



# **CONSTITUTION AND STANDING ORDERS**

# INTRODUCTION

The draft of the Constitution of the Irish Congress of Trade Unions was approved by the Committee of the Provisional United Trade Union Organisation on 28 July 1958 and subsequently by the Central Council of the Congress of Irish Unions (founded 1945) and the National Executive of the Irish Trade Union Congress (founded 1894). The Constitution was approved by Special Delegate Conferences of the CIU and the ITUC on 10 February 1959. On 11 February 1959, the Provisional United Trade Union Organisation was dissolved and the Irish Congress of Trade Unions established.

Apart from amendments varying affiliation fees, amendments were made by Delegate Conferences to the Constitution as follows:

<b>Section I.</b>	<b>Name and Membership</b> (1982, 2004)
<b>Section II.</b>	<b>Objects</b> (1973, 1995, 2003)
<b>Section III.</b>	<b>Functions</b> (1995)
<b>Section IV.</b>	<b>Annual and Special Delegate Conferences</b> (1961, 1982, 1989, 1990, 1991, 1993, 1995, 1997, 1999, 2001)
<b>Section V.</b>	<b>Finance</b> (1966, 1982, 1997, 1999, 2001, 2003)
<b>Section VI.</b>	<b>Executive Council</b> (1960, 1964, 1966, 1970, 1971, 1972, 1981, 1982, 1983, 1984, 1990, 1991, 1995, 2004)
<b>Section VII.</b>	<b>Disputes between Unions</b> (1963, 1964, 1965, 1982, 2001)
<b>Section VIII.</b>	<b>Appeals Board</b> (1963, 1964, 1965, 1982, 1993, 2003)
<b>Section IX.</b>	<b>Amendment of Constitution</b> (1990), <b>Standing Orders</b> (1989, 1990, 1995, 2001, 2004)
<b>Section X.</b>	<b>Transitional Provisions</b> (1970)

An index to the main references to bodies set up under the Constitution and Standing Orders will be found on page 2.

The present text is as amended at the Special Delegate Conference in 2004.

A list of the Officers of Congress from 1959 to date is given on pages 34-36

David Begg  
General Secretary

January 2008

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## Officers of Irish Congress of Trade Unions

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# Constitution of the Irish Congress of Trade Unions

## 1. NAME AND MEMBERSHIP

**1**

The central authority for the Irish Trade Union Movement shall be entitled "The Irish Congress of Trade Unions".

**2**

Trade Unions shall be eligible for affiliation to Congress if they conform to either of the following conditions:

- (a) Trade Unions shall have their headquarters in Ireland and their executive control, in respect of industrial, financial and political matters, vested in and exercised by appropriate executive bodies within Ireland.

or

- (b) Where a Trade Union's organisation and membership extends outside Ireland and its executive authority is exercised from headquarters outside Ireland, it shall be eligible to affiliate to Congress only if it complies to the satisfaction of the Executive Council with the following requirements:

- (i) The Trade Union shall provide that only members of the Trade Union resident in Ireland may be appointed as delegates to a Biennial or Special Delegate Conference, or nominated for election to any office in Congress.

- (ii) The Trade Unions shall provide that decisions on matters of an industrial or political nature which arise out of and are in connection with the internal economic and political conditions of Ireland and are of direct concern to Irish members only, shall be considered and decided upon by Irish members provided that the decisions shall have due regard to and shall not prejudice the position of members outside Ireland. A Delegate Conference of Irish members or an Irish Committee elected by the Irish membership, shall make such decisions.

and

- (iii) The Trade Union shall make reasonable provision whereby the Irish Committee or Conference may exercise financial control and direction over funds collected from Irish members at least to the extent of payment of local administrative expenses and/or benefits or certain benefits.

- (c) Providing they have at least 500 members employed in Ireland. This condition will not apply to unions affiliated prior to 2004



**3**

Trade Unions shall affiliate to Congress in respect of the actual number of members of the organisation within Ireland.

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**4**

A Trade Union desiring to affiliate to Congress shall satisfy the Executive Council that its rules, objects and policy are in harmony with the Constitution of Congress and undertake to abide by its provisions.

- (a) The Executive Council may, in exceptional circumstances, allow non-affiliated organisations to associate with Congress where their rules do not, in the opinion of the Executive Council, satisfy the provisions of paragraph 4 above and provided that no conflict of objects or policy arise.
- (b) The Executive Council may, at its own discretion, permit unions whose membership in Ireland is less than 500 to associate with Congress.
- (c) Associate status permits unions to attend, in an observer capacity, Congress conferences including Biennial, Special Delegate and Northern Ireland Conferences. Associate status does not confer voting or nomination rights at Conferences. The Executive Council is empowered to establish appropriate fees to be paid to Congress by associated organisations having regard to their membership and the services provided.

The Executive Council may, by way of agreement with an applicant union, set conditions to its affiliation.

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**5**

Local Councils of Trade Unions may affiliate to Congress, subject to their constitution and rules being approved and their application for affiliation accepted by the Executive Council.

The Executive Council shall not accept an application for affiliation from a Local Council of Trade Unions which has in membership a Trade Union which is not affiliated to Congress.

Local Councils may as an alternative to affiliation be registered with Congress in accordance with the provisions of Paragraph 23.

# CONSTITUTION OF THE IRISH CONGRESS OF TRADE UNIONS

## II. OBJECTS OF CONGRESS

### 6

The objects of the Congress shall be as follows:

- (a) To uphold the democratic character and structure of the Trade Union Movement, to maintain the right of freedom of association and the right of workers to organise and negotiate and all such rights as are necessary to the performance of trade union functions and in particular, the right to strike.
- (b) To ensure full equality in all aspects of employment opportunity and to oppose discrimination on any such grounds as race, colour, nationality or ethnic or national origins, politics, religion, sex, age, disability, marital status, family status, sexual orientation, membership of the Traveller Community.
- (c) To strive for full equality in civil society in Ireland and to oppose discrimination on any such grounds as race, colour, nationality or ethnic or national origins, politics, religion, sex, age, disability, marital status, family status, sexual orientation, membership of the Traveller Community.
- (d) To support the democratic system of government and promote the social and economic policies and programme of the workers of Ireland as expressed from time to time by the Irish Trade Union Movement.
- (e) To encourage and assist the application of the principle of co-operation in the economic activities of the nation.
- (f) To seek the full utilisation of the resources of Ireland for the benefit of the people of Ireland and to work for such fundamental changes in the social and economic system as will secure for the workers of Ireland adequate and effective participation in the control of the industries and services in which they are employed.
- (g) To promote fraternal and co-operative relations with trade unions and trade union federations and congresses in other countries for the purpose of furthering the common interests of workers in all countries; and further to co-operate with other types of democratic organisations in supporting progressive endeavours intended to safeguard and strengthen justice, peace and freedom throughout the world.
- (h) These objects shall be construed as applying, where appropriate, to retired workers.



# CONSTITUTION OF THE IRISH CONGRESS OF TRADE UNIONS

## III. FUNCTIONS OF CONGRESS

### 7

The functions of Congress shall, inter alia, be as follows:

- (a) To further the interests of workers as a whole by safeguarding and improving their living standards and in particular their standards of wages, hours and working conditions.
- (b) To represent the collective will and purpose of the Trade Union Movement in industrial relations and in legislative and administrative matters. Congress may, when requested by affiliated Unions, negotiate at national level with employers' organisations on policy and principles relating to wages and conditions of employment.
- (c) To encourage the effective organisation of workers in appropriate Unions; to assist in promoting closer co-operation between Unions and organic unity within the movement; to endeavour to reconcile the views and relationships of Unions organising similar classes of workers and by the encouragement of amalgamation to reduce the number of such Unions; to provide for the transfer of members from one Union to another and generally to help to strengthen trade union organisation and co-operation between Unions.
- (d) To provide such assistance to affiliated organisations as may be necessary for their progress and advancement by way of research, information, educational facilities, legal advice and central guidance generally.
- (e) To strengthen the Trade Union Movement by every means in its power and to secure the realisation of such measures in furtherance of the Objects of the Congress as may from time to time be approved.
- (f) These functions shall be construed as applying, where appropriate, to retired workers.



## IV. BIENNIAL AND SPECIAL DELEGATE CONFERENCES

**8**

The governing authority of Congress shall be the Biennial Delegate Conference which shall meet as provided in Standing Orders.

**9**

Only bona fide members or full-time officials who are members of an affiliated Trade Union may be appointed as delegates to Biennial or Special Delegate Conferences.

**10**

Affiliated organisations may appoint delegates to a Biennial or Special Delegate Conference in accordance with the following scales:

- (a) Trade Unions having an affiliated membership of less than 1,000 members  
One Delegate.

Trade Unions having:

Members				Delegates			
1,000	but less than	2,000	2	72,000	but less than	75,000	40
2,000	"	3,000	3	75,000	"	78,500	41
3,000	"	4,000	4	78,500	"	82,000	42
4,000	"	5,000	5	82,000	"	85,500	43
5,000	"	6,000	6	85,500	"	89,000	44
6,000	"	7,000	7	89,000	"	92,500	45
7,000	"	8,000	8	92,500	"	96,000	46
8,000	"	9,000	9	96,000	"	99,500	47
9,000	"	10,000	10	99,500	"	103,000	48
10,000	"	11,000	11	103,000	"	106,500	49
11,000	"	12,000	12	106,500	"	110,000	50
12,000	"	13,500	13	110,000	"	113,500	51
13,500	"	15,000	14	113,500	"	117,000	52
15,000	"	16,500	15	117,000	"	120,500	53
16,500	"	18,000	16	120,500	"	124,000	54
18,000	"	19,500	17	124,000	"	127,500	55
19,500	"	21,000	18	127,500	"	131,000	56
21,000	"	22,500	19	131,000	"	134,500	57
22,500	"	24,000	20	134,500	"	138,000	58
24,000	"	25,500	21	138,000	"	141,500	59
25,500	"	27,000	22	141,500	"	145,000	60
27,000	"	29,000	23	145,000	"	148,500	61
29,000	"	31,000	24	148,500	"	152,000	62

31,000	"	33,000	25	152,000	"	155,500	63
33,000	"	35,000	26	155,500	"	159,000	64
35,000	"	37,000	27	159,000	"	162,500	65
37,000	"	39,000	28	162,500	"	166,000	66
39,000	"	42,000	29	166,000	"	169,500	67
42,000	"	45,000	30	169,500	"	173,000	68
45,000	"	48,000	31	173,000	"	176,500	69
48,000	"	51,000	32	176,500	"	180,000	70
51,000	"	54,000	33	180,000	"	183,500	71
54,000	"	57,000	34	183,500	"	187,000	72
57,000	"	60,000	35	187,000	"	190,500	73
60,000	"	63,000	36	190,500	"	194,000	74
63,000	"	66,000	37	194,000	"	197,500	75
66,000	"	69,000	38	197,500	"	201,000	76
69,000	"	72,000	39				

and one delegate for each 5,000 above 201,000.

Trade Unions must include women delegates in their delegation in accordance with the following scale:

- (b) Trade Unions having an affiliated membership of more than 500 but less than 1,000 women shall appoint at least one women delegate.

Trade Unions having:

Women Membership			Women Delegates	
1,000	but less than	5,000	at least	2
5,000	"	10,000	at least	3
10,000	"	15,000	at least	4
15,000	"	20,000	at least	5

and at least one woman delegate for each 5,000 women members above 20,000.

- (c) Local Councils of Trade Unions may appoint delegates (who must be members of affiliated Trade Unions) to Biennial or Special Delegates Conferences in accordance with the following scale:

up to 6,500 affiliated membership - one delegate

over 6,500 affiliated membership - two delegates

**11**

The proceedings of Biennial and Special Delegate Conferences shall be conducted in accordance with the Standing Orders of Congress as adopted from time to time.

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**12**

Only duly appointed delegates to Biennial or Special Delegate Conferences may vote at such Conferences, but members of the Executive Council and full-time officials of Congress may attend and speak at such Conferences but may not vote unless they are duly appointed delegates.

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**13**

The Executive Council shall determine the venue and date of Biennial and Special Delegate Conferences and shall also fix the hours of assembly on the opening day.



# CONSTITUTION OF THE IRISH CONGRESS OF TRADE UNIONS

## V. FINANCE

**14**

Following a motion passed at the BDC 2015, the affiliation fee payable by members is calculated on a hybrid system for determining affiliation fees based on four factors: an amount per member; plus an amount per delegate to which each union is entitled to have at BDC; plus a flat fee element; plus an amount of .75c per member to fund the activities of the Nevin Economic Research Institute.

From January 1st 2016, the rates for each element are:

- €2.58 per member; plus
- €811 per BDC delegate; plus
- € 1,622 flat fee per Union; plus
- .75c per member to fund the activities of the Nevin Economic Research Institute.

The affiliation fee payable in respect of membership in Northern Ireland shall be the Sterling equivalent based on the rate of exchange on 1 November preceding the year in respect of which the fees are payable. This rate of exchange shall be determined by the Executive Council based on the best advice available at the time. The foregoing is subject to a minimum affiliation fee of €2,000 being payable by any trade union.

The affiliation fee payable by trade unions with associate membership, shall be two thirds of the full membership rate per member, subject to a minimum affiliation fee to €1,320.

The Executive Council shall have sole discretion to waive all or part of the increase, in exceptional circumstances, where an application is made to it by an individual union prior to the due date for affiliation fees.

**15**

The annual affiliation fee payable by Local Council of Trade Unions, shall be €50 if the affiliated membership is 6,500 or less, and €100 if the affiliated membership is in excess of 6,500. The affiliation fee payable in respect of Local Councils of Trade Unions in Northern Ireland shall be the Sterling equivalent of 1 November preceding the year in respect of which the fees are payable. This rate of exchange shall be determined by the Executive Council based on the best advice available at the time.

**16**

Affiliation fees shall be payable in respect of the full membership of the Trade Union, but in the case of Trade Unions having members elsewhere than in Ireland, only the members in Ireland shall be considered in determining the affiliation fee payable.

The membership on which affiliation fees shall be payable shall be at the 31st December of the previous year, or at the date of affiliation if such be later.

**17**

An organisation whose affiliation has been accepted by the Executive Council shall be considered to be permanently affiliated and liable to pay affiliation fees unless the organisation has given to the Executive Council six months notice of withdrawal, has ceased to be affiliated by reason of failure to pay affiliation fee, or has been excluded from membership of Congress.

**18**

An affiliated organisation that has failed to pay affiliation fees for two successive years, shall after having been duly notified by the Executive Council, be deemed to have ceased to be in affiliation. Such organisation may only be re-affiliated with the special consent of the Executive Council which shall be empowered to impose conditions to govern such re-affiliation as they deem fit and proper.

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**19**

The Executive Council may make special appeals for funds from time to time as they may consider desirable.

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**20**

A delegation fee, the level of which shall be determined by the Executive Council, shall be paid in respect of each delegate appointed by an affiliated organisation to attend a Biennial or Special Delegate Conference. Delegates' fees shall be paid when delegates' names are forwarded to the Executive Council. Should fees not be paid, credentials shall not be issued to such delegates.

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**21**

An affiliated organisation shall not be entitled to be represented by delegates at a Biennial or Special Delegate Conference unless the affiliation fees due by the organisation have been paid not later than 1st February of the current year.

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**22**

The financial year shall end on 31st December and all accounts shall be closed on that date.

A Balance Sheet and Financial Statement shall be prepared, audited and sent to affiliated organisations not later than one week prior to the opening of the Biennial Delegate Conference.

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**23**

A Local Council of Trade Unions which is not affiliated to Congress may apply to the Executive Council to be registered with Congress as a Registered Council.

An application for registration shall be made in the form prescribed by the Executive Council and a registration fee of One Pound shall be paid. The Executive Council may accept the application at their sole discretion.

A Local Council of Trade Unions so registered shall not be entitled to be represented at Biennial or Special Delegate Conferences, or to nominate for or be represented on any Committee of Congress, but shall be entitled to be furnished with information and advice.



# CONSTITUTION OF THE IRISH CONGRESS OF TRADE UNIONS

## VI. EXECUTIVE COUNCIL

**24**

The executive authority of Congress responsible for the implementation of all decisions of Biennial and Special Delegate Conferences and for the conduct of the general business of Congress shall be the Executive Council.

The Executive Council shall interpret the Constitution and Standing Orders wherever doubt or dispute upon these arise and shall decide upon any matter not specifically covered by these provisions subject to the right of appeal to the next Biennial Delegate Conference.

**25**

The Executive Council shall consist of a President, two Vice-Presidents and Treasurer who shall be known as the Officers of Congress and thirty one ordinary members all of whom shall be elected by the Biennial Delegate Conference in accordance with Standing Orders. At least one of the Vice-Presidents must be a woman. The ordinary members of the Executive Council shall be elected from two separate panels which shall be constituted as follows:

- (i) 30 members shall be elected from a general panel comprising candidates nominated to that panel by affiliated trade unions. The election must result in the selection of at least 8 women members in accordance with Standing Order Rules on the Election of Executive Council and Method of Voting;
- (ii) 1 member shall be elected from a local reserved panel comprising candidates nominated to that panel by affiliated Local Councils of Trade Unions.

**26**

A person nominated for election as an officer or other member of the Executive Council must be a bona fide member of a Trade Union affiliated to Congress and a delegate to the Biennial Delegate Conference. During their continuance in office the officers and other members of the Executive Council shall remain bona fide members of such an affiliated trade union.

**27**

Vacancies of the Executive Council shall be filled by co-option by the Executive Council subject to the provisions of Paragraph 26, and having regard to the requirement to ensure a minimum representation of 8 women.

**28**

If the office of President falls vacant, the Executive Council shall fill the vacancy by the appointment of one of the Vice-Presidents as President.

If any other office falls vacant, the vacancy shall be filled by the election by the Executive Council of one of its members having regard to the requirement to ensure that at least one of the Vice-Presidents must be a woman.



**29**

- (i) An officer or member of the Executive Council may be suspended or removed from office by the Executive Council on being found guilty of conduct or action detrimental to the interests or authority of Congress, or constituting a breach of the Constitution of Congress. Such officer or member shall have a right to appeal to the next Delegate Conference.
- (ii) Where the Executive Council is of opinion that the circumstances or position of any officer or ordinary member thereof has so altered after their election as to become incompatible with their continuance in office it may by resolution, deem such officer's or ordinary member's membership of the Executive Council to have terminated. In like circumstances and in like manner the Executive Council may deem the membership of a member of the Northern Ireland Committee, Standing Orders Committee and the Appeals Board to have terminated.

**30**

All funds and property of the Congress shall be vested in the names of the President, two Vice-Presidents and Treasurer of Congress for the time being. They shall deal with the funds and property vested in them in accordance with the directions of the Executive Council. The bank account of Congress shall be in the name of the Irish Congress of Trade Unions. The cheque signatories shall be the General Secretary and not less than three other persons appointed by the Executive Council. The cheque signatories shall be appointed each year at the first ordinary or special meeting of the Executive Council after the Biennial Delegate Conference. These appointments may be changed or vacancies filled by the Executive Council at any subsequent meeting.

The Executive Council shall by its own Resolution have power to borrow (without limitation as to monetary amount) on behalf of Congress and on such terms and conditions as may be approved of by a Resolution of the Executive Council. Such Resolution shall authorise and require the President, two Vice-Presidents and Treasurer of Congress for the time being to mortgage or charge all or any part of the undertaking property and assets of Congress as security for the liabilities of Congress and on such terms as the Executive Council by Resolution shall direct.

**31**

The accounts of Congress shall be audited annually by a qualified auditor or public accountant appointed by the Executive Council.

**32**

Subject to the control and direction of the Biennial Delegate Conference, the Executive Council shall be the administrative authority and be responsible for the conduct of the general work of the organisation, the arrangement of Biennial and Special Delegate Conferences and for giving effect to the decisions thereof.

The Executive Council shall assist and advise in the work of affiliated Trades Unions and affiliated or registered Local Councils of Trade Unions and promote co-operation and close contact between them.

The Executive Council shall watch all legislative and administrative action affecting workers, including retired workers and promote such legislation as it may deem necessary.

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**33**

The Executive Council shall consider and decide upon applications for affiliation and shall make their decision in each case within four months after the receipt of an application made in accordance with the prescribed conditions.

When an application for affiliation is approved, affiliation fees shall be calculated and be payable as from the date of notification or from such other date as the Executive Council may in their discretion decide. Affiliation shall not be effective until payment of the affiliation fee has been received and acknowledged by the General Secretary.

All decisions on applications shall be reported to the next Biennial Delegate Conference which may direct the Executive Council to reconsider any application rejected in the previous year.

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**34**

The Executive Council shall normally meet each month but shall not meet less than once a quarter. Eight members shall constitute a quorum.

The Executive Council may entrust the conduct of current business to a Committee (to be known as the General Purposes Committee) consisting of the Officers and five other appointed members of the Executive Council, at least one of which shall be a woman.

The decisions of the General Purposes Committee shall be reported to the Executive Council.

Four members of the General Purposes Committee shall constitute a quorum.

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**35**

The Executive Council may appoint sub-committees for any purpose conducive to the effective discharge of its duties or in pursuance of the functions of Congress. Such sub-committees may, if considered desirable, include non-members of the Executive Council.

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**36**

The Executive Council may appoint joint committees, consisting of representatives of affiliated organisations, together with a member or members of the Executive Council for the co-ordination of policy or action by affiliated organisations.



## 37

A Northern Ireland Committee of the Irish Congress of Trade Unions consisting of 18 members of affiliated Trade Unions with members in Northern Ireland, shall be elected every two years at a specially-convened Northern Ireland Conference, at which the representation of Unions shall be in accordance with the scale in Paragraph 10 except that the relevant membership shall be the affiliated membership in Northern Ireland.

For Local Councils of Trade Unions, the representation shall be as follows:

Up to 10,000 affiliated membership - one delegate

Over 10,000 affiliated membership - two delegates

The ordinary members of the Northern Ireland Committee shall be elected from two separate panels which shall be constituted as follows:

- (i) Seventeen members shall be elected from a general panel comprising candidates nominated to that panel by affiliated trade unions with members in Northern Ireland. The election for the 17 seats will be by a single election but the election must result in the selection of at least 4 women members - the normal application of the electoral system should be adjusted to produce this result, if necessary.
- (ii) One member shall be elected from a local reserved panel comprising candidates nominated to that panel by affiliated Local Councils of Trade Unions in Northern Ireland.

The Executive Council may provide the services of a full-time Officer and staff, and office accommodation for the Northern Ireland Committee.

The functions of the Northern Ireland Committee shall be to implement, in respect of Northern Ireland, decisions of Biennial and Special Delegate Conferences and of the Executive Council, on matters of concern to affiliated organisations having membership in Northern Ireland, and to recommend to the Executive Council policy on matters of concern to affiliated organisations having membership in Northern Ireland provided that, subject to the requirement that decisions reached have due regard to the position of members outside Northern Ireland, the Northern Ireland Committee shall deal with matters relating to the internal, industrial, economic and political conditions of Northern Ireland and of direct concern to Northern Ireland members only, and shall implement its decisions and the decisions of the Northern Ireland Conference on such matters.



Notwithstanding the provisions of Paragraphs 19,30,31 and 38 of the Constitution of Congress, and with a view to facilitating the Northern Ireland Committee in the performance of functions relating to the membership in Northern Ireland, the Northern Ireland Committee shall have power to hold and administer funds derived from (a) State contributions to the Northern Ireland Committee, (b) fees and payment for services and (c) subscriptions and grants from other sources. The Northern Ireland Committee shall have power to administer for the funds from these sources provided that expenditure from such funds shall be limited to the specific functions for which they are subscribed including the operation of education, training and advisory services for Unions with members in Northern Ireland and expenditure of moneys subscribed by affiliated organisations in response to appeals made for specific purposes.

Agreements by the Northern Ireland Committee with the State or other body may be entered into subject to the approval of the Executive Council and may provide appropriate provisions for the establishment of sub-committees or other such bodies to administer the funds on behalf of the Northern Ireland Committee, subject to the approval of the Executive Council. All such funds shall be vested in the names of the Chairperson and Vice-Chairperson of the Northern Ireland Committee, and the Northern Ireland Officer of Congress, who shall deal with the funds and property vested in them in accordance with the directions of the Northern Ireland Committee subject to such conditions as may be specified by the Executive Council when the fund is established. Each such fund shall be banked in the name of the Northern Ireland Committee and of the specific fund. The cheque signatories shall be the Northern Ireland Officer or his/her deputy and one of three other persons appointed each year at the first meeting of the Northern Ireland Committee after the Biennial election. These appointments may be changed and vacancies filled by the Northern Ireland Committee at any subsequent meeting.

The accounts of each fund shall be audited annually by a qualified auditor or qualified accountant appointed by the Northern Ireland Committee subject to the approval of the Executive Council, the audited accounts to be presented to the Northern Ireland Conference and the Biennial Delegate Conference. It shall be the responsibility of the Northern Ireland Committee to ensure that, taking one year with another, expenditure does not exceed income and that any deficiency which arises at any time shall be met by (i) appeals to affiliated organisations, (ii) additional grants from State and other bodies, (iii) income from fees or charges for services, or (iv) reduction in expenditure.

## 38

The Executive Council shall appoint and fix the remuneration and terms of employment of a General Secretary who shall be the principal appointed official of Congress. They shall also appoint such other staff as may be required for the discharge of the work of Congress and shall fix their remuneration and terms of employment.

**39**

The services which it shall be the purpose of Congress to provide for affiliated organisations, within the financial resources available, shall include the following:

- (a) The provision of the services of trained full-time officials to act as secretaries, information officers and advisers to Industrial Committees established with the approval of the Executive Council by affiliated Trade Unions.
- (b) The establishment of a Legal Department and an International Department.
- (c) The provision of adequate research and information services; health, safety and welfare advisory services and such other specialised services as may prove desirable.
- (d) The provision of adequate publicity services, periodicals, newspapers, pamphlets and books.
- (e) The provision of trade union educational and training services.

**40**

The Executive Council shall prepare and circulate to the affiliated organisations and to the delegates to the Biennial Delegate Conference a Report on the work of the organisation during the previous two years.

**41**

- (a) The Executive Council shall be empowered to investigate on its own initiative, or on complaint, made by an affiliated organisation, the conduct or action of any affiliated organisation which is alleged to be detrimental to the interests of Congress or affiliated organisations. The affiliated organisation whose conduct or action is the subject of investigation shall be informed in writing of the complaint or charge made against it and shall be given full and ample opportunity to reply to such complaint or charge. If the complaint or charge be proven and the Executive Council decides that the organisation has been guilty of conduct or action detrimental to the interests of Congress or affiliated organisations, then the Executive Council shall be empowered to do any of the following:
  - (1) call upon the organisation to desist from such conduct or action;
  - (2) require the organisation to take such steps as may be required to correct or alter the matter complained of;
  - (3) require the organisation to comply with such condition as may be required by the Executive Council.



- (b) Should the organisation refuse to carry out the directions of the Executive Council as authorised in clauses (1) to (3) of sub-paragraph (a) above, the Executive Council may thereupon suspend the organisation from membership of Congress pending consideration of the report and recommendation of the Executive Council by the next Biennial Delegate Conference.
- (c) Should the Executive Council consider that the complaint or charge proven against the organisation is of a most grave and serious nature, they may recommend to the next Biennial Delegate Conference that the organisation be expelled from membership of Congress and pending consideration of such recommendation by the Biennial Delegate Conference, the Executive Council may suspend the organisation from membership of Congress.
- (d) Where an organisation has been suspended from membership of Congress it shall generally be regarded as a non-affiliated organisation and shall not be afforded the services of Congress or the advice of its Officers or staff.
- (e) The Biennial Delegate Conference having considered the report and recommendations of the Executive Council as made under sub-paragraphs (b) and (c) above may
  - (1) expel the organisation, or
  - (2) terminate the suspension and restore the organisation to full membership subject to compliance with prescribed conditions if so required, or
  - (3) continue the suspension for a further stipulated period subject to such prescribed conditions as may be required.
- (f) Full and adequate opportunity shall be afforded an organisation against which a complaint or charge has been proven, of appealing to the Biennial Delegate Conference against the report or recommendations of the Executive Council; but the organisation will only be permitted the right of audience at the Biennial Delegate Conference by the express decision of the Conference.



# CONSTITUTION OF THE IRISH CONGRESS OF TRADE UNIONS

## VII DISPUTES BETWEEN UNIONS

**42**

Where disputes arise, or threaten to arise, between affiliated organisations, the Executive Council shall use its influence to secure a settlement.

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**43**

Where application is made to the Executive Council by an affiliated organisation, the Executive Council may investigate cases of dispute or disagreement between affiliated organisations, but the Executive Council may on its own initiative make such investigation where it appears that there is a dispute or disagreement between affiliated organisations which might be prejudicial to Congress or its affiliated organisations.

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**44**

The Executive Council may conduct such investigation directly, or may appoint a Disputes Committee to enquire into and report upon such dispute.

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**45**

Where disputes between Unions are concerned with the organisation of members and are not demarcation disputes, the following procedures shall apply:

- (i) In the event of action by the Executive Council, or an official of Congress acting on its behalf, in accordance with Paragraph 42 above not resulting in the resolution of the dispute, the dispute may be referred to a Disputes Committee.
- (ii) Where the dispute is so referred, the Disputes Committee shall consist of a Chairperson who shall be a member of the Executive Council, and four other members appointed from a Panel of Disputes Committee members.
- (iii) An Industrial Officer, or such other member of the staff as may be designated by the Executive Council, or by the General Secretary acting on its behalf, shall act as a secretary to the Disputes Committee. A Disputes Committee shall not reach decisions in the absence of a secretary so appointed.
- (iv) A Disputes Committee constituted in accordance with this paragraph shall have a quorum consisting of the Chairperson and not less than two panel members. Provided that a quorum is present the Disputes Committee may proceed with the investigation and the preparation of a report and recommendations, and in general, be empowered to act as if the Committee was constituted in accordance with sub-paragraph 45 (ii) above.
- (v) The Chairperson and each of the panel members of any Disputes Committee shall be members of different Unions. No member of the Panel who is a member of a Union directly involved in a dispute shall be selected as a member, or as Chairperson, of the Disputes Committee which investigates that dispute.

- (vi) The Panel of Disputes Committee members shall consist of persons nominated in writing by affiliated Unions. Each affiliated Union shall be entitled to nominate a person or persons to the Panel. A person, to be eligible for nomination, must be:
  - (a) a member of the Union submitting the nomination, at the time the nomination is submitted;
  - (b) resident in Ireland;
  - (c) available and willing to act as a member of a Disputes Committee in accordance with this Paragraph.

The submission of a nomination shall be regarded as certification by the nominating Union that the person or persons nominated fulfil the conditions of eligibility.

- (vii) A member of the Executive Council shall not be eligible for nomination to the Panel, and if a member of the Panel is elected to the Executive Council he/she shall cease to be a member of the Panel.
- (viii) A Union may submit in writing a cancellation of any nomination previously made by that Union, and on receipt of such notice by the General Secretary of Congress the person named shall cease to be a member of the Panel. Where a person ceases to be a member of the Panel after the conclusion of an investigation by a Disputes Committee, the report of such investigation shall not be invalidated by reason of such termination of membership.

Subject to this paragraph, a member of the Panel nominated by any affiliated Union shall continue to be a member of the Panel up to the 31st July following the date of his/her nomination, but may be renominated if otherwise eligible.

- (ix) Members of Disputes Committees may be paid expenses in accordance with the current scale in use by Congress, but shall not be paid any allowance in respect of loss of earnings.
- (x) The Executive Council, an Industrial Officer or such other member of the staff as may be designated by the Executive Council or by the General Secretary acting on its behalf, shall be authorised to select the members of the Panel who shall act on each Disputes Committee. In making the selection regard shall be had to the availability of persons selected, the rotation of nominees, sub-paragraph 45 (v) above, and such other considerations as may be considered relevant



- (xi) When a dispute is to be investigated, notice of the date, time and place of meeting shall be issued to the members of the Disputes Committee and to the parties. Should one of the parties fail to attend the investigation the Disputes Committee will then determine whether to hear the dispute or to re-convene at a later date. Should they decide to hear the dispute they shall record in their report their considerations taken into account in so deciding.
- (xii) In the course of an investigation the Disputes Committee may examine the possibility of assisting the parties to reach agreement. Where agreement is not reached the Disputes Committee shall submit a report to the Executive Council, which shall include any recommendations they have to make for the resolution of the dispute.
- (xiii) A Disputes Committee Report shall be considered by the Executive Council who may (a) adopt the Report, or (b) reject the Report, or (c) amend the Report.

Where the Disputes Committee Report is adopted it shall then be circulated to the Unions concerned, who shall be obliged to implement any recommendations contained therein. Where the Report is rejected, the matter under investigation shall be re-submitted to either the Dispute Committee which originally investigated the dispute, or to a reconstituted Disputes Committee. Where a Disputes Committee is reconstituted, neither the Chairperson nor any panel member shall be a member of the Disputes Committee which originally investigated the dispute. Where a Report is amended by the Executive Council, the nature of the amendments and the fact that the Report has been amended will be noted in the amended Report which, following adoption, shall be dealt with as an adopted Report.

- (xiv) If one of the parties to the Report considers that the Report adopted by the Executive Council should be the subject of appeal on the grounds that the Disputes Committee failed to take cognisance of certain facts, or was improperly constituted, or did not act in accordance with the constitution of Congress, such appeal should be lodged with the Executive Council within one month of the date of issuance of the adopted Report.

Where an appeal is received, it shall be considered by the Executive Council which shall decide whether sufficient grounds for appeal have been adduced. If they consider there are not sufficient grounds for the appeal they shall so notify the appellant Union. If they consider that grounds for appeal do exist they shall either:

- (a) consider the appeal, or
- (b) refer the appeal to a reconstituted Disputes Committee, in which case they shall notify the parties that the appeal is under consideration, and state the grounds on which the appeal is being considered.



The Executive Council having considered the appeal, or having received the Report of the reconstituted Disputes Committee on the appeal may:

- (a) endorse the Report adopted, or
- (b) amend the Report previously adopted, or
- (c) adopt a new Report, provided that such new Report has been prepared by the reconstituted Disputes Committee, following a new investigation of the dispute.

The decision, arising from the appeal shall be circulated to the Unions concerned which shall be obliged to implement the decision.

- (xv) No member of the Executive Council who is either a member or an official of a Union which is party to a dispute between Unions shall vote on any decision of the Executive Council taken in respect of such dispute.
- (xvi) In the event of a complaint being received that a Union has failed to implement a Disputes Committee Report, the Executive Council shall deal with such complaint in accordance with Paragraph 41 of the Constitution of Congress.
- (xvii) The expenses of any investigation by a Disputes Committee, the Appeals Board, or the Executive Council may be apportioned by the Executive Council between the Unions concerned.

## 46

For the purpose of developing and maintaining co-operative and friendly relations between affiliated organisations the following provisions shall be observed by affiliated organisations in respect of transfer of members:

- (a) Each Union should include in its membership form, questions on the applicant's past and present membership of another Union or Unions.
- (b) No member or ex-member of another Union should be accepted until that Union has been consulted.
- (c) No member of another Union should be accepted when under discipline, engaged in a trade union dispute or in arrears with contributions, save only with the consent of the other Union.
- (d) Where any grade, group or category of workers, or the workers in any establishment, form a negotiating unit and their wages or conditions of work are determined by negotiations conducted by a single Union of which the majority, or a substantial proportion of the workers concerned are members, no other Union shall organise or enrol as members any workers within that negotiating unit (that is workers within that grade, group, category or

establishment) save only with the consent of the Union concerned, except that such consent shall not be withheld where there is evidence that 80 per cent or more of the workers in the grade, group, category or establishment wish to transfer in the case of a firm where representation rights have been established more than two years before the date of application to transfer.

- (e) Disputes concerning the interpretation of the above provisions should be referred to Congress.
- (f) In addition to observing the above provisions, Unions should consider the possibility of joint working agreements relating to spheres of influence, recognition of cards, machinery for resolving differences and conditions for the transfer of members. Unions organising similar classes of workers, or organising different classes of workers within the same industry, should, as far as possible, make joint working agreements.
- (g) Unions desiring to initiate discussions with a view to reaching such agreements should notify the Executive Council with a view to the latter convening a conference of the Unions concerned.
- (h) Unions should co-operate with Congress by participating in conferences convened by the Executive Council and endeavouring to reach agreements in accordance with the above recommendations.
- (i) Unions which have established joint working agreements, or which may establish such agreements in the future, should notify the Executive Council of the terms of such agreements.
- (j) Nothing in this section shall prevent the transfer of members from one Union to another, where such transfer takes place in accordance with the rules set out in Paragraph 47 hereunder.

## 47

A permanent Tribunal shall be established by the Executive Council to consider disputes between Unions on matters relating to demarcation of work. The Tribunal shall have power to investigate and determine any dispute or threatened dispute on its own initiative or on the request of either party. It may summon member organisations before it and the decision of the Tribunal shall be final and binding on the parties.

The Tribunal shall consist of seven persons, with two substitutes. The substitutes shall act as members of the Tribunal when a member or members of the Tribunal are directly concerned with, or have an interest in, questions coming before it. The President of Congress shall be a member of the Tribunal. The other members and substitute members shall be members of the Executive Council appointed by the Executive Council.



The Tribunal shall be empowered to appoint an assessor or assessors to assist it in its investigation or the formulation of its conclusions. Where such assessor or assessors are appointed, they shall be members of affiliated Unions and shall be appointed following consultation with the Unions concerned in the demarcation dispute. Expenses of attending meetings, other than loss of wages, may be paid to such assessor or assessors in accordance with the current Congress scale.

Where the members of the Tribunal are unable to agree upon the determination of a question, the members shall vote upon the question, which shall be determined accordingly. The President shall not vote unless in the case of a tie, when he/she shall exercise a casting vote. The decision of the Tribunal shall be pronounced by the President, or other such member as the President shall authorise, and no other opinion, whether assenting or dissenting, shall be pronounced nor shall the existence of any other opinion be disclosed.

The decisions of the Tribunal shall not be invalidated by reason of the absence of any member of the Tribunal from a hearing, but no decision shall be taken with less than three members present at the session.

When a dispute concerning demarcation is investigated by the Tribunal no withdrawal of labour with the object of determining the question at issue shall take place or where such has occurred before the commencement of the investigation there shall be a resumption of work.



# CONSTITUTION OF THE IRISH CONGRESS OF TRADE UNIONS

## VIII. APPEALS BOARD

48

- (a) An Appeals Board to hear appeals by Union members shall be appointed by Congress. The Board shall consist of five members from different Unions who shall hold office for a period of six years. A panel of five substitute members shall also be appointed and in the event of the death or retirement of a member, the remaining members of the Board shall select a substitute from the panel.

Three of the five members shall constitute a quorum. If at any meeting a quorum of members is not present, substitute members may be appointed to form a quorum. No member of a Union concerned with an appeal shall sit on the Board hearing that appeal. Where three or more members of the Board are members of Unions concerned in a particular complaint, a substitute member or members may be appointed if by so doing a Board of three persons who are not members of Unions concerned can be constituted. If a Board of three persons can not be so constituted the Executive Council may appoint from among its own members such number of persons to the Board as will enable it to constitute a Board of three persons. Persons so appointed shall cease to hold office as members of the Board when the appeal which necessitated their appointment has been concluded.

The members of the Appeals Board shall be elected by the Biennial Delegate Conference from nominations submitted by affiliated Unions. The appeals machinery shall be open to members of all Unions affiliated to Congress.

- (b) (i) Where a group of members who are members in good standing, submit a complaint to the Secretary of the Appeals Board concerning lack of service by the Union of which they are members, and who are affected by the matter which is the subject of the complaint, such a complaint shall be referred in the first instance to the Union concerned, which shall be asked to indicate whether there was substance in the complaint and whether steps were being taken to remedy it.
- (ii) If, after reference to the Union concerned, the action taken by the union does not satisfy the appellant group of members, the appeal shall come before the Board for determination. The Board may decide at its own discretion whether the complaint is to be investigated or not, and its decision on this shall be final. Where the Board decided to investigate a dispute, it should, in the first instance, try to secure an agreement between the members and the Union. If agreement is not reached, the Board shall make a report with recommendations concerning the complaint.
- (iii) The Board shall, where necessary, set time limits for the implementation of its recommendations, and on the expiry of the time limit may require a report from the parties on the implementation of the recommendations.
- (iv) The report of the Board shall be furnished to the Executive Council.
- (v) Where a Union fails to take the steps recommended by the Board and subsequently the members concerned withdraw from the Union, then no further complaint from the Union of which they are members shall be



entertained by a Disputes Committee against any other Union considered appropriate enrolling the workers concerned.

- (vi) Where a group of members refuse to accept the terms of the recommendation, they shall not be accepted into membership by another Union except with the consent of their own Union.
  - (vii) Appeals by individual members to the Board shall be restricted to cases of expulsion.
  - (viii) Where a group of members concerned in an appeal under (i) above, or a member in respect of an appeal under (vii) above, is unwilling to accept the recommendation of the Appeals Board they may seek a review of the case by an Ombudsman appointed by the Executive Council. The purpose of the review will be to certify that the procedure followed by the Appeals Board in arriving at its decision was fair and reasonable. In order to discourage vexatious use of this process a fee, refundable if the review is favourable in outcome to those seeking it, will be set annually by the Executive Council.
- (c) The Appeals Board shall present a report to Congress, setting out the applications for appeals received over the previous two years, the investigations conducted, the results of such investigations, and a report on the implementation of the recommendations. A copy of the report shall be sent to the Executive Council not later than 1 March in the relevant year and published not later than 31 March.
  - (d) The rejection of the report shall not be moved at Conference unless notice of motion has been sent by a Union to Congress four weeks prior to the Biennial Delegate Conference, but no negative motion of this kind, if accepted, will invalidate any steps taken up to then in pursuance of the decisions of the Board set out in the report.
  - (e) The Secretary of the Appeals Board shall be the General Secretary of Congress or such other member of the staff of Congress as may be designated by the Executive Council.
  - (f) Rules drawn up by the Appeals Board for the regulation of its procedure shall be subject to the sanction of the Executive Council.

## IX. AMENDMENT OF CONSTITUTION

### 49

This Constitution, with the exception of Section V Finance, may only be amended by a two-thirds majority at Biennial or Special Delegate Conferences in accordance with Standing Orders.

Section V Finance may only be amended by a majority of delegates at Biennial or Special Delegate Conferences in accordance with Standing Orders.



# CONSTITUTION OF THE IRISH CONGRESS OF TRADE UNIONS

## STANDING ORDERS

### 1. Biennial and Special Delegate Conferences

- (i) The Biennial Delegate Conference shall meet on such dates and at such venue as may be decided by the Executive Council but shall generally meet at intervals of twenty-four months.

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- (ii) The place of meeting and time of opening of the Biennial Delegate Conference shall be decided by the Executive Council. The times of adjournment and re-assembly shall be determined by the Biennial Delegate Conference on the recommendation of the Standing Orders Committee.

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- (iii) The following Special Delegate Conferences may be called whenever considered expedient by the Executive Council, which shall fix the place, date and time of meeting:
  - 1. A Special Delegate Conference with representation from the Trade Unions and Local Councils in accordance with the scale in Section IV, Paragraph 10(a) and 10(b).
  - 2. A Special Delegate Conference with representation from Trade Unions in the Republic of Ireland in accordance with the scale in Section IV, Paragraph 10(a) except that the relevant membership shall be the affiliated membership in the Republic of Ireland.
  - 3. A Special Delegate Conference with representation from Trade Unions and Local Councils of Trade Unions in the Republic of Ireland in accordance with the scale in Section IV, Paragraph 10(a) and 10(b) except that the relevant membership shall be the affiliated membership in the Republic of Ireland.
  - 4. A Special Delegate Conference with representation from Trade Unions in Northern Ireland in accordance with the scale in Section IV, Paragraph 10(a) except that the relevant membership shall be the affiliated membership in Northern Ireland.
  - 5. A Special Delegate Conference with representation from Trade Unions and Local Councils of Trade Unions in accordance with the scale in Section IV, Paragraph 10(a) and the scale in Section VI, Paragraph 37.

Such Conferences under 2, 3, 4, and 5 above may be called only to determine issues related exclusively to pay and conditions in the Republic of Ireland or Northern Ireland respectively.

## 2. Delegates

The names and addresses of delegates together with the appropriate delegates' fees must be forwarded by the organisation so as to reach the General Secretary not later than four weeks prior to the date of the opening of the Biennial Delegate Conference, or at such time as may be required by the Executive Council in the case of a Special Delegate Conference.

## 3. Motions and Amendments

- (i) Motions for the Agenda of a Biennial or Special Delegate Conference may be submitted by the Executive Council or by organisations entitled to representation at the Conference. No organisation shall be entitled to submit more than two motions. Every motion must be signed by the authorised official of the organisation submitting it, and be forwarded so as to reach the General Secretary not later than eleven weeks before the opening of the Biennial Delegate Conference, or by such time as may be fixed by the Executive Council in the case of a Special Delegate Conference. A copy of the motions submitted shall be sent to all affiliated organisations as early as practicable.

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- (ii) Not more than two amendments to motions on the Agenda may be submitted by organisations entitled to submit motions. Every amendment must be signed by the authorised official of the organisation submitting it, and be forwarded so as to reach the General Secretary not less than seven weeks before the opening of the Biennial Delegate Conference, or by such time as may be fixed by the Executive Council in the case of a Special Delegate Conference.

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- (iii) The Final Agenda containing motions and amendments and the Report of the Executive Council shall be printed and sent to all affiliated organisations and to delegates not later than fourteen days before the opening of the Biennial Delegate Conference and as early as is practicable in the case of a Special Delegate Conference.

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- (iv) Motions and Amendments not on the Final Agenda shall not be considered by Biennial or Special Delegate Conferences, except in accordance with the provisions for the suspension of Standing Orders (Para. 12 hereunder).



## 4. Standing Orders Committee

- (i) The Biennial Delegate Conference shall elect a Standing Orders Committee of five members and two substitute members for the next Biennial Delegate Conference and for any Special Delegate Conference held prior to the next Biennial Delegate Conference.
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- (ii) Nominations of persons for election as members of the Standing Orders Committee may be made by any Trade Union entitled to representation at the Biennial Delegate Conference. Each nomination must be signed by the authorised official of the nominating organisation, and must be forwarded so as to reach the General Secretary not later than five weeks before the opening of the Biennial Delegate Conference.

A person nominated for election as a member of the Standing Orders Committee must be a delegate to the Biennial Delegate Conference. A member of the Executive Council shall not be eligible for election to the Standing Orders Committee.

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- (iii) A list of persons nominated as members of the Standing Orders Committee shall be sent to affiliated organisations and to delegates at the same time as the Final Agenda for the Biennial Conference.
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- (iv) The Standing Orders Committee shall be elected by ballot.
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- (v) The Standing Orders Committee shall meet prior to and during the Biennial Delegate Conference or Special Delegate Conference and a member of the staff of Congress shall be attached to it for its assistance and technical guidance.
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- (vi) The Standing Orders Committee shall:

- (a) Elect its Chairperson and examine and report upon the credentials of the delegates;
- (b) consider proposals of the Executive Council and generally make such recommendations as it deems expedient to facilitate the discussions and business of the Biennial or Special Delegate Conference;
- (c) consider the motions, amendments and nominations for election submitted to the Biennial or Special Delegate Conference and report thereon as to whether they are in order;

- (d) consider applications for the sale and distribution of literature during the Biennial or Special Delegate Conference and generally take charge of the meeting-place and its precincts.
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- (vii) All decisions of the Standing Orders Committee shall be embodied in reports and submitted to the Biennial or Special Delegate Conference and be subject to the decisions thereof.
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- (viii) A Conference Arrangements Committee should be elected at the Northern Ireland Conference in the same manner and to perform the same functions as the Standing Orders Committee in relation to the Northern Ireland Conference except that consideration of the motions submitted for the Conference shall be a matter for the Executive Council which shall decide as to whether they are in order.

## 5. Special Committee

A Biennial or Special Delegate Conference may appoint a Special Committee to consider and report to it upon any matter under its consideration.

## 6. Tellers and Scrutineers

- (i) Six delegates, or such other number as may be agreed upon at the time of election, shall be appointed as Tellers, whose duty shall be to count and record the votes on every occasion on which a division is taken. Their decision as to the numbers recorded on any vote shall be final. In cases where the Tellers disagree the Chairperson of the Biennial or Special Delegate Conference shall order a re-count.
- (ii) Six delegates, or such other numbers as may be agreed upon at the time of election, shall be appointed as Scrutineers. They shall be responsible for the arrangements for the election by ballot of the Officers and members of the Executive Council, the Standing Orders Committee and Appeals Board. They shall take account of the number of ballot papers printed and distributed; shall, before the ballot is taken, destroy all unused ballot papers in excess of the number distributed to the delegates and take such other steps as will ensure the validity of the election.
- (iii) No candidate for office may be elected as Teller or Scrutineer.



## 7. Election of Executive Council

- (i)
  - a) Nomination of persons for election as Officers and Ordinary members of the Executive Council from the general panel may be made by any affiliated trade union entitled to representation at the Biennial Delegate Conference.
  - b) Nominations of persons for election as the Ordinary Member of the Executive Council from the local reserved panel may be made by any affiliated Local Council of Trade Unions entitled to representation at the Biennial Delegate Conference.
  - c) Where affiliates nominate more than one candidate for election from the general panel to the Executive Council, the following requirement will apply in regard to their women membership:
    - where a trade union is nominating more than one candidate and its women membership is 60% or more of its total membership, it shall, if it is nominating two candidates, ensure that at least one of these candidates is a woman;
    - where a trade union is nominating more than one candidate and its women membership is 40% or more of its total membership, it shall, if it is nominating three candidates, ensure that at least one of these candidates is a woman;
    - where a trade union is nominating more than one candidate and its women membership is 20% or more of its total membership, it shall, if it is nominating four candidates, ensure that at least one of these candidates is a woman;
    - where a trade union is nominating more than one candidate and its women membership is 80% or more of its total membership, it shall, if it is nominating three candidates or more, ensure that at least two of these candidates are women
  - d) Each nomination must be signed by the authorised official of the nominating Organisation and must be forwarded so as to reach the General Secretary not later than five weeks before the opening of the Biennial Delegate Conference.
  - e) A nomination shall not be made without the expressed assent of the person nominated.
- (ii) A list of the persons nominated as Officers and members of the Executive Council shall be sent to affiliated organisations and to delegates at the same time as the Final Agenda for the Biennial Delegate Conference. (Should it arise that insufficient women have been nominated for election to the Executive Council by trade unions to meet the constitutional requirement, the secretariat will communicate the trend to affiliates one week prior to the close of receipt of nominations).

- (iii) In the election of the Executive Council a separate ballot shall be held in respect of the President, the Vice-Presidents and Treasurer. In the case of the election of the Vice-Presidents, this will be a single PR election with two seats to be filled and which must result in the election of at least one woman. A separate ballot shall be held in respect of the two panels referred to at Paragraph 25.

The election for the 30 seats on the general panel will be by a single election but the election must result in the selection of at least 8 women members - the normal application of the electoral system should be adjusted to produce this result, if necessary.

## 8. Election of Appeals Board

Nomination of persons for election as members of the Appeals Board may be made by any affiliated Trade Union entitled to representation at the Biennial Delegate Conference. Each nomination must be signed by the authorised official of the nominating Trade Union and must be forwarded so as to reach the General Secretary not later than five weeks before the opening of the Biennial Delegate Conference. A nomination shall not be made without the expressed assent of the person nominated. A list of the persons nominated as members of the Appeals Board shall be sent to affiliated organisations and to delegates at the same time as the final agenda for the Biennial Delegate Conference. The Appeals Board shall be elected by ballot.

## 9. Method of Voting

- (i) Voting at a Biennial or Special Delegate Conference, save as hereinafter provided, shall be by a show of hands, each delegate having one vote.
- (ii) The election of the Officers and members of the Executive Council, Standing Orders Committee, Northern Ireland Committee and Appeals Board shall be carried out using the single transferable vote system of proportional representation. Delegates appointed by Local Councils of Trade Unions shall not be eligible to vote in the election of the Officers of Congress and members of the Executive Council from the general panel and the women's reserved panel, Standing Orders Committee, Northern Ireland Committee members from the general panel and the Appeals Board but shall be eligible to vote in the election of the Ordinary Member of the Executive Council from the local reserved panel and the Ordinary Member of the Northern Ireland Committee member from the local reserved panel.



- (iii) Each affiliated Trade Union shall, when forwarding the names of delegates appointed to the Biennial or Special Delegate Conference, designate one such delegate as its principal delegate. When a motion involves financial liability to affiliated Trade Unions, a card vote may be demanded by the designated principal delegate of any Trade Union. The principal delegate of each Union shall be furnished with a voting card on which shall be recorded the number of members in respect of which the Union is affiliated. This number shall be the number of votes which the principal delegate may cast on behalf of that Union when a card vote is taken. The principal delegate may appoint a substitute to perform his/her functions during any period of absence from the conference hall. The appointment of a substitute principal delegate shall be in writing, signed by the principal delegate, and not otherwise.

## 10. Limitation of Speeches

- (i) Subject to the discretion of the Chairperson of the Biennial or Special Delegate Conference, the proposer of a motion or amendment shall be allowed five minutes and each subsequent speaker three minutes.
- (ii) No delegate shall speak more than once on the same question except the mover of the original motion, who shall be allowed four minutes to reply to the discussion.
- (iii) Each delegate on rising to speak must announce his/her name and the name of the organisation he/she represents.

## 11. Procedure Motions

- (i) Next Business: If a proposal to proceed to the next business has been moved and seconded, the proposer of the motion under discussion shall have the right to speak briefly in opposition; and the procedure motion shall then be put without further discussion. If the procedure motion is carried, the discussion on the motion originally under discussion shall be abandoned and the meeting shall proceed to the next business on the Agenda. If the procedure motion is lost, the discussion on the original motion shall be resumed.
- (ii) Discussion to close: A proposal that the discussion be brought to a close shall be moved, seconded and decided without discussion. If the procedure motion is carried, the motion originally under discussion shall be put and decided without further discussion other than a reply by the mover thereof. If the procedure motion is lost, the discussion on the original motion shall be resumed.

- (iii) Question now put: A proposal that the question be now put shall be moved, seconded and decided without discussion. If the procedure motion is carried, the motion originally under discussion shall be put and decided forthwith without further discussion. If the procedure motion is lost, the discussion on the original motion shall be resumed.

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- (iv) The acceptance of a procedure motion shall be at the discretion of the Chairperson of Conference.

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- (v) Agreement to Remit: The mover of a motion on the Agenda of Conference may be asked by any delegate, or by the Executive Council to agree to remit the motion for consideration by the Executive Council, reasons being stated for such request. Where the mover so agrees, the Conference will then be asked to approve the remit, and if it is approved, the motion will be remitted to the Executive Council. If Conference does not approve, the original motion may then be withdrawn by the mover, or if not withdrawn, will then be voted on.

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- (iv) Motion to Remit: Where the mover of a motion is asked to remit but does not agree to the remit, any delegate may move that the motion be remitted to the Executive Council. Where a motion to remit is moved and seconded, then following the conclusion of the debate, the Chairperson shall take the motion to remit and if it is carried, the motion shall be remitted to the Executive Council. If the motion to remit is lost, the original motion shall then be voted on.

## 12. Suspension of Standing Orders

A motion to suspend Standing Orders must be submitted in writing to the Chairperson by the proposer and seconder who are delegates to the Conference. It must specify the Standing Orders to be suspended and the period of suspension. It must state reasons of urgency and importance, and if the suspension is sought for the purpose of giving consideration to a matter not on the Agenda, the reason for not submitting such matter by way of motion in accordance with Standing Orders.

A motion to suspend Standing Orders may not be adopted except (a) with the permission of the Chairperson, and (b) with the consent of two-thirds of the delegates voting on the motion.

The Chairperson, before giving his/her ruling, may at his/her discretion consult the Standing Orders Committee.



# CONSTITUTION OF THE IRISH CONGRESS OF TRADE UNIONS

## Officers of ICTU from 1959

<i>Year</i>	<i>Venue of ADC</i>	<i>President</i>
1959	Dublin	John Conroy, Irish Transport and General Workers' Union
1960	Belfast	James Larkin, Workers' Union of Ireland
1961	Cork	Norman Kennedy, Amalgamated Transport and General Workers' Union
1962	Galway	W J Fitzpatrick, Irish Union of Distributive Workers and Clerks
1963	Killarney	Jack Macgougan, National Union of Tailors and Garment Workers
1964	Belfast	Charles McCarthy, Vocational Teachers' Association
1965	Cork	D F Murphy, Transport Salaried Staffs' Association
1966	Galway	Fintan Kennedy, Irish Transport and General Workers' Union
1967	Portrush	Bob Thompson, General and Municipal Workers' Union
1968	Killarney	John Conroy, Irish Transport and General Workers' Union
1969	Bundoran	Jimmy Dunne, Marine Port and General Workers' Union
1970	Cork	James Morrow, Amalgamated Union of Engineering and Foundry Workers
1971	Limerick	Maurice Cosgrave, Post Office Workers' Union
1972	Galway	Jim Cox, Amalgamated Society of Woodworkers (Died April 1972) Stephen McGonagle, Irish Transport and General Workers' Union
1973	Killarney	Stephen McGonagle, Irish Transport and General Workers' Union
1974	Dublin	Denis Larkin, Workers' Union of Ireland
1975	Cork	Andy Barr, National Union of Sheet Metal Workers, Coppersmiths, Heating and Domestic Engineers
1976	Galway	Matt Griffin, Irish National Teachers' Organisation
1977	Limerick	Brendan Harkin, Northern Ireland Civil Service Association (Resigned October 1976) John Mulhall, Irish National Painters' and Decorators' Trade Union
1978	Galway	John Mulhall, Irish National Painters' and Decorators' Trade Union
1979	Bundoran	Harold O'Sullivan, Local Government and Public Services Union
1980	Belfast	Jack Curlis, General and Municipal Workers' Union
1981	Cork	Dan Murphy, Civil Service Executive Union
1982	Belfast	David Wylie, Union of Shop, Distributive and Allied Workers
1983	Galway	Patrick Cardiff, Federated Workers' Union of Ireland
1984	Waterford	James Graham, Amalgamated Union of Engineering Workers - Engineering Section
1985	Killarney	Matt Merrigan, Amalgamated Transport and General Workers' Union
1986	Belfast	Jim McCusker, Northern Ireland Public Service Alliance
1987	Cork	John F Carroll, Irish Transport and General Workers' Union
1988	Dublin	William Wallace, National Union of Tailors and Garment Workers'
1989	Bundoran	Gerry Quigley, Irish National Teachers' Organisation

1990	Tralee	Jimmy Blair, Amalgamated Engineering Union
1991	Killarney	Chris Kirwan, Services Industrial Professional Technical Union
1991-1993	Galway	Tom Douglas, GMB
1993-1995	Tralee	Phil Flynn, Irish Municipal Public and Civil Trade Union
1995-1997	Belfast	John Freeman, Amalgamated Transport and General Workers' Union
1997-1999	Killarney	Edmund Browne, Services, Industrial Professional Technical Union
1999-2001	Bundoran	Inez McCormack, UNISON
2001-2003	Tralee	Senator Joe O'Toole, INTO
2003-2005	Belfast	Brendan Mackin, AMICUS
2005-2007	Bundoran	Peter McLoone
2007-2009	Tralee	Patricia McKeown
2009-2011	Killarney	Jack O'Connor
2011-2013	Belfast	Eugene McGlone
2013-2015	Ennis	John Douglas
2015-2017	Belfast	Brian Campfield

## Other Officers

Secretary	James Larkin (1959)
Joint Secretaries	Leo Crawford and Ruaidhri Roberts (1960-66)
General Secretary	Ruaidhri Roberts (1967-81) Donal Nevin (1982-89) Peter Cassells (1989-2001) David Begg (2001-2015) Patricia King (2015 -
Treasurer	Walter Beirne (1959) John Conroy (1960-67) Fintan Kennedy (1967-81) Patrick Clancy (1982-84) Chris Kirwan (1985-89) Edmund Browne (1989-1995) William Attley (1995-1999) Jimmy Somers (1999 February-2001) John McDonnell (2001- 2003) Joe O'Flynn (2003 -



