCHEDULE**

Pursuant to Rules 7 (b) (iii) and (c)

### **Representation on Council**

Representatives to Council shall be elected by each Branch according to the following ratio:

| Number of Members | Number of Representatives |
|-------------------|---------------------------|
| 01 to 14          | 1                         |
| 15 to 35          | 2                         |
| 36 to 60          | 3                         |
| 61 to 85          | 4                         |
| 86 to 110         | 5                         |
| 111 to 150        | 6                         |

Above 150 members, one representative for each additional 100 members or part thereof.

## **APPENDIX**

Designations under Rule 3 (b) (iv).

### **A. INSTITUTIONS**

|    |                                                                    |
|----|--------------------------------------------------------------------|
| 1  | Trinity College, Dublin                                            |
| 2  | University College Dublin - National University of Ireland, Dublin |
| 3  | National University of Ireland, Galway                             |
| 4  | University College Cork - National University of Ireland, Cork     |
| 5  | St Patrick's College, Maynooth                                     |
| 6  | Maynooth University                                                |
| 7  | Royal College of Surgeons in Ireland                               |
| 8  | Mary Immaculate College                                            |
| 9  | Marino Institute of Education                                      |
| 10 | Health Research Board                                              |
| 11 | Dublin Dental Hospital                                             |
| 12 | Educational Research Centre                                        |
| 13 | Dublin Institute for Advanced Studies                              |
| 14 | Economic and Social Research Institute                             |
| 15 | Dublin City University                                             |
| 16 | University of Limerick                                             |
| 17 | Royal Irish Academy                                                |
| 18 | Nevin Economic Research Institute                                  |
| 19 | Griffith College Dublin                                            |
| 20 | Dublin International Foundation College                            |

## B. CATEGORIES OF STAFF

- 1 Teachers or researchers.
- 2 Staff in professional library posts.
- 3 Staff in professional computer posts.
- 4 Staff in professional administrative and related posts.
- 5 Chief Technician I in TCD.
- 6 Senior Experimental Officer in TCD.
- 7 Temporary and visiting staff in designated categories accepted by the Branch.

## **ADDENDUM**

### Definition of Strikes & Other Industrial Action

'Industrial Action' means any action which affects, or is likely to affect, the terms or conditions, whether express or implied, of a contract and which is taken by any number or body of workers acting in combination or under a common understanding as a means of compelling their employer, or to aid other workers in compelling their employer, to accept or not to accept terms or conditions of or affecting employment.

'Strike' means a cessation of work by any number or body of workers acting in combination or a concerted refusal or a refusal under a common understanding of any number of workers to continue to work for their employer done as a means of compelling their employer, or to aid other workers in compelling their employer, to accept or not to accept terms or conditions of or affecting employment.