



NEHAWU CONSTITUTION

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PREAMBLE

We, the union members, firmly commit ourselves to the formation of a strong, democratic organisation controlled by its members. We further commit ourselves to a united, non-racial, non-sexist, democratic South Africa, free from oppression, economic exploitation and all other forms of unfair discrimination.

History has taught us that unorganised and divided workers cannot meaningfully improve their working conditions. Only effectively organised and united workers are able to improve wages, raise their standard of living and protect themselves against the insecurities of life.

We therefore commit ourselves to unity, comradeship and solidarity of all workers. We unreservedly reject any attempts to sow disunity among workers on the basis of colour, nationality, race, sex, religion, creed and disability. We declare that the long-term interests of all workers are alike irrespective of the above differences.

We declare our commitment to coordinate, affiliate, associate and formulate working class relations with other worker organisations or federations or any progressive organisations within the community of South Africa and internationally to build a better and happy life for the working class and all South Africans. Together with these organisations we declare to fight for these ideals and establish a future South Africa and the world that is free from unemployment, poverty, diseases, racial oppression and economic exploitation. We commit ourselves to the task of building and defending socialism.

We call on all those who identify with this commitment to join us as comrades in the struggle ahead. We firmly resolve that this union shall seek to protect, advance and defend the interests of all its members, and workers in general. Its guiding motto shall be the universal slogan of working class solidarity “an injury to one is an injury to all”.



PART ONE: THE UNION

CHAPTER 1: FOUNDING PROVISIONS

1. Establishment and Name

- (1) There is hereby established an association of employees, to be known as the National Education Health and Allied Workers Union, which is a trade union as defined in the Act.
- (2) The union established by subsection (1) is:
 - (a) an association not for gain; and
 - (b) a corporate body having perpetual succession, legal existence, and all the legal powers of a juristic person.
- (3) As a matter of convenience, the National Education Health and Allied Workers Union:
 - (a) is referred to throughout this constitution as “the union”; and
 - (b) may be referred to in any notice, correspondence or legal document by the shortened form of name “NEHAWU”.

2. Objectives

- (1) The aim and objectives of the union are:
 - (a) to recruit and unite workers into one single union in order to share their economic and social welfare;
 - (b) to protect the job security of members, to advance their employment prospects, and to serve their individual and collective interests;
 - (c) to foster unity, co-operation and comradeship amongst all workers within the scope of the union and other industries;
 - (d) to establish relationships with other trade unions, trade union federations and labour organisations for the benefit of members of the union; and
 - (e) to build international working class solidarity and bi-lateral relations with trade unions internationally.



3. Scope

- (1) The union may operate anywhere in the Republic of South Africa, and is open to any worker employed in any of the following sectors:
 - (a) state administration;
 - (b) education;
 - (c) social development;
 - (d) health; and
 - (e) parastatals and public entities.

4. Offices

- (1) The Central Executive Committee of the union:
 - (a) may determine the location of the union's head office; and
 - (b) must maintain at least one office in the Republic at all times.

5. Authority of the Constitution

- (1) This constitution is the source of all rights and responsibilities within the union, and is the final authority concerning any dispute within the union.

CHAPTER 2: UNION ORGANISATION

6. Structures within the Union

- (1) The union is organised into the following structures and general spheres of authority:
 - (a) members, who collectively are the foundation of democratic organisation in the workplace and in the union;
 - (b) shop stewards and shop steward committees, which operate within the different workplaces in which members work;
 - (c) branch executive committees (referred to as "BEC") which operate within each branch;



- (d) branch congresses (referred to as “BC”) which operate within each branch;
- (e) regional executive committees (referred to as “REC”) which operate within each region;
- (f) regional congresses (referred to as “RC”) which operate within each region;
- (g) provincial executive committees (referred to as “PEC”) which operate within each province;
- (h) provincial congresses (referred to as “PC”) which operate within each province;
- (i) national executive committee (referred to as “NEC”) which operates at national level;
- (j) central executive committee (referred to as “CEC”) which operates at national level; and
- (k) national congress (referred to as “NC”), which operates at a national level.

7. Spheres of Authority within the Union

Within the union, authority to effect the aims and objectives of the union is allocated as follows:

(1) Within the workplace sphere of operation:

- (a) where there are less than 50 members in a workplace, shop stewards exercise all authority of the union, subject to the decisions and policies of their BEC, BC, REC, RC, PEC, PC, NEC, CEC and NC; and
- (b) where there are 50 or more members within a workplace, a Branch must be established and the Branch Executive Committee for that workplace exercises all authority of the union, subject to the decisions and policies of their BEC, BC, RC, REC, RC, PEC, PC, NEC, CEC, and NC.

(1) Within the branch sphere of operations:

- (a) the policy-implementation authority of the union is exercised by the BC subject to the decisions and policies of the REC, RC, PEC, PC, NEC, CEC, and NC;
- (b) the management of the affairs of the union and the executive authority of the union, is exercised by the BEC, subject to the decisions and policies of its BC, REC, RC,



PEC, PC, NEC, CEC, and NC.

- (2) Within the regional sphere of operations:
 - (a) the policy-making authority of the union is exercised by the RC subject to the decisions and policies of the PEC, PC, NEC, CEC, and NC;
 - (b) the management of the affairs of the union and the executive authority of the union is exercised by the REC, subject to the decisions and policies of its RC, PEC, PC, NEC, CEC, and NC.
- (3) Within the provincial sphere of operations:
 - (a) the policy-making authority of the union is exercised by the PC, subject to the decisions and policies of the NEC, CEC, and NC;
 - (b) the management of the affairs of the union and the executive authority of the union is exercised by the PEC, subject to the decisions and policies of the PC, NEC, CEC and NC.
- (4) Within the national sphere of operations:
 - (a) the policy-making authority of the union is exercised by the NC;
 - (b) the development of union policy, between meetings of the NC is exercised by the CEC, subject to the decisions and policies of the NC;
 - (c) the NEC exercises the executive authority of the union, subject to the decisions of the CEC and the NC.

PART TWO: UNION STRUCTURES

CHAPTER 3: MEMBERSHIP

8. Qualification for Membership

- (1) To be eligible for membership in the union, a person:
 - (a) must be a worker covered by the scope of this constitution in terms of section 3(1) (a member); or
 - (b) must be associated with the union by virtue of the



- applicant's work, political position or historical connection (an associate member);
- (c) a worker who, but for the retirement would otherwise qualify for membership of the union (a retired member);
 - (d) must be a fit and proper person to be a member; and
 - (e) must not have been either rejected as a member, or expelled from membership in the union, within the past 12 months.
- (2) No person may be rejected as a member of the union on any basis that constitutes unfair discrimination in terms of section 9 of the Constitution of the Republic of South Africa, 1996.

9. Application and Acceptance

- (1) Any eligible person may apply for membership in the union by submitting to the shop stewards committee or branch of the union which has jurisdiction over that worker's area of employment, an application in the prescribed subscription form.
- (2) Upon receiving an application for membership in terms of subsection (1), a shop stewards committee or BEC must either:
 - (a) enrol the worker as a member of the union in a manner prescribed by the union; or
 - (b) reject the application if it believes that the worker is not eligible to be a member of the union.
- (3) A worker whose application for membership has been rejected by a shop stewards committee or BEC may, within 30 days of the rejection, appeal in writing against that decision to the REC.
- (4) Upon considering an appeal in terms of subsection (3), the REC must either confirm or reject the decision of the shop stewards committee or BEC.
- (5) A decision of a REC in terms of subsection (4) is final.
- (6) An unsuccessful applicant for membership:
 - (a) may make a fresh application after at least twelve (12)



months have elapsed from the date on which his/her previous application was rejected by the shop steward committee or BEC or the appeal was turned down by the PEC, whichever is the later.

10. **Subscription Fee**

- (1) The CEC may establish a common basis for determining the members' monthly subscription fees, but a member's fee may not exceed:
 - (a) the percentage as determined by the CEC; and
 - (b) a maximum amount established by the CEC.
- (2) A member may pay the monthly subscription fee through a check-off facility that provides for direct payment to the union's national account; or alternatively, a member may pay the subscription fee by means of a debit-order agreement with the bank where the member's salary or wages is paid.
- (3) Subscriptions shall become payable from the month in which the member's employer implements the check-off deductions for subscriptions
- (4) ABEC may excuse a member from paying monthly subscription fee for any period of time or may set a lower subscription in respect of:
 - (a) a member who is unemployed for thirty days or more; or
 - (b) a member who is unable to work for thirty days or more on account of ill health; or
 - (c) an associate member; or
 - (d) a member for any other reason which the BEC may consider appropriate.

11. **Good Standing**

- (1) A member remains in good standing unless:
 - (a) the member's subscription fees are more than three months in arrears;
 - (b) the member has been suspended in terms of section



63(7).

- (2) Despite subsection (11)(1)(a), a member who has been excused in terms of section 10(4) from paying subscription fees remains in good standing during the period of that exemption.
- (3) Only members, excluding associate and retired members, in good standing are entitled to the benefits of membership.
- (4) Associate and retired members will not be entitled to the full benefits referred to in section 11(5). The benefits that associate and retired members are entitled to must be determined by the CEC.
- (4) Subject to this constitution, the benefits to membership, include:
 - (a) attending meetings of the union;
 - (b) meeting and assembling freely with other members;
 - (c) participating in union activities;
 - (d) voting in the election of representatives; and
 - (e) enjoying the rights and benefits conferred on members in terms of the Labour Relations Act.

12. **Resignation of Members**

- (1) A member may resign from the union by giving 90 days written notice stating the reasons for resignation.
- (2) The union may waive the notice period required for a resignation in terms of subsection (1).
- (3) When a member resigns or is expelled from the union:
 - (a) the member remains responsible to the union for any amount of money that the member owes to the union at that time;
 - (b) the member has no further claim against the union; and
 - (c) the NEC must ensure that appropriate steps are taken to recover any money that the member owes to the union.
- (4) Any person who has resigned or has been expelled from the union may be re-admitted to membership if:



- (a) at the time of application for readmission they meet the requirements of sections 8 and 9; and
- (b) the applicant complies with any conditions determined by the union.

(5) All members shall be subject to the disciplinary processes contained in the union Constitution and/or the union's Disciplinary Code, which shall be determined by the NEC from time to time, and also to any disciplinary processes or sanctions defined in the union Constitution and/or such Code.

13. **Termination of Membership due to Termination of Employment Contract**

- (1) Subject to subsections (2)-(5) below, a person ceases to be a member of the union 30 days after the date, on which that person's contract of employment terminates.
- (2) A member whose contract of employment within the registered scope of the union has been terminated, but who intends to remain employed within the registered scope of the union, may choose to remain a member of the union by notifying the REC or the BEC concerned in writing within 30 days after that member's contract of employment terminated.
- (3) A person who remains a member of the union in terms of subsection (2):
 - (a) is not required to pay any subscription fee during the period that they are unemployed and intending to return to employment in the registered scope of the union; and
 - (b) ceases to be a member of the union on:
 - (i) the date on which the member withdraws his or her requirement for membership to continue;
 - (ii) the date on which the member begins to work outside the registered scope of the union, with the intention to remain outside; or
 - (iii) three months after the date on which that member's contract of employment terminated.



- (4) A member whose contract of employment has been terminated by the employer as a result of a labour dispute or under circumstances which the member believes renders the dismissal unfair, may choose to remain a member of the union by notifying the BEC or REC concerned in writing within 30 days of the date of dismissal.
- (5) A person who chooses to remain a member of the union in terms of subsection (4):
 - (a) is not required to pay any subscription fee until:
 - (i) the date on which they are re-employed or reinstated; or
 - (ii) legal proceedings to challenge the lawfulness of their dismissal have been finalised.
 - (b) ceases to be a member of the union on:
 - (i) the date on which that person withdraws his or her request for membership to continue; or
 - (ii) the date on which the person begins to work outside the registered scope of the union with the intention to remain outside; or
 - (iii) the date on which the person withdraws or abandons any legal proceedings to challenge his or her dismissal.

CHAPTER 4: WORKPLACES

14. Members Meetings at Workplaces

- (1) The union members in a workplace must hold a meeting at least once every 30 days.
- (2) The composition of the meeting is the shop stewards and the members of the union at the workplace.
- (3) For purposes of commencing a meeting and in order for the meeting to continue:
 - (a) at least one third of the members of the union at that



- workplace must be present; and
 - (b) a majority of the shop stewards on the shop stewards committee must be present.
- (4) If, in terms of subsection (3), a meeting cannot commence within 30 minutes after the time fixed for it to begin, the shop stewards must fix a new time and date for the meeting, which must be not before 2 days and not after 7 days later.
- (5) Despite subsection (3), a meeting scheduled in terms of subsection (4) may commence at the time fixed for the meeting to begin, and may proceed until the agenda is completed, regardless of the number of persons present.

15. Shop Stewards

- (1) The members of the union in good standing in each workplace must elect, by ballot and from among themselves, shop steward/s.
- (2) A member may be elected as a shop steward if he or she:
 - (a) has been a member in good standing for a minimum period of at least one (1) year;
 - (b) is not a member of another union or staff association
- (3) A shop steward may hold office for four years and may be re-elected.
- (4) The ROB's and union officials must regulate the election of the shop stewards in each workplace, including specifying the number of shop stewards to be elected.
- (5) The shop stewards shall have meetings at least once a month with members.
- (6) The relevant union structure (ROB's) has the discretion to waive therequirements in subsections (1) and (2) above, in the event of exceptional circumstances.

16. Shop Stewards Committee



- (1) At every workplace in which there are at least 10 members, but less than 50 the members elect shop steward/s and establish a shop stewards committee.
- (2) Where there are at least 50 union members or more, the members must elect shop stewards and establish a Branch Executive Committee every four years, representing various work sections in which the union has members.
- (3) The BEC or the REC, after consultation with the members of the workplace, and in accordance with the guidelines established by the CEC, may determine the number of members constituting the shop stewards committee.
- (4) The election procedure of the shop stewards committee is similar in principle to the election procedure at the national level as set out in section 48(3), subject to any additional requirements provided by the PC.
- (5) The shop stewards committee must meet at least every 14 days and is responsible to:
 - (a) conduct the affairs of the union in relation to members at that workplace;
 - (b) receive and attend to complaints affecting members concerning their employment and, where necessary, report such complaints to the BEC or the REC;
 - (c) report any improper employment practice or any matter within the jurisdiction of a shop steward in terms of any legislation to the BEC or the REC; and
 - (d) defend the individual and collective interests of the membership at the workplace.
- (6) For purposes of commencing a meeting, and in order for the shop stewards committee meeting to continue at least half of the shop stewards in the committee must be present; and
- (7) If, in terms of subsection (5), a meeting cannot commence within 30 minutes after the time fixed for it to begin, the shop stewards must fix a new time and date for the meeting, which must be not before 2 days and not after 7 days later.



- (8) Despite subsection (5), a meeting scheduled in terms of subsection (6) may commence at the time fixed for the meeting to begin, and may proceed until the agenda is completed, regardless of the number of persons present.

CHAPTER 5: BRANCHES

17. Establishment of Branches

- (1) Branches of the Union are established and demarcated in accordance with CEC decisions on the type and nature of branches.

CHAPTER 6: BRANCH OFFICES

18. Branch Office-Bearers

- (1) In each branch, the office-bearers are:
 - (a) the Branch Chairperson;
 - (b) the Branch Deputy-Chairperson;
 - (c) the Branch Treasurer;
 - (d) the Branch Secretary; and
 - (e) the Branch Deputy Secretary.

19. Powers of the Branch Office-Bearers

- (1) The powers and duties of the branch office-bearers are generally the same as those set out in section 49, and read with the change required by the context.
- (2) The branch office-bearers must keep the ROB's and REC informed about the affairs of the Branch.
- (3) The procedures for election of branch office-bearers are the same as those of the national office-bearers set out in section 48, and read with the changes required by the context.

CHAPTER 7: BRANCH EXECUTIVE COMMITTEE

20. Establishment

The management and the administration of the affairs of the branch



are vested in the BEC.

21. **Powers of the Branch Executive Committee**

- (1) The BEC has the powers and duties necessary to give effect to the aims and objectives of the union and which are usual in such an executive body, including powers to:
 - (a) Recruit members within its jurisdiction and promote the interests of the members and the union;
 - (b) supervise the affairs of the workplaces within its jurisdiction; and
 - (c) act on the decisions and policies of the constitutional structures of the union.

22. **Composition**

- (1) The BEC is composed of:
 - (a) the Branch Chairperson, Branch Deputy-Chairperson, Branch Treasurer and Branch Secretary and Branch Deputy Secretary; and
 - (b) all shop stewards in the Branch who are not office bearers; and
 - (c) the Coordinator of each committee and/or sub-structure at a workplace within the Branch.

23. **Meetings of the Branch Executive Committee**

- (1) The BEC must meet every 30 days, at the place and on the date and time fixed by the Branch Secretary in consultation with the Branch Office-bearers.
- (2) Subject to subsection (4), the Branch Secretary must circulate notice and agenda of a BEC meeting, along with the minutes of the previous meeting, for the meeting:
 - (a) at least 7 days before a general meeting; and
 - (b) at least 24 hours before a special meeting.
- (3) For purposes of commencing a meeting of the BEC and, in order for the meeting to continue:



- (a) at least half of the branch office-bearers must be present; and
 - (b) at least the majority of the members of the BEC must be present.
- (4) If, in terms of subsection (3), a meeting cannot commence within 1 hour after the time fixed for it to begin, branch office-bearers must fix a new time and date for the meeting, within 7 days.
- (5) Despite subsection (3), a meeting scheduled in terms of subsection (4) may commence at the time fixed for the meeting to begin, and may proceed until the agenda is completed, regardless of the number of persons present.
- (6) A special meeting of the BEC may consider only that special business which necessitated the meeting.

CHAPTER 8: BRANCH CONGRESS

24. Governing Body for Branch Structures

- (1) The BC is the governing body of each branch structure of the union.

25. Powers of the Branch Congress

- (1) Each BC has the powers and duties as may be assigned by the PEC, the NEC and CEC which may include:
 - (a) implement decisions of the NC, CEC, NEC, PEC, PC, REC or RC;
 - (b) elect shop stewards from among its members every 4 years;
 - (c) elect a Branch Chairperson, Branch Deputy Chairperson, Branch Secretary, Branch Deputy Secretary and Branch Treasurer from among its shop stewards every 4 years;
 - (d) consider reports of the activities of the workplaces in the branch;
 - (e) consider reports of the activities of the BEC and the branch office-bearers;
 - (f) implement policy for the branch not inconsistent with



- the decisions of the union or the provisions of this constitution; and
- (g) carry out the aims and objectives of the union with regard to the organisation of workers in the branch.

26. **Composition of the Branch Congress**

- (1) The BC is composed of:
- (a) the Branch Chairperson, Branch Deputy-Chairperson, Branch Treasurer and Branch Secretary and Branch Deputy Secretary; and
 - (b) members in good standing.
- (3) The Branch Secretary must verify the membership in the Branch Congress before it commences.

27. **Meetings of the Branch Congress**

- (1) The BC must meet at least once every four (4) years at the place and on the time fixed by the BEC.
- (2) The Branch Secretary must give notice of a BC meeting to all the members in good standing:
- (a) at least 30 days before a general BC meeting; or
 - (b) at least 14 days before a special BC meeting.
- (3) For purposes of commencing a BC meeting and, in order for the meeting to continue, at least half of the membership in good standing must be present.
- (4) In terms of subsection (3), if a meeting cannot commence within 2 hours after the time fixed for it to begin:
- (a) the BEC must fix a new time and date for the meeting, which must not be more than 14 days later; and
 - (b) written notice of the new date for the meeting must be given by the Branch Secretary to all the members in good standing.
- (5) Despite subsection (3), a meeting scheduled in terms of



subsection (4) may commence at the time fixed for the meeting to begin, and may proceed until the agenda is completed, regardless of the number of persons present.

CHAPTER 9: REGIONS

28. Establishment of Regions

- (1) The PEC may establish and demarcate a region of the union in line with the decisions of the CEC on establishing regions.

CHAPTER 10: REGIONAL OFFICES

29. Regional Office-Bearers/Regional Secretariat

- (1) In each Region, the office-bearers are:
 - (a) the Regional Chairperson;
 - (b) the Regional Deputy-Chairperson; and
 - (c) the Regional Treasurer
- (2) In each Region the regional secretariat are:
 - (a) the Regional Secretary; and
 - (b) the Regional Deputy Secretary.
- (3) Each regional office-bearer/elected official:
 - (a) must serve as a member in good standing who must have been a shop steward for a minimum period of at least two (2) years before being elected as a regional office-bearer; or must have been a member or an official for a minimum period or combined period of at least two (2) years to be elected as Regional Secretary or Regional Deputy Secretary;
 - (b) must be elected for a term of four (4) years by the RC, in accordance with the provisions of subsection (3);
 - (c) assumes office on the first working day following the close of the RC meeting at which they were elected; and



- (d) hold office until the earliest of the date on which:
 - (i) the office-bearer/elected official resigns or dies;
 - (ii) the office-bearer/elected official is removed from office in terms of section 64; or
 - (iii) the date on which the 4 (four) year period expires.
- (4) Elected Officials do not have any voting rights in constitutional meetings.
- (5) At an ordinary meeting of the RC:
 - (a) Any member in good standing who has been a shop steward for a minimum period of at least two (2) years, who is not a member of another union or staff association, may be nominated and seconded for election as a regional office-bearer, referred to in subsection (1).
 - (b) Any person who has been a member or an official for a minimum period or combined period of at least two (2) years may be nominated and seconded for election as Regional Secretary or Regional Deputy Secretary, referred to in subsection (2);
 - (c) If only one person is nominated for a regional office-bearer/secretariat post, that person must be declared elected; and
 - (d) If more than one person is nominated for a particular regional office-bearer/secretariat post, a vote must be taken for that office by ballot, and the candidate with the highest number of votes must be declared to that office.
- (6) The Regional Secretariat (elected officials) are elected on the same platform at the Regional Congress, as the Regional Office Bearers and in terms of authority they are equal within the regional sphere of the union.
- (7) Elected officials are remunerated by the union, whilst office-bearers are remunerated by their employer.

30. Powers of the Regional Office-Bearers/Regional Secretariat

- (1) The powers and duties of the regional office-bearers/regional secretariat are generally the same as those of the national office-bearers/national secretariat set out in section 49, and



read with the change required by the context.

- (2) The regional office-bearers/regional secretariat must keep the POB's and the PEC informed about the affairs of the union.
- (3) The procedures for election of regional office-bearers/regional secretariat are the same as those of the national office-bearers/national secretariat set out in section 48, and read with the changes required by the context.

CHAPTER 11: REGIONAL EXECUTIVE COMMITTEE

31. Establishment

- (1) The management of the affairs of the region is vested in the REC.

32. Powers of the Regional Executive Committee

- (1) The REC has the powers and duties necessary to give effect to the aims and objectives of the union and which are usual in such an executive body, including powers to:
 - (a) approve monthly financial statements of the region;
 - (b) recruit members within its jurisdiction and promote the interests of the members and the union;
 - (c) supervise the affairs of the workplaces/branches within its jurisdiction; and
 - (d) act on the decisions and policies of the constitutional structures of the union.

33. Composition of the Regional Executive Committee

- (1) The REC is composed of:
 - (a) the Regional Chairperson, Regional Deputy-Chairperson, Regional Treasurer, Regional Secretary and Regional Deputy Secretary;
 - (b) the Branch Chairperson, the Branch Secretary; and
 - (c) regional officials, except that they do not have voting rights at the REC meeting.



34. Meetings of the Regional Executive Committee

- (1) The REC must meet at least 4 times a year, at the place and on the date and time fixed by the Regional Secretary in consultation with the Regional Office-bearers.
- (2) Subject to subsection (4), notice and agenda of a REC meeting, along with the minutes of the previous meeting, must be circulated to each branch within the region by the Regional Secretary.
 - (a) at least 7 days before a general meeting; and
 - (b) at least 24 hours before a special meeting.
- (3) For purposes of commencing a meeting of the REC and, in order for the meeting to continue:
 - (a) at least half of the regional office-bearers/regional secretariat must be present; and
 - (b) at least a majority of the branches in the region must be represented.
- (4) If, in terms of subsection (3), a meeting cannot commence within 1 hour after the time fixed for it to begin, regional office-bearers/regional secretariat must fix a new time and date for the meeting, within 14 days and not later than 30 days.
- (5) Despite subsection (3), a meeting scheduled in terms of subsection (4) may commence at the time fixed for the meeting to begin, and may proceed until the agenda is completed, regardless of the number of persons present.
- (6) A special meeting of the REC may consider only that special business which necessitated the meeting.

CHAPTER 12: REGIONAL CONGRESS

35. Governing Body for Regional Structures

- (1) The RC is the governing body of each regional structure of the union.



36. Powers of the Regional Congress

- (1) Each RC has the powers and duties as may be assigned by the PC, PEC, NEC and CEC and NC, which may include:
 - (a) implement decisions of the above structures;
 - (b) elect a Regional Chairperson, Regional Deputy Chairperson,, Regional Treasurer and Regional Secretary and Regional Deputy Secretary;
 - (c) If the Regional Secretary or Regional Deputy Secretary is released full time by his or her employer, the election must be ratified by the NEC. ;
 - (d) consider reports of the activities of the branches in the region;
 - (e) consider reports of the activities of the REC and the regional office-bearers/regional secretariat;
 - (f) liaise with the Provincial Office-Bearers/ Provincial Secretariat and the National Office-Bearers/National Secretariat on the employment of officials, subject to the NEC determining the terms of employment of such officials and subject to the CEC ratifying those terms;
 - (g) formulate policy for the region not inconsistent with the decisions of the PC, PEC, NC, CEC, NEC and NC or the provisions of this constitution; and
 - (h) generally carry out the aims and objectives of the union with regard to the organisation of workers in the region.

37. Composition of the Regional Congress

- (1) The RC is composed of:
 - (a) the Regional Chairperson, Regional Deputy-Chairperson, Regional Treasurer, Regional Secretary and Regional Deputy Secretary;
 - (b) the Chairperson and Secretary of each branch in the region;
 - (c) delegates from each branch as specified in this section; and
 - (d) all regional officials, except that they do not have voting rights at the RC meeting.



- (2) Each branch may appoint one delegate for each 50 members, or portion thereof, in that branch, but every delegate must be a member in good standing at the time of appointment, and at the time of the RC meeting for which they are selected as a delegate.
- (3) Each branch must advise the Regional Secretary of the number of members in that branch, the number of delegates appointed from that branch, and the names of those delegates and their alternates:
 - (a) at least 30 days before an ordinary meeting of the RC; or
 - (b) at least 7 days before a special meeting of the RC.
- (4) The RC is entitled to request proof of the membership on which a branch has decided its delegation.

38. Meetings of the Regional Congress

- (1) The RC must meet at least once every four (4) years at the place and on the time fixed by the REC.
- (2) The Regional Secretary must give notice of a RC meeting in writing to each branch in the region:
 - (a) at least 30 days before an ordinary RC meeting; or
 - (b) at least 14 days before a special RC meeting.
- (3) For purposes of commencing a RC meeting and, in order for the meeting to continue, at least half of the delegates or their alternates, from at least a majority of the branches must be present, and, for the purpose of this section, the calculation of the number of delegates representing a branch may include only persons:
 - (a) who are members in good standing; and
 - (b) whose names were previously provided to the Regional Secretary in terms of this section.
- (4) If, in terms of subsection (3), a meeting cannot commence within 2 hours after the time fixed for it to begin:
 - (a) the REC must fix a new time and date for the meeting, within 14 days and not later than 30 days; and



- (b) written notice of the new date for the meeting must be given by the Regional Secretary to each branch of the region.
- (5) Despite subsection (3), a meeting scheduled in terms of subsection (4) may commence at the time fixed for the meeting to begin, and may proceed until the agenda is completed, regardless of the number of persons present.

CHAPTER 13: PROVINCIAL OFFICES

39. Provincial Office-Bearers/Provincial Secretariat

- (1) In each province, the office-bearers are:
 - (a) the Provincial Chairperson;
 - (b) the Provincial Deputy-Chairperson; and
 - (c) the Provincial Treasurer.
- (2) In each province, the provincial secretariat is:
 - (d) the Provincial Secretary; and
 - (e) the Provincial Deputy Secretary.
- (3) Each provincial office-bearer/elected official:
 - (a) must be a member in good standing who must have been a shop steward for a minimum period of at least three (3) years before being elected as a provincial office-bearer;
 - (b) or must have been a shop steward/official for a minimum period of at least three (3) years to be elected as Provincial Secretary or Deputy Provincial Secretary;
 - (c) must be elected for a term of four (4) years by the PC, in accordance with the provisions of subsection (3);
 - (d) assumes office on the first working day following the close of the PC meeting at which they were elected; and
 - (e) hold office until the earliest of the date on which:
 - (i) the office-bearer/elected official resigns or dies;
 - (ii) the office-bearer/elected official is removed from office in terms of section 64; or
 - (iii) the date on which the 4 (four) year period expires.



- (4) At an ordinary meeting of the PC:
- (a) Any member in good standing who has been a shop steward for a minimum period of at least three (3) years, who is not a member of another union or staff association, may be nominated and seconded for election as a provincial office-bearer, referred to in subsection (1).
 - (b) Any person who has been a member or an official for a minimum period or combined period of at least three (3) years may be nominated and seconded for election as Provincial Secretary or Provincial Deputy Secretary;
 - (c) If only one person is nominated for a provincial office-bearer/secretariat post, that person must be declared elected; and
 - (d) If more than one person is nominated for a particular provincial office-bearer/secretariat post, a vote must be taken for that office by ballot, and the candidate with the highest number of votes must be declared to that office.
- (5) Elected Officials do not have any voting rights in constitutional meetings.
- (6) The Provincial Secretariat (elected officials) are elected on the same platform at the Provincial Congress, as the Provincial Office Bearers and in terms of authority they are equal within the provincial sphere of the union.
- (7) Elected officials are remunerated by the union, whilst office-bearers are remunerated by their employer.

40. Powers of the Provincial Office-Bearers/Provincial Secretariat

- (1) the powers and duties of the provincial office-bearers/provincial secretariat are generally the same as those of the national office-bearers/national secretariat, as set out in section 49 and read with the changes required by the context.
- (2) The provincial office-bearers/provincial secretariat must keep the NOB's/NS and the NEC informed about the affairs of the union.
- (3) In addition to those duties assigned by reference to the national counterparts in terms of subsection 49(7), the Provincial



Treasurer must:

- (a) present a financial statement to each ordinary meeting of the PEC and PC; and
- (b) together with the Provincial Secretary, present the annual budget of the province.

CHAPTER 14: PROVINCIAL EXECUTIVE COMMITTEE

41. Establishment and Powers

- (1) The PEC exercises the management of the affairs of the union between meetings of the PC within the provincial sphere and has the necessary powers usual for such an executive body to give effect to the aims and objectives of the union, including the powers to:
 - (a) approve monthly financial statements;
 - (b) open, operate and close banking accounts in the name of the province, subject to approval, direction and ultimate control by the NEC;
 - (c) recruit members in the province and generally promote the interests of the members and the union;
 - (d) supervise the affairs of the regions and branches;
 - (e) ensure that proper communication occurs between the province, its branches and the national office;
 - (f) do all further things as it considers are in the interest of the union and which are not in conflict with the decisions and policy of the NC, CEC, NEC and PC, nor inconsistent with the provisions of this constitution;
 - (g) liaise with the National Office-Bearers/National Secretariat on the employment of officials, subject to the NEC determining the terms of employment of such officials in line with the CEC decision on the establishment and demarcation of regions; and
 - (h) act on the decisions and policies of the constitutional structures of the union.

42. Composition of the Provincial Executive Committee

- (1) The PEC is composed of:



- (a) the Provincial Chairperson, Provincial Deputy Chairperson, Provincial Treasurer, Provincial Secretary and Provincial Deputy Secretary;
- (b) the Chairperson and Secretary of each Region; and
- (c) provincial officials except that they do not have voting rights at the PEC meeting.

43. Meetings of the Provincial Executive Committee

- (1) The PEC must meet at least four times per annum, at the place and on the date and time fixed by the Provincial Secretary in consultation with the Provincial Office-Bearers.
- (2) The date of the meeting may be changed only with the prior consent of the majority of the regions and the Provincial Secretary must give all PEC members 14 days notice of any change of date of a normal meeting.
- (3) Subject to subsection (4), notice of a PEC meeting must be circulated to each region by the Provincial Secretary
 - (a) at least 10 days prior to a scheduled meeting, along, with the agenda and minutes of the previous meeting and any other relevant documentation; and
 - (b) at least 48 hours before a special meeting, together with a written agenda specifying the issues requiring such a meeting.
- (4) The requirements for circulation of the notice and agenda of a special meeting may be waived with prior consent of the majority of the branches, except that no decision of a special meeting is valid if it is proved to detrimentally affect any delegate who did not receive notice of the meeting.
- (5) A special meeting of the PEC may consider only that special business which necessitated the meeting.
- (6) For purposes of commencing a meeting of the PEC and, in order for the meeting to continue:
 - (a) at least half of the provincial office-bearers must be present;



- (b) at least one delegate from a majority of the regions entitled to representation must be present; and
 - (c) a majority of the delegates present must be members in good standing.
- (7) If, in terms of subsection (6), a meeting cannot commence within 1 hour after the time fixed for it to begin the provincial office-bearers must fix a new time and date for the meeting, which must be not more than 14 days later.
- (8) Despite subsection (6), a meeting scheduled in terms of subsection (7) may commence at the time fixed for the meeting to begin, and may proceed until the agenda is completed, regardless of the number of persons present.

CHAPTER 15: PROVINCIAL CONGRESS

44. Governing Body for Provincial Structures

- (1) The CEC may establish provincial structures of the union in any province in which 2 or more regions are established in accordance with this constitution. The PC is the governing body of each provincial structure of the union.

45. Powers of the Provincial Congress

- (1) Each PC has the powers and duties as may be assigned by the CEC and NEC, which may include:
 - (a) implement decisions of the NC, CEC or NEC;
 - (b) elect a Provincial Chairperson, Deputy Chairperson, Provincial Secretary, Provincial Deputy Secretary and Provincial Treasurer from among its members every 4 years;
 - (c) the election of a Provincial Secretary and Deputy Provincial Secretary is subject to ratification by the NEC;
 - (d) consider reports from the POB's/PS and officials on activities of each service centre, Union operations in the regions and give direction if necessary;
 - (e) consider reports of the activities of the PEC and the provincial office-bearers/provincial secretariat;
 - (g) formulate policy for the province not inconsistent with the decisions of the NC, CEC and NEC or the provisions of



- this constitution; and
- (h) carry out the aims and objectives of the union with regard to the organisation of workers in the province.

46. Composition of the Provincial Congress

- (1) The PC is composed of:
 - (a) the Provincial Chairperson, Provincial Deputy Chairperson, Provincial Treasurer, Provincial Secretary and Provincial Deputy Secretary;
 - (b) delegates from each region as specified in this section; and
 - (c) all officials, except that they do not have voting rights at the PC meeting.
 - (d) Regional Chairpersons and Secretaries;
 - (e) Delegates from each Region as specified in subsection (2); and
- (2) Each region may appoint one delegate for each 200 members, or portion thereof, in that region, but every delegate must be a member in good standing at the time of appointment, and at the time of the PC meeting for which they are selected as a delegate.
- (3) Each region must advise the Provincial Secretary of the number of members in that region, the number of delegates appointed in that region, and the names of those delegates and their alternates:
 - (a) at least 30 days before an ordinary meeting of the PC; or
 - (b) at least 7 days before a special meeting of the PC.
- (4) The PC is entitled to request proof of the membership on which a region has decided its delegation.

47. Meetings of the Provincial Congress

- (1) The PC must meet at least once every four (4) years on a date and on the time fixed by the PEC.
- (2) The Provincial Secretary must give notice of a PC meeting in writing to each region in the province:



- (a) at least 30 days before a general PC meeting; or
 - (b) at least 14 days before a special PC meeting.
- (3) For purposes of commencing a PC meeting and, in order for the meeting to continue, at least half of the delegates or their alternates, from at least a majority of the regions must be present, and, for the purpose of this section, the calculation of the number of delegates representing a province may include only persons:
 - (a) who are members in good standing; and
 - (b) whose names were previously provided to the Provincial Secretary in terms of this section.
- (4) If, in terms of subsection (3), a meeting cannot commence within 2 hours after the time fixed for it to begin:
 - (a) the PEC must fix a new time and date for the meeting, within 14 days and not later than 30 days; and
 - (b) written notice of the new date for the meeting must be given by the Provincial Secretary to each region of the province.
- (5) Despite subsection (3), a meeting scheduled in terms of subsection (4) may commence at the time fixed for the meeting to begin, and may proceed until the agenda is completed, regardless of the number of persons present.

CHAPTER 16: NATIONAL OFFICE

48. National Office-Bearers and National Secretariat (Elected Officials)

- (1) The National Office-Bearers of the union are:
 - (a) the President;
 - (b) the First Deputy-President;
 - (c) the Second Deputy President; and
 - (d) the National Treasurer.
- (2) The National Secretariat (Elected Officials) of the union are:



- (a) the General Secretary; and
 - (b) the Deputy General Secretary.
- (3) Each national office-bearer:
 - (a) must serve as a member in good standing and must have been a shop steward for a minimum of at least four (4) years before being elected as a National Office –Bearer;
 - (b) must be elected for a term of four (4) years by the NC, in accordance with the provisions of subsection (5);
 - (c) assumes office on the first working day following the close of the NC meeting at which they were elected; and
 - (d) hold office until the earliest of the date on which:
 - (i) the office-bearer resigns or dies;
 - (ii) the office-bearer is removed from office in terms of section 64; or
 - (iii) the date on which the four (4) year period expires.
- (4) The General Secretary and Deputy General Secretary
 - (a) must have served as a member in good standing or as an official for a minimum period or combined period of four (4) years before being elected;
 - (b) must be elected for a term of four (4) years, by the NC, in accordance with the provisions of subsection 5;
 - (c) assumes office on the first working day following the close of the NC meeting at which they were elected; and
 - (d) hold office until the earliest of the date on which:
 - (a) the elected official resigns or dies;
 - (b) the elected official is removed from office in terms of section 64; or
 - (c) their successor assumes office after being elected by the NC.
- (5) At an ordinary meeting of the NC:
 - (a) Any member in good standing who has been a shop steward for a minimum period of at least four (4) years, who is not



a member of another union or staff association, may be nominated and seconded for election as a national office-bearer, referred to in subsection (1),(a), (b), (c) or (d).

- (b) Any person who has been a shopsteward or an official for a minimum period of at least four (4) years or a combined period may be nominated and seconded for election as General Secretary or Deputy General Secretary, as referred to in subsection (2) (a) or (b);
- (c) If only one person is nominated for a particular national office-bearer or national secretariat post, that person must be declared elected; and
- (d) If more than one person is nominated for a particular national office-bearer or national secretariat post, a vote must be taken for that office by ballot, and the candidate with the highest number of votes must be declared to that office.

- (8) Elected Officials do not have any voting rights in constitutional meetings.
- (9) The National Secretariat are elected on the same platform at the National Congress, as the National Office Bearers and in terms of authority they are equal within the national sphere of the union.
- (10) Elected officials are remunerated by the union, whilst office-bearers are remunerated by their employer.

49. **Powers and Duties of National Office-Bearers and National Secretariat**

- (1) The office-bearers and national secretariat's brief is to administer the affairs of the union in line with the Constitution, existing policies and practices of the union.
- (2) The office-bearers and national secretariat meet at regular intervals according to the exigency of matters under their control.
- (3) National office-bearers and national secretariat must:



- (a) ensure that all decisions taken at constitutional structure meetings are implemented; and
 - (b) take action, where necessary, in between decisions taken at a constitutional level or decisions of a constitutional nature.
- (4) The President must:
 - (a) preside over meetings of the NC, CEC and NEC and conduct those meetings in accordance with this constitution;
 - (b) in consultation with NOB's ensure enforcement and observance of the rules and orders of this constitution;
 - (c) after consultation with the National Treasurer and/or NOB's and NS's collective co-sign the national banking accounts and sign minutes of meetings of the NC, CEC and NEC; and
 - (d) together with other NOB's and NS, supervise the affairs of the union and perform duties incidental to the office subject to the resolution of the NEC, CEC or congress and more importantly in compliance with the constitution of the Union.
- (5) First and Second Deputy-Presidents must each:
 - (a) assist the President, and perform any duties of the President that are delegated to them; and
 - (b) perform the duties of the President if for any reason the President is unable to perform them.
- (6) If neither the President nor Deputy-President is able to perform the duties of the President, the CEC must appoint someone from the CEC to act as President until:
 - (a) the President or one of the Deputy-Presidents are able to perform the duties of the President; or
 - (b) a new President or Deputy-President is elected.
- (7) The National Treasurer must:
 - (a) supervise the financial affairs of the Union;



- (b) endorse all accounts for payment and sign cheques on the national banking accounts of the union;
 - (c) submit and present statements of the national accounts for each month to the CEC and NEC, and for each annual period to the NC; and
 - (d) perform duties usual to the office of the Treasurer, or as are reasonably required by the NC, CEC or NEC.
- (8) The General Secretary:
- (a) is responsible for keeping books and accounts of the union as required in terms of the Act, and by the NEC;
 - (b) must assist the National Treasurer in submitting statements of income and expenditure of the union to each meeting of the NC, CEC and NEC;
 - (c) is responsible for preparing, and circulating to the CEC and NEC, the annual report of activities of the union, including in it:
 - (i) statements of income and expenditure, and a balance sheet, all certified by the union's auditors; and
 - (ii) the auditor's report;
 - (d) is responsible:
 - (a) for the correspondence of the union and for tabling it at meetings of the NEC, CEC and NC;
 - (b) for sending out notices and minutes of all meetings of the NC, CEC and NEC and any other committee;
 - (c) to supervise the work of the provincial secretaries and all officials of the union; and
 - (d) for the general organising and co-ordinating of work of the union and for the general office work and administration of the affairs and activities of the union;
 - (e) may institute and defend legal proceedings in the name of the union in urgent circumstances;
 - (f) must undertake any other duty that is necessary or requested by the NC, CEC or NEC; and
 - (g) the General Secretary shall perform the duties imposed



on him/her by sections 98,99 and 100 of the Labour Relations Act, 1995, relating to the keeping of records and the furnishing of information to the Registrar.

- (6) The Deputy General Secretary must:
- (a) assist in the performance of the duties of the General Secretary; and,
 - (b) perform those duties if the General Secretary is unable to perform them.

CHAPTER 17: NATIONAL EXECUTIVE COMMITTEE

50. Establishment and Powers

- (1) The NEC exercises the executive functions of the union within its national sphere of operations. The NEC:
- (a) may not make or amend any policy decision of the union;
 - (b) must carry out union policy as determined by the NC and the CEC;
 - (c) is responsible for the conduct of the day-to-day running of the union; and
 - (d) may delegate any of its powers and duties to any office bearer in the union.
- (2) In addition to its general authority in terms of subsection (1), the NEC has the authority to:
- (a) consider reports from the National office-bearers, national secretariat and officials on activities of each department and union operations in the provinces, and give directions if necessary;
 - (b) determine the creation, maintenance and termination of employment posts for the effective running of the union;
 - (c) hire, determine employment terms and conditions for, and discharge, employees and officials of the union, other than the General Secretary and Deputy General Secretary;
 - (d) open, operate and close bank accounts of the union;
 - (e) generally control the funds and finances of the union;
 - (f) borrow or raise money, including the imposition of levies,



- and invest the funds of the union;
 - (g) allocate float amounts and other funds to respective PEC's;
 - (h) institute and defend legal proceedings in the name of the union;
 - (i) appoint attorneys to act for the union and appoint any person to sign a document in connection with or on behalf of the union;
 - (j) acquire, deal with or dispose of any property on behalf of the union;
 - (k) make decisions and determine procedures consistent with this constitution to regulate union affairs such as:
 - (i) election, balloting or meeting procedures; or
 - (ii) union discipline and appeals; and
 - (iii) deal with any matter delegated to it by the CEC.
- (3) Every decision of the NEC:
- (a) must be consistent with this constitution and with any relevant decision of the NC or CEC; and
 - (b) is subject to confirmation by the CEC.

51. Composition of the National Executive Committee

- (1) The NEC is composed of:
- (a) the national office-bearers;
 - (b) the national secretariat, except that they do not have voting rights at the NEC;
 - (c) each provincial chairperson and secretary; and
 - (d) heads of the various departments of the union, except that they do not have voting rights at the NEC meeting.

52. Meetings of the National Executive Committee

- (1) The NEC must meet at least twice a year at the place and on the date and time fixed by the General Secretary in consultation with the NOB's.
- (2) A special meeting of the NEC may be called at any time by the General Secretary in consultation with the NOB's or at the request of two thirds of the provincial executive committees



submitted in writing to the General Secretary.

- (3) A special meeting of the NEC may consider only that special business which necessitated the meeting.
- (4) The General-Secretary must give notice of an NEC meeting in writing, with an agenda attached, to each Provincial Secretary:
 - (a) at least 14 days before a general NEC meeting; or
 - (b) at least 3 days before a special NEC meeting.
- (5) For purposes of commencing a meeting of the NEC and, in order for the meeting to continue:
 - (a) at least half of the national office-bearers and national secretariat must be present;
 - (b) at least half of the delegates or their alternates, from each of at least two-thirds of the Provinces must be present; and
 - (c) a majority of the delegates present must be members in good standing.
- (6) If, in terms of subsection (4), a meeting cannot be commenced within 2 hours after the time fixed for it to begin:
 - (a) the General Secretary in consultation with the NOBs must fix a new time and date for the meeting, which must be no less than 7 days, and no more than 14 days, after the original date for that meeting; and
 - (b) the General Secretary must give written notice in writing to each Provincial Secretary of the new date for the meeting.
- (7) Despite subsection (4), a meeting scheduled in terms of subsection (5) may be commenced at the time fixed for the meeting to begin, and may proceed until the agenda is completed, regardless of the number of persons present.

CHAPTER 18: CENTRAL EXECUTIVE COMMITTEE

53. Establishment and Powers

- (1) The CEC develops the policy of the union between meetings of



the NC, and has the necessary powers usual for such a body to give effect to the aims and objectives of the union, including the power to:

- (a) give broad direction concerning organisational, political, educational and policy issues within the union;
 - (b) pass resolutions consistent with the resolutions passed by the NC;
 - (c) establish and determine the nature, membership and scope of sub-committees;
 - (d) ratify decisions of the NEC;
 - (e) approve the annual audited financial statements and balance sheet of the union and submit these to the NC;
 - (f) determine budget guidelines;
 - (g) establish or dissolve branch, region and provincial structures of the union and demarcate the jurisdiction of such branches and provinces and delegate powers to the PC and PEC; and
 - (h) appoint acting national office-bearers or national secretariat officials to fill vacancies.
- (2) National Office-Bearers, national secretariat and union officials attending meetings of the CEC have full speaking rights but no voting rights.

54. Composition of the Central Executive Committee

- (1) The CEC is composed of:
- (a) the national office-bearers listed in section 48(1);
 - (b) the national secretariat listed in section 48(2);
 - (c) all NEC delegates who are chairpersons and secretaries of provinces and heads of departments: and
 - (d) the chairperson and secretary of each region.

55. Meetings of the Central Executive Committee

- (1) The CEC must meet at least once a year at the place and on the date and time fixed by the NEC.
- (2) The General Secretary must call a special meeting of the CEC if:



- (a) on the request of the NEC; or
 - (b) if at least one-third of the PEC's request a special meeting in writing to the General-Secretary.
- (3) A special meeting of the CEC may consider only the special business that necessitated the special meeting.
- (4) The General-Secretary must give notice of a CEC meeting in writing to each Provincial Secretary and to each Regional Secretary:
 - (a) at least 30 days before a general CEC meeting; or
 - (b) at least 14 days before a special CEC meeting.
- (5) For purposes of commencing a meeting of the CEC and, in order for the meeting to continue:
 - (a) at least two-thirds of the NEC members and regional chairpersons and secretaries must be present; and
 - (b) a majority of the delegates present must be members in good standing.
- (6) If, in terms of subsection (5), a meeting cannot be commenced within 2 hours after the time fixed for it to begin:
 - (a) the General Secretary must fix a new time and date for the meeting, which must be no less than 14 days, and no more than 24 days, after the original date for that meeting; and
 - (b) the General Secretary must give written notice in writing to each Provincial Secretary and Regional Secretary of the new date for the meeting.
- (7) Despite subsection (5), a meeting scheduled in terms of subsection (6) may be commenced at the time fixed for the meeting to begin, and may proceed until the agenda is completed, regardless of the number of persons present.

CHAPTER 19: NATIONAL CONGRESS

56. Governing Body of the Union



- (1) The NC is the highest governing body of the union.

57. Powers of the National Congress

- (1) The NC may:
 - (a) adopt any policy measures to further the political, socio-economic and organisational policy framework of the union;
 - (b) amend the constitution;
 - (c) review credentials of the delegates;
 - (d) receive the reports of the CEC, national office-bearers and national secretariat, and make any decision arising from those reports;
 - (e) receive and consider the financial report and approve the auditor's report and financial statements;
 - (f) approve nominations for, and elect national office-bearers and national secretariat;
 - (g) consider any resolution concerning the removal or reinstatement of a national office-bearer; and
 - (h) deal with any other matter that is in the interest of the union.

58. Composition of the National Congress

- (1) The NC is composed of:
 - (a) the members of the NEC; and
 - (b) delegates from each province, as specified in this section.
- (2) Each province may appoint one delegate for every 500 members in that province.
- (3) Every delegate must be either a member in good standing or an official of the union at the time of appointment, and at the time of the NC meeting for which they are selected as a delegate except that the union officials do not have voting rights at the NC meeting.
- (4) In each province, the Provincial Secretary must advise the General Secretary of the number of members in that province, the number of delegates appointed from that province, and the



names of those delegates and their alternates:

- (a) at least 30 days before an ordinary meeting of the NC; or
 - (b) at least 14 days before a special meeting of the NC.
- (5) The General Secretary is entitled to obtain proof of the membership on which a province has decided its delegation.

59. Meetings of the National Congress

- (1) The NC must meet at least once every 4 years, at the place, and on the date and at the time fixed by the NEC.
- (2) The General Secretary must call a special meeting of the NC if at least two-thirds of the PEC's request a special meeting in writing to the General Secretary.
- (3) A special meeting of the NC may consider only that special business which necessitated the meeting.
- (4) The General Secretary must give notice of a NC meeting in writing to each PEC:
 - (a) at least 60 days before an ordinary NC meeting; or
 - (b) in the case of a special meeting, within a number of days determined by the NOB's and national secretariat, which may not be less than 7 days before that special NC meeting.
- (5) For purposes of commencing a meeting of the NC and, in order for the meeting to continue, at least half of the voting delegates or their alternates, from each of at least two-thirds of the province must be present.
- (6) If in terms of subsection (5), a meeting cannot be commenced within 3 hours after the time fixed for it to begin:
 - (a) the NOBs and national secretariat must fix a new time and date for the meeting, which must be within 30 days after the original date for that meeting; and
 - (b) the General Secretary must give written notice in writing to each PEC of the new date for the meeting.



- (7) Despite subsection (5), a meeting scheduled in term of subsection (6) may commence at the time fixed for the meeting to begin, and may proceed until the agenda is completed, regardless of the number of members present.
- (8) For all purposes of this section, the calculation of the number of delegates representing a province may include only persons:
 - (a) who are members in good standing; and
 - (b) whose names have been provided to the General Secretary in terms of section 58(4).

CHAPTER 20: REMOVAL OF SHOP STEWARDS, OFFICE-BEARERS AND ELECTED OFFICIALS FROM OFFICE

60. Removal from Office

- (1) Any shop steward holding any position in the union, shall no longer hold that position if:
 - (a) they are no longer employed in the workplace, which elected them;
 - (b) they are no longer employed within the scope of the union;
 - (c) they fail to attend three consecutive meetings of the council and/or committee, which elected that person without sending a written reason;
 - (d) they fail to be in good standing with the union;
 - (e) the union suspends or expels them; and/or
 - (f) they are unable to perform their duties.
- (2) any office-bearer or elected official holding any position in the union shall no longer hold that position if:
 - (a) they fail to attend three consecutive meetings of the council and/or committee, which elected that person without sending a written reason;
 - (b) they fail to be in good standing with the union;
 - (c) the union suspends or expels them; and
 - (d) they are unable to perform their duties.



61. Discipline of Shop Stewards

- (1) A shop steward or elected official who fails to comply with the terms of this constitution, or who acts in a manner which is detrimental to the interests of the union and its members, or who is alleged to have committed misconduct, may be disciplined by the REC, PEC, NEC or CEC, as the case may be.
- (2) The relevant structure referred to in section (61)(1) above is required to comply with the disciplinary procedure set out in section 63.

62. Discipline of Office-Bearers and Elected Officials

- (1) Where a branch, regional or provincial office-bearer fails to comply with any of the terms of this constitution, or who acts in such a manner that is detrimental to the interests of the union and its members, or who is alleged to have committed misconduct may be disciplined by the BEC, REC, PEC, NEC, CEC as the case may be.
- (2) Where a national office-bearer, or elected official fails to comply with any of the terms of this constitution, or who acts in such a manner that is detrimental to the interests of the union and its members, or who is alleged to have committed misconduct may be disciplined by the CEC.
- (3) The BEC, REC, PEC, NEC or CEC is required to follow the disciplinary procedure set out in this Constitution.

63. **DISCIPLINARY PROCEDURE FOR A MEMBER, SHOP STEWARDS, OFFICE-BEARERS and ELECTED OFFICIALS as follows:**

- (1) The union may place a member, shop steward, office-bearer and elected official on precautionary suspension for a period not exceeding 30 days, such action to be imposed by the relevant authority i.e. BEC, REC, PEC, NEC or CEC. The period of the precautionary suspension may only be extended by the chairperson of the disciplinary inquiry on application inside the disciplinary hearing.
- (2) when intending to discipline a member of the BEC, REC, PEC,



NEC or the CEC as the case may be, must:

- (a) advise the person concerned in writing giving not less than seven (7) days' notice of the charges against him/her and the date, time and place of his/her hearing. This notice may be sent by registered post to the last known address of the person charged or delivered by hand;
 - (b) from amongst themselves appoint a person, or persons to prosecute the enquiry.
 - (c) from a higher executive structure appoint a person to preside over the hearing.
 - (d) in exceptional circumstances, the union may appoint an external person to preside over or to prosecute in the enquiry.
- (3) the following are a guide but are not an exhaustive list of possible misconducts which may result various sanctions as stipulated in clause 63(7):
 - (a) acting against the interest of the union;
 - (b) violation of the union's constitution, policies, practices, procedures and membership code.
 - (c) failing to attend more than three (3) consecutive meetings of the BEC, REC, PEC, NEC or CEC without a reason or apology acceptable to the relevant committee.
 - (d) placing the name of the union into disrepute.
- (4) If the BEC, REC, PEC, NEC or CEC as the case may be, is satisfied that:
 - (a) the person charged although absent received the notice;
 - (b) the person charged is present ;
 - (c) of BEC, REC, PEC, NEC or CEC may proceed to hear and determine the charge.
 - (d) impose a fine and may suspend a person from membership until such fine is paid;
 - (e) impose any other such penalty, not listed above as it deems fit.
 - (f) While disciplinary proceedings are pending, a shop steward, office-bearer or elected official cannot stand for election.



- (5) at the hearing the person concerned shall have the opportunity to state his/her case personally and to call witnesses in support of his/her case.
- (6) in each case the person concerned must receive written notice of right to appeal to the upper structure (REC, PEC, NEC and CEC as the case may be within seven (7) days of being notified of the sanction.
- (7) If, in its opinion, the charge has been satisfactorily proven, the BEC, REC, PEC, NEC and CEC may:
 - (a) remove the shop steward or office-bearer or elected official (as the case may be) from office.
 - (b) Expel the member, shop steward or office bearer from the union, or dismiss the elected official from employment by the union in terms of the union's staff policy;
 - (c) suspend him/her for a definite period from membership of/or employment in the union;
 - (d) impose a fine and may suspend a person from membership until such fine is paid;
 - (e) impose any other such penalty, not listed above as it deems fit.
- (8) the appeal must be referred to the relevant appeal structure as referred to in clause 62(6) for consideration. The appeal decisions are final and binding.

64. Removal by Ballot

- (1) In addition to any other provision in this constitution for the removal of office-bearers and elected officials, these persons may be removed from office in the following way:
 - (a) at least 30% of the members, in good standing, in the constituency in which the affected person was elected or appointed, must prepare a written request for the removal of the office-bearer or elected official which is then sent to the higher Executive Committee; and
 - (b) that Executive Committee must arrange for a ballot of all the members in good standing in such constituency to determine the matter.



65. Appeal Procedure

- (1) Shop stewards may appeal against the decision of the BEC, the REC, or the PEC to the NEC in accordance with the appeals procedures.
- (2) Branch, regional and provincial office-bearers and elected officials may appeal against the decision of the BEC, REC, or the PEC to the NEC in accordance with the appeal procedure.
- (3) National office-bearers may appeal the decision of the CEC to the NC.
- (4) The higher structure of the union hearing the appeal has the power to confirm, vary or reverse the decision to discipline and this is the final decision of the union.

66. Vacancies arising from Removal

- (1) Vacancies in any position shall be filled in the manner prescribed for that position.
- (2) A member elected to fill a vacant position shall hold office for the unexpired period of the term of office of that member's predecessor.

CHAPTER 21: MEETING PROCEDURES

67. Rules of Procedure at Union Meetings

- (1) The President, Chairperson or other most senior person at the meeting shall chair the meeting. In their absence, the First Deputy-President or Deputy-Chairperson must chair the meeting. In the President and First Deputy-President's absence, the Second Deputy-President must chair the meeting. In their absence, the meeting may decide who is to chair.
- (2) The business of union meetings must proceed in accordance with the agenda, unless otherwise decided by the meeting, subject to the following rules:
 - (a) no questions other than those appearing on the agenda



will be debated, except that the meeting by resolution may agree to discuss a matter not included on the agenda;

- (b) every matter for consideration must be brought by motion duly seconded and will be voted by a show of hands except if the meeting decides on a vote by ballot;
- (c) a two-thirds majority is needed for a decision made by the CEC, NEC, PEC, REC or BEC or any other committee;
- (d) a simple majority is needed for a decision to be made by the NC, PC, RC or BC;
- (e) no motion that has already been debated and determined may be considered, varied or debated again or rescinded at that meeting, unless the meeting decides otherwise;
- (f) a chairperson may make a ruling on any matter of procedure;
- (g) a ruling given by the chairperson is final except that this ruling may be rescinded by a motion supported by a majority of members present; and
- (h) if a meeting requires any delegate(s) to withdraw from the meeting, such delegate(s) must withdraw from the meeting for such a period as the meeting decides, after a vote of the meeting on the issue.

68. Minutes

- (1) Full minutes of a meeting must be kept by the secretary to the relevant structure of the union and must be circulated no later than 14 days following the meeting.

CHAPTER 22: BALLOTS

69. When must a ballot be taken?

- (1) A ballot must be taken:
 - (a) when required by any law;
 - (b) when required by this constitution; and
 - (c) if a decision is taken to this effect by any structure of the union.

70. Decision of Ballot

- (1) Except as provided in this constitution, the relevant structure of



the union is bound to take the action according to the decision of a majority of the members voting in a ballot subject to:

- (a) this constitution; and
- (b) the decisions of the CEC and the NEC.

71. Jurisdiction of Ballot

- (1) The PEC, REC or BEC may confine a ballot to the members of a particular province, region or branch regarding matters affecting those members.

72. Ballot Procedure

- (1) The union, before calling a strike, will conduct a ballot in respect of its members who will participate in the strike; and
- (2) the members of the union who do not participate in a strike, where no ballot was held, or the majority of the members did not vote in favour of the strike, will not be disciplined or have their membership terminated for their failure or refusal to participate in the strike.
- (3) The following is the ballot procedure:
 - (a) the relevant structure/meeting of the union appoints at least two monitors who;
 - (b) may be members of the union; and who
 - (c) must supervise the ballots being counted.
- (4) Each voter shall, in the presence of a monitor, be issued with a ballot paper which:
 - (a) clearly describes the issue; and
 - (b) makes it impossible to identify the voter.
- (5) The voter must make his/her mark in secret and deposits the ballot paper in a ballot box.
- (6) On completion of the ballot or as soon as possible thereafter, the monitor must count the votes. If there is an election the candidates can watch the counting of the votes.



- (7) The monitor must then inform the Chairperson of the results.
- (8) The Chairperson must then inform the meeting or committee of the results.
- (9) The branch, regional, provincial and General Secretary must keep branch, regional, provincial and national ballot papers. These ballot papers must be kept for three years.

PART THREE

CHAPTER 23: UNION FINANCES

73. Receipt and Use of Union Funds

- (1) Union funds consist of all money received by means of subscription fees, levies, donations, functions and in any other manner within the framework of this constitution.
- (2) Union funds received by the General Secretary must be deposited to the union's credit within 5 days of receipt.
- (3) Funds may be used for investment, payment of expenditure relating to the acquisition of property and for other purposes as may be decided by the NC or the CEC for the achievement of the aims and objects of the union, but no profits or gains will be distributed to any person.
- (4) Funds contributed by members of the union for a specific purpose must not be used for any other purpose except with the written consent of the contributing member.
- (5) Float amounts and other funds must be allocated to each PEC, by the NEC from time to time.
- (6) All membership subscriptions and other amounts due to the union collected from members, whether or not through check-off, must be deposited into a national banking account as soon as possible, but in any event within 5 days of receipt.

74. Financial Year



The union's financial year is from January 1 to December 31.

75. Financial Committee

- (1) A financial committee (referred to as Fincom) is established and reports to the NEC.
- (2) Fincom must meet three times a year before NECs and before CEC and is composed of:
 - (a) the National Treasurer;
 - (b) the General Secretary and/or Deputy General Secretary; and
 - (c) Provincial Treasurers.
- (3) Fincom is responsible for:
 - (a) assisting the national treasurer;
 - (b) preparing financial reports for the NEC;
 - (c) recommending amendments or additions to the financial policy;
 - (d) monitoring the union's accounts and querying unusual expenditure;
 - (e) making recommendations regarding financial requests from provincial bodies of the union;
 - (f) proposing ways of making the union self-sufficient; and
 - (g) preparatory work regarding the union's budget.
- (4) All income and expenditure must be reported to each meeting of the NEC and such reports must include a clear statement of any unbudgeted expenditure.
- (5) The NEC is responsible for ratification of all expenditure by the union, except that expenditure on immovable property and vehicles is subject to approval of the CEC.
- (6) There must be 6 signatories to the national banking account, which will be appointed by the CEC, and any cheques issued by the union must be signed by two of the signatories.
- (7) There must be a majority of provinces present at a FINCOM meeting in order for its recommendations to be endorsed by the NEC.



76. Banking Authority

- (1) No person is authorised to open an account in any bank in the name of “National Education Health and Allied Workers’ Union”, “NEHAWU” or any other similar name without:
 - (a) the explicit written authority of a resolution of the NEC on official union letterhead signed by at least 3 of either the President, First Deputy-President, Second Deputy-President, National Treasurer, General Secretary or Deputy General Secretary; and
 - (b) subsequent written confirmation by either the National Treasurer or General Secretary.
- (2) The General Secretary must take reasonable steps to draw this provision to the attention of financial institutions.

77. Provincial Finance

- (1) All income and expenditure within the provincial sphere must be reported to each meeting of the PEC for ratification and the report must include a clear statement of any unbudgeted expenditure.
- (2) Any cheque issued by a provincial body of the union must be signed by any two of the office-bearers.

78. Regional Finance

- (1) The region has the financial duty and responsibility delegated to it by the PEC or the NEC.

79. Branch Finance

- (1) The branch has the financial duty and responsibility delegated to it by the PEC, the REC or the NEC.

80. Property of the Union

- (1) The NEC or PEC, as the case may be, holds in trust, as property of the union:



- (a) any gift made to the union;
 - (b) any gift made to an office-bearer or official of the union in the course of service to the union;
 - (c) any revenue raised by the union from any source;
 - (d) any account in a financial institution in the name of the union;
 - (e) anything purchased with any revenue or gift, or exchanged for any property of the union;
 - (f) copyright in any material or publication either:
 - (a) produced at the expense of the union; or
 - (b) contributed to the union by the original creator of that material or publication;
 - (g) anything else that would be generally recognised as being the property of the union in accordance with ordinary commercial conduct.
- (2) CEC must establish policies for the acquisition, maintenance, insurance, management, use and disposal of property of the union.
- (3) The General Secretary is responsible to maintain a current inventory of the property of the union, and attach a summary of that inventory to the report.

81. Credit and Debt

- (1) The NEC may:
- (a) borrow money on the credit of the union;
 - (b) pledge any property of the union as security for any debt, goods or services; and
 - (c) pledge the credit of the union in exchange for goods and services.
- (2) The CEC must establish policies:
- (a) regulating the undertaking of debt and pledging of credit;
 - (b) regulating the liquidation of debt; and
 - (c) limiting the total debt of the union.



- (3) The General Secretary must maintain a current inventory of the debt and credit obligations of the union, noting any item of property of the union that is specifically encumbered by debt, and attach a summary of that inventory to the report.

82. Liability, Indemnity and Insurance

- (1) The union accepts responsibility for any liability incurred in the course of service to the union by any office-bearer or official of the union, unless the liability arose from conduct of the office-bearer or official that involved:
 - (a) gross or criminal negligence;
 - (b) fraud or deliberate deception;
 - (c) a misrepresentation of the authority of that office-bearer or official; or
 - (d) that office-bearer or official taking improper personal advantage of an opportunity available to the union.
- (2) The NEC may identify any office-bearer or official of the union for any loss or claim arising out of conduct for which the union accepts responsibility as set out in subsection (1).
- (3) The CEC must adopt a policy setting out:
 - (a) rules of conduct for office-bearers and officials of the union; and
 - (b) the circumstances in which, and the extent to which, the union will assume responsibility within the scope of subsection (1) and provide indemnification within the scope of subsection (2).
- (4) The NEC may purchase liability insurance to protect the union from losses or claims that fall within the scope of the union's assumed responsibility in terms of this section.

CHAPTER 24: GENERAL PROVISIONS

83. Enhancing Participation of Women in the Affairs of the Union

- (1) When appointing any office-bearer or official of any structure of the union or any member to a committee or other organ of the



union, or when determining the representatives or alternatives to any meeting of the union, due regard must be given to enhancing the participation of women in the affairs of the union.

- (2) The structures of the union must, by resolution, determine the manner in which the participation of women in the affairs of the union may be perpetually enhanced.

84. **Dissolution by Resolution**

- (1) The union may be dissolved by resolution supported by not less than three-quarters of those voting on the resolution at a NC meeting, subject to section 103 of the Labour Relations Act.
- (2) If a resolution to dissolve the union is passed or if, for whatever reason, the union is unable to continue to function, the following rules apply:
 - (a) The last President or any available national office-bearer must immediately send to the Labour Court a signed statement setting forth the resolutions adopted or the reasons for the union's inability to continue to function.
 - (b) The NC or any available national office-bearer must appoint a liquidator to carry out the winding-up of the union's affairs.
 - (c) The liquidator must not be a member of the union and must be paid such fees as are agreed upon by the national office-bearers;
 - (d) If the liquidator and the national office-bearers cannot agree on the fees, the Registrar of the Labour Court will fix the basis on which the liquidator will be paid.
 - (e) The liquidator's fees and expenses rank in order of preference as though the liquidator were a trustee of an insolvent estate and as though the expenses were the cost of sequestration of an insolvent estate.
- (3) After payment of all debts, any remaining assets are to be given to any other non-profit, tax-exempt organisation or organisations with similar objectives to those of the union,



failing which the liquidator may dispose of the remaining assets in terms of section 103(5) of the LRA.

85. Registration of NEHAWU Logo

- (1) The Logo that is presently reflected on all documentation and representations of the union is registered with the Council of South African Trademarks as the sole trademark and property of the union.
- (2) No person, body, agency, affiliate or other institute whether in a personal or official capacity may have the right to use the said logo without the full knowledge, consent and express approval by the NEC of the union in writing. Such written approval will set out the reasons for the use of the logo and express terms and conditions for such usage.

86. Amendments to Constitution

- (1) Subject to subsection (2) and (3), any provision of the constitution may be repealed or amended by resolution passed by a two-thirds majority at a meeting of the NC:
 - (a) a notice of the proposed amendment has been sent to the General Secretary;
 - (b) the General Secretary has circulated the proposal to every Provincial Secretary and to the members of the NC; and
 - (c) the proposal has been placed on the agenda for that meeting.
- (2) A proposal may not be placed on the agenda of a meeting of the NC if it would result in the repeal of any provision that is required in terms of the Act to be included in the constitution, unless the proposal also includes a replacement provision that satisfies the requirements of the Act.
- (3) An amendment takes effect only upon being approved by the Registrar of Labour Relations in terms of section 101 of the Act.

87. Interpretation

- (1) If any doubt arises as to the meaning of any provision of this



constitution the interpretation of that provision is the responsibility of the NC:

- (a) which must decide any matter of interpretation by majority vote; and
 - (b) whose decisions are the final interpretation of the provision in question.
- (2) Despite subsection (1), the CEC may make an interim ruling on constitution interpretation at any time between meetings of the NC.
- (3) Every person interpreting and applying the constitution:
 - (a) must prefer a reasonable interpretation of a by-law, statement of policy, or decision that is consistent with the constitution over an interpretation that conflicts with the constitution;
 - (b) must give a liberal construction to the provisions of the Constitution, in a manner consistent with the Bill of Rights, the Labour Relations Act, and the traditions of the union;
 - (c) may consider applicable legal precedents; and
 - (d) may consult any recognised authority for the meaning of words not specifically defined in this chapter.
- (4) Words importing the singular include the plural, and vice versa.
- (5) Wherever any period between two events is expressed as a number of days, the days on which the first and second event take place is not to be counted.
- (6) The power to appoint includes the power to replace.
- (7) The power to make a rule or policy includes the power to amend or repeal that rule or policy.
- (8) The word “province”, when used as a geographic reference, means a particular province as defined in the Constitution of the Republic of South Africa, 1996 and when used to refer to a constituent element of the union means the operation of the union within a province.



- (9) The words “the Act” means the Labour Relations Act, 1995, as amended.)go back and change)

88. Notice

- (1) Unless the constitution provides otherwise, any notice to members may be sent by ordinary post to the address that the member most recently reported to the union.
- (2) Except as otherwise provided in this constitution, the inadvertent failure of the union to give notice of a meeting to a member does not invalidate the notice, the meeting or any business conducted at that meeting.

89. Transition from Prior Constitution

- (1) Prior to this Constitution being registered by the Registrar, the provisions of the previous Constitution will prevail.
- (2) On registration of this Constitution the previous Constitution is repealed.
- (3) Any action taken in terms of a previously adopted constitution must be regarded as being taken in terms of the corresponding provision in this constitution.

90. Commencement of this Constitution

- (1) This constitution takes effect following the Registrar of Labour Relations, appointed in terms of section 108 of the Act, accepting the constitution in terms of section 101(3) and (4) of the Act.

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We, the President and the General Secretary of the Union, certify that the provisions and regulation of the adoption of this constitution have been complied with.

Signed in Johannesburg on the 12th day of October 2022.

A stylized, cursive signature in black ink, consisting of several loops and a long horizontal stroke at the end.

President

A stylized, cursive signature in black ink, featuring a large 'S' and several vertical strokes.

General Secretary



Definitions

Appointed Official	An “appointed official” means an employee of the union employed as an Organiser or in any other capacity.
Branch	A Branch is constituted when a workplace has 50 or more members and such Branch has been launched by the Region.
Branch Congress	Is the constitutional structure that is the governing body of a Branch.
Branch Executive Committee	Is the constitutional structure that manages and administrates the affairs of the Branch.
Branch Office Bearer	Means the Branch Chairperson, Branch Deputy Chairperson, Branch Treasurer, Branch Secretary and Branch Deputy Chairperson.
Central Executive Committee	The CEC is the constitutional structure that develops policy and gives effect to the aims and objectives of the union.
Elected official	means any person who is elected in a constitutional meeting as an office-bearer to hold office as a Regional or Deputy Regional Secretary, Provincial or Deputy Provincial Secretary and General or Deputy General Secretary (if the elected person is not a member). Elected officials do not have any voting rights in NEHAWU constitutional meetings.
Member	means a person, other than an official, who pays membership fees due to the union and is in good standing in terms of this constitution.
National Congress	is the constitutional structure that is the highest governing body of the union.



National Executive Committee

The NEC is the constitutional structure that exercises the executive functions of the union within its national sphere of operations.

National Office Bearer

means the President, First Deputy President, Second Deputy President and National Treasurer, elected at National Congress.

National Secretariat

means the General Secretary and Deputy General Secretary, elected in a National Congress

Office Bearer

means a person, other than an official, unless expressly allowed for in this constitution, who holds office in the union nationally, provincially, regionally and at a branch levels specified in this constitution.

Provincial Congress

is the constitutional structure that is the governing body of a Province.

Provincial Executive Committee

is the constitutional structure that manages the affairs of a Province,

Provincial Office Bearer

means the Provincial Chairperson, Provincial Deputy Chairperson and Provincial Treasurer, elected at a Provincial Congress.

Provincial Secretariat

means the Provincial Secretary and Deputy Provincial Secretary, elected at a Provincial Congress

Region

is established and demarcated by the PEC in line with CEC decisions.

Regional Congress

is the constitutional structure that is the governing body of a Region.



Regional Executive Committee	is the constitutional structure that manages the affairs of a Region.
Regional Office Bearer	means the Regional Chairperson, Regional Deputy Chairperson and Regional Treasurer, elected at a Regional Congress.
Regional Secretariat	means the Regional Secretary and Deputy Regional Secretary, elected at a Regional Congress.
Shop steward	means a member in good standing at a workplace/branch, who is elected by the members at that workplace/branch, as their union representative.
Shop Stewards Committee	is the constitutional structure responsible for managing the affairs of a workplace that is not constituted as Branch.
Union	means the National Education Health and Allied Workers Union (NEHAWU) as established in terms of section 1 of this constitution.



Abbreviations

BC	Branch Congress
BEC	Branch Executive Committee
BOB	Branch Office Bearer
RC	Regional Congress
REC	Regional Executive Committee
ROB	Regional Office Bearer
PC	Provincial Congress
PEC	Provincial Executive Committee
POB	Provincial Office Bearer
NOB	National Office Bearer
NEC	National Executive Committee
CEC	Central executive Committee
NC	National Congress

